

Ordinance No. 1032-18

**Council Members McCormack, Cleveland,
Brancatelli and Kelley (by departmental
request)**

AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into one or more contracts with the Cleveland-Cuyahoga County Port Authority to provide technical assistance and to procure a comprehensive maritime infrastructure assessment of the City-owned properties commonly known as Docks 28b, 30, 32 and the North Coast Harbor.

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 Port Control is authorized to enter into one or more contracts with the Cleveland-Cuyahoga County Port Authority to provide technical assistance and to procure a comprehensive maritime infrastructure assessment of the City-owned properties commonly known as Docks 28b, 30, 32 and the North Coast Harbor.

Section 2. That the cost of the contract shall not exceed \$115,000 and shall be paid from Fund No. 10 SF 113, RQS 3002, RL 2018-89.

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.

AP:nl
8-15-18

FOR: Director Kennedy

ORDINANCE NO.: 1032-18
RESOLUTION NO.:
ESTIMATED COST: \$115,000.00

CERTIFICATE OF FUNDS

The sum of \$ 115,000⁰⁰

Dollars required for this contract was on _____, 2018, and is at this

date in the City Treasury or in the process of collection to the credit of Fund 21-018

08-28-18 and not appropriated for any other purpose.

DATE: 08-28-18

ENTERED BY: _____

INDEXED BY: _____

Accountant

Commissioner of Accounts

Director of Finance

LEGAL DESCRIPTION OF PREMISES APPROVED BY:

Commissioner of Engineering & Construction

Engineer of Plats & Surveys

APPROVED FOR PASSAGE OR ADOPTION BY REQUESTING DEPARTMENT BECAUSE:

The Department of Port Control requests authority to enter into one or more contracts with the Cleveland-Cuyahoga County Port Authority to provide technical assistance and to procure a comprehensive maritime infrastructure assessment of the City-owned properties commonly known as Docks 28b, 30, 32, and the North Coast Harbor.

DATE SIGNED: 20/08/18 _____
Director of the Department of Port Control

THIS LEGISLATION IS NOT APPROVED BECAUSE:

DATE SIGNED: _____

THERE IS NO OBJECTION TO THIS LEGISLATION, IF AMENDED AS FOLLOWS:

DATE SIGNED: _____

Department of Port Control

Ord. No.: 1032-18

Business Development and Management

EXECUTIVE SUMMARY

The Department of Port Control is requesting authority to enter into one or more contracts with the Cleveland-Cuyahoga County Port Authority to provide technical assistance and to procure a comprehensive maritime infrastructure assessment of the City owned properties commonly known as Docks 28b, 30 and 32 and the North Coast Harbor.

Background/Purpose:

North Coast Harbor and the Docks are abutted by approximately 6,650 lineal feet of maritime infrastructure, including bulkheads, revetments and other forms of retaining walls. According to best practice engineering standards, the inspection of shoreline infrastructure of this type should occur every 6 years to determine their overall condition and the cost to repair any defects. The subject properties are due for comprehensive maritime infrastructure assessments, having only been partially inspected in April of 2008 (Docks) and August of 2011 (NCH).

The Port Authority has agreed, based on its expertise and resources to procure the necessary engineering and inspection services for such an assessment and to provide the organization's specialized technical assistance to help address any identified issues. The proposed legislation will authorize the Department to enter into a one-year agreement in an amount not to exceed \$115,000 for this purpose.

Scope:

The Port Authority will help to facilitate and analyze the following components of the comprehensive maritime infrastructure assessment of the Docks and NCH:

- Condition report highlighting existing conditions of all areas above and below the waterline.
- Remaining useful life of existing maritime infrastructure with recommended and required future maintenance/repairs (non-structurally deficient areas).
- Summary of structurally deficient areas of maritime infrastructure w/ supplemental basic design details and cost estimates.
- 10-15% design cost estimates of required repairs and rehabilitation.
- Design drawings to supplement cost estimates and highlighting basic design concepts.
- Design drawings/map highlighting maritime infrastructure w/ appropriate positioning and stationing.
- Any other information that may be necessary or deemed pertinent to assist with future planning of maritime infrastructure upgrades.

Justification:

The proposed legislation is advisable for the following reasons:

- A comprehensive maritime infrastructure assessment has not been performed on the Docks or NCH within the last 6 years, which does not adhere to best practice engineering standards.
- There is an urgent need to discern if the shorelines of the Docks and NCH offer the structural integrity to support the future development and waterside uses planned for the downtown lakefront.
- This assessment will identify any upgrades or repairs needed to prolong the useful life of existing maritime infrastructure.
- The Port Authority offers the requisite maritime engineering expertise to procure, task and evaluate the professional service providers that will perform all assessments and produce any related reports.
- The Port Authority is embarking on a similar assessment of their eastern docks and by combining scopes and mobilizing consultants at the same time as the City; there are certain economies of scale that can be gleaned to reduce costs.

Anticipated Cost:

The cost of the contract is \$115,000.

Schedule or Term of Contract:

The Department is requesting a term of one year.

Current Contract:

N/A

Ordinance No. 1039-18

Council Members Keane and Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to exercise the first options to renew various contracts for the requirements for labor and materials for maintenance of backup generator power supply systems including motors, generators and appurtenances and for diesel filtration, testing and maintenance program for off-road diesel storage tanks, for the Department of Public Utilities.

WHEREAS, under the authority of Ordinance No. 704-16, passed July 13, 2016, the Director of Public Utilities entered into Contract Nos. MA 1505 RC 2017-005 with Ohio Machinery Co. dba Ohio CAT and MA 1505 RC 2017-035 with Warner Diesel Filtration; and

WHEREAS, Ordinance No. 704-16 requires further legislation before exercising the first option to renew on these contracts; and

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 exercise the first option to renew on Contract Nos. MA 1505 RC 2017-005 with Ohio Machinery Co. dba Ohio CAT and MA 1505 RC 2017-035 with Warner Diesel Filtration in the total approximate amount of \$175,000 for the requirements for maintenance of backup generator power supply systems including motors, generators and appurtenances and for diesel filtration, testing and maintenance program for off-road diesel storage tanks, for the Department of Public Utilities. That this ordinance constitutes the additional legislative authority required by Ordinance No. 704-16 to exercise these options. (RQN 2002, RL 2018-23)

Section 2. 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.

GK:nl
8-15-18

FOR: Director Davis

- Requirement Contract.

ADMINISTRATIVE REPORT

ORDINANCE NO. 1039-18

RESOLUTION NO. _____

ESTIMATED COST _____

CERTIFICATION OF FUNDS

The sum of _____
Dollars required for this contract was on _____ 20____,
and is as of this date in the City Treasury or in process of collection
to the credit of _____ Fund and not appropriated for any other
purpose.

