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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 41 - 2014

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
10 CONTRACTS WITHOUT COMPETITIVE BIDDING WITH
11 ACLARA TECHNOLOGIES, LLC FOR THE
12 MAINTENANCE AND SUPPORT OF THE STAR/DCU
13 HARDWARE AND SOFTWARE ASSOCIATED WITH THE
14 AUTOMATIC METER READER SYSTEM, AND
15 DECLARING AN EMERGENCY.
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18 WHEREAS, Article I, Section 2 of the City Charter, adopted pursuant to Art.
19 XVIII, Sections 3 and 7 of the Ohio Constitution, authorizes this Council to make
20 exception to the competitive bidding procedures set forth in the Revised Code,
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22 WHEREAS, ACLARA Technologies, LLC is the sole source purveyor of
23 maintenance and repair services for STAR/DCU hardware and software associated
24 with the Automatic Meter Reader System,
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26 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
27 Falls, County of Summit and State of Ohio, that:
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29 Section 1. The Director of Public Service is hereby authorized to enter into a
30 contract or contracts without competitive bidding with Aclara Technologies, LLC,
31 on the basis of its proposal dated April 9, 2014, for the maintenance and repair of
32 the City's STAR/DCU hardware and software associated with the Automatic Meter
33 Reader System.
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35 Section 2. The Director of Finance is hereby authorized and directed to make
36 payment for same from Water, Sewer, and Electric Funds, line item Other
37 Operations.
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39 Section 3. Any other ordinances and resolutions or portions of ordinances and
40 resolutions inconsistent herewith are hereby repealed, but any ordinances and
41 resolutions or portions of ordinances and resolutions not inconsistent herewith
42 and which have not previously been repealed are hereby ratified and confirmed.
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44 Section 4. It is found and determined that all formal actions of this Council
45 concerning and relating to the passage of this ordinance were taken in an open
46 meeting of this Council and that all deliberations of this Council and of any
47 committees that resulted in those formal actions were in meetings open to the
48 public, in compliance with all legal requirements including Chapter 107 of the
49 Codified Ordinances.

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Section 5. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote of two-thirds of the members elected or appointed 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 at the earliest period allowed by law.

Passed: 4/28/2014

Mary Ellen Pyke
President of Council

Dan Quinn
Clerk of Council

Approved 4-29-14

[Signature]
Mayor

4/14/14
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