

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2012-0010

Sponsored by: <b>County Executive FitzGerald/Department of Public Works and Councilmember Schron</b>	<b>An Ordinance</b> amending Ordinance No. O2011-0039, which established procedures governing the use by the County of alternate construction project delivery methods, including construction manager-at-risk, design-build and general contracting project delivery methods for public construction projects, to provide for an exemption process; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Cuyahoga County Council adopted the Cuyahoga County Alternate Construction Project Delivery Methods Ordinance, Ordinance No. O2011-0039, on October 25, 2011, and the Ordinance went into effect on October 28, 2011; and,

WHEREAS, the intent of County Council in adopting the Ordinance was to provide additional flexibility as best serves the County's interests on construction projects; and,

WHEREAS, the Ordinance, in its current format, does not provide a mechanism for individualized, case-by-case exemptions, in situations that are advantageous to the County; and,

WHEREAS, it is necessary to provide the County with the ability to have a process to make individualized, case-by-case exemptions in situations that are advantageous to the County; and,

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County agency.

**NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** The Cuyahoga County Alternate Construction Project Delivery Methods Ordinance, Ordinance No. O2011-0039, is hereby amended to add the following new Section 1, Subsection 14 as follows:

~~On an individualized, case-by-case basis~~ **For purposes of the Jail Kitchen Project**, the Board of Control may grant exemptions from any of

the requirements or monetary thresholds provided for in this Ordinance if it determines that such action is advantageous to the County.

**SECTION 2.** Subsections 14 through 16 of Section 1 of the Alternate Construction Project Delivery Methods Ordinance shall be renumbered as Subsections 15 through 17 to account for the addition of the new subsection 14.

**SECTION 3.** It is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County agency. Provided that this Ordinance receives the affirmative vote of eight members of Council, this Ordinance shall become immediately effective upon the signature of the County Executive.

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Mr. Greenspan, seconded by Ms. Simon, the foregoing Ordinance was duly enacted.

Yeas: Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Conwell,  
Jones and Connally

Nays: None

_____	_____
County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

Amended on the Floor: March 27, 2012

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