Date: _____

Entered by: _____
APPROPRIATION CLERK

Indexed By: [Signature]
ACCOUNTANT

[Signature]
DIRECTOR OF FINANCE

[Signature]
COMMISSIONER OF ACCOUNTS

LEGAL DESCRIPTION OF PREMISES APPROVED BY:

COMMISSIONER OF ENGINEERING

ENGINEER OF PLATS AND
CONSTRUCTION SURVEYS

APPROVED FOR PASSAGE OR ADOPTION BY REQUESTING DEPARTMENT TO
Authorizing the Director of Public Utilities to exercise the first options to renew various
contracts for the requirements for labor and materials for maintenance of backup
generator power supply systems including motors, generators and appurtenances and
for diesel filtration, testing and maintenance program for off-road diesel storage tanks,
for the Department of Public Utilities.

DATE: 8-17-18 (signed)

[Signature]
DIRECTOR OF PUBLIC UTILITIES

THIS LEGISLATION IS NOT APPROVED BECAUSE.

DATE: _____ (signed)

DIRECTOR OF PUBLIC UTILITIES

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

DATE: _____ (signed)

Request for Legislation

Authorizing the Department of Public Utilities to exercise one year-options to renew two current requirement contracts. These contracts are for labor and materials for maintenance of Backup Generators, Components, Appurtenances, Fuel Testing, Fuel Conditioning and Recycling.

Background/Purpose:

DPU has numerous facilities, including but not limited to office buildings, water filtration facilities, pump stations, sewerage lift stations, and electrical sub-stations, each of which has a variety of electrical power backup equipment, including natural gas turbine generators, diesel generators, backup diesel drives on water pumps, uninterruptible power systems, and propane generators. These units must be maintained on an ongoing basis.

Scope of Work/Commodities/Services:

The Department of Public Utilities will exercise one-year options to renew two current requirement contracts, with Ohio Machinery Co. dba Ohio CAT, and with Warner Diesel Filtration:

- MA - 1505- RC2017-005 (Ohio Machinery Co. dba Ohio CAT) for maintenance of backup generator systems including motors, generators and appurtenances.
- MA - 1505- RC2017-35 (Warner Diesel Filtration) for diesel filtration, testing and maintenance program for off-road diesel storage tanks.

The contracts will assure that tested and inspected backup generators, components, appurtenances, and stored diesel fuel are operational and within applicable standards and manufacturer's tolerances and are maintained for continuous and spontaneous service.

Justification/Urgency:

The operation and integrity of the backup power generation equipment is critical to the systems that provide electricity, remove sewage and produce drinking water for the population of the City and the neighboring communities. If the backup systems are not maintained or refurbished, DPU's ability to provide those services becomes impaired.

Requirement contract MA - 1505- RC2017-005 expires February 8, 2019 and 1505- RC2017-35 expires April 12, 2019.

Anticipated Costs and funding source:

CWD General Operating Funding and other sources of funding approved by the Finance Director will be used for these contract extensions.

Schedule or Term of Contract:

The request is to exercise the additional one-year option on both requirement contracts.

Current Contract(s):

Vendor Company Name	Vendor Address	Vendor Contact	Contract Info	CSB Participation (OEO Actual %'s)
Ohio Machinery Co. dba Ohio Cat	3993 Royalton Road Broadview Heights, OH 44147	Paul Gondek	Contract #: RC2017-05 Awarded Amt: \$286,392.00 Contract Exp. Date: 2/08/2019	None
Warner Diesel Filtration	2303 Cole Creek Drive Norwalk, OH 44857	Dave Warner	Contract #: RC2017-35 Awarded Amt: \$22,600.00 Contract Exp. Date: 4/18/2019	None

CSB Participation on the Current Contracts:

- MA - 1505- RC2017-05 for maintenance of backup generator power supply systems including motors, generators and appurtenances: Under Chapter 187.13C of the Codified Ordinances, the OEO participation goal for this requirement contract was waived.
- MA - 1505- RC2017-35 for diesel filtration, testing and maintenance program for off-road diesel storage tanks: Under Chapter 187.13C of the Codified Ordinances, the OEO participation goal for this requirement contract was waived.

Previous Contracts:

Vendor Company Name	Vendor Address	Vendor Contact	Contract Info	CSB Participation (OEO Actual %'s)
W.W. Williams Midwest, Inc.	1176 Industrial Parkway Brunswick, OH 44212	Wendy Angle	Contract #: RC2014-13 Awarded Amt: \$372,288.00 Contract Exp. Date: 2/17/2017	None, impractical.
Warner Diesel Filtration	2303 Cole Creek Drive Norwalk, OH 44857	Dave Warner	Contract #: RC2014-15 Awarded Amt: \$20,750.00 Contract Exp. Date: 3/02/2017	None, impractical.

Ordinance No. 1040-18

Council Members Keane and Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. MA 1505 RC 2017-19 with Underwater Marine Contractors, Inc. to provide for diving and underwater inspection services.

WHEREAS, under the authority of Ordinance No. 659-16, passed July 13, 2016, the Director of Public Utilities entered into Contract No. MA 1505 RC 2017-19 with Underwater Marine Contractors, Inc. to provide for diving and underwater inspection services; and

WHEREAS, Ordinance No. 659-16 requires further legislation before exercising the first option to renew on this contract; and

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 exercise the first option to renew Contract No. MA 1505 RC 2017-19 for an additional year with Underwater Marine Contractors, Inc. for the requirements for an additional year to provide for diving and underwater inspection services. This ordinance constitutes the additional legislative authority required by Ordinance No. 659-16 to exercise this option. (RQN 2002, RL 2018-25)

Section 2. 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.

GK:nl
8-15-18

FOR: Director Davis

NO CERTIFICATION OF FUNDS REQUIRED
-Requirement Contract.

ADMINISTRATIVE REPORT

ORDINANCE NO. 1040-18

RESOLUTION NO. _____

ESTIMATED COST _____

CERTIFICATION OF FUNDS

The sum of _____
Dollars required for this contract was on _____ 20____,
and is as of this date in the City Treasury or in process of collection
to the credit of _____ Fund and not appropriated for any other
purpose.

Date: _____

Entered by: _____
APPROPRIATION CLERK

Indexed By: [Signature]
ACCOUNTANT

[Signature]
DIRECTOR OF FINANCE

[Signature]
COMMISSIONER OF ACCOUNTS

LEGAL DESCRIPTION OF PREMISES APPROVED BY:

COMMISSIONER OF ENGINEERING

ENGINEER OF PLATS AND
CONSTRUCTION SURVEYS

APPROVED FOR PASSAGE OR ADOPTION BY REQUESTING DEPARTMENT TO
Authorizing the Director of Public Utilities to exercise the first option to renew Contract
No. MA 1505 RC 2017-19 with Underwater Marine Contractors, Inc, to provide for diving
and underwater inspection services.

