

FIRST READING: 11.12.19
SECOND READING: 11.25.19
THIRD READING: 12.9.19

RESOLUTION NO. 85-19

BY: JOHN B. SHEPHERD

A RESOLUTION AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM FOR THE YEARS 2020 THROUGH 2021

WHEREAS, Ohio Revised Code 5513.01(B) provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchases of machinery, material, supplies or other articles; and,

WHEREAS, As established in 2007 in Ordinance No. 101-07, City Council authorized the City of Rocky River to participate in Ohio Department of Transportation's Cooperative Purchasing Program and said authorization is to be renewed every two (2) years as required by the State and has been renewed by Resolution No. 83-09, 3-12, 81-13, 63-15, 62-17; and

WHEREAS, it would be in the best interest of the City of Rocky River to continue to participate in contracts for the purchase of items from the Ohio Department of Transportation, Purchasing Services, Office of Contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That the Mayor and the Director of Public Safety Services are hereby granted authority in the name of the City of Rocky River to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Ohio Department of Transportation has entered into pursuant to Ohio Revised Code Section 5513.01(B).

SECTION 2. That the Mayor and the Director of Public Safety Services are hereby authorized to agree in the name of the City of Rocky River to be bound by all terms and conditions as the Director of Transportation prescribes.

SECTION 3. That the Mayor and the Director of Public Safety Services are hereby authorized to agree in the name of the City of Rocky River to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the City of Rocky River participates, for items it receives pursuant to the contract.

SECTION 4. That the City of Rocky River agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The City of Rocky River releases and forever discharges the Director of Transportation and the Ohio Department of Transportation from all such claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the City of Rocky River may have or claim to have against the Ohio Department of Transportation or its employees, unless such liability is the result of negligence on the part of Ohio Department of Transportation or its employees.

PASSED: December 9th, 2019


JAMES W. MORAN
President of Council

PRESENTED

TO MAYOR: December 9th, 2019 APPROVED: December 9th, 2019

ATTEST:


SUSAN G. PEASE

Clerk of Council



PAMELA E. BOBST
Mayor

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 9th day of December, 20 19.



Clerk of Council of the City of Rocky River, Ohio