

RESOLUTION NO. 074-13

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS AND AUTHORIZING A DEPARTMENT DIRECTOR TO TAKE BIDS ON CERTAIN PROJECTS, SERVICES, EQUIPMENT, MATERIALS, OR SUPPLIES WITHOUT THE REQUIREMENT FOR ADDITIONAL LEGISLATION TO DO SO IN THE YEAR 2014; AND DECLARING AN EMERGENCY

WHEREAS, each year from time to time, a Department Director (City Manager, City Finance Director, or City Law Director) is required to come to Council for authority to take bids for certain projects, services, or the purchase or lease of equipment, materials or supplies used in the City operations; and,

WHEREAS, in order to provide a more feasible, economical, and expedited method of bidding procedures, it is deemed necessary to give to the above mentioned Department Directors authority to bid such projects, services, equipment, materials, or supplies without the necessity of continued legislation; **Now Therefore**,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, the City Manager, City Finance Director, and City Law Director, for their respective departments, subject to Council's approval as to the specifications, plans, agreements, and other related bid documents when applicable, are hereby authorized to advertise and receive bids or take proposals as applicable for the projects, services, equipment, materials, or supplies that are anticipated to be in excess of \$25,000.00 as listed in attached Exhibit "A", (such exhibit being incorporated into this Resolution by attachment and made a part hereof), without the necessity of further legislation in the year 2014; further, Council finds that the expenditure of funds in excess of \$25,000.00 for each project, service, equipment, material, or supply listed in said Exhibit "A", is necessary and authorized, subject to an approved motion of Council permitting the respective Department Director to make award. If a contract for said project, service, equipment, material, or supply is awarded to a successful bidder (lowest and best) as a result of a competitive bid, the City Manager, City Finance Director, and City Law Director, for their respective departments, are directed to enter into a contract with the awardee subject to the terms and conditions of an agreement approved by Council, said agreement subject to any non-material changes deemed appropriate by the respective Department Director and approved as to form and correctness by the City Law Director. In the case of a non-competitive bid, the City Manager, City Finance Director, and City Law Director, for their respective departments, are directed to enter into a contract with the awarded subject to the terms and conditions of an agreement approved by Council, said agreement subject to any non-material changes deemed appropriate by the respective Department Director and approved as to form and correctness by the City Law Director

Section 2. That, Council reserves the right, by motion of Council, to approve for award, direct no award, reject all or some bids, or rebid, when deemed in the best interest of the City as it relates to the projects identified in Section 1 of this Resolution; moreover, Council may waive any informalities in the bidding process.

Section 3. That, Chapters 105 and 106 of the Codified Ordinances of Napoleon, Ohio, shall continue to be applicable to any projects, services, equipment, materials, or supplies listed in attached Exhibit "A"; moreover, nothing in this Resolution shall be construed as limiting the Department Directors in making purchases or contracting for services in any manner as provided for in said Chapters, statutory law or as otherwise provided by Council. When competitive bidding is required for any project, service, equipment, material or supply as a matter of law, it shall be utilized unless otherwise eliminated by act of Council. When quality based selection is required for any project listed in Exhibit "A" for architectural, engineering, or construction management services as a matter of law, then the quality based selection process shall be utilized unless otherwise eliminated by act of Council. Also, Council hereby finds that the expenditure of funds in excess of \$25,000.00 for each architectural, engineering, or construction management service as found in Exhibit "A" is necessary and approved as a proper public expenditure of funds, subject to approved motion of Council permitting the Department Director to make the award. Finally, the combining of projects, or the contracting the purchase of services, equipment, materials, or supplies is permitted of any project or item listed in Exhibit "A" without necessity of further authorization by Council.

Section 4. That, a Department Director is authorized to use this Resolution for authority for said bids and/or purchases as contained in this Resolution.

Section 5. That, any item listed in attached Exhibit "A" may be leased in lieu of purchasing when deemed appropriate by the respective Department Director.

Section 6. That, all leases, purchases and contracts for projects, services, equipment, materials, or supplies is subject to appropriation and certification of funds.