DATE: 8-17-18 (signed)

[Signature]
DIRECTOR OF PUBLIC UTILITIES

THIS LEGISLATION IS NOT APPROVED BECAUSE.

DATE: _____ (signed)

DIRECTOR OF PUBLIC UTILITIES

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

DATE: _____ (signed)

DEPARTMENT OF PUBLIC UTILITIES**Ordinance No. 1040-18****Division of Water****Request for Legislation**

Authorizing the Director of Public Utilities to exercise the first one option to renew a requirement contract with Underwater Marine Contractors, Inc. (MA 1505 RC2017-019) for diving and related services, labor, and materials for inspecting, refurbishing, replacing and repairing of various submerged structures used to produce drinking water.

Background/Purpose:

The Division of Water has four water treatment plants, each of which has a raw water intake system in Lake Erie, a shore shaft, raw water suction wells, settling basins, finished water storage basins and other submerged facilities. The current contract provides underwater diving, inspection, cleaning, debris removal and occasional minor repair of submerged and water-filled facilities.

Scope of Work/Commodities/Services:

This requirement contract provides underwater diving, inspection, cleaning, debris removal and occasional minor repair of submerged and water-filled facilities. Removal of debris from submerged raw water intake systems requires working in water depths up to 120 feet, potentially inside confined spaces, and requires the use of a boat, diving gear, and in some instances a hyperbaric decompression chamber.

Justification/Urgency:

The operation and integrity of the various submerged and water-filled structures are critical for the production and supply of potable water for the health and welfare of the population of the City of Cleveland and neighboring communities. The submerged raw water intake systems and the raw water suction wells are subject to infestation by zebra mussels. If the zebra mussel shells are not removed, the capacities of the water plants become reduced. If the zebra mussels cover the screens completely, then the water plants become subject to shutdown due to choking off the water flow from the Lake.

Anticipated Costs and funding source:

CWD General Operating Funds and other sources of funding approved by the Finance Director will be used for this contract.

Schedule or Term of Contract:

Request is to exercise the additional one-year option on the current contract.

Current Contract(s):

Vendor Company Name	Vendor Address	Services/Work performed	Contract Info
Underwater Marine Contractors	9535 Clinton Avenue Cleveland, OH 44144 Bart Schasfoort	Underwater inspection/repair	Contract # 2017-019 Award Amt. \$657,290.00 Expiration date: 3/21/2019

CSB Participation on the Current Contracts:

Under Chapter 187.13C of the Codified Ordinances, the OEO participation goal for this requirement contract was waived.

Previous Contracts:

Vendor Company Name	Vendor Address/Contact	Contract Info	CSB Participation (OEO Actual %'s)
Lake Erie Ship Repair & Fabrication, LLC	1459 State Rt. 46 South Jefferson, OH 44047 Joseph J. Craine	Contract # 2014-129 Award Amt. \$702,900.00 Expiration date: 11/6/2016	0%
Underwater Marine Contractors	9535 Clinton Avenue Cleveland, OH 44144 Bart Schasfoort	Contract #: 2012-020 Awarded Amt: \$284,582.00 Contract Exp. Date: 4/24/2014	0%
Underwater Marine Contractors	9535 Clinton Avenue Cleveland, OH 44144 Bart Schasfoort	Contract #: 69803 Awarded Amt: \$207,380.00 Contract Exp. Date: 1/03/2012	0%
Underwater Marine Contractors	9535 Clinton Avenue Cleveland, OH 44144 Bart Schasfoort	Contract #: 67057 Awarded Amt: \$235,820.00 Contract Exp. Date: 08/06 /2009	0%

Ordinance No. 1041-18**AN EMERGENCY ORDINANCE**

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

Authorizing the Director of Public Utilities to make alterations and modifications in Contract No. PI 2017-42 with KMU Trucking & Excavating, Inc. for the Thrush Avenue sewer replacement project.

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 the following alterations and modifications in Contract No. PI 2017-42 with KMU Trucking & Excavating, Inc. for the Thrush Avenue sewer replacement project:

Subsidiary Additions – New Items

The Department of Public Utilities, Division of Water Pollution Control entered into a public improvement contract with KMU Trucking & Excavating, Inc. to replace a main sewer line and new sewer house connections on Thrush Avenue between West 117th Street and Bosworth Avenue in the City of Cleveland. The pavement cannot be replaced in the sewer trench only as originally envisioned. Due to the deterioration in the existing pavement and underground issues, it became necessary to do full width replacement of the pavement. The work will also include curbs and aprons replacement due to the disturbance and grade requirements necessitated by the new pavement.

Total Additions – New Items	\$ 502,310.41
TOTAL SUBSIDIARY ADDITIONS	\$ 502,310.41
Original Contract Amount	\$ 767,321.50
Total Subsidiary Additions	<u>502,310.41</u>
New Contract Amount	\$ 1,269,631.91

which alteration has been recommended in writing by the Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on the contract. The price to be paid for the alterations and modifications to the contract has been agreed upon in writing and signed by the Director of Public Utilities and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$502,310.41 to be paid from Fund No. 54 SF 400. (RQS 2003, RL 2018-66)

Section 2. 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.

LW:nl
8-15-18
FOR: Director Davis

ADMINISTRATIVE REPORT

ORDINANCE NO. 1041-18

RESOLUTION NO. _____

ESTIMATED COST _____

CERTIFICATION OF FUNDS

The sum of 502,310.41
Dollars required for this contract was on August 20 2018,
and is as of this date in the City Treasury or in process of collection
to the credit of 514324 Fund and not appropriated for any other
purpose.

Date: _____

Entered by: _____
APPROPRIATION CLERK

Indexed By: [Signature]
ACCOUNTANT

[Signature]
DIRECTOR OF FINANCE

[Signature]
COMMISSIONER OF ACCOUNTS

LEGAL DESCRIPTION OF PREMISES APPROVED BY:

COMMISSIONER OF ENGINEERING

ENGINEER OF PLATS AND
CONSTRUCTION SURVEYS

APPROVED FOR PASSAGE OR ADOPTION BY REQUESTING DEPARTMENT TO
Authorizing the Director of Public Utilities to make alterations and modifications in
Contract No. PI 2017-42 with KMU Trucking & Excavating, Inc. for the Thrush Avenue
sewer replacement project.

