C OF C 125-174

Ordinance No. 509-2023

By Council Members Kazy and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with Johnson Controls Fire Protection, LP for inspection, testing, and service of proprietary fire protection and life safety systems, and replacement parts, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period up to two years, with two one-year options to renew, the first of which requires additional legislative authority.

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 Johnson Controls Fire Protection, LP. Therefore, the Director of Public Utilities is authorized to make one or more written requirement contracts with Johnson Controls Fire Protection, LP, for the requirements for a period up to two years, with two one-year options to renew, the first of which requires additional legislative authority, of the necessary items of inspection, testing, and service of proprietary fire protection and life safety systems, including labor, materials, and replacement parts necessary for repairing and replacing equipment, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, to be purchased by the Commissioner of Purchases and Supplies on a unit basis. 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 Public Utilities, without the necessity of obtaining additional authority of this Council.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts 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. (RQN 2002, RL 2023-10)

Section 3. 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.

ST:nl
4-24-2023
FOR: Director Keane

Ord. No. 509-2023

By Council Members Kazy and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with Johnson Controls Fire Protection, LP for inspection, testing, and service of proprietary fire protection and life safety systems, and replacement parts, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period up to two years, with two one-year options to renew, the first of which requires additional legislative authority.

READ FIRST TIME on APRIL 24, 2023 **REPORTS**
and referred to DIRECTORS of Public Utilities, Finance, Law;
COMMITTEES on Utilities, Finance Diversity Equity and Inclusion

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

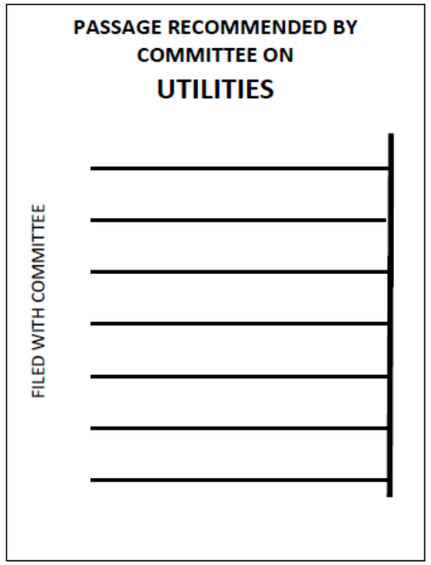
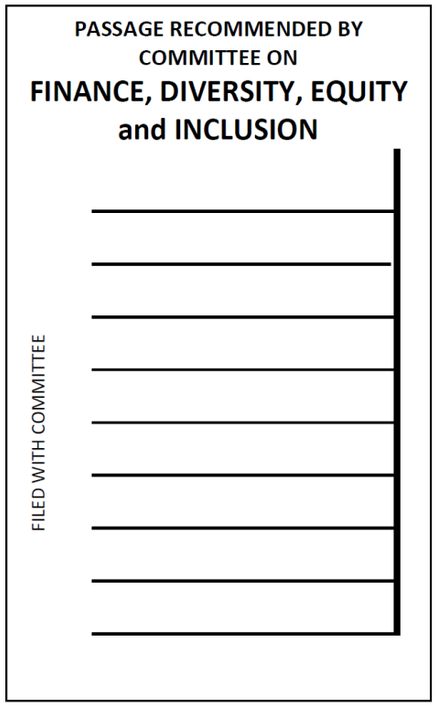
PRESIDENT

CITY CLERK

APPROVED

MAYOR

Recorded Vol. **110** Page_____

Published in the City Record _____

REPORT
after second Reading