

Proposed: 2/06/23

RESOLUTION NO. 011-2023(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing the Mayor to enter into an agreement with Ohio CAT for the acquisition of a 430 Caterpillar Backhoe for the Street Maintenance Division of the Department of Public Works; providing compensation therefor; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, in order to meet operational needs, it is necessary to purchase a 430 Caterpillar Backhoe for the Street Maintenance Division of the Department of Public Works; and

WHEREAS, Section 171.12 of the Cleveland Heights Codified Ordinances authorizes the purchase of machinery, materials, supplies, and other articles through the cooperative purchasing program formerly known as the National Joint Powers Alliance, now known as the Sourcewell Cooperative Purchasing Program, without obtaining competitive bids; and

WHEREAS, the Mayor has determined that the selected vehicle and equipment may be purchased through this Cooperative Purchasing Program at a lower price than could be obtained through bidding, and that it would be in the City's best interests to purchase said vehicle and equipment by this means.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor be, and he is hereby, authorized to execute any and all agreements necessary for the purchase of a Caterpillar 430 Backhoe, through the Sourcewell Cooperative Purchasing Program, pursuant to Section 171.12 of the Cleveland Heights Codified Ordinances. The purchase price for said vehicle and equipment shall not exceed the sum of One Hundred Seventy Thousand Four Hundred Thirty and 50/100 Dollars (\$170,430.50). All contracts hereunder shall be approved as to form by the Director of Law.

SECTION 2. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to minimize long lead times and price fluctuations. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

RESOLUTION NO. 011-2023(MSES)

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MELODY JOY HART  
President of Council

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ADDIE BALESTER  
Clerk of Council

PASSED: \_\_\_\_\_

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor