

ORDINANCE NO. 54-2023

**TITLE: ENTER INTO CONTRACT
OHIO CAT**

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO CONTRACT WITH OHIO CAT IN THE AMOUNT OF \$207,632 PLUS A 10% CONTINGENCY (\$2,076.32) FOR A TOTAL OF NOT TO EXCEED \$209,708.32, THROUGH THE OHIO REVISED CODE PURCHASING PROGRAM FROM SOURCEWELL WHO IS A COOPERATIVE PURCHASING CONSORTIUM, FOR THE PURCHASE OF A NEW 2023 MODEL 926 M WHEEL LOADER, AND DECLARING AN EMERGENCY.

WHEREAS, due to the volatility of the market, this request includes the quoted price and a ten percent (10%) contingent increase to ensure the ability to purchase this price of equipment or one that is comparable; and

WHEREAS, Ohio CAT was the second to lowest quote and deemed to be the best after analysis of equipment offered, length of warranty and other owners interviewed.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That Council hereby authorizes the Mayor, or his designee, to enter into contract with Ohio CAT in the amount of Two Hundred Seven Thousand Six Hundred Thirty-Two Dollars and No Cents (\$207,632.00) plus a 10% contingency of Two Thousand Seventy-Six Dollars and Thirty-Two Cents (\$2,076.32) for a total of not exceed Two Hundred Nine Thousand Seven Hundred Eight Dollars and Thirty-Two Cents (\$209,708.32) for the purchase of a new 2023 Model 926M Wheel Loader.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, so the wheel loader can be ordered in a timely fashion to avoid delays, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed April 10, 2023

Clerk of Council

President of Council

Approved _____ 2023

Mayor