

**AN EMERGENCY RESOLUTION  
AUTHORIZING MAYFIELD VILLAGE TO PARTICIPATE IN THE  
OHIO DEPARTMENT OF TRANSPORTATION  
COOPERATIVE PURCHASING PROGRAM**

WHEREAS, Ohio Revised Code 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 (ODOT) for the purchase of machinery, material, supplies or other articles; and

WHEREAS, future purchases made by the Village through the ODOT Cooperative Purchasing Program shall be exempt from competitive bidding requirements and will be at costs competitively bid by ODOT; and

WHEREAS, Mayfield Village has determined that it is in its best interest to participate in the ODOT Cooperative Purchasing Program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. The Mayor of Mayfield Village is hereby granted the authority, in the name of Mayfield Village, to participate in 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 and/or her designee are/is hereby authorized to agree in the name of Mayfield Village to be bound by all terms and conditions as the Ohio Director of Transportation prescribes.

SECTION 3. The Finance Director is hereby authorized to agree in the name of Mayfield Village to directly pay vendors, under each such contract of the Ohio Department of Transportation in which Mayfield Village participates, for items it receives pursuant to the contract.

SECTION 4. Mayfield Village 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. Mayfield Village agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which Mayfield Village 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 Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of health, safety and welfare of the residents of Mayfield Village, Ohio, for the reason that it allows for participation in ODOT contracts for the purchase of necessary machinery, material, supplies and other articles. It shall, therefore, take effect immediately upon the passage by the affirmative vote of not less than five (5) members elected to Council and approved by the Mayor or otherwise at the earliest time allowed by law.

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STEPHEN SCHUTT  
Council President

First Reading: \_\_\_\_\_, 2023

Second Reading: \_\_\_\_\_, 2023

Third Reading: \_\_\_\_\_, 2023

PASSED: \_\_\_\_\_, 2023

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BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
DIANE A. CALTA, ESQ.,  
Director of Law

ATTEST: \_\_\_\_\_  
MARY E. BETSA, MMC  
Clerk of Council