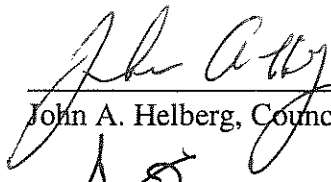
Section 7. That, any trade-ins shall be controlled by §107.05(c) of the Codified Ordinances of Napoleon, Ohio, as may be amended from time to time.

Section 8. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including §121.22 of the Ohio Revised Code and the Codified Ordinances of the City of Napoleon, Ohio.

Section 9. That, if any other prior resolution or ordinance is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

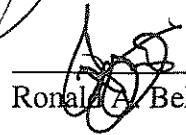
Section 10. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow the timely purchase of materials, supplies, equipment or services essential to provide public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: December 16, 2013



John A. Helberg, Council President

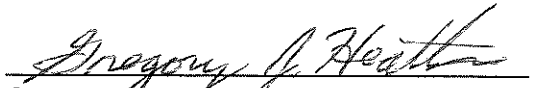
Approved: December 16, 2013



Ronald A. Behm, Mayor

VOTE ON PASSAGE 5 Yea 0 Nay 2 Abstain

Attest:



Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 074-13 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, 20____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

FORMAL BID LISTING FOR 2014**EXHIBIT "A"****ITEMS AUTHORIZED FOR BIDDING:****1520 FINANCE/UTILITY BILLING****Lighting Upgrades Project - City Wide (Efficiency Smart) - Various Locations:**

- City Building - Lighting Upgrades to LED
- Police Building - Lighting Upgrades
- Wastewater Plant - Lighting Upgrades in Office & Shop

2100 POLICE/SAFETY SERVICES**Roofing Projects - City Wide - Various Locations:**

- Roof for Quanset Hut
- Roofs for Oakwood Gazebo and Glennwood Shelters

2200 FIRE/SAFETY SERVICES

Ambulance

Life Pack Cardiac Monitors/Defibulator Units

5100 SERVICE/STREETS SCM&R**Road, Street and Parking Lot Resurfacing Projects - City Wide - Various Locations:**

- Milling & Resurfacing Local Streets (Annual Program)
- Pavement at Existing Salt Shed & Fuel Pumps
- Golf Cart Path Construction/Rebuild
- Oakwood Pk. Walkway Replacement
- Main St. & Perry St. Parking Lot

Salt (Ice & Snow Removal)

Roadside Mowing Services

Mini Excavator

Tree Trimming & Stump Removal

Northcrest Circle Improvements

Water Treatment Plant New Roadway (US6/24 to Scott)

6110 ELECTRIC/OPERATIONS & DIST.

Pole Replacement Program

Transformers (Inventory Replacement)

Traffic Signal-Washington & Perry Video Detection

69KV Line Relocation-Huddle Rd. & SR108

Substation Transformer Main Relay Replacement

Street Lighting Improvements - Various Locations:

- Street Lighting Improvements
- Street Lighting Improvements-LED Upgrades

6200 WATER/TREATMENT PLANT OP.

Outside Services for Cleaning of Sludge Lagoons

Painting of Miex Mixing Tanks

Replacement of Pump at Water Intake

New Water Plant

FORMAL BID LISTING FOR 2014**ITEMS AUTHORIZED FOR BIDDING:****6210 WATER/DISTRIBUTION SYS.**Leak Testing & Repair Program:

- Leak Detection Program - Phase 1
- Repair of Detected Leaks

Water System Supplies

Chemicals (Water and Wastewater Plants)

Chemicals (Miex Resin and Salt)

6300 SEWER(WWT)/TREATMENT PLT.

- Rebuild of #1 Mechanical Screen

6310 SEWER(WWT)/COLLECTION SYS.

Sanitary Sewer Repairs (Various)

Long Term Control Plan Updates

South Side Interceptor I/I Removal Project (LTCP No. 20A)

VanHuyning, E. Riverview & Front Sts. I/I Project (LTCP# 22, 23 & 25)

Oberhaus Interceptor I/I Reduction Project (LTCP# 21A)

6420 SANITATION/COLLECTION & DISPOSAL, RECYCLING

Landfill Contracts

Hauling Contracts

Brush Grinding Contracts

Concrete Grinding Contracts

Recycling Contracts

Chemicals (Mosquito Control)

