

Ordinance No. 833-2024

By Council Members Hairston and Griffin
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Building and Housing, on behalf of the Office of Sustainability, to apply for and accept a sub-grant or sub-award from the University of Cincinnati for the Resilient and Efficient Codes Implementation Grant, otherwise known as the Building Performance Standards Grant; authorizing the director to employ one or more professional consultants, computer software developers, or vendors to acquire software licenses and develop software to implement the grant; and to enter into various written standard purchase and requirement contracts needed to implement the grant.

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 Building and Housing, on behalf of the Office of Sustainability, is authorized to apply for and accept a sub-grant or sub-award in the amount of \$100,000, and any other funds that may become available during the grant term from the University of Cincinnati, to conduct the Resilient and Efficient Codes Implementation Grant (RECI), otherwise known as the Building Performance Standards (BPS) Grant; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the sub-grant or sub-award; and that the funds are appropriated for the purposes described in the legislative summary and award announcement contained in the file described below.

Section 2. That the legislative summary and award announcement for the sub-grant, **File No. 833-2024-A**, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority. (RQS 8501, RLA 2024-83)

Section 3. That the Director of Building and Housing, on behalf of the Office of Sustainability, is authorized to extend the term of the grant during the grant term.

Section 4. That the Director of Building and Housing, on behalf of the Office of Sustainability, is authorized to employ by contract or contracts one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors for the purpose of

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supplementing the regularly employed staff of the several departments of the City of Cleveland in order to acquire software licenses and develop software to setup, implement, track and maintain the Building Performance Standard (BPS) system for the City of Cleveland.

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 Building and Housing, on behalf of the Office of Sustainability, from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Building and Housing, on behalf of the Office of Sustainability, 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 Building and Housing, on behalf of the Office of Sustainability, and certified by the Director of Finance.

Section 5. That the Director of Building and Housing, on behalf of the Office of Sustainability, 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, during the grant term, for the necessary items of materials, equipment, supplies, and services needed to implement the grant as described in the above-mentioned file, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Building and Housing, on behalf of the Office of Sustainability. 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.

Section 6. 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 Building and Housing, on behalf of

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the Office of Sustainability, 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 7. That the costs of the requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance.

Section 8. That the cost of the contract or contracts authorized shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and other funds approved by the Director of Finance. (RQS 8501, RLA 2024-83)

Section 9. 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
8-7-2024
FOR: Director Martin O'Toole

