

RESOLUTION R-2010-42

A RESOLUTION AUTHORIZING THE VILLAGE OF WINDHAM'S PARTICIPATION IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM, AGREEING TO THE CONDITIONS OF THE PROGRAM AND DECLARING AN EMERGENCY

WHEREAS, Ohio's Cooperative Purchasing Act, (AM. Sub. H.B. No. 100), as signed into law on December 4, 1985; and

WHEREAS, effective March 6, 1986, Ohio's Cooperative Purchasing Act provides the opportunity for counties, townships, municipal corporations, regional transit authorities, regional airport authorities or port authorities and school districts, conservancy districts, township park districts and park districts and other authorities, to participate in contracts distributed by the State of Ohio, Department of Administrative Services, Office of Cooperative Purchasing for the purchase of supplies, services, equipment and certain materials.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Windham, Portage County, Ohio, two thirds (2/3) or more of the members thereto concurring that:

SECTION 1: That the Mayor and the Fiscal Officer, jointly, hereby request authority in the name of the Village of Windham, Portage County, Ohio to participate in state contracts which the Department of Administrative Services, Office of State Purchasing has entered into and the Office of Cooperative Purchasing has distributed for the purchase of supplies, services, equipment and certain other materials pursuant to Revised Code Section 125.04.

SECTION 2: That the Mayor and the Fiscal Officer are hereby authorized to agree in the name of the Village of Windham to be bound by all contract terms and conditions as the Department of Administrative Services, Office of Cooperative Purchasing prescribes. Such terms and conditions may include a reasonable annual membership fee to cover the administrative costs which the Department of Administrative Services incurs as a result of the Village of Windham's participation in the contract. Further that the Mayor and the Fiscal Officer do hereby agree to be bound by all such terms and conditions and to not cause or assist in any way the misuse of such contracts or make contract disclosures to non-members of the Cooperative for the purpose of avoiding the requirements established by ORC 125.04.

SECTION 3: That the Mayor and the Fiscal Officer are hereby authorized to agree in the name of the Village of Windham to directly pay the vendor, under each such state contract in which it participates for items it receives pursuant to the contract, and the Mayor and the Fiscal Officer do hereby agree on behalf of the Village to directly pay the vendor.

SECTION 4: It is hereby 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 the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including §121.22 of the Revised Code of the State of Ohio.

SECTION 5: This Resolution is declared to be an emergency measure becoming immediately effective upon passage by Council and approval by the Mayor, for the reason that it is essential in order to maintain the health, safety and general welfare of the community of the Village of Windham by purchasing replacement cruisers for the Village Police Department at an economical price by

participating in state contracts which the Department of Administrative Services, Office of State Purchasing as soon as possible.

Passed in council as an emergency on August 25, 2010

Vote of Council: Ayes: Mr. Garrett, Mrs. Rininger, Mrs. Barrett, Mrs. Meszaros, Mr. Snyder, Mrs. Miranda
Nays: None.

ATTEST:

APPROVED:

Fiscal Officer, Lloyd Billman

Mayor Robert Donham, II

Approved as to form:

Solicitor, Thomas Reitz