

**RESOLUTION NO.:** 2019-R41  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** MAY 14, 2019

**ASSIGNED TO:** FINANCE

**A RESOLUTION REPEALING ADOPTED RESOLUTION 2019-R26 AND AUTHORIZING THE SPENDING OF ADDITIONAL FUNDS FOR THE PURCHASE OF TWO (2) 2019 F-550 CHASSIS XL 4X4 SD CREW CAB 1 TON DUMP TRUCKS FROM LIBERTY FORD, FOR USE BY THE CITY'S SERVICE DEPARTMENT, AND DECLARING AN EMERGENCY.**

WHEREAS, it has been determined that the City of Green needs two (2) new 2019 F-550 Chassis XL 4x4 SD Crew Cab 179' WB DRW 1 Ton Dump Trucks to maintain its streets and stormwater; and

WHEREAS, the City has authorized through adopted Resolution 2019-R26, the purchase of (2) two 2019 F-550 Chassis XL 4x4 Crew Cab 1 Ton Dump Trucks from Ganley Ford, Inc as the best quoted price of Thirty-Nine Thousand Five Hundred Seventy-Three Dollars and Thirty-Six Cents (\$39,573.36) per truck; and

WHEREAS, the City has been informed that Ford has suspended the production of 2019 vehicles and those vehicles are no longer available this year through Ganley Ford, Inc.; and

WHEREAS, the City has located two (2) 2019 Ford 1 Ton Cab Chassis, which are comparable to the original specifications/order and may be available through Liberty Ford but at a higher price point; and

WHEREAS, the City requests the authorization of spending additional monies in the amount of Five Thousand Four Hundred Ninety-Two Dollars and Fourteen Cents (\$5,492.14) per truck, for a total additional amount of Ten Thousand Nine Hundred Eighty-Four Dollars and Twenty-Eight Cents (\$10,984.28) to cover the two (2) new 1 Ton trucks, or Forty-Five Thousand Sixty-Five Dollars and Fifty Cents (\$45,065.50) per truck for a total of Ninety Thousand One Hundred Thirty-One Dollars (\$90,131.00).

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:**

**SECTION ONE:**

That Resolution 2019-R26 is repealed.

**SECTION TWO:**

The Mayor is hereby authorized and directed to enter into a purchase agreement with Liberty Ford as the best quoted price of Forty-Five Thousand Sixty-Five Dollars and Fifty Cents (\$45,065.60) per 2019 F-550 Chassis XL 4x4 SