

CITY OF OBERLIN, OHIO

ORDINANCE No. 23-12 AC CMS

AN ORDINANCE DETERMINING THAT A REAL AND PRESENT EMERGENCY EXISTS IN THE OBERLIN PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE PURCHASE OF TWO TOYOTA TUNDRA MODEL 8421A PICK-UP TRUCKS FROM FIRELANDS TOYOTA OF SANDUSKY, OHIO, FOR THE CITY OF OBERLIN PUBLIC WORKS DEPARTMENT AS AN EMERGENCY MEASURE

WHEREAS, the Water and Wastewater divisions of the City of Oberlin Public Works Department have each budgeted for the procurement of full-size pick-up trucks from their respective Equipment Reserve Funds; and

WHEREAS, the Public Works Department has determined that no such trucks are available under the public sector procurement contracts in which the City participates; and

WHEREAS, the Public Works Department has determined the Toyota Tundra Model 8421A Pick-up Truck to be the least cost, most fuel-efficient full-size pick-up truck currently available and the best product meeting the needs of the Water and Wastewater divisions; and,

WHEREAS, the availability of trucks needed by the Water and Wastewater divisions of the Public Works Department is currently compromised by delays in the global supply chain market and competitive demand.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio:

SECTION 1. That under the provisions of Section 735.051 of the Ohio Revised Code it is hereby declared and determined that a real and present emergency exists in the Oberlin Municipal Public Works Department as there is an immediate need for two (2) full-sized pick-up trucks which, due to global supply chain delays and competitive demand are now and for the foreseeable future largely unavailable requiring immediate authority for the City Manager to enter into an agreement without advertisement or competitive bidding for the purchase of two available Toyota Tundra pick-up trucks.

SECTION 2. That the City Manager is hereby authorized and directed to purchase two Toyota Tundra Model 8421A pick-up trucks from Firelands Toyota of Sandusky, Ohio for the City of Oberlin Public Works Department for the not-to-exceed price of \$124,338.00.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were adopted 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 in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: to secure the purchase and delivery of needed pick-up trucks within a timeframe to accommodate availability and provided that it is elevated to emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect at the earliest period allowed by law.

PASSED: 1st Reading: February 21, 2023
2nd Reading: _____
3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 02/22/2023

EFFECTIVE DATE: 02/21/2023