DATE: 8-17-18 (signed)

[Signature]
DIRECTOR OF PUBLIC UTILITIES

THIS LEGISLATION IS NOT APPROVED BECAUSE.

DATE: _____ (signed)

DIRECTOR OF PUBLIC UTILITIES

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

DATE: _____ (signed)

**DEPARTMENT OF PUBLIC UTILITIES
Division of Water Pollution Control**

Ordinance No. 1041-18

Amendment to Public Improvement Contract# PI2017-42 to authorize KMU Trucking & Excavating, Inc. to perform additional work on the Thrush Avenue Sewer Replacement Project for the Department of Public Utilities, Division of Water Pollution Control.

Background/Purpose:

The Department of Public Utilities, Division of Water Pollution Control (WPC) entered into a public improvement contract with KMU Trucking & Excavating, Inc. to replace a main sewer line and new sewer house connections on Thrush Avenue between West 117th Street and Bosworth Avenue in the City of Cleveland for a total price of \$767,321.50.

The pavement cannot be replaced in the sewer trench only as originally envisioned. Due to the deterioration in the existing pavement base and underground issues, it became necessary to do full width replacement of the pavement. The work will also include curbs and aprons replacement due to their disturbance and grade requirements necessitated by the new pavement.

Scope of Work/Commodities/Services:

The scope of the additional work is described above.

Justification/Urgency:

Based on the deterioration in the existing pavement base and the underground issues, it is necessary to do a full replacement of the pavement.

Anticipated Costs and Funding Source:

\$ 502,310.41 (total of amendment to be included)

Total New Contract: \$ 1,269,631.91

The funding source is WPC bond funds.

Schedule or Term of Contract:

The work was completed in July 2018

Current Contract(s):

Vendor Company Name	Vendor Address Company street address/city/state/zip	Vendor Contact	Contract Info
KMU Trucking & Excavating, Inc.	4436 Center Road Avon, OH 44011	Bob Ward, Project Manager	Contract #: PI2017-42 Awarded Amt: \$ 767,321.50 Total-to-date: \$ 766,741.27 Contract Exp. Date: N/A

CSB Participation on the Current Contract(s):

Goals: 30%

Current Participation: 21.5% CSB

Ordinance No. 1050-18

Council Members Hairston, Johnson, Brancatelli and Kelley (by departmental request)

AN EMERGENCY ORDINANCE

Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing portions of Eddy Road and Shaw Avenue; authorizing the Director of Capital Projects to enter into any relative agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; and causing payment of the City's share to the County for the cost of 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. Consent. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the County of Cuyahoga (the "County") to construct the following improvement under plans, specifications, and estimates approved by the County: resurfacing of Eddy Road from Gray Avenue to Arlington Avenue and resurfacing of Shaw Avenue from St. Clair Avenue to the East Corporation line, County Project ID No. 1236 (the "Improvement").

Section 2. Cooperation

- (a) That the City will cooperate with the County in the Improvement.
- (b) That the County will arrange for the preparation of construction plans and specifications, including necessary engineering reports for the improvements under current County standards for construction of County roads and bridges.
- (c) That the County will arrange for the supervision and administration of the construction project.

Section 3. Funding

- (a) That the City agrees to participate with the County in the cost of the Improvement by an allocation from the County Motor Vehicle License Tax Fund to pay the County portion of the project; and by applying to the County to use the License Tax Funds for the Improvement.
- (b) That if funds administered by the Ohio Public Works Commission are used for the Improvement, the amount of the funds shall be applied to the County's share of the costs specified in this ordinance.
- (c) That the City agrees to assume and contribute 100% of the cost of any items included in the construction contract at the request of the City, which are determined by the County not eligible or made necessary by the Improvement.

Ordinance No. 1050-18

Section 4. Maintenance. That upon completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial provisions for the maintenance;

(b) Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the County and hold the right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits;

(c) That the County shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the Improvement under the applicable sections of the Revised Code; and

(d) After construction of the Improvement is complete, the City agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency.

Section 5. Traffic. That on completion of the Improvement, the City will keep the highway open to traffic at all times; and

(a) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the Improvement in compliance with the provisions of Section 4511.11 of the Revised Code and other related sections of the Revised Code;

(b) That the street or highway within the limits of the Improvement is designated a through highway as provided in division (A)(6) of Section 4511.07 of the Revised Code;

(c) That, if applicable, stop signs affecting the movement of traffic on the street or highway within the Improvement shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-Way Stop" as provided in the above-mentioned Manual are met;

(d) That no rule or regulation shall be enacted restricting the use of the Improvement by any class of vehicle or vehicle load permitted by the Revised Code to use a public highway. Any existing rule or regulation so restricting road usage is rescinded; and

(e) The City shall regulate parking in the following manner: Prohibit parking under Section 4511.66 of the Revised Code unless otherwise controlled by local ordinance or resolution.

Ordinance No. 1050-18

Section 6. Right-of-Way

(a) That all existing street and public right-of-way within the City which is necessary for the Improvement shall be made available.

(b) That in the event any additional right-of-way is required for the Improvement the City will arrange for the acquisition.

Section 7. Utilities

1. The County will make arrangements with and obtain agreements from privately owned public utility companies whose lines or structures will be affected by the said improvement, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of said improvement, and said companies have agreed to make such necessary arrangements immediately after notification by said City.

2. That the County will pay the cost of alterations of governmentally-owned utility facilities which come within the provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.

3. The City shall cooperate with the County to, make all arrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the Provisions of Section 8301 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the said improvement.

4. That the construction, reconstruction, and/or arrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

Section 8. Miscellaneous

(a) That if the County is formally requested by ordinance of this Council to include the construction of sanitary sewers, water lines, area sewers (drainage of area surrounding the Improvement), sidewalks, alternate bid items, or other items in the Improvement that are in addition to those now existing and not provided for elsewhere in this ordinance, the County will do so, provided that the construction meets with the approval of the County and the City involved in this Improvement; and that the City agrees to pay, or make arrangements for the payment of the cost of the construction. The cost of preliminary and design engineering, and construction supervision.

Ordinance No. 1050-18

(b) For purposes of this ordinance, the agent for the County and liaison officer shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.

(c) That, under the provisions of Chapters 304 and 1306 of the Revised, code, the City agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to the documents shall have the same legal effect as if that signature was manually affixed to a paper version of the document.

Section 9. That the Director of Capital Projects is authorized to apply to the County for an allocation from the County Motor Vehicle License Tax Fund to pay the County portion of the Improvement.

Section 10. That the Director of Capital Projects is authorized to enter into agreements with the County necessary to complete the Improvement.

