

**ORDINANCE NO. 97-2017**

**TITLE: ENTER INTO CONTRACT  
AKRON TRACTOR & EQUIPMENT**

**AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO CONTRACT WITH AKRON TRACTOR & EQUIPMENT, FOR THE PURCHASE OF A KUBOTA MODEL KX080-4R3A EXCAVATOR, FOR THE WATER DISTRIBUTION GARAGE AT THE COST OF \$93,250, THROUGH THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING PROGRAM, AND DECLARING AN EMERGENCY.**

**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 Akron Tractor & Equipment, for the purchase of a Kubota Model KX080-4R3A Excavator, for the Water Distribution Garage, at the cost of Ninety-Three Thousand Two Hundred Fifty Dollars and No Cents (\$93,250.00), through the National Joint Powers Alliance (NJPA) Cooperative Purchasing Program and Ohio Revised Code, said purchase is hereby authorized to be made without competitive bidding.

**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, to be able to take delivery of this vehicle as soon as possible, 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 \_\_\_\_\_ 2017

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Clerk of Council

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President of Council

Approved \_\_\_\_\_ 2017

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Mayor