

Sponsor: *Elliott / Omdena*

## RESOLUTION NO. 12-19

**A RESOLUTION OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO PURCHASE A CATERPILLAR MODEL 299D2 XHP TRACK LOADER FROM CECIL I. WALKER MACHINERY CO. FOR AN AMOUNT NOT TO EXCEED \$109,826.63 WITH TRADE-IN AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Jackson Electric Department is in need of a new Caterpillar model 299D2 XHP track loader with standard equipment and one mulching attachment; and

WHEREAS, the City has located a suitable track loader for sale by Cecil I. Walker Machinery Co., Jackson, Ohio, for the price of \$118,376.63 less the trade-in credit on a 2004 New Holland of \$8,550.00 leaving a balance of \$109,826.63; and

WHEREAS, the City has an immediate need for the track loader and the purchase price for the track loader may be subject to future price increases and the ability to purchase the track loader at the quoted price and at the earliest possible date constitutes a real and present emergency and obtaining such a vehicle is necessary for the preservation of the health, safety and welfare of the City of Jackson and its residents; and

WHEREAS, under the authority of R.C.735.05 and by the City's participation in the State of Ohio's Cooperative Purchasing Program, the conditions obviate requirements of formal bidding, and for the further reason that this matter constitutes an emergency.

### **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

**Section 1.** The legislative authority of the City of Jackson hereby authorizes the Director of Service and Public Safety of the City of Jackson, Ohio to purchase the Caterpillar model 299D2 XHP track loader with standard equipment and one mulching attachment from Cecil I. Walker Machinery Co. and to trade-in the City's 2004 New Holland for a total amount not to exceed \$109,826.63 to be paid from account number 731-7555-54002.

**Section 2.** This matter is hereby declared to be an emergency necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, Ohio.

It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Resolution were adopted in an open meeting of this council and that the deliberations of the council and any of its committees resulted in such formal action, were in meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 25<sup>th</sup>  
day of March, 2019.

  
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President of Council

ATTEST:

  
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Clerk of the Legislative Authority

Approved this 25<sup>th</sup> <sup>March</sup> day of July, 2019.

  
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Mayor