

# Ordinance No. 919-18 ( As Amended )

Council Members Cleveland and Kelley  
(by departmental request)

## **AN EMERGENCY ORDINANCE**

Determining the method of making the public improvement of designing and constructing an updated Ground Transportation Center, which includes; but not limited to, a new canopy system at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into one or more contracts for the making of the improvement.

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WHEREAS, the unique design, time, budgetary, or other material elements of this project can benefit from the special care, coordination, and expeditiousness possible by performance of both the professional design services and the construction under a design-build approach contract with a single entity; 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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of designing and constructing an updated Ground Transportation Center, which includes; but not limited to, a new canopy system at Cleveland Hopkins International Airport (the "Improvement"), for the Division of Cleveland Hopkins International Airport, Department of Port Control, by one or more design-build or engineer-procure-construct contracts duly let to the person, firm, or corporation or combination of them submitting the best proposal, taking into consideration the engineering and design, the construction method, the proposed design and construction costs, the total life-cycle costs, the qualifications of the proposed design professional and construction firm, and the other objectives of the Improvement.

The selection of the person, firm, or corporation to design and construct the Improvement shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified and available persons, firms, or corporations, as may be determined by the Director of Port Control after making a full and complete canvass for the purpose of compiling the list. The Board of Control shall fix the total compensation to be paid for all design and construction and procurement necessary for

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the Improvement. The contract or contracts shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 2. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of Codified Ordinances of the City of Cleveland, the Director of Port Control is authorized to acquire any real estate interests needed for the Improvement and execute all documents and pay all fees necessary.

Section 3. That the Director of Port Control 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 after approximately thirty percent (30%) of the Improvement has been completed, the Director of Port Control shall notify the Chair of the Finance Committee and the Chair may schedule a meeting at which the Director shall appear before the Finance Committee to update the committee on activities under the contract.

Section 4 5. That the cost of the Improvement authorized shall be paid from Fund Nos. 60 SF 001, from the funds or funds which are credited the proceeds of the sale of bonds authorized by Ordinance No. 666-18, passed May 21, 2018, if the City sells such bonds, and any other funds deemed appropriated by the Director of Finance. Request No. RQS 3001, RLA 2018-34.

Section 5 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.

JMcG:nl  
7-18-18

FOR: Director Kennedy

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### Amendments to Ord. No. 919-18

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

1. Insert new Section 4 to read as follows:

“Section 4. That after approximately thirty percent (30%) of the Improvement has been completed, the Director of Port Control shall notify the Chair of the Finance Committee and the Chair may schedule a meeting at which the Director shall appear before the Finance Committee to update the committee on activities under the contract.”.

2. Renumber existing Sections 4 and 5 to new “Section 5” and “Section 6”.

Date: \_\_\_\_\_ (Signed): \_\_\_\_\_  
Kevin Roberts  
Assistant Director of Law

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Ord. No.

REPORT  
after second Reading

Mr.

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	READ FIRST TIME	REPORTS
and referred to		
by the council		
	CITY CLERK	
	READ SECOND TIME	
by the council		
	CITY CLERK	
	READ THIRD TIME	
by the council		
	PRESIDENT	
	CITY CLERK	
	APPROVED	
	MAYOR	
Recorded Vol.	Page	
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