

RESOLUTION NO. 064-15

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 2016; 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 2016; 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 07, 2015



Travis B. Sheaffer, Council President

Approved: December 07, 2015



Ronald A. Behm, Mayor

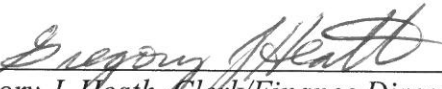
VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

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. 064-15 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 9th day of January, 20 16; & 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

RESOLUTION NO. 064-15: EXHIBIT "A" – FORMAL BID LISTING FOR 2016

DEPARTMENT/CATEGORY/ITEM DESCRIPTION
<u>1300 CITY MANAGER/ADMINISTRATION</u>
Janitorial Services and Supplies for City Building, Police Building & Operations Building
<u>2100 POLICE/SAFETY SERVICES</u>
Patrol Car – Replacement of two vehicles
<u>2200 FIRE/SAFETY SERVICES</u>
Power Load System & Cot for Ambulance
<u>4400 RECREATION/PARKS & PROGRAMS</u>
Tractor/Mower with Stage Snow Blower & Cab Encloser
<u>5100 SERVICES/STREETS SCM&R</u>
Roadside Mowing (contracted)
Ice & Snow Removal – (Salt Contracts)
New Compaction Roller
Tree Trimming & Stump Removal (contracted)
Purchase of Dump Truck
Purchase of Dura Patcher, Spray Patch Machine
<u>-Road & Street Improvement Programs</u>
Street Striping & Misc. Painting (contracted)
Milling & Resurfacing Local Streets (Annual)
Materials – Crack Sealing, Stone & Other
Annual Concrete Grinding
Spray Patching and Street Materials – Yearly Program
Dodd Street Improvements
Park Lane Street Improvements
Misc. Street Improvements
Roundhouse Road Street Improvements
Industrial Drive Improvements
<u>6110 ELECTRIC/OPERATIONS DIST.</u>
Service Bucket Truck
Small Tow Motor Replacement
<u>-Street Lighting Improvement Program</u>
Street Lighting Improvements
<u>-Electric Feeder Line Improvements</u>
Electrical Underground Upgrades & Maintenance
Electrical Overhead Upgrades & Maintenance

RESOLUTION NO. 064-15: EXHIBIT "A" – FORMAL BID LISTING FOR 2016

<u>-Transformer Replacement & Disposal Programs</u>
Transformer Replacement and Disposal (Inventory)
<u>-Electrical Improvements & Upgrades</u>
New System Growth & Updates
Industrial Substation – New Transmission Structures
Three Phase Reclosure-Distribution Circuit Upgrade
<u>6200 WATER TREATMENT PLANT OPERATIONS</u>
Outside Services Clean Sludge Lagoons (contracted)
Repaint Miex Contact & Settler Tanks – Tnemec Paint
Miex Building Natural Gas Heaters
Water Plant Rehabilitation Project
Chemicals (Water Treatment Plant)
Chemicals (Miex Resin & Salt)
<u>6210 WATER DISTRIBUTION SYSTEM</u>
Leak Detection & Repair Program
Valve Asset & Water Loss Program
Water Supplies (Yokes, Stops, Saddles, Valve, etc.)
<u>6300 SEWER/WASTEWATER TREATMENT PLANT</u>
Knight 8118 Spreader
Various Sanitary Sewer Emergency Repairs (contracted)
Sanitary Sewer Cleaning Program (contracted)
Long Term Control Plan Updates (contracted)
Storm Sewer Improvements
Chemicals (Wastewater Treatment Plant)
Revise I/I Studies NPDES Requirements
Sanitary Later Repairs in City ROW
<u>6400, 6410, 6411 & 6420 SANITATION/COLLECTION & DISPOSAL</u>
Landfill Services (contracted)
Yard Waste Grinding (contracted)
Recycling Services (contracted)
Chemicals for Mosquito Control