

ORDINANCE NO. 262 (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 Southeastern Equipment Company, Inc., of Marietta, Ohio, for the sale/trade-in of a backhoe currently in use by the Wastewater Treatment Department which has become obsolete, not needed, or unfit for public use, with a trade-in value of \$20,000.00; and for the purchase of a new backhoe model 2023 KOBELCO SK55SRX-7 with standard warranty for use by the Wastewater Treatment Department of the City of Marietta, Ohio, at a cost of \$76,696.00, for the total acquisition price, including trade-in, not to exceed \$56,696.00 in a single contract, pursuant to Ohio Revised Code Section 721.15(B), under the auspices of Ohio's Cooperative Purchasing Act, as administered by the Ohio Department of Administrative Services, Office of State Purchasing, and declaring an EMERGENCY.

WHEREAS, the City of Marietta, Ohio finds that it has a backhoe, model 2002 Case CE 590SM which has been in use by the Wastewater Treatment Department which is now obsolete, not needed, or unfit for public use; and,

WHEREAS, it has been determined that the trade-in value of said obsolete 2002 Case backhoe is \$20,000.00, and

WHEREAS, a need exists for the City of Marietta, Ohio to purchase a new, more reliable backhoe for use by the Wastewater Treatment Department, that will replace the older model 2002 CE Case 590SM backhoe; and,

WHEREAS, it is in the best interest of the City of Marietta, Ohio, that the sale/trade-in of said obsolete, unneeded, or unfit backhoe be made simultaneously with the purchase of a new backhoe model 2023 KOBELCO SK55SRX-7 and standard warranty; and,

WHEREAS, it has been determined that the best alternative available for the provision of a new 2023 KOBELCO backhoe is through Southeastern Equipment Company of Marietta, Ohio for the purchase price of \$76,696.00; and

WHEREAS, following an analysis of the City of Marietta, Ohio'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 of Marietta, Ohio, enter into a single contract with Southeastern Equipment Company, Inc. of Marietta, Ohio, for the simultaneous sale/trade-in of the old 2002 backhoe and the purchase of a new 2023 backhoe, for a total acquisition price, including trade-in, of \$56,696.00; and,

WHEREAS, on July 6, 1995, via passage of Resolution No. 75 (94-95) and on January 19, 2023, via passage of Resolution No. 80 (22-23), the Council of the City of Marietta, Ohio approved the voluntary participation in the use of State contracts (based upon State public bids) which the Department of Administrative Services, Office of State Purchasing, has entered into for the acquisition of certain supplies, services, equipment and materials, including backhoes; and,

WHEREAS, the Director of Public Safety and Service has determined that the backhoe with standard warranty required by the City of Marietta, Ohio is listed within the State's Cooperative/State Public Bidding Purchasing Contract; and

WHEREAS, the acquisition of a backhoe, model 2023 KOBELCO SK55SRX-7 with standard warranty from Southeastern Equipment Company, Inc., of Marietta, Ohio, for \$76,696.00, less sale/trade-in value of \$20,000.00 for the 2002 obsolete backhoe, resulting in a total acquisition cost of 56,696.00, appears to be the best proposal for the acquisition of a new backhoe, as determined by the Director of Public Safety and Service; now, therefore,

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

- Section 1: That the Council of the City of Marietta, Ohio, finds that the City has a 2002 model Case CE 590SM backhoe in the Public Works Department which is obsolete, not needed, or is unfit for public purpose, that has a trade-in value of \$20,000.00; and that the City of Marietta, Ohio has need of a new backhoe in the Wastewater Treatment Department, and that it is in the best interest of the City of Marietta, Ohio that the sale/trade-in of the obsolete, unneeded, or unfit backhoe be made simultaneously with the purchase of a new backhoe with standard warranty.
- Section 2: That the Director of Public Safety and Service shall place the City of Marietta, Ohio owned, used backhoe, for sale and/or trade-in and that the sale/trade-in price of \$20,000.00 shall be credited against the purchase price of the new backhoe, and to consummate the sale/trade-in and purchase by a simultaneous single contract, pursuant to Ohio Revised Code Section 721.15.
- Section 3: That the Director of Public Safety and Service shall be and is hereby authorized and directed to purchase on behalf of the City of Marietta, Ohio, from Southeastern Equipment Company, Inc. of Marietta, Ohio, a new backhoe, model 2023 KOBELCO SK55SRX-7, with standard warranty, for use by the Public Works Department of the City of Marietta, Ohio, for a purchase price of \$76,696.00, less the sum of \$20,000.00 for the sale/trade-in of the used 2002 backhoe, for a total acquisition price not to exceed \$56,696.00, under the auspices of Ohio's Cooperative Purchasing Act as administered by the Ohio Department of Administrative Services, Office of State Purchasing, according to the terms and conditions of the proposal attached hereto as Exhibit "A", which terms and conditions are hereby adopted and approved.

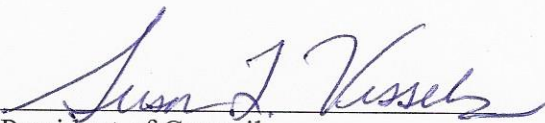
Section 4: That this Ordinance shall be and is hereby declared to be an EMERGENCY measure necessary for the immediate preservation of the public peace, health and safety of the City of Marietta, Ohio, and for the further reason that immediate action is necessary because the sale/trade-in and purchase price agreement between the City of Marietta, Ohio and Southeastern Equipment Co., Inc. is only good through May, 2023.

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

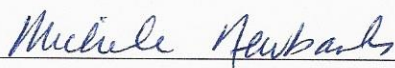
Introduced by the Water, Sewer and Sanitation Committee, Bret Allphin, Chairman.


Chairman

Passed this 4th day of May, 2023.


President of Council

ATTEST:


Clerk of Council

Approved this 4th day of May, 2023.



Mayor

First Reading May 4, 2023

Second Reading Suspended

Third Reading Suspended