

AN ORDINANCE AUTHORIZING THE PURCHASE OF A MINI EXCAVATOR WITH ATTACHMENTS FOR THE PUBLIC WORKS DEPARTMENT AND DECLARING AN EMERGENCY.

WHEREAS, the Public Works Director and the Public Service Committee have recommended the replacement of a mini excavator, and the City desires to contract with Ohio CAT of Broadview Heights, Ohio to purchase a Caterpillar Model 304 07 Mini Excavator; and

WHEREAS, Ohio CAT of Broadview Heights, Ohio, is a party to a cooperative purchasing contract with Sourcewell, a public service cooperative created by the State of Minnesota, under the authority of Minn. Stat. § 123A.21, to provide programs and services to public entities and to solicit, evaluate, and award cooperative purchasing contracts through a competitive bidding process for goods and services for all eligible government, education, and nonprofit agencies in the United States and Canada; and

WHEREAS, by entering into this agreement with Ohio CAT of Broadview Heights, Ohio, through its contract with Sourcewell, the City can purchase a Caterpillar Model 304 07 Mini Excavator with attachments under the same terms and conditions, but at a lower cost than what it could acquire through its own selection process.

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

Section No. 1: That the bid by Ohio CAT of Broadview Heights, Ohio submitted through Sourcewell, to supply the City with Caterpillar Model 304 07 Mini Excavator with attachments for the Public Works Department in the amount of \$80,610.00 be and it is hereby accepted and approved.

Section No. 2: That upon delivery to this City of the Caterpillar Model 304 07 Mini Excavator with attachments, with the proper specifications, to the full satisfaction of the Public Works Director and Director of Finance, the Director of Finance is hereby directed to deliver to Ohio CAT of Broadview Heights, Ohio, the warrant of this City in the amount of \$80,610.00 and to cause said warrant to be paid.

Section No. 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such 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 No. 4: That this Ordinance is hereby declared to be an emergency measure to provide the Public Works Department with equipment in order that they may promptly and efficiently perform their duties, and further to take advantage of the Sourcewell Cooperative Program before prices are increased, thus for the health, safety, and welfare of the citizens of Avon Lake. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: 9/11/2023

/s/ Martin E. O'Donnell

President of Council

POSTED: 9/15/2023

APPROVED: 9/16/2023

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor