

RESOLUTION 2018-148

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH CUYAHOGA LANDMARK INCORPORATED FOR THE INSTALLATION OF A TEMPORARY FUEL STATION AND THE PURCHASE OF FUEL FOR CITY PURPOSES, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, the condition of the City's current fuel tanks at the Mogadore Road fueling stage is such that it is necessary for the City to cease using them immediately; and

WHEREAS, the immediacy of the need to put in place a temporary fueling station did not allow for the contemplation of developing specifications, bid books, notice by publication and other time necessary for the formal competitive bidding requirements of ORC 735.05; and

WHEREAS, the Engineering Department did seek proposals for the temporary provision of fuel tanks and fuel from three (3) vendors and found Cuyahoga Landmark Incorporated to be the best proposal for the City.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1: Based upon the recommendation of the Services Director, the City Manager, or his designee, is hereby authorized to enter into an agreement with Cuyahoga Landmark Incorporated for the installation of a temporary fuel station and the purchase of fuel for City purposes as set forth in Exhibit "A", attached hereto and made an integral part hereof.

SECTION 2: Competitive Bidding is hereby waived due to emergent need for the abandonment of the City's underground fuel tank and subsequent removal.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council, this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: December 19, 2018
Date

J. Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: December 19, 2018
Date

ATTEST: Tara Grimm
Tara Grimm, MMC
Clerk of Council

I, TARA GRIMM, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF RESOLUTION No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

TARA GRIMM, MMC
CLERK OF COUNCIL