

# Ordinance No. 862-2022

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

## AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to enter into amendments to various contracts for the purchase of water treatment chemicals to provide new provisions to allow for regular modifications to the unit prices of the product due to rapidly fluctuating prices.

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WHEREAS, under Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976, after competitive bidding, the Director of Public Utilities entered into various contracts for the purchase of liquid alum, alum blend, sodium hypochlorite solution, potassium permanganate, neutralization chemicals, powdered activated carbon, and fluorosilicic acid for the City's requirements for two years for water treatment chemicals; and

WHEREAS, the chemicals named above are needed at different stages of the water treatment process and are critical for public health protection and safe drinking water; and

WHEREAS, the Division of Water and the rest of the water industry continue to see rapidly fluctuating costs and disruptions in the supply chain for those critical items and raw material shortages, and rising transportation prices continue to put cost pressure on chemical suppliers; and

WHEREAS, amending the contracts to provide for the recalculation of unit prices now and every six months thereafter, will allow the Division of Water to continue to purchase the required chemicals to produce safe drinking water; and

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 Director of Public Utilities is authorized to enter into an amendment to Contract No. MC 1505, RC 2022-08 with Chemtrade Chemicals US LLC for the purchase of the City's requirements for liquid alum to implement the recalculation, now and every six months thereafter, of the unit price to the City for the product for the remaining term of the contract due to significantly varying supplies and changing prices.

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Section 2. That the Director of Public Utilities is authorized to enter into an amendment to Contract No. MC 1505, RC 2022-12 with USALCO LLC for the purchase of the City's requirements for alum blend coagulant to implement the recalculation, now and every six months thereafter, of the unit price to the City for the product for the remaining term of the contract due to significantly varying supplies and changing prices.

Section 3. That the Director of Public Utilities is authorized to enter into an amendment to Contract No. MC 1505, RC 2021-55 with Bonded Chemicals, Inc. for the purchase of the City's requirements for sodium hypochlorite solution to implement the recalculation, now and every six months thereafter, of the unit price to the City for the product for the remaining term of the contract due to significantly varying supplies and changing prices.

Section 4. That the Director of Public Utilities is authorized to enter into an amendment to Contract No. MC 1505, RC 2022-20 with Bonded Chemicals, Inc. for the purchase of the City's requirements for potassium permanganate to implement the recalculation, now and every six months thereafter, of the unit price to the City for the product for the remaining term of the contract due to significantly varying supplies and changing prices.

Section 5. That the Director of Public Utilities is authorized to enter into an amendment to Contract No. MC 1505, RC 2021-82 with Bonded Chemicals, Inc. for the purchase of the City's requirements for neutralization chemicals to implement the recalculation, now and every six months thereafter, of the unit price to the City for the product for the remaining term of the contract due to significantly varying supplies and changing prices.

Section 6. That the Director of Public Utilities is authorized to enter into an amendment to Contract No. MC 1505, RC 2021-68 with Cabot Norit Americas Inc. for the purchase of the City's requirements for powdered activated carbon to implement the recalculation, now and every six months thereafter, of the unit price to the City for the

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product for the remaining term of the contract due to significantly varying supplies and changing prices.

Section 7. That the Director of Public Utilities is authorized to enter into an amendment to Contract No. MC 1505, RC 2022-18 with Univar Solutions USA Inc. for the purchase of the City's requirements for fluorosilicic acid to implement the recalculation, now and every six months thereafter, of the unit price to the City for the product for the remaining term of the contract due to significantly varying supplies and changing prices.

Section 8. That the recalculations under the contract amendments listed above shall be based on published, objective, established industry cost indices, such as the Producer Price Index (PPI), the Oil Price Information Service (OPIS), and the Consumer Price Index (CPI). All other terms and conditions of the contracts shall remain unchanged and in full force and effect.

Section 9. That the above-authorized contract amendments shall be prepared by the Director of Law.

Section 10. That the costs of the contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contracts, 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. (RQN 2002, RL 2022-37)

Section 11. 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.

GB:nl  
9-12-2022  
FOR: Director Keane

