

Ordinance No. 11-2021

By Council Members: Kazy and Kelley (by departmental request)

An emergency ordinance determining the method of making the public improvement of repairing or replacing roofs and appurtenances, including but not limited to roofing systems, for the Division of Water, Department of Public Utilities; authorizing the director to enter into one or more public improvement contracts for the making of the improvement; and authorizing the purchase by one or more requirement contracts of labor and materials necessary to maintain, test, evaluate, repair, or replace roofs and appurtenances, including but not limited to roofing systems, for the various divisions of the 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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of repairing or replacing roofs and appurtenances, including but not limited to roofing systems, 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 on a unit basis 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 public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis 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 on a unit basis.

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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of two years of the necessary items of labor and materials necessary to maintain, test, evaluate, repair, or replace roofs and appurtenances, including but not limited to roofing systems, which are not covered under the public improvement contract or contracts authorized above, 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 Divisions of Water,

Water Pollution Control, Cleveland Public Power, and the Office of Radio Communications, 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 5. That the costs of the 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 6. That under division (b) of Section 108 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. (RQS 2002, RLA 2020-75 and RQN 2002, RL 2020-42)

Section 7. 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.

Passed January 20, 2021.

Effective January 26, 2021.