

# Ordinance No. 136-2023

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

## AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to exercise the first option to renew Contract No. RC2021-57 with Mr. Excavator Inc. to provide the necessary items of fencing, gates and guardrails, including labor and materials for the repair and maintenance of gates, fencing, guardrails and other related items, including installation, if necessary, for the various divisions of the Department of Port Control.

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WHEREAS, under the authority of Ordinance No. 375-2020, passed June 3, 2020, and Board of Control Resolution No. 195-21, adopted May 26, 2021, the Director of Port Control entered into Contract No. RC2021-57 with Mr. Excavator Inc. to provide the necessary items of fencing, gates and guardrails, including labor and materials for the repair and maintenance of gates, fencing, guardrails and other related items, including installation, if necessary, for the various divisions of the Department of Port Control; and

WHEREAS, Ordinance No. 375-2020 requires further legislation before exercising the first option to renew on this contract; 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 Port Control is authorized to exercise the first option to renew Contract No. RC2021-57 with Mr. Excavator Inc. to provide the City's requirements for an additional year of the necessary items of fencing, gates and guardrails, including labor and materials for the repair and maintenance of gates, fencing, guardrails and other related items, including installation, if necessary, for the various divisions of the Department of Port Control. This ordinance constitutes the additional legislative authority required by Ordinance No. 375-2020 to exercise this option.

Section 2. 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  
1-30-2023  
FOR: Interim Director Kramer

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**REPORT  
after second Reading**

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**READ FIRST TIME on JANUARY 30, 2023**

**and referred to DIRECTORS of Port Control, Finance, Law;  
COMMITTEES on Transportation and Mobility,  
Finance Diversity Equity and Inclusion**

**REPORTS**

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**CITY CLERK**

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**READ SECOND TIME**

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**CITY CLERK**

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**READ THIRD TIME**

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**PRESIDENT**

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**CITY CLERK**

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**APPROVED**

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**MAYOR**

Recorded Vol. **110** Page \_\_\_\_\_

Published in the City Record \_\_\_\_\_

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

FILED WITH COMMITTEE

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**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE, DIVERSITY, EQUITY  
and INCLUSION**

FILED WITH COMMITTEE

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