

Ordinance No. 1157-2023

By Council Members Bishop and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to employ one or more consultants to provide professional services necessary to rehabilitate the Martin Luther King, Jr. Boulevard Bridge; to apply for and accept any gifts or grants for this purpose from any public or private entity; and authorizing the Commissioner of Purchases and Supplies to acquire, accept and record for right-of-way purposes any real property and easements necessary to make 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 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 design services necessary to rehabilitate the Martin Luther King, Jr. Boulevard Bridge No. 5:030, PID 119875 (the “Improvement”).

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

Section 3. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property

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including but not limited to gift, fee simple acquisitions, temporary easements, permanent easements, and work agreements as is necessary to make the Improvement. The consideration to be paid for the property and easements shall not exceed fair market value, as determined by the Board of Control.

Section 4. That the Director of Capital Projects is authorized to execute on behalf of the City all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 5. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for the Improvement from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 6. That the cost of the agreement or agreements and other expenditures authorized shall be paid from Fund Nos. 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, 20 SF 592, 20 SF 597, 20 SF 702, 20 SF 712, 20 SF 718, from the fund or funds to which are credited any gift accepted or grant proceeds received under this ordinance, future bond funds if issued for this purpose, cash contributions accepted under this ordinance, and from any other funds approved by the Director of Finance.

(RQS 0103, RLA 2023-92)

Section 7. 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.

PMA:nl
10-9-2023
FOR: Director DeRosa

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REPORT
after second Reading

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READ FIRST TIME on OCTOBER 9, 2023
and referred to DIRECTORS of Capital Projects,
City Planning Commission, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Finance Diversity Equity and Inclusion

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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

FILED WITH COMMITTEE

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

FILED WITH COMMITTEE