Section 11. That this Council requests the County to proceed with the Improvement.

Section 16. That this Council authorizes payment to the County of the City's share of the Improvement which is currently estimated to be \$240,000, payable from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, from future bonds if issued for this purpose, and from any fund or funds approved by the Director of Finance. (RQS 0103, RL 2018-92)

Section 12. That the Clerk of Council is directed to transmit to the County three (3) certified copies of this ordinance immediately on its taking effect.

Section 13. 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.

RC:nl
8-15-18
FOR: Director Spronz

ADMINISTRATIVE REPORT

Ordinance No. 1050-18

Resolution No.

Estimated Cost

Certificate of Funds

The sum of 240,000.00 dollars required for this contract was on August 29, 2018, and is at this date in the City Treasury or in process of collection to the credit of Fund C18210 and not appropriated for any other purpose.

Date _____

Entered by _____
Appropriation Clerk

Indexed by [Signature]
Accountant

[Signature]
Director of Finance

[Signature]
Commissioner of Accounts

.....
APPROVED

[Signature]
Commissioner of Engineering & Construction

.....
Approved for Passage or Adoption by requesting Department because: Giving consent of the City of Cleveland to the County of Cuyahoga for the resurfacing portions of Eddy Road and Shaw Avenue, authorizing the Director of Capital Projects to enter into any relative agreements; to apply for and accept an allocation of County Motor Vehicle License Tax Funds for the improvement; and causing payment of the City's share to the County for the cost of the improvement.

Date 8-28-18

[Signature]
Director, Mayor's Office of Capital Projects

.....
This legislation is not approved because:

Date _____
Director, Office of Capital Projects

.....
There is no legal objection to this legislation if Amended as follows:

Date _____

LEGISLATIVE SUMMARY
MAYOR'S OFFICE OF CAPITAL PROJECTS
Division of Engineering and Construction

Eddy Road and Shaw Avenue Resurfacing, County ID No. 1236

Ordinance No. 1050-18

Purpose: This Department requests legislation to grant consent to the County to construct the improvement on Eddy Road from Gray Avenue to Arlington Avenue and Shaw Avenue from St. Clair Avenue to East Corporation Line and to authorize the Director of the Mayor's Office of Capital Project to enter into one or more agreements with the County to make the improvement.

Description: The County will arrange for the preparation of construction plans and specifications, including engineering reports, and for the supervision and administration of the construction cost and contribute 60% of the design and 80% of eligible construction costs. The improvements include asphalt milling, pavement base repair, asphalt resurfacing and installation of ADA compliant ramps on Eddy Road from Gray Ave. to Arlington Ave., approximately 1,330 feet and Shaw Avenue from St. Clair Ave. to East Corp. Line at East 131st, approximately 1,470 feet. This project was selected based on its poor pavement condition rating to be part of the County Annual Resurfacing Program in 2019. The program's goal is to improve pavement condition on the County Road system.

Cost Estimate: \$1,200,000

Funding: \$960,000 - County Motor Vehicle License Tax Fund
\$240,000 - Cleveland General Obligation Bonds

Schedule: Design – August 2018 to March 2019
Construction – April 2019 to September 2019

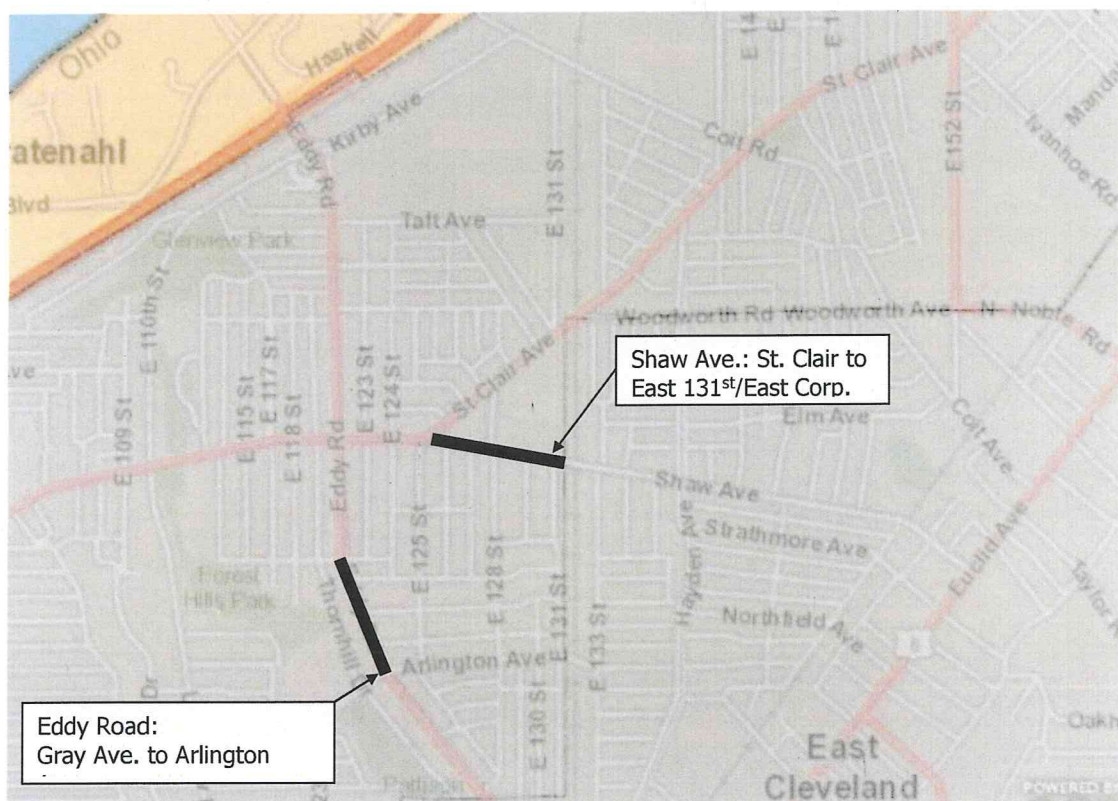
Ward: 10, Councilmember Hairston



CITY OF CLEVELAND
Mayor Frank G. Jackson

Location Map

Eddy Road and Shaw Avenue Resurfacing: County ID. No. 1236



Ordinance No. 1105-18

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

AN EMERGENCY ORDINANCE

Authorizing the Director of Community Development to enter into contracts with Cuyahoga County and various non-profit agencies for the implementation of homeless assistance activities.

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 Community Development is authorized to enter into one or more contracts with Cuyahoga County and various non-profit agencies for the implementation of homeless assistance activities.

