

# Ordinance No. 1038-18

**Council Members Keane and Kelley  
(by departmental request)**

## **AN EMERGENCY ORDINANCE**

Determining the method of making the public improvement of demolishing the existing pump station, constructing a new one, and making site improvements; authorizing the Director of Public Utilities to enter into one or more public improvement contracts; and authorizing the director to employ one or more professional consultants to design the improvement.

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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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of demolishing the existing Cedar Road Pump Station, constructing a new one, and making site improvements (the "Improvement"), for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the Director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

Section 3. That the Director of Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of engineering consultants for the purpose of supplementing the regularly employed staff of the

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several departments of the City of Cleveland in order to provide professional services necessary to design the Improvement.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Utilities 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 Public Utilities, and certified by the Director of Finance.

Section 5. That the cost of the improvement and other expenditures authorized shall be paid from Fund No. 52 SF 001 and from the fund or funds to which are credited the sale from the proceeds of future bonds, if issued for this purpose. RQS 2002, RL 2018-55.

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.

CH:RC:nl  
8-15-18

FOR: Director Davis

Council Members Keane and Kelley (by departmental request)

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**READ FIRST TIME on AUGUST 15, 2018**  
**and referred to DIRECTORS of Public Utilities,**  
**City Planning Commission, Finance, Law;**  
**COMMITTEES on Utilities,**  
**Development Planning and Sustainability, Finance**

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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

**REPORT**  
**after second Reading**

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
UTILITIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
DEVELOPMENT, PLANNING AND  
SUSTAINABILITY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE

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