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CITY OF CUYAHOGA FALLS, OHIO

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ORDINANCE NO. 36 - 2014

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AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITHOUT COMPETITIVE BIDDING WITH SHERMAN AND REILLY FOR THE PURCHASE OF A 7500-POUND TRAILER MOUNTED UNDERGROUND PULLER DIESEL ENGINE WITH AIR COMPRESSOR FOR USE IN THE ELECTRIC DEPARTMENT, AND DECLARING AN EMERGENCY.

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WHEREAS, Article I, Section 2 of the City Charter, adopted pursuant to Art. XVIII, Sections 3 and 7 of the Ohio Constitution, authorizes this Council to make exception to the competitive bidding procedures set forth in the Revised Code,

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WHEREAS, Sherman and Reilly is the sole source purveyor a 7500-pound Trailer Mounted Underground Puller Diesel Engine with Air Compressor.

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NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls, County of Summit, and State of Ohio, that:

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Section 1. The Director of Public Service is hereby authorized to enter into a contact without competitive bidding with Sherman and Reilly, on the basis of its proposal dated March 19, 2014, for the purchase of a 7500-pound Trailer Mounted Underground Puller Diesel Engine with Air Compressor.

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Section 2. The Director of Finance is hereby authorized and directed to make payment for same from the Electric Fund, line item, Capital Machinery and Equipment.

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Section 3. Any ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

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Section 4. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Chapter 107 of the Codified Ordinances.

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Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety,

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51 convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof,
52 and provided it receives the affirmative vote of two-thirds of the members elected or
53 appointed to Council, it shall take effect and be in force immediately upon its
54 passage and approval by the Mayor; otherwise it shall take effect and be in force at
55 the earliest period allowed by law.

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Passed: 4/14/2014

Mary Ellen Lyke
President of Council

Paul Cain
Clerk of Council

Approved 4/15/14

[Signature]
Mayor

4/14/14
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