RESOLUTION NO. 075-13

A RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS IN EXCESS OF \$25,000.00 IN AND FOR THE YEAR 2014 AS IT RELATES TO REOCCURRING COSTS ASSOCIATED WITH THE OPERATION OF THE CITY, FOR PAYMENT OF EXPENSES, AND FOR PURCHASES ASSOCIATED WITH VENDORS UTILIZED BY MULTIPLE DEPARTMENTS WITHIN THE CITY; ELIMINATION OF NECESSITY OF COMPETITIVE BIDDING IN AND FOR THE YEAR 2014 AS IT RELATES TO CERTAIN TRANSACTIONS; DECLARING AN EMERGENCY

WHEREAS, the City each year has reoccurring costs associated with the conducting of business with groups or associations established for or on behalf of the political subdivisions or instrumentalities of the State, which annually exceed \$25,000.00; and,

WHEREAS, the City each year has reoccurring costs associated with the conducting of business, many which result in mandatory payments or merely occurs as a result of the method of accounting utilized by the City's Finance Department; and,

WHEREAS, for convenience and efficiency, purchase orders are annually written to vendors by multiple departments of the City with a combined total that exceeds \$25,000.00; Now Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, the expenditure of funds by the City in excess of \$25,000.00, in and for the year 2014, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for purchases, services, coverage, or benefits listed in said Exhibit "A".

Section 2. That, the expenditure of funds by the City in excess of \$25,000.00, in and for the year 2014, is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the following purchases associated with recreation, fund balance maintenance, public labor costs, public auditing, utilities, bonding, accounting, the payment of debt service, postal service, banking, permitting, and codification listed in said Exhibit "B".

Section 3. That, the expenditure of funds in excess of \$25,000.00 is hereby necessary and authorized as a proper public expenditure, subject to appropriation of funds, for the City's cumulative purchase of product, supply, equipment and/or services periodically through the year 2014 from the following vendors; however, in no event shall the amount exceed \$25,000.00 for any one purchase of product, supply, equipment and/or services or any one specific project under the authority of this Resolution listed in said Exhibit "C":

Section 4. That, due to nature or uniqueness of the transactions or vending listed in Sections 1, 2 and 3 of this Resolution, except for the prohibition in Section 3 regarding the one time purchase over \$25,000.00, any requirement that may exist for competitive bidding is hereby eliminated in the best interest of the City.

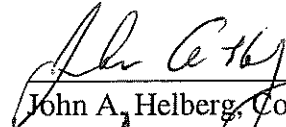
Section 5. That, nothing in this Resolution shall be construed as to eliminate the necessity of quality based selection as it relates to architect, engineer or construction services for any one project that would otherwise require such a selection process, as such elimination of quality based selection would require separate Council action; moreover, nothing in this Resolution shall be construed as to eliminate the restriction found in Section 3 of this Resolution as it relates to a single purchase or project expenditures.

Section 6. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 7. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

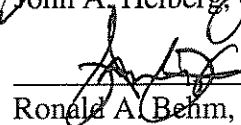
Section 8. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for prompt purchases required to remain operational, being operational essential to public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: December 16, 2013



John A. Helberg, Council President

Approved: December 16, 2013



Ronald A. Behm, Mayor

VOTE ON PASSAGE 5 Yea 0 Nay 2 Abstain

Attest:



Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 075-13 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____, _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director

EXHIBIT "A"

American Municipal Power, Inc.	For: Contracted Power Purchase and Services
BORMA Benefit Plans	For: Insurance Premiums (Health)
Public Entities Pool (PEP)	For: Insurance Premiums (Property & Casualty)
CIC of Henry County, Ohio	For: Economic Development Services
Four County Career Center	For: Training Services
Henry County Auditor	For: Auditor Assessment Fees
Henry County EMA	For: Emergency Management Agency
Henry County Engineer	For: Engineering Shared Projects
Henry County Regional Water/Sewer District	For: Payments for Water Collections
James G. Zupka, CPA, Inc.	For: Annual Auditing Services
John Donovan - Law Librarian	For: Law Library Payments
Maumee Valley Planning	For: CHIS/CHIP Grant Administration
Napoleon/Henry County Chamber of Commerce	For: Tourist Bureau
Ohio Bureau of Workers Compensation	For: Employee Worker's Comp. Insurance Coverage
Ohio Police Pension Fund	For: Police Pension Payment
Ohio Fire Pension Fund	For: Fire Pension Payment
Ohio Public Employers Retirement System	For: Pension Payments
Treasurer State of Ohio	For: Various Items

EXHIBIT "B"

Bonded Chemical	For: Chemicals at Water Treatment Plant
Calfee, Halter & Griswold, LLP	For: Specialized Legal Services
Cargill Salt	For: Miex Water Treatment Chemicals
Cedar Point Accounting Dept.	For: Tickets for Resale
City of Napoleon, Fuel Rotary	For: Fuel Purchases
City of Napoleon, Garage Rotary	For: Garage Rotary Services
City of Napoleon, Income Tax	For: Refunds of Income Taxes
City of Napoleon, Payroll	For: Payroll Postings
City of Napoleon, Rescue	For: Township Portion of EMS Revenues
City of Napoleon, Utility	For: Meter Deposit Refunds
City of Napoleon, Utility	For: Utility Services
City of Napoleon, Utility	For: Water and Sewer Refunds
City of Napoleon, Utility	For: Electric Refunds
Embarq (Centurylink)	For: Telephone Services
Farmer and Merchant's State Bank	For: Banking and Debt Service Payment
Huntington National Bank	For: Debt Service Payment
Napoleon, Inc.	For: Newspaper Publication Services
Napoleon Area Schools	For: NCTU and Other
National City Bank	For: Debt Service Payment
Ohio Gas Company	For: Utility Services
Ohio Water Development (OWDA)	For: Debt Service Payment
OMEGA JV5/Amp-Ohio Inc.	For: Purchase of Power
OMEGA JV6/Amp-Ohio Inc.	For: Purchase of Power
Rescue-Township Charges (EMS)	For: EMS Revenues to Townships
Robinson Salt	For: Salt for Miex Plant
Schonhardt and Associates	For: CAFR Preparation
Service Organization, Inc.	For: Insurances (Health Deductibles)
Smart Bill, LTD	For: Outsourcing of Utility Bill Printing and Mailing
Squires, Sanders and Dempsey	For: Bond Counsel (Professional Services)
Treasurer State of Ohio	For: Payments to State
US Bank	For: Debt Service Payments
US EPA (Treasurer, State of Ohio)	For: Permits
US Postmaster	For: Postal Services and Supply
Village of Malinta	For: OWDA Debt Service
Walter Drain Co.	For: Codification Services (Professional Services)

EXHIBIT "C"

A & A Custom Crushing	For: Concrete Crushing
Agrium Advanced Technologies	For: Golf Course Chemicals
Auglaize Tree Service	For: Tree Services
Boundtree Medical Supply, LLC	For: Medical Supplies
Brown Wood Preserving Co., Inc.	For: Electric Poles
Brownstown Electric Supply	For: Electric Supplies
CDW Government, Inc.	For: Computers and Supplies
Cintas	For: Uniform Services
City Blue, Inc.	For: Survey Supplies
Clarke Mosquito Control Product	For: Mosquito Control Supply
CMI (Creative Microsystems, Inc.)	For: Software and Hardware Systems
Concrete Specialist Company, Ltd.	For: Concrete Repair/Replacement
Darr's Cleaning, Inc.	For: Sewer Cleaning and Inspection
Defiance County Landfill	For: Sanitation Dumping Services
Dennis Panning Excavating	For: Yard Waste Hauling and Disposal
Downtown	For: Downtown Renovation Vendors
Estabrook, Corp.	For: Pump Supplies and Repairs
Feller, Finch & Associates, Inc.	For: Engineering Services (Professional Services)
Finley Fire Equipment	For: Fire Engines and Service Repairs
Fire Safety Services Inc.	For: Fire Services and Supply
Fire Service, Inc.	For: Fire Services and Supply
Fitzenrider, Inc.	For: Heating and Air Conditioning Service Work
Ft. Defiance Service Master	For: Cleaning and Sanitizing Services
Garcia Surveyors, Inc.	For: Surveying Services (Professional Services)
Gerken Asphalt Paving, Inc.	For: Paving
General Chemical Performance	For: Chemicals
Go Green, Inc.	For: Brush Grinding Services
HD Supplies Utilities, Ltd.	For: Electrical Parts and Supply
Hull and Associates, Inc.	For: Consulting Services (Professional Services)
Huron Lime, Inc.	For: Lime Chemicals
Hydro Dyne Engineering, Inc.	For: Wastewater Remanufacturing of Screens
Irvine Electrical and Testing	For: Testing and Supplies
Jack Doheny Supplies Ohio, Inc.	For: Wastewater Supplies
Jones and Henry Engineering Ltd.	For: Engineering Services (Professional Services)
Kalida Truck	For: Vehicle Accessories
Koester Corp.	For: Engineering Services

