

Ordinance No. 224-2022

**By Council Members Polensek and Griffin
(by departmental request)**

FOR PASSAGE
February 28, 2022

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Safety to enter into one or more written standard purchase and requirement contracts without competitive bidding with Breathing Air Systems, Inc., a division of Sub Aquatics, Inc. for the purchase of Bauer breathing air compressors and accessories, for the Division of Fire, Department of Public Safety, for a period not to exceed one year with two one-year options to renew, exercisable by the Director of Public Safety.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That this Council determines that the within commodities and services are non-competitive and cannot be secured from any source other than Breathing Air Systems, Inc., a division of Sub Aquatics, Inc. (“Breathing Air Systems, Inc.”). Therefore the Director of Public Safety is authorized to make one or more written standard purchase contracts or requirement contracts, for a period not to exceed one year with two one-year options to renew, exercisable by the Director of Public Safety, with Breathing Air Systems, Inc. on the basis of its proposal dated February 3, 2022, for the purchase of Bauer breathing air compressors and accessories, to be purchased by the Commissioner of Purchases and Supplies, on a unit basis, for the Division of Fire, Department of Public Safety.

Section 2. That the costs of the standard and requirement contract or contracts shall be charged against the funds determined by the Director of Finance and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQS 0117, RL 2021-78)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 4. That any agreements to be paid from the American Rescue Plan Act of 2021 shall be fully-executed with funds to be encumbered, no later than March 31, 2022 for the initial and options to renew terms.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

NK:nl
2-28-2022
FOR: Director Howard

Ord. No. 224-2022

REPORT
after second Reading

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READ FIRST, SECOND AND THIRD TIME

READ FIRST TIME

and referred to

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME on FEBRUARY 28, 2022

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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