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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 53 - 2013

7
8 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
9 PUBLIC SERVICE TO ENTER INTO A CONTRACT
10 WITHOUT COMPETITIVE BIDDING WITH BELL
11 EQUIPMENT COMPANY FOR THE PURCHASE OF A
12 USED "EPOKE" SALT SPREADER FOR USE BY THE
13 STREET DEPARTMENT, AND DECLARING AN
14 EMERGENCY.

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16 WHEREAS, the used salt spreader identified below is a unique, non-fungible
17 item due to its characteristics, and purchase of said item is therefore not susceptible
18 to conventional competitive bidding; and

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

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

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27 Section 1. The Director of Public Service is hereby authorized to enter into a
28 contact without competitive bidding with Bell Equipment Co. Inc., on the basis of its
29 proposal dated July 3, 2013, which is on file with the Clerk of Council in Council
30 File No. _____, for the purchase of a used "Epoke S4902 Sirius Combi AST" salt
31 spreader, Serial No. 49130361.

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33 Section 2. The Director of Finance is hereby authorized and directed to make
34 payment for same from the Capital Projects Fund.

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37 resolutions inconsistent herewith are hereby repealed, but any ordinances and
38 resolutions not inconsistent herewith and which have not previously been repealed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

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

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

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

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Passed: 7-22-13

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Approved 7/23/13

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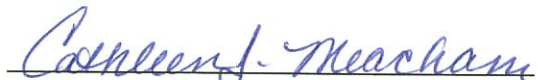
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President of Council



Clerk of Council



Mayor