Kuhlman Corp.	For: Parts and Supply
Kurtz Ace Hardware	For: Supply
Lingvai Excavating, LLC	For: Construction Services
Lingvai Paving, LLC	For: Paving Services
Linward Electric, Inc.	For: Traffic Signal Repairs
The Mannik and Smith Group, Inc. Med 3000	For: Engineering Services (Professional Services) For: Ambulance Billing Services
Mel Lanzer Co.	For: Construction Services
Melrose Pyrotechnics, Inc.	For: Fireworks
Mid-Ohio Sludge Management	For: Sludge Removal
Miller Brothers Construction	For: Trucking, Hauling, and Excavating Services
Mohre Electronics Co.	For: Radio Services, Parts and Supply
Morton Salt	For: Road Salt
Neptune Equipment	For: Meter Parts and Supplies
Northbranch Nursery, Inc.	For: Landscaping/Tree Services
Northwest Landscape Service	For: Landscaping and Supplies, Roadside and City Owned Property Mowing
Northwest Pools	For: Pool Chemicals
Office Depot	For: Office Supply
Orica Water Care, Inc.	For: MIEX Water Treatment Chemicals
Paulding County Engineer's Office	For: Cold Patch
Pepco	For: Supplies
Parker Hannfin Corp.	For: Water Meter Analyzer
Perrysburg Pipe and Supply	For: Parts and Supply
Perry Corporation	For: Copier, Scanner and Printer Supplies
Peterman Associates, Inc.	For: Engineering Services (Professional Services)
Porter's BP, LLC	For: Gas and Diesel Fuel
Powerline Supply	For: Electrical Parts and Supplies
Premier Patching, Inc.	For: Road Patching
Quality Cleaning (Michael D. Draper)	For: Janitorial Services
Reed City Power Line Supply Co.	For: Electrical Parts and Supply
Rich Ford	For: Vehicle Repair Services
Ron Foor	For: Mowing Services
RTEC Communications, Inc.	For: Communication Supplies & Equipment
S & S Directional Boring	For: Directional Boring
Saylor Tree Service, LLC	For: Tree Services
Snyder Chevrolet, Inc.	For: Automotive Services
Solomon Corporation	For: Transformers and Electric Supplies

Spectrum Engineering Corp.	For: Engineering Services (Professional Services)
Stantec Consulting Services, Inc.	For: Engineering Services (Professional Services)
T & J. Excavating	For: Excavating Services
T & R Electric	For: Transformers
US Utility Contractor Co.	For: Traffic and Electrical Services
Vernon Nagel, Inc.	For: Trucking, Hauling, and Excavating Services
Viking Trucking, Inc.	For: Trucking and Hauling Services
Vince's TV and Appliance	For: Networking and Computer Supplies
Wachs Water Service, LLC	For: Water Valve Servicing Program
Werlor, Inc.	For: Brush Grinding Services/Recycling Services
Wesco Distribution, Inc.	For: Electrical Supplies
Westech Distribution	For: Water Miex System Services
Wood County Land Fill	For: Sanitation Dumping Services
Woods Auto Supply	For: Parts and Supply
Wright Express FSC-WEX, Inc.	For: Fuel Purchases
Zacks Recycling, LLC	For: Recycling Services