Section 2. The aggregate cost of the contracts authorized shall not exceed \$2,303,136, and shall be paid from Fund Nos. 14 SF 043, 14 SF 044, 19 SF 657, and 19 SF 665, RQS 8006, RL 2018-0095.

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.

GEP:nl
9-10-18

FOR: Director Menesse

ADMINISTRATIVE REPORT

Ordinance No. 1105-18

Resolution No. _____

Estimated Cost: \$ _____

CERTIFICATE OF FUNDS

The sum of 2,303,136.00 Dollars required for this contract was on September 12 20 18, and is at this date in the City Treasury or in the process of collection to the credit of 19668001 & 14044296 Fund and not appropriated for any other purpose.

Date: _____

Entered by: _____
Appropriation Clerk

Indexed by: _____
Accountant

Director of Finance

Commissioner of Accounts

LEGAL DESCRIPTION OF PREMISES APPROVED BY:

Commissioner of Engineering and Construction

Engineer of Plats and Surveys

APPROVED FOR PASSAGE OR ADOPTION BY REQUESTING DEPARTMENT BECAUSE:

Authorizing the Director of Community Development to enter into contracts with Cuyahoga County and various non-profit agencies for the implementation of homeless assistance activities.

Date: 9/11/18 (signed) _____
Director of Community Development

THIS LEGISLATION IS NOT APPROVED BECAUSE:

Date: _____ (signed) _____
Director of _____

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

ORDINANCE NO. 1105-18

Department of Community Development 2018 Homeless Shelter and Services Legislation Executive Summary

Purpose: This ordinance authorizes the Director of Community Development to enter into contract with non-profit agencies to provide shelter and related services to the homeless and to enter into contract with Cuyahoga County for the operation of homelessness prevention and rapid rehousing activities.

Amount and Sources:

\$1,679,682	Emergency Solutions Grant
<u>623,454</u>	CDBG
\$2,303,136	

Background: HUD restructured the Emergency Shelter Grant program as the Emergency Solutions Grant program. In addition to the previously eligible homeless shelter services, a substantial portion of the ESG funds is required by HUD to be used to support homeless prevention and rapid rehousing activities. These are coordinated through the Cleveland/Cuyahoga County Office of Homeless Services.

Uses of Funds: Planned uses of funds include:

- Support for operating costs and services at emergency shelters.
- Operation of the Coordinated Intake System for homeless shelters that can assist persons seeking shelter to identify other housing options whenever possible.
- Rapid rehousing assistance for families in shelters to assist them in moving out as soon as possible through case management, linkage to mainstream services and benefits, housing placement services and short term rental assistance

Program Operations: Non-profit shelter providers are selected through a Request for Proposals (RFP) process carried out in cooperation with the Cleveland/Cuyahoga County Office of Homeless Services.

The Cleveland/Cuyahoga Office of Homeless Services is the primary administrator for homeless prevention and rapid rehousing activities, with ongoing responsibility for contracting, monthly payments and the extensive HUD data collection and reporting requirements of the program. The City's ESG funds will be supplemented by County and State ESG funds and local County revenues.

Matching Funds: The ESG Program requires local matching funds for homeless shelter and services on a \$ for \$ basis. Cuyahoga County has been annually committing over \$4 million in Health and Human Services levy funds for homeless assistance, through the Office of Homeless Services.

Importance: Current agency shelter contracts expire by the end of December 2018.

Ordinance No. 1111-18

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

AN EMERGENCY ORDINANCE

Authorizing the purchase by one or more requirement contracts of valves, actuators, and appurtenances, and labor and materials needed to repair, replace, maintain, exercise, and test valves, actuators and appurtenances, for the Division of Water, Department of Public Utilities, for a period of 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 two-year period of the necessary items of valves, actuators, and appurtenances, and labor and materials needed to repair, replace, maintain, exercise, and test valves, actuators and appurtenances, 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 Division of Water, 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 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 3. That the costs of the contract or contracts shall be paid from the fund or funds to which are credited the proceeds from the sale of future bonds, if authorized for this purpose, 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

Ordinance No. 1111-18

Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2018-26)

Section 4. 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.

GB:nl
9-10-18

FOR: Director Davis

ADMINISTRATIVE REPORT

ORDINANCE NO. 1111-18

RESOLUTION NO. _____

ESTIMATED COST _____

CERTIFICATION OF FUNDS

The sum of _____
Dollars required for this contract was on _____ 20____,
and is as of this date in the City Treasury or in process of collection
to the credit of _____ Fund and not appropriated for any other
purpose.

Date: _____

Entered by: _____
APPROPRIATION CLERK

Indexed By: *Ayo Hapin*
ACCOUNTANT

Marian Pinnas
DIRECTOR OF FINANCE

Ayo Hapin
COMMISSIONER OF ACCOUNTS

LEGAL DESCRIPTION OF PREMISES APPROVED BY:

COMMISSIONER OF ENGINEERING

ENGINEER OF PLATS AND
CONSTRUCTION SURVEYS

APPROVED FOR PASSAGE OR ADOPTION BY REQUESTING DEPARTMENT TO
Authorizing the purchase by one or more equipment contracts of valves, actuators, and
appurtenances, and labor and materials needed to repair, replace, maintain, exercise,
and test valves, actuators and appurtenances, for the Division of Water, Department of
Public Utilities, for a period of two years.

DATE: 9-12-18 (signed)

Robert L. Reine
DIRECTOR OF PUBLIC UTILITIES

THIS LEGISLATION IS NOT APPROVED BECAUSE.

DATE: _____ (signed)

DIRECTOR OF PUBLIC UTILITIES

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

DATE: _____ (signed)

Division of Water

Request for Legislation

Authorizing the purchase by one or more requirement contracts of various types of valves, actuators, and appurtenances, and labor and materials needed to repair, replace, maintain, exercise and test valves, actuators, and appurtenances, for the Division of Water, Department of Public Utilities, for a period of two years.

Background/Purpose:

The Division of Water (CWD) has four water treatment plants, ten secondary pump stations, nine water storage facilities and 5,300 miles of underground pipe. Each of these contains aging ball valves, plug valves, cone valves, gate valves, butterfly valves, and valve actuators. CWD has 67,000 water main valves, 72,000 hydrant valves, 420,000 curb stop valves and hundreds of other specialized valves. When a valve breaks, it inhibits the ability of CWD to direct the flow of water and can cause water to leak in the streets. The operation and integrity of these valves is critical for the production and delivery of potable water to the citizens of Cleveland and neighboring communities served by CWD.

CWD intends to hire a contractor for the maintenance of water system valves, thereby assisting our maintenance and engineering staffs.

