

ORDINANCE NO. 2015- 3763

AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO PURCHASE A MINIMUM OF 90 PERCENT UP TO A MAXIMUM OF 110 PERCENT OF THE ESTIMATED SALT TONNAGE REQUIREMENTS OF THE CITY OF FREMONT FOR 2015-2016 THROUGH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING PROGRAM, WINTER SALT CONTRACT (#018-16); WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles; and

WHEREAS, the Safety Service Director has requested permission to purchase a minimum of 90 percent up to a maximum of 110 percent of the estimated salt tonnage requirements of the City of Fremont for 2015-2016, through the State of Ohio Department of Transportation's Cooperative Purchasing Program, Winter Salt Contract (#018-16), in a tonnage amount to be determined by the Safety Service Director in order to provide for the 2015-2016 needs of the City of Fremont; and

WHEREAS, Council has determined that it is necessary to purchase the requested estimated salt tonnage requirements of the City of Fremont for 2015-2016, through the State of Ohio Department of Transportation's ("ODOT") Cooperative Purchasing Program, Winter Salt Contract (#018-16), in a tonnage amount to be determined by the Safety Service Director in order to provide for the needs of the City of Fremont.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL, CITY OF FREMONT, STATE OF OHIO:

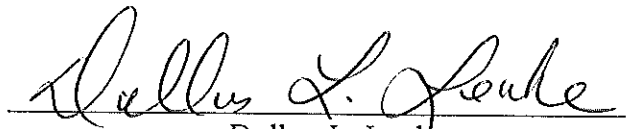
SECTION 1. Based upon the recommendation of Council, the Safety Service Director is hereby authorized to participate in the ODOT winter salt contract and to purchase a minimum of 90 percent up to a maximum of 110 percent of the estimated salt tonnage requirements of the City of Fremont for 2015-2016 as indicated in the ODOT Office of Contracts, Purchasing Services, Cooperative Purchasing Program, through the Winter Salt Contract for Sodium Chloride (Rock Salt), Contract #018-16. Because this purchase is being made through the State of Ohio Department of Transportation Cooperative Purchasing Program, Council waives its requirement for competitive bidding.

SECTION 2. The Safety Service Director is hereby authorized to agree to the terms and conditions of the ODOT contracts and to be responsible for payment directly to the vendor for the quantities purchased under the contract.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 Revised Code of Ohio.

SECTION 4. The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Fremont. Said emergency being the need to immediately allow the City of Fremont to purchase estimated salt tonnage requirements for the City of Fremont for 2015-2016, through the ODOT program.

This ordinance, provided it receives a two-thirds ye or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.

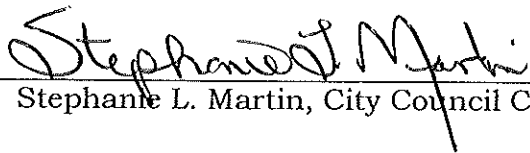


Dallas L. Leake
President of Council

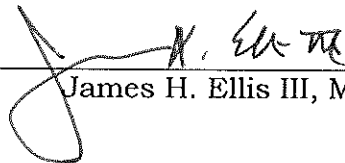
PASSED: 5-7-15

Effective date: 5-7-15

YEAS: 6 NAYS: 0



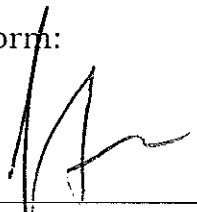
Stephanie L. Martin, City Council Clerk



James H. Ellis III, Mayor

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Approved as to form:



James F. Melle, Director of Law
City of Fremont, Ohio