

## **CITY OF OBERLIN, OHIO**

### **ORDINANCE No. 23-64 AC CMS**

AN ORDINANCE AMENDING ORDINANCE 23-12, DETERMINING THAT A REAL AND PRESENT EMERGENCY EXISTS IN THE OBERLIN PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE PURCHASE OF TWO FORD F150 4 X 4 PICK-UP TRUCKS FROM MIKE BASS FORD OF SHEFFIELD, 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 a full-size pick-up truck 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 previously determined that the Toyota Tundra Model 8421A Pick-up Truck is the best full-size pick-up truck currently available to meet the needs of the Water and Wastewater divisions; and,

WHEREAS, pursuant to Ordinance 23-12, this Council found and determined that a real and present emergency exists in the Oberlin Municipal Public Works Department and authorized the purchase of two Toyota Tundra Model 8421A Pick-up Trucks from Firelands Toyota in Sandusky in accordance with Section 735.051 of the Ohio Revised Code; and

WHEREAS, after 7 months, Firelands Toyota has been unable to secure the specified pick-up trucks from the manufacturer at the price quoted; and

WHEREAS, the need for replacement trucks continues in the Water and Wastewater divisions of the Public Works Department,

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 due to the need for full-sized pick-up trucks which due to supply chain delays and impediments, are largely unavailable requiring immediate authority for the City Manager to enter into an agreement without advertisement or competitive bidding for the purchase of available Ford F150 Pick-up Trucks.

SECTION 2. That the City Manager is hereby authorized and directed to purchase two Ford F150 4x4 pick-up trucks from Mike Bass Ford of Sheffield, Ohio, for the City of Oberlin Public Works Department for the not-to-exceed price of \$102,980.00.

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 the pick-up trucks in a timely fashion 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 on the earliest date allowed by law.

PASSED: 1<sup>st</sup> Reading: September 18, 2023  
2<sup>nd</sup> Reading: \_\_\_\_\_  
3<sup>rd</sup> Reading: \_\_\_\_\_

ATTEST:



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BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL



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BRYAN BURGESS  
PRESIDENT OF COUNCIL

POSTED: 09/19/2023

EFFECTIVE DATE: 09/18/2023