

ORDINANCE NO. 3307

**AN ORDINANCE AUTHORIZING PARTICIPATION IN ODOT COOPERATIVE PURCHASING PROGRAM AND DECLARING AN EMERGENCY.**

**WHEREAS**, Chapter 127 of the Codified Ordinances of the City of Chardon provides that the purchase of materials which cost more than twice the competitive bidding threshold provided for in the Ohio Revised Code, require competitive bidding by the City of Chardon, except as permitted by Section 5513.01(B) of the Ohio Revised Code; and

**WHEREAS**, the City must purchase asphalt, asphalt maintenance products and services, trucks, and other equipment during the 2025-2026 winter season, which may cost more than the amount permitted under Chapter 127; and

**WHEREAS**, the City must purchase road salt during the 2025-2026 winter season which may cost more than the amount permitted under Chapter 127; and

**WHEREAS**, Section 5513.01(B) of the ORC provides the opportunity for counties, townships, municipal corporations, conservancy districts, township park districts, park districts created under Chapter 1545 of the Revised Code, Port authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Chardon, State of Ohio, that:

**SECTION 1.** The Council of the City of Chardon hereby requests authority for the City of Chardon to participate in the Ohio Department of Transportation contracts for the purchase of road salt, asphalt, asphalt maintenance products and services, trucks, and other equipment which are available for purchase by the City without competitive bidding under the ODOT Cooperative Purchasing Program under contracts with vendors which the Department has entered into pursuant to Ohio Revised Code Section 5513.01(B) for the 2025-2026 winter season.

**SECTION 2.** The City Manager is hereby authorized to execute contracts/agreements on behalf of the City of Chardon to be bound by all terms and conditions as the Director of Transportation prescribes.

**SECTION 3.** The City Manager is hereby authorized to pay vendors directly under each contract of the Ohio Department of Transportation in which the City of Chardon participates for the purchase of road salt, asphalt, asphalt maintenance products and services, trucks, and other equipment pursuant to the contract.

**SECTION 4.** The City of Chardon agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The City of Chardon releases and forever discharges the Director of Transportation and the Ohio Department of Transportation from all such claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the City of Chardon 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.** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of its committees that resulted in formal action were in meetings open to the public in compliance with all legal requirements, including §121.22 of the Ohio Revised Code.

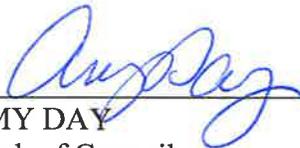
**SECTION 6.** This ordinance constitutes an emergency measure necessary for the immediate preservation of the public peace, health and welfare; and for the further reason that the Council wishes to participate in the program immediately to make purchases of road salt, asphalt, asphalt maintenance products and services, trucks, and other equipment at lower prices and without competitive bidding, and for that reason this ordinance shall be effective upon its passage.

PASSED AND ADOPTED THIS 10<sup>th</sup> day of April, 2025.



CHRISTOPHER GRAU, Mayor  
President of Council

Attest:



AMY DAY  
Clerk of Council