

Ordinance No. 105-2023

**By Council Members Hairston,
McCormack, Bishop and Griffin (by
departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of City Planning to apply for and accept a grant from the United States Department of Transportation for the 2022 Safe Streets and Roads for All Grant: Cleveland Vision Zero Priority Implementation; authorizing the Director of City Planning, or appropriate director, to employ one or more professional consultants and authorizing various written standard purchase and requirement contracts; determining the method of making the public improvement of constructing safety improvements; and authorizing the director to enter into one or more public improvement contracts for the making of the improvement.

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 City Planning is authorized to apply for and accept a grant in the approximate amount of \$13,283,192, and any other funds that may become available during the grant term from the United States Department of Transportation to conduct the 2022 Safe Streets and Roads for All Grant: Cleveland Vision Zero Priority Implementation; that the director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, **File No. 105-2023-A**, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide \$3,320,798 in cash matching funds payable from Fund No. 01-001-6380, is approved in all respects and shall not be changed without additional legislative authority. (RQS 0110, RLA 2023-3)

Section 3. That the Director of City Planning is authorized to extend the term of the grant during the grant term.

Section 4. That the Director of City Planning is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to analyze crash

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patterns and safety needs, and to plan and execute public outreach campaigns related to roadway safety and for services needed for public outreach and communication campaigns.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of City Planning from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of City Planning for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of City Planning, and certified by the Director of Finance.

Section 5. That the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide design, engineering, and construction services to implement the grant.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Capital Projects from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Capital Projects for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Capital Projects, and certified by the Director of Finance.

Section 6. That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing safety improvements to implement the grant, for the Director of Capital Projects by one or more contracts duly

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let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 7. That the Director of Capital Projects is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct 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 8. That the Director of Public Works, or appropriate director, is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 9. That the Director of City Planning, or appropriate director, is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of materials, equipment, supplies, and services needed to install safety improvements and reconfigurations, hardware and other related equipment, and for outreach materials needed for public outreach and communication campaigns, and for the purchase or lease of television and radio advertising time and other media needed to implement this grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of City Planning, or appropriate department. 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.

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Section 10. That under Section 108(b) of the Charter, the purchases and/or services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of City Planning, or appropriate director, may sign all documents that are necessary to make the purchases and/or obtain such services, and may enter into one or more contracts with the vendors and/or consultants selected through that cooperative process.

Section 11. That the cost of the contract or contracts authorized in this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and the cash match.

Section 12. 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.

RB:nl
1-23-2023
FOR: Director Huang

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(by departmental request)**

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READ FIRST TIME on JANUARY 23, 2023

REPORTS

**and referred to DIRECTORS of City Planning Commission,
Capital Projects, Public Works, Finance, Law;
COMMITTEES on Development Planning and Sustainability,
Transportation and Mobility, Municipal Services and Properties,
Finance Diversity Equity and Inclusion**

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

**PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
TRANSPORTATION and
MOBILITY**

FILED WITH COMMITTEE

**PASSAGE RECOMMENDED BY
COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES**

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COMMITTEE ON
FINANCE, DIVERSITY, EQUITY
and INCLUSION**

FILED WITH COMMITTEE
