

DAVID A. REICHEL  
President of Council

NANCY E. FELLOWS  
Vice President of Council

VICTORIA ANN SAVAGE, CMC  
Clerk of Council

# City of Willoughby Hills

*Council*  
CHRISTOPHER L. BIRO  
DAVID M. FIEBIG  
FRANK A. GERMANO  
KEVIN D. MALECEK  
RAYMOND C. SOMICH

## ORDINANCE 2012 – 20

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**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT WITH SOUTHEASTERN EQUIPMENT CO., INC. FOR A 2012 CASE 580 SUPER N TIER III LOADER/BACKHOE AS PROVIDED THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM FOR A TOTAL COST NOT TO EXCEED \$76,926.10 AND DECLARING AN EMERGENCY.**

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**WHEREAS**, pursuant to the Mayor's Interoffice Memo to Council President David Reichelt, dated April 11, 2012, attached hereto as Exhibit A, consisting of three (3) pages, and incorporated herein by reference, a request was made by the Mayor to prepare an Ordinance to accept the State Bid submitted by Southeastern Equipment Co., Inc., in the amount of \$76,926.10 for the purchase of a 2012 Case 580 Super N Tier III Loader/Backhoe; and

**WHEREAS**, the above mentioned quote is for a vehicle that is currently in-stock and available for delivery in 10 to 30 days; and

**WHEREAS**, Finance has budgeted \$80,000 for this vehicle purchase; and

**WHEREAS**, for comparison purpose, a second quote was submitted to Council in the amount of \$90,055.05 representing the current cost of a similar vehicle that would be on-order rather than in-stock; and

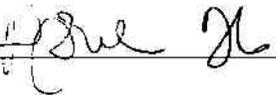
**WHEREAS**, the Council of the City of the Willoughby Hills has reviewed the quotes as presented and approves of the purchase of the 2012 Case 580 Super N Tier III Loader/Backhoe provided through the State Cooperative Purchasing Program by utilizing funds from **Fund #270- Road Levy** at a cost not to exceed \$76,926.10.

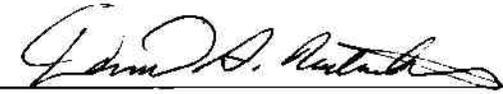
***NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:***

**SECTION 1.** The Mayor is hereby authorized and directed to enter into a Purchase Agreement with Southeastern Equipment Co., Inc., 8757 Tyler Boulevard, Mentor, Ohio 44060 for the purchase of a Case 580 Super N Tier III Loader/Backhoe for a total price not to exceed \$76,926.10, substantially pursuant to the terms and conditions as identified in the Quote, dated April 9, 2012, attached hereto as part of Exhibit "A", consisting of (3) pages and incorporated herein by reference.

**SECTION 2.** 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 3.** 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, and further provides for the usual daily operation of the Service Department, and further reason being to immediately secure the price as discounted under the Ohio Department of State Purchasing Contract Index Number STS515, Contract Number 7751500807-2 for the purchase of a 2012 Case 580 Super N Tier III Loader/Backhoe; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

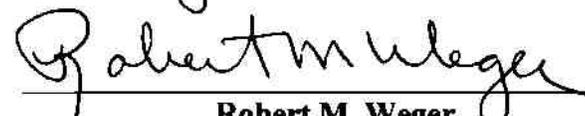
PASSED: , 2012

  
**David A. Reichelt**  
*President of Council*

Submitted to the Mayor for his approval  
on this 20 day of April, 2012

Approved by the Mayor  
May 2, 2012

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

  
**Robert M. Weger**  
*Mayor*