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3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 37 - 2015

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 HEATING AND COOLING, LLC,
11 FOR THE REPLACEMENT OF THREE (3) BOILERS,
12 MECHANICAL ROOM CONTROLS, AND ACCESSORIES
13 NECESSARY FOR PROPER OPERATION OF THE HVAC
14 SYSTEM IN THE CITY MUNICIPAL BUILDING, AND
15 DECLARING AN EMERGENCY.

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17 WHEREAS, the municipal building boilers are in need of emergency repair; and

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19 WHEREAS, currently two of the three boilers are not functioning and the third
20 boiler has experienced repeated mechanical failure and will soon no longer be
21 serviceable; and

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23 WHEREAS, the Service Department requested quotes from three companies and
24 received two; and

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26 WHEREAS, Best Heating and Cooling, LLC provided the lowest and best quote;
27 and

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

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

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

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39 Section 1. The Director of Public Service is hereby authorized to enter into a
40 contract or contracts, according to law with Best Heating and Cooling LLC, for the
41 replacement of three (3) boilers, mechanical room controls, and accessories
42 necessary for proper operation of the boilers in the City Municipal Building.

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44 Section 2. The Director of Finance is hereby authorized and directed to make
45 payment for same from Capital Projects Fund, line item Capital Outlay.

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47 Section 3. Any other ordinances or resolutions or portions of ordinances and
48 resolutions inconsistent herewith are hereby repealed, but any ordinances and

49 resolutions not inconsistent herewith and which have not previously been repealed
50 are hereby ratified and confirmed.

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

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

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Passed: 6/22/2015

Mary Ellen Pyke
President of Council

Douglas J. ...
Clerk of Council

Approved: 6-23-15

[Signature]
Mayor

6/8/15

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