C OF C 125-174

Ordinance No. 497-2025

By Council Members Kazy and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain control systems of the SCADA and PCCS systems, for the various divisions of the Department of Public Utilities; and authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with various companies to provide critical proprietary components for the SCADA and PCCS equipment, for the Divisions of Water and Cleveland Public Power, Department of Public Utilities, for a period up to two years.

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 Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years of the necessary items of specialized equipment, supplies, tools, software, computer equipment, training, and labor if necessary, to maintain and replace components of the electrical power distribution control system, water distribution control system, water plant control system, and sewer pump station control system, labor and materials necessary to maintain control systems, including but not limited to, replacement parts, equipment, computer software, software upgrades, support software, software implementation, system changes, configurations, programming, training, upgrades, services, support and maintenance and other-software related components necessary for the operation of the SCADA and PCCS systems, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Public Utilities. 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. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Hach Company, HSQ Technology, Rexel Inc., and Schneider Electric Systems, USA. Therefore, the Director of Public Utilities is authorized to make one or more written requirement contracts with

the vendors listed above under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years of the necessary items of materials, equipment, supplies, and services necessary to maintain, repair, and replace components of SCADA and PCCS equipment and software to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Divisions of Water and Cleveland Public Power, Department of Public Utilities.

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 4. That the Director of Public Utilities is authorized to apply for and accept Northeast Ohio Regional Sewer District ("NEORSD") for Stormwater Community Cost Share Program funding to implement this ordinance, that the Director is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in this ordinance.

Section 5. That the costs of the contract or contracts or other expenditures shall be paid from Fund Nos. 52 SF 001, 54 SF 001, 58 SF 001, funds approved by the Director of Finance, and the fund or funds to which are credited the NEORSD Stormwater Community Cost Share Program funds, and shall also 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 2025-06)

Section 6. 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.

MH:uo
4-14-2025
FOR: Director Keane

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READ FIRST TIME on APRIL 14, 2025 **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

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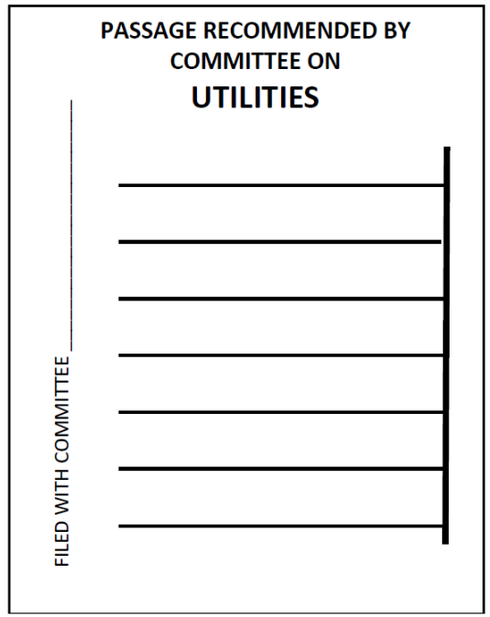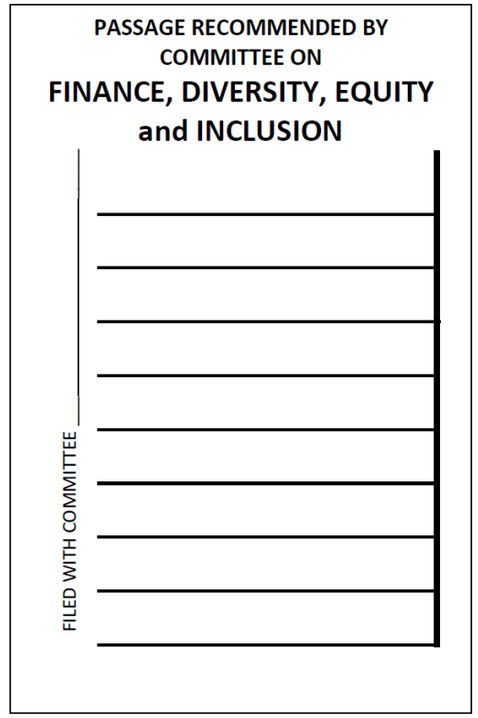
REPORT
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