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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 35 - 2016

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT
9 AND/OR CONTRACTS WITHOUT COMPETITIVE
10 BIDDING WITH BEST COMMERCIAL ENERGY
11 SERVICES, INC., FOR THE PURCHASE OF AN AIR
12 CONDITIONING SYSTEM RETROFIT, AND
13 ACCESSORIES NECESSARY FOR PROPER OPERATION
14 OF THE HVAC SYSTEM IN THE CITY MUNICIPAL
15 BUILDING, AND DECLARING AN EMERGENCY.

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17 WHEREAS, the municipal building air conditioning system is in need of
18 emergency repair; and

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20 WHEREAS, currently the chilled water air conditioning system has very rusty
21 pipes carrying the chilled water to the air handlers and throughout the City
22 Municipal Building; and

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24 WHEREAS, one of the three air conditioning compressors has failed and needs
25 replacement; and

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27 WHEREAS, the Service Department requested quotes from four companies and
28 received two; and

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30 WHEREAS, Best Commercial Energy Services, Inc. provided the lowest and best
31 quote; and

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33 WHEREAS, a properly functioning HVAC system in the municipal building is
34 essential for the daily operations of City Hall in order to serve the City's residents;
35 and

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37 WHEREAS, due to the emergency nature of the necessary repair, any
38 requirement for competitive bidding is hereby suspended.

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40 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
41 Falls, County of Summit and State of Ohio, that:

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43 Section 1. The Director of Public Service is hereby authorized to enter into a
44 contract or contracts, according to law with Best Commercial Energy Services, Inc.,
45 for an air conditioning system retrofit, and accessories necessary for proper
46 operation of the HVAC system in the City Municipal Building.
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48 Section 2. The Director of Finance is hereby authorized and directed to make
49 payment for same from Capital Projects Fund, line item Capital Outlay.

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51 Section 3. Any other ordinances or resolutions or portions of ordinances and
52 resolutions inconsistent herewith are hereby repealed, but any ordinances and
53 resolutions not inconsistent herewith and which have not previously been repealed
54 are hereby ratified and confirmed.

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56 Section 4. It is found and determined that all formal actions of this Council
57 concerning and relating to the adoption of this ordinance were adopted in an open
58 meeting of this Council, and that all deliberations of this Council and of any of its
59 committees that resulted in such formal action, were in meetings open to the public,
60 in compliance with all legal requirements, to the extent applicable, including Chapter
61 107 of the Codified Ordinances.

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63 Section 5. This ordinance is hereby declared to be an emergency measure
64 necessary for the preservation of the public peace, health, safety, convenience and
65 welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it
66 receives the affirmative vote of two thirds of the members elected or appointed to
67 Council, it shall take effect and be in force immediately upon its passage and
68 approval by the Mayor; otherwise it shall take effect and be in force at the earliest
69 period allowed by law.

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72 Passed: 5-9-16

Mary Ellen Pyke
President of Council

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[Signature]
Clerk of Council

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78 Approved: 5-10-2016

[Signature]
Mayor

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81 4/25/16

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