

CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2022-36

**A RESOLUTION AUTHORIZING THE PARTICIPATION IN THE OHIO
DEPARTMENT OF TRANSPORTATION (ODOT) COOPERATIVE PURCHASING
PROGRAM AND DECLARING AN EMERGENCY**

WHEREAS, Section 5513.01(B) providing 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 purchase of machinery, material, supplies or other articles; and,

WHEREAS, the City desires the option to purchase items through the ODOT Cooperative Purchasing Program if it is in the best interest of the City; and,

WHEREAS, immediate action is needed to allow for immediate ordering through the ODOT Cooperative Purchasing Program, and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Lebanon, Ohio, at least two-thirds of all members elected thereto concurring:

Section 1. That the City Administrator hereby requests authority in the name of the City of South Lebanon to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B).

Section 2. That the City Administrator is hereby authorized to agree in the name of the City of South Lebanon to be bound by all terms and conditions as the Director of Transportation prescribes.

Section 3. That the City Administrator is hereby authorized to agree in the name of the City of South Lebanon to pay vendors, under each such contract of the Ohio Department of Transportation in which the City of South Lebanon.

Section 4. That the City of South Lebanon agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 513.01 (B) of the Ohio Revised Code. The City of South Lebanon agrees to waive any claims actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the City of South Lebanon may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

Section 5. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 6. That this Resolution is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare.


Section 7. That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Resolution were passed in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

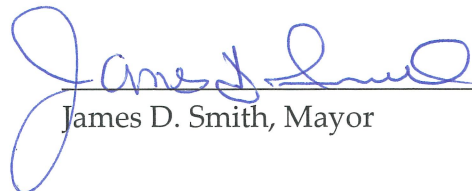
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Adopted this 1st day of September, 2022.

Attest: 
Petrina D. Williams, Fiscal Officer/Clerk



James D. Smith, Mayor

Rules Suspended: <u>9/1/22</u> (if applicable)	Effective Date - <u>9/1/22</u>
Vote - <u>5</u> Yeas ___ Nays	
First Reading - / /2022	Effective Date - / /2022
Second Reading - / /2022	
Third Reading - / /2022	
Vote - ___ Yeas ___ Nays	

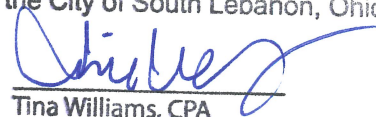
CERTIFICATE OF POSTING

Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By: 
Date: 9/1/2022

I, Tina Williams, CPA, Fiscal Officer of the City of South Lebanon, Ohio do hereby certify I posted a true and accurate copy of this ordinance or resolution, summary of ordinance or resolution, or statement, order, proclamation, notice or report, at five public places within the City as authorized by Section 731.25 of the Ohio Revised Code and Ordinance 98-08 of the City of South Lebanon, Ohio

9/2/22 
Date Tina Williams, CPA
Fiscal Officer
City of South Lebanon, Ohio