

# Ordinance No. 692-2021

**By Council Members J. Jones and Kelley  
(by departmental request)**

## AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to employ one or more professional consultants to perform various services needed for on-going mandatory environmental compliance for the Department of Port Control; to acquire licenses for compliance; and authorizing the Director to enter into various written standard purchase and requirement contracts, for materials, equipment, supplies, services, and training necessary to effectuate this ordinance, for a period of five years, effective January 1, 2022.

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WHEREAS, the Department of Port Control is required to comply with environmental requirements in order to maintain operating status and to avoid serious penalties for non-compliance; 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 Port Control is authorized to enter into one or more standard purchase or requirement contracts for a period of five years duly let to the lowest and best bidder after competitive bidding for materials, equipment, supplies, services, and training necessary to comply with local, state, and federal environmental requirements necessary to maintain operating status and to avoid serious penalties for non-compliance at Hopkins International Airport, Burke Lakefront Airport, and the Division of Harbors, Department of Port Control.

Section 2. That the Director of Port Control is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide on-going professional services necessary to comply with local, state, and federal environmental requirements necessary to maintain operating status and to avoid serious penalties for non-compliance at Hopkins International Airport, Burke Lakefront Airport, and the Division of Harbors, Department of Port Control, for a period of five years.

Section 3. That the Director of Port Control is authorized to acquire by contract or contracts with one or more software developers or vendors or one or more firms of software developers or vendors, the software licenses, upgrades, technical support, and maintenance necessary to develop and maintain hosting environmental management systems at the Department of Port Control, including Cleveland Hopkins International Airport, Burke Lakefront Airport, and the Division of Harbors, for the purposes of this section, for a period of five years.

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Section 4. That the selection of the consultant, consultants, computer software developers, or vendors or firms of consultants, computer software developers or vendors made under this ordinance shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Port Control 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 Port Control, and certified by the Director of Finance.

Section 5. That the Director of Port Control is authorized to execute, in connection with the purchase of computer hardware under this section, one or more third-party license agreements for software required for use of that hardware, directly with a firm or firms other than the hardware vendor.

Section 6. That the costs of the requirement contract or contracts shall 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.

Section 7. 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 Port Control 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 8. That contracts authorized under this ordinance shall be entered into between January 1, 2022 and December 31, 2026.

Section 9. That the cost of any standard contract, software acquisition, or professional services contract or contracts authorized by this ordinance shall be paid from Fund No. 60 SF 001, RQS 3001, RLA 2021-55.

Section 10. 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.

RS:nl  
8-18-2021  
FOR: Director Kennedy

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REPORT  
after second Reading

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**READ FIRST TIME on AUGUST 18, 2021**  
and referred to **DIRECTORS of Port Control, Finance, Law;**  
**COMMITTEES on Transportation, Finance**

REPORTS

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CITY CLERK

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READ SECOND TIME

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CITY CLERK

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READ THIRD TIME

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PRESIDENT

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CITY CLERK

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APPROVED

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MAYOR

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**TRANSPORTATION**

FILED WITH COMMITTEE

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**FINANCE**

FILED WITH COMMITTEE

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