

**RESOLUTION NO. R-16-17**

**A RESOLUTION TO AUTHORIZE THE MAYOR TO PARTICIPATE IN A COOPERATIVE PURCHASING PROGRAM WITH THE OHIO DEPARTMENT OF TRANSPORTATION, WINTER CONTRACT (018-18) FOR ROAD SALT AND DECLARING AN EMERGENCY**

**WHEREAS**, Section 5513.01(B) provides an opportunity for Municipal Corporations to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles; and

**WHEREAS**, the City of Avon, pursuant to Section 5513.01(B), requests authorization from the Director of Transportation to participate in contract 018-18 for road salt; and

**WHEREAS**, said purchase, although exempt from competitive bidding by the City, would be at costs competitively bid by the Director of Transportation; and

**WHEREAS**, the savings would greatly benefit the community and further promote the health, safety and welfare of the citizens of Avon.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:**

Section 1 - That the Mayor is hereby authorized, on behalf of the City of Avon, to participate in the Ohio Department of Transportation's (ODOT) winter road salt contract (018-18) pursuant to ORC Section 5513.01(B) by executing the written agreement, attached hereto and incorporated herein as Exhibit A, and thereby agreeing to be bound by all terms and conditions as the Director of Transportation prescribes therein.

Section 2 - That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity for the City to join in a cooperative purchasing program with ODOT by May 10, 2017 to acquire road salt for the 2017-2018 winter season at a reduced cost; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

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

DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Craig L. Witherspoon, Council President

Resolution R-16-17 (Con't.)

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

\_\_\_\_\_  
Barbara J. Brooks  
Clerk of Council

Posted: \_\_\_\_\_  
In Five Places as  
Provided by Council

Prepared By:

John A. Gasior, Esq.  
Law Director