

ORDINANCE NO. 179 (22-23)

An Ordinance to authorize and direct the Director of Public Safety and Service to enter into a contract on behalf of the City of Marietta, Ohio, with FYDA Freightliner Western Star Zanesville of Zanesville, Ohio, for the lease/purchase of two (2) Freightliner 108SD Dump Trucks and warranties; and for the lease/purchase of two (2) Galion 433U-10 Dump Bodies and accessories sold by Ace Equipment of Zanesville, Ohio, for use by the Public Works Department of the City of Marietta, Ohio, at a total cost not to exceed \$383,560.00 under the auspices of the cooperative purchasing program administered by the Ohio Department of Transportation, pursuant to Ohio Revised Code Section 5513.01(B), and declaring an EMERGENCY.

WHEREAS, a need exists for the City of Marietta, Ohio to lease/purchase two (2) Dump Trucks for use in the Public Works Department; and,

WHEREAS, following an analysis of the city's needs in this respect, and the alternatives available for the provision of those needs, the Director of Public Safety and Service has recommended that the City enter into a contract with FYDA Freightliner Western Star Zanesville of Zanesville, Ohio, for the lease/purchase of two (2) Freightliner 108SD Dump Trucks and warranties; and for the lease/purchase of two (2) Galion 433U-10 Dump Bodies and accessories sold by Ace Equipment of Zanesville, Ohio, for use by the Public Works Department of the City of Marietta, Ohio, at a total cost not to exceed \$383,560.00; and

WHEREAS, on July 6, 1995, via passage of Resolution No. 75 (94-95); and via passage of Resolution No. 3 (22-23) on February 7, 2022; the Council of the City of Marietta, Ohio approved the City's voluntary participation in the use of State contracts (based upon State public bids) which the Ohio Department of Transportation has entered into, for the acquisition of certain machinery, materials, supplies and other articles, including Dump Trucks, warranties, Dump Bodies and accessories; and,

WHEREAS, the Director of Public Safety and Service has determined that the Dump Trucks, Dump Bodies, accessories and warranties required by the City of Marietta, Ohio are listed within the Ohio Department of Transportation's Cooperative Purchasing Contract; and

WHEREAS, the acquisition of the two (2) Freightliner 108SD Dump Trucks and warranties from FYDA Freightliner Western Star Zanesville of Zanesville, Ohio, and the two (2) Galion 433U-10 Dump Bodies and accessories sold by Ace Equipment of Zanesville, Ohio, for the total acquisition cost of \$383,560.00, appears to be the best proposal for the acquisition-lease/purchase of these two (2) Dump Trucks and warranties and two (2) Dump Bodies and accessories, as determined by the Director of Public Safety and Service; now therefor

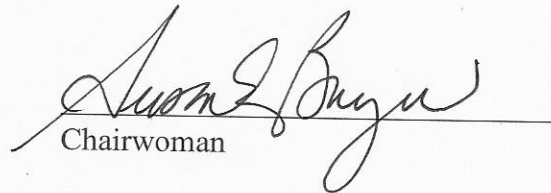
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARIETTA, OHIO:

Section 1: That the Director of Public Safety and Service shall be and is hereby authorized and directed to enter into a contract on behalf of the City of Marietta, Ohio, with FYDA Freightliner Western Star Zanesville of Zanesville, Ohio, for the lease/purchase of two (2) Freightliner 108SD Dump Trucks and warranties; and for the lease/purchase of two (2) Galion 433U-10 Dump Bodies and accessories sold by Ace Equipment of Zanesville, Ohio, at a cost not to exceed \$383,560.00, under the auspices of the Ohio Department of Transportation's Cooperative Purchasing Contract, pursuant to Ohio Revised Code Section 5513.01(B); according to the terms and conditions of the proposals attached hereto as Exhibit "A", which proposals are hereby adopted and approved.

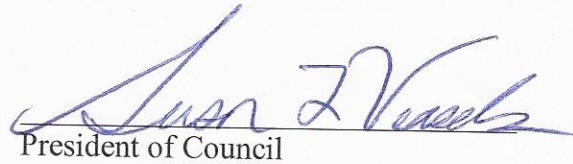
Section 2: That this Ordinance shall be and is hereby declared to be an EMERGENCY measure necessary for the immediate preservation of the public peace, health and safety of the City of Marietta, Ohio, and for the further reason that immediate action is necessary in order to ensure the City's ability to engage in maintenance of City streets and other infrastructure for the safety of the general public.

WHEREFORE, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

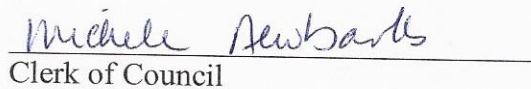
Introduced by the Streets and Transportation Committee, Susan Boyer, Chairwoman.


Chairwoman

Passed this 5th day of Jan, 2023.


President of Council

ATTEST:


Clerk of Council

Approved this 5th day of January, 2023.


Mayor

First Reading Jan. 5, 2023

Second Reading Suspended

Third Reading Suspended