THE CITY COUNCIL OF
NORTH ROYALTON, OHIO

ORDINANCE NO. 09-28
INTRODUCED BY: Nickell, Antoskiewicz, Gentile

AN ORDINANCE AUTHORIZING THE CITY OF NORTH ROYALTON TO PARTICIPATE IN OHIO
DEPARTMENT OF TRANSPORTATION CONTRACTS FOR THE PURCHASE OF MACHINERY,
MATERIALS, SUPPLIES, OR OTHER ARTICLES, AND DECLARING AN EMERGENCY

WHEREAS: Section 5513.01 (B) provides the opportunity for Counties, Townships, Municipal
Corporations, Conservancy Districts, Township Park Districts, Park Districts created under
Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional
Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State
Universities or Colleges to participate in contracts of the Ohio Department of Transportation
for the purchase of machinery, material, supplies or other articles; and

WHEREAS: It has been determined that at certain times it is the most cost effective means to purchase
machinery, materials, supplies, or other articles through participation in various Ohio
Department of Transportation contracts; and

WHEREAS: The City of North Royalton desires to participate in Ohio Department of Transportation
contracts pursuant to Ohio Revised Code 5513.01.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON,
COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Mayor hereby requests authority in the name of the City of North Royalton to participate in the
Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other
articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B).

Section 2. The Mayor is hereby authorized to agree in the name of City of North Royalton to be bound by all
terms and conditions as the Director of Transportation prescribes and approved by the Law Director.

Section 3. The Mayor is hereby authorized to agree in the name of City of North Royalton to directly pay
vendors, under each such contract of the Ohio Department of Transportation in which the City of North
Royalton participates, for items it receives pursuant to the contract.

Section 4. The City of North Royalton agrees to be responsible for resolving all claims or disputes arising out
of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised
Code. The City of North Royalton releases and forever discharges the Director of Transportation and the Ohio
Department of Transportation from all such claims, actions, expenses, or other damages arising out of its
participation in the cooperative purchasing program which the City of North Royalton may have or claim to
have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or
its employees.

Section 5. The Legislative Director is hereby authorized and directed to forward a certified copy of this
Ordinance to the Director of Transportation, Ohio Department of Transportation.

Section 6. It is found and determined that all formal actions of this Council concerning and relating to the
adoption of this Ordinance were adopted 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 in meetings open to the public in
compliance with all legal requirements.

Section 7. This Ordinance is hereby declared to be an emergency measure immediately necessary for the
preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is
immediately necessary to participate in Ohio Department of Transportation contracts.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to
Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor;
otherwise, from and after the earliest period allowed by law.

/s/ Vincent A. Gentile            APPROVED: /s/ Robert A. Stefanik
PRESIDENT OF COUNCIL       MAYOR

DATE PASSED: March 3, 2009          DATE APPROVED: March 4, 2009

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

YEAS: Gentile, Nickell, Petrusky, Willey,
       Farrell, Antoskiewicz, Kasaris

NAYS: none