

ORDINANCE NO. 2010-11

AUTHORIZING THE PURCHASE OF AND PAYMENT FOR
EMERGENCY SUPPLIES OF ROAD SALT FOR AN AMOUNT
NOT TO EXCEED \$80 PER TON (DELIVERED); AND
DECLARING AN EMERGENCY

WHEREAS, Section 9.12 of Article IX of the Charter of the City of Blue Ash, Ohio, provides the method under which the City Manager shall make certain purchases and enter into contracts on behalf of the City; and

WHEREAS, the record-breaking snowfall in the Cincinnati area in February 2010 has created the need for the emergency purchase of road salt; and

WHEREAS, most recent purchases of road salt were accomplished through participation in a cooperative purchasing arrangement with the City of Cincinnati utilizing North American Salt Company as authorized by Ordinance No. 2009-28 passed in May 2009; and

WHEREAS, the maximum amount of salt at the guaranteed price from this vendor as stipulated in that purchasing arrangement has already been purchased due to the unusual snowfall thus far in the 2009/2010 snow season; and

WHEREAS, the Public Works Director has determined that the cost per ton from this vendor for salt purchases over the maximum amount allowed in that contract did not represent a cost-efficient solution for the City in its emergency need for purchase of salt, and thereafter sought informal quotes from other area salt vendors; and

WHEREAS, the Public Works Director recommended to the City Manager that the City be authorized to purchase road salt on an emergency basis for an amount not to exceed \$80 per ton delivered from Evans Landscaping to assure adequate supply of salt used for snow and ice control in public areas for the benefit and safety of citizens, representing the most responsive proposal based upon quality, service, performance record, and price; and

WHEREAS, Section 9.12 of Article IX of the Charter stipulates that requirements for advertising and competitive bidding and for authorization by Council may be waived in case of emergency; and

WHEREAS, this section of the Charter also states that in situations of such emergency need and in the absence of a Council meeting, the Manager may secure approval of four members of Council for emergency purchases, whereby emergency is a situation making it imperative that there be immediate action to maintain necessary operation of the City government or to preserve the public peace, health, safety, morals, or welfare; and

WHEREAS, the City Manager, via telephone on February 16, 2010, secured at least four Council members' approval for the emergency purchase of salt from Evans Landscaping for an amount not to exceed \$80 per ton delivered.

Be it ordained by the Council of the City of Blue Ash, not less than five (5) members thereof concurring,

SECTION I.

Payment to Evans Landscaping in mid February or early March 2010 for an amount not to exceed \$85,000 for the purchase and delivery of road salt at \$80 per ton delivered to the City is hereby acknowledged, confirmed, and approved by City Council. Any requirement to follow formal bidding procedures is hereby waived.

SECTION II.

The City Manager is hereby authorized to purchase additional road salt from this vendor for the 2009/10 snow season at an amount not to exceed \$80 per ton delivered if necessary to

assure the safety of the traveling public. Any requirement to follow formal bidding procedures is hereby waived.

SECTION III.

The Treasurer and Deputy Treasurer are hereby authorized to expend the necessary funds therefor, which funds are hereby appropriated.

SECTION IV.

This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Blue Ash, Ohio; the reason for the emergency being the need to assure the safety of the traveling public. Therefore, this ordinance shall take effect and be in force from and after its passage.

PASSED this 25th day of February, 2010.

Mark F. Weber, Mayor

Susan K. Bennett, Deputy Clerk of Council

APPROVED AS TO FORM:

Mark A. Vander Laan, Solicitor