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Clerk of Council

# City of Willoughby Hills

*Council*  
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DAVID M. FIEBIG  
JENNIFER SOMMERS GREER  
CHRISTOPHER HALLUM  
JANET R. MAJKA

## ORDINANCE NO. 2017-39

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### **AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ACCEPT THE BID SUBMITTED BY R & R TRUCK SALES, INC. FOR THE ACQUISITION OF A 2018 HEAVY DUTY SINGLE AXLE DUMP TRUCK CAB AND CHASSIS AND DECLARING AN EMERGENCY.**

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**WHEREAS**, on April 24, 2017 the Service Committee met to discuss the purchase of multiple service equipment items requested by the Mayor serving as the Service Director and as provided for in the 2017 Operating Budget; and

**WHEREAS**, the Council of the City of Willoughby Hills on April 27, 2017 by motion, granted the Mayor to seek bids for the purchase of a 2017 Heavy Duty Single Axle Dump Truck Chassis and Snow & Ice Package; and

**WHEREAS**, a bid opening was held on May 10, 2017 with only one bid submitted in the amount of \$108,230.00 for a 2017 Heavy Duty Single Axle Dump Truck Chassis was that of Sidley Truck and Equipment, Inc., and only one bid received for the Snow and Ice Control Equipment Package; and

**WHEREAS**, Road Superintendent requested that Council accept the bids received as the lowest and best bids and the Mayor respectfully requested that legislation be prepared as an emergency measure and to waive the Three-Reading Rule so that the truck could be received and put into service as soon as possible; and

**WHEREAS**, on May 12, 2017 the Mayor issued an Interoffice Memo to the Council President, Council Clerk and the Members of Council stating that after reviewing the bids, he found that the bids were opened two days earlier than should have been by state statute; therefore, he decided not to accept the bids and to re-bid with notification of said bidding opportunity to be advertised in the local newspaper for two full consecutive weeks, May 14<sup>th</sup> and May 21 with the bid opening to take place on May 31, 2017; and

**WHEREAS**, the bid opening summary sheet dated May 31, 2017 revealed that three bids were submitted and received for the 2017 Heavy Duty Single Axle Dump Truck Chassis: Cerni Truck Sales in the amount of \$95,781.89; R&R Truck Sales, Inc. in the amount of \$100,000 and Sidley Truck & Equipment, Inc. in the amount of \$108,230; and

**WHEREAS**, pursuant to the Interoffice Memo of June 15, 2017 directed to the Council President, Council Clerk and the Members of Council, the Mayor concurred with the Road Superintendent's request to accept the bid received from Sidley Truck & Equipment, Inc. in the amount of \$108,230.00 as the lowest and best bid as the chassis is in stock and can be delivered within two weeks, but if needed can be delivered within one week of receiving the order; and

**WHEREAS**, after further review of all three bids, Council has found the bid submitted by R & R Truck Sales, Inc. in the amount of \$100,000 to be the lowest bidder and best bid to be in compliance with bidding specifications; and

**WHEREAS**, the 2017 Operating Budget allocated two hundred thousand dollars (\$200,000) for the purchase and outfitting of a plow truck by utilizing funds from the Street Construction, Maintenance and Repair Fund #250.

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:**

**SECTION 1.** The Mayor is hereby authorized and directed to accept the bid of R & R Truck Sales, Inc. of 1650 E. Waterloo Road, P. O. Box 7309 Akron, Ohio, 44306 for the purchase of a 2018 Heavy Duty Single Axle Dump Truck Chassis at the cost of one hundred thousand dollars (\$100,000.00), identified in the proposal dated May 30, 2017, attached hereto as the "Exhibit A", consisting of twelve (12) pages and incorporated herein by reference.

**SECTION 2.** The Director of Finance is hereby authorized and directed to return the bid bonds to all unsuccessful bidders.

**SECTION 3.** The actions of this Council concerning and relating to the passage of this legislation were conducted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

**SECTION 4.** This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the Service Department; to wit: to put a fully equipped dump truck into service by winter; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: June 22, 2017

Submitted to the Mayor for his approval on this 22 day of June, 2017

ATTEST:  
Victoria Ann Savage  
Victoria Ann Savage, CMC  
Clerk of Council

Nancy E. Fellows  
Nancy E. Fellows  
President of Council

Approved by the Mayor  
June 22, 2017  
Robert M. Weger  
Robert M. Weger  
Mayor