

Ordinance No. 569-2022

By Council Members McCormack and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

To amend the title and Sections 1, 2, and 4 of Ordinance No. 1026-2021, passed March 21, 2022; and to supplement the ordinance by adding new Section 3a, relating to the public improvement of demolition of various buildings and structures, disposal of related debris and materials, restoration of sites, relocation of employees, tenants, and affected facilities, and constructing temporary relocation facilities, for the Department of Port Control.

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 the title and Sections 1, 2, and 4 of Ordinance No. 1026-2021, passed March 21, 2022, are amended to read as follows:

An Emergency Ordinance determining the method of making the public improvement of demolition of various buildings and structures, removal and disposal of related debris and materials, restoration of sites, relocation of affected Department of Port Control employees and tenants, relocation of affected facilities, construction of temporary relocation facilities, and other related work; and authorizing the Director of Port Control to enter into one or more public improvement requirement contracts for the making of the improvement, ~~for contracts executed up to two years after the effective date of this ordinance.~~

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of demolition of various buildings and structures, removal and disposal of related debris and materials, restoration of sites, relocation of affected Department of Port Control employees and tenants, relocation of affected facilities, construction of temporary relocation facilities, and other related work, for the Division of Airports, Department of Port Control, by one or more public improvement requirement contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, ~~for contracts executed up to two years after the effective date of this ordinance.~~

Section 2. That the Director of Port Control is authorized to enter into one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of two years, with two one-year options to renew for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement for a period not to exceed the specified term, to be ordered by the Commissioner of Airports, for the Division of Airports, Department of Port Control. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Airports until provision is made for the requirements for the entire term., ~~provided, however, that each separate trade and each distinct~~

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~~component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.~~

~~Section 4. That the cost of the contract or contracts or other expenditures shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amounts necessary for the work to be performed under the contract or contracts improvement and other expenditures authorized shall be paid from Fund Nos. ~~60 SF 001, 60 SF 104, 60 SF 106, 60 SF 126, and 60 SF 141~~, Request No. ~~RQS 3001, RL 2021-100~~ RQN 3001, RL 2022-33.~~

Section 2. That the existing title and Sections 1, 2, and 4 of Ordinance No. 1026-2021, passed March 21, 2022, are repealed.

Section 3. That Ordinance No. 1206-2021, passed March 21, 2022, is supplemented by adding new Section 3a to read as follows:

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

Section 4. 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.

RS:nl
6-6-2022
FOR: Director Kennedy