Scope of Work/Commodities/Services:

Every valve has a moving part that can be operated to reduce or stop water flow, when necessary. To stop water flow and obtain a good shut, this moving part must create a good seal with a non-moving part of the valve, the valve seat. When a good seal cannot be obtained or the valve body leaks, the valve must be repaired or replaced. Actuators are used on some larger valves to make the process of operating the valve more efficient and less labor intensive. When the actuator breaks, it must be repaired to allow proper operation of the valve. The repair and service work under this contract or contracts includes the reconditioning of valves, such as replacement of seats, stems, disks, gates, plugs, bushings, seals, etc. The work will also include repair and replacement of various types of valve actuators, including mechanical and hydraulic units.

Justification/Urgency:

When a valve breaks, it inhibits the ability of CWD to direct the flow of water and can leak water into the street. The operation and integrity of these valves is critical for the production and delivery of potable water to the citizens of Cleveland and neighboring communities served by CWD.

A valve improvement program will focus on the largest and most critical system valves and will save both operating and capital investment costs for the City while increasing customer convenience and water quality.

Anticipated Costs and funding source:

1. Plant Operations - A requirement contract(s) for labor and materials necessary to repair, replace, maintain valves, actuators, and appurtenances is estimated to cost \$600,000.00 annually (\$1,200,000.00 for two years). Operating or Capital Funds will be used as appropriate to the procurement being made.
2. Engineering - The valve exercise and improvement program is estimated to cost \$1,000,000.00 annually (\$2,000,00.00 for two years). Operating funds (52) will be utilized.

Schedule or Term of Contract:

Legislation is to lead to a requirement contract or contracts for the term of two years.

Current Contract(s):

Vendor Company Name	Vendor Address	Services/Work performed	Contract Info
Phoenix Partners LLC dba Cleveland Valve & Gauge	4755 West 150 th Street Cleveland, OH 44135	L/M to repair various types of valves less than 24"	Contract #: MA 2015-051 Awarded Amt: \$228,774.00 Contract Exp Date: 5/7/2019
Industrial Valves and Universal Machine & Valve Co.	3169 East 80 th Street Cleveland, OH 44104	L/M to repair various types of valves 24" & larger	Contract #: MA 2015-045 Awarded Amt: \$223,294.00 Contract Exp Date: 4/15/2017

CSB Participation on the Current Contracts:

Goals: ____%; Actual CSB Participation: ____%

If there is no CSB participation, explain why here: Under Chapter 187.13C of the Codified Ordinances, the OEO participation goal for these requirement contracts has been waived.

Previous Contracts:

Vendor Company Name	Vendor Address	Vendor Contact	Contract Info	CSB Participation (OEO Actual %'s)
Phoenix Partners LLC dba Cleveland Valve & Gauge	4755 West 150 th Street Cleveland, OH 44135	James B. Rorick	Contract #: MA 2012-051 Awarded Amt: \$225,024.00 Contract Exp Date: 6/20/2014	0%
Industrial Valves and Universal Machine and Valve Co.	3169 East 80 th Street Cleveland, OH 44104	Bradford Braude	Contract #: MA 2012-124 Awarded Amt: \$470,440.00 Contract Exp Date: 1/9/2015	0%

Ordinance No. 1122-18

Council Member Kelley

AN EMERGENCY ORDINANCE

To amend Section 185.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 792-03, passed June 10, 2003, relating to subcontractors.

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 Section 185.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 792-03, passed June 10, 2003, is amended to read as follows:

Section 185.36 Subcontractors

(a) The contractor shall not sublet nor shall any subcontractor commence performance of any part of the work included or any materialman deliver or fabricate materials, plant or equipment to be incorporated in the contract without the previous written consent of the Board of Control. Subletting, if permitted, shall not relieve the contractor or his or her surety of any of his, her or its obligations under the contract.

(b) Failure by the contractor to obtain consent of the Board of Control for any subcontractor or materialman shall be a breach of the contract for which the contractor may incur a penalty.

(c) The contractor shall be and remain solely responsible to the City for the acts or faults of his or her subcontractor and of such subcontractor's officers, agents and employees, each of whom shall, for this purpose, be deemed to be the agent or employee of the contractor to the extent of his or her subcontract. The contractor shall promptly, on request of the City file a confirmed copy of the subcontract with prices deleted, as a condition precedent to the approval of a subcontractor. The contractor and subcontractor shall jointly and severally agree that subcontracting does not obligate the City to pay, or to see to the payment of any sums to any subcontractor.

(d) The contractor shall report immediately to the City Tax Administrator any and all complaints of improper or irregular payment by subcontractor to subcontractor's employees. The City Tax Administrator or designee shall immediately investigate such reports, and shall take such action as may be deemed necessary under these Codified Ordinances or relevant state or federal laws.

Section 2. That existing Section 185.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 792-03, passed June 10, 2003, is repealed.

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.

* No Certification of Funds Required

Administrative Report

Ordinance No.: 1122-18

Certificate of Funds

The sum of _____ required for this contract was certified on _____, 2018, and is at this date in the City Treasury or in the process of collection to the credit of _____ Fund and not appropriated for any other purpose.

Date: _____

Entered by: _____
Appropriation Clerk


Director of Finance

Indexed by: 
Accountant


Commissioner of Accounts

This Legislation is approved for passage:

To amend Section 185.36 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 792-03, passed June 10, 2003, relating to subcontractors.

Date: 9-11-18

Director
Department of Finance

THIS LEGISLATION IS NOT APPROVED:

Date: _____
_____, Director
Department of Finance

Ordinance No. 1183-18

Council Member Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

To amend Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 667-18, passed May 21, 2018, relating to authorization to purchase software licenses, updates, upgrades, enhancements, training, technical support, maintenance and repairs.

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 Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 667-18, passed May 21, 2018, is amended to read as follows:

Section 181.102 Authorization to Purchase Software or Other Licenses, Modules, Updates, Upgrades, Enhancements, Training, Technical Support, Maintenance, and Repairs

(a) When a director has been authorized by ordinance to acquire software, the director of the department for which the software was acquired or the Director of Finance is authorized to enter into one (1) or more standard purchase or requirement contracts duly let to the lowest and best bidder as provided in Section 181.10, for software or other licenses, modules, updates, upgrades, enhancements, training, technical support, maintenance, and repair necessary to expand, enhance, implement or maintain the authorized software. ~~and for additional licenses for use of, or additional copies of, the originally authorized software and licenses for use of, or copies of, software associated with and having the same function, purpose and performance capabilities as the originally acquired software and within the express authority and purpose of the ordinance authorizing the initial acquisition.~~

(b) When a director has been authorized by ordinance to acquire software, the director of the department for which the software was acquired or the Director of Finance is authorized to acquire by contract or contracts with one (1) or more software developers or vendors or one (1) or more firms of software developers or vendors, software or other licenses, modules, updates, upgrades, enhancements, training, technical support, maintenance, and repair necessary to expand, enhance, implement or maintain the authorized software. ~~and licenses for use of, or copies of, software associated with and having the same function, purpose and performance capabilities as the originally acquired software and within the express authority and purpose of the ordinance authorizing the initial acquisition.~~ The selection of the software developers or vendors shall be made by the Board of Control on the nomination of the director of the department for which the software was acquired or the Director of Finance from lists of qualified software developers or vendors available for employment as may be determined after a full and complete canvass by the director of the department for which the software was acquired or the Director of Finance for the purpose of compiling the lists.

