

RESOLUTION NO. 2010-2

AUTHORIZING THE CITY OF BLUE ASH'S PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) COOPERATIVE PURCHASING PROGRAM

WHEREAS, Section 5513.01(B) of the Ohio Revised code provides opportunities for Counties, Townships, Municipal Corporations, and other specified public entities the opportunity to participate in contracts of the Ohio Department of Transportation (ODOT) for the purchase of machinery, material, supplies, or other articles; and

WHEREAS, since the late 1980s, the City of Blue Ash has participated in the State of Ohio's State Purchasing Program – a similar program to ODOT's, though administered through the State's Department of Administrative Services; and

WHEREAS, such State-offered programs provide public entities the opportunity to efficiently and cost-effectively purchase various supplies and items needed for its municipal operations; and

WHEREAS, the Public Works Director is recommending the City be allowed to participate in ODOT's Cooperative Purchasing Program.

Be it resolved by the Council of the City of Blue Ash, Ohio,

SECTION I.

The City Manager is hereby authorized, in the name of the City of Blue Ash, to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies, or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01(B).

SECTION II.

The City Manager is hereby authorized to agree in the name of the City of Blue Ash to be bound by all terms and conditions as the Director of Transportation prescribes as it relates to this Cooperative Purchasing Program.

SECTION III.

The City Manager is hereby authorized to pay vendors directly for items it receives pursuant to the contract of the Ohio Department of Transportation.

SECTION IV.

The City of Blue Ash agrees to be responsible for resolving all claims or disputes arising out of its participation in the ODOT Cooperative Purchasing Program under Section 5513.01(B) of the Ohio Revised Code. The City of Blue Ash releases and forever discharges the Director of Transportation and ODOT from all such 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 V.

In accordance with Sec. 17.07 of the Blue Ash Charter, this resolution shall take effect and be in force upon passage.

PASSED this 13th day of May, 2010.

Mark F. Weber, Mayor

Jamie K. Eifert, Clerk of Council

APPROVED AS TO FORM:

Bryan Pacheco, Deputy Solicitor

THIS IS A CERTIFIED TRUE & CORRECT COPY:

Jamie K. Eifert, Clerk of Council