

ORDINANCE NO. 2024-41

AN ORDINANCE AUTHORIZING THE DIRECTOR OF ADMINISTRATION TO ENTER INTO CONTRACTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION (“ODOT”) TO PARTICIPATE IN THE PURCHASE OF MACHINERY, MATERIALS, SUPPLIES OR OTHER ARTICLES OF THE ODOT AND ALLOWING FOR IMMEDIATE ENACTMENT

WHEREAS, Section 5513.01(B) of the Ohio Revised Code (“R.C.”) provides the opportunity for political subdivisions, as defined in R.C. §5513.01(C)(1), which includes municipal corporations, to participate in contracts in which the Director of Transportation of the ODOT has entered for the purchase of machinery, material, supplies, or other articles under a cooperative purchasing program (the “Cooperative Purchasing Program”); and

WHEREAS, R.C. §5513.01(B) requires political subdivisions desiring to participate in the Cooperative Purchasing Program to file with the Director of Transportation a certified copy of the ordinance of the legislative authority requesting authorization to participate in the Cooperative Purchasing Program and agreeing to be bound by such terms and conditions as the Director of Transportation prescribes; and

WHEREAS, the City of Wooster, an Ohio municipal corporation (“City”), desires to participate in contracts for the purchase of machinery, materials, supplies or other articles under the Cooperative Purchasing Program offered through the ODOT.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WOOSTER, OHIO:

SECTION 1. That the Director of Administration hereby requests authority in the name of the City to participate in the ODOT contracts for the purchase of machinery, materials, supplies or other articles which the Director of Transportation has entered into, pursuant to R.C. §5513.01(B).

SECTION 2. That the Director of Administration is hereby authorized to agree in the name of the City to be bound by all terms and conditions as the Director of Transportation prescribes.

SECTION 3. That the Director of Administration is hereby authorized to agree in the name of the City to directly pay vendors, under each such contract of the ODOT in which the City participates, for items it receives pursuant to the contract.

SECTION 4. That the City agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under R.C. §5513.01(B). The City agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which

the City may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

SECTION 5. This Ordinance is hereby declared to be necessary to the immediate preservation of the public health, peace, safety and welfare of the City; wherefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor; provided it receives the affirmative vote of at least three-fourths of the members of Council; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

1st reading 12-16-24 2nd reading → 3rd reading 12-16-24

Passed: December 16, 2024 Vote: 7-0

Attest: Amy Hamilton [Signature]
Clerk of Council President of Council

Approved: 12-17-24 [Signature]
Mayor

Introduced by: Michael Abernathy