(c) When a director has been authorized by ordinance to acquire a software system, the director of the department for which the system was acquired or the Director of Finance is authorized to execute one (1) or more license agreements ~~directly with the firm or firms licensing the software for software~~ or other licenses needed to expand, enhance, implement or maintain the system. ~~and for additional licenses for use of, or additional copies of, the originally authorized software system, and licenses for use of, or copies of, software associated with and having the same function, purpose and performance capabilities as the originally acquired software system and within the express authority and purpose of the ordinance authorizing the initial acquisition.~~

(d) When a director has been authorized to contract with a software developer or vendor, whether specified in an authorizing ordinance or by Board of Control resolution, to

Ordinance No. 1183-18

acquire software, the director of the department for which the software is acquired or the Director of Finance is authorized to enter into one (1) or more contracts with the software developer or vendor for professional services necessary to perform as-needed services to expand, enhance, implement or maintain the software, and to acquire additional licenses for use of, or additional copies of, the originally authorized software and licenses for use of, or copies of, software associated with and having the same function, purpose and performance capabilities as the originally acquired software and within the express authority and purpose of the ordinance authorizing the initial acquisition, including but not limited to, integration, implementation, migration, installation, design, interfacing, maintenance, repair, upgrades, enhancements, training, training registration, testing, and technical support.

(e) The Board of Control shall fix the compensation to be paid for the software or other licenses, software systems and or services authorized under this ordinance which shall be paid from the annual appropriation made for such purpose. The contract or contracts shall be prepared by the Director of Law, approved by the director of the department for which the purchase is made or the Director of Finance, and certified by the Director of Finance.

(f) Nothing in this section shall be construed to authorize the acquisition of new software or any professional services that, in the judgment of the Director of Finance, would significantly expand or modify the performance characteristics of the originally authorized software beyond the function or purpose capabilities identified in the ordinance authorizing the initial acquisition.

(g) 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 Finance 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 2. That existing Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 667-18, passed May 21, 2018, is repealed.

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.

RC:nl
9-24-18

FOR: Director Dumas

Administrative Report

Ordinance No.: 1183-18

Certificate of Funds

The sum of _____ required for this contract was certified on _____, 2018, and is at this date in the City Treasury or in the process of collection to the credit of _____ Fund and not appropriated for any other purpose.

Date: _____

Entered by: _____
Appropriation Clerk


Director of Finance

Indexed by: 
Accountant


Commissioner of Accounts

This Legislation is approved for passage:

To amend Section 181.102 of the Codified Ordinance of Cleveland, Ohio, 1976, as amended by Ordinance No. 667-18, passed May 21, 2018, related to authorization to purchase software licenses, updates, enhancements, training, technical support, maintenance and repairs.

Date: 9-26-18


Director
Department of Finance

THIS LEGISLATION IS NOT APPROVED:

Date: _____

_____, Director
Department of Finance

Ordinance No. 1185-18

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

AN EMERGENCY ORDINANCE

To amend Section 2b of Ordinance No. 565-17, passed June 5, 2017, as amended by Ordinance No. 658-18, passed May 21, 2018, relating to construction gap funding to encourage the construction and rehabilitation of single-family homes.

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 Section 2b of Ordinance No. 565-17, passed June 5, 2017, as amended by Ordinance No. 658-18, passed May 21, 2018, is amended to read as follows:

Section 2b. That the Director of Community Development is authorized to provide such loans or grants in an amount up to \$40,000 per ~~developer~~ unit.

Section 2. That existing Section 2b of Ordinance No. 565-17, passed June 5, 2017, as amended by Ordinance No. 658-18, passed May 21, 2018, is repealed.

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.

GEP:nl
9-17-18

FOR: Director Menesse

ADMINISTRATIVE REPORT

Ordinance No. 1185-18

Resolution No. _____

Estimated Cost: \$ _____

CERTIFICATE OF FUNDS

The sum of _____ Dollars required for this contract was on _____ 20____, and is at this date in the City Treasury or in the process of collection to the credit of _____ Fund and not appropriated for any other purpose.

Date: _____

Entered by: _____
Appropriation Clerk

Indexed by: Ally Hagan
Accountant

Sharon R. Jones
Director of Finance

Jeffrey Hagan
Commissioner of Accounts

LEGAL DESCRIPTION OF PREMISES APPROVED BY:

Commissioner of Engineering and Construction

Engineer of Plats and Surveys

APPROVED FOR PASSAGE OR ADOPTION BY REQUESTING DEPARTMENT BECAUSE:

To amend Section 2b of Ordinance No. 565-17, passed June 5, 2017, as amended by Ordinance No. 658-18, passed May 21, 2018, relating to construction gap funding to encourage the construction and rehabilitation of single-family homes.

Date: 9/25/18

(signed)

Jim Miller
Director of Community Development

THIS LEGISLATION IS NOT APPROVED BECAUSE:

Date: _____

(signed)

Director of

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

ORDINANCE NO. 1185-18

Executive Summary

Legislative Request:

Amending Ordinance No. 658-18 to replace language in Section 2b from 'per developer' to 'per unit', and to now read That the Director of Community Development is authorized to provide such loans or grant in an amount up to \$40,000 per unit.

Purpose:

To provide up to \$40,000 per unit as construction gap subsidy for newly constructed or rehabilitated vacant single-family homes. Homebuyers will receive a "soft" second mortgage equal to the gap between appraisal and purchase price. The soft second mortgage will be forgiven over a five-year period at a rate of 20% annually. (Note: No restriction on homebuyer income.)

This Amendment will also allow Developers/Homebuilders to receive forgivable construction loans up to \$40,000 per unit. Forgiveness will be limited to gap between construction costs and sales value (maximum \$40,000 in forgiveness) upon sale to eligible homebuyer.

Funds will be available on a first-come, first-serve basis. Construction and Rehab specifications must meet Cleveland's Green Building Standard, and Developer/Homebuilder must obtain Certificate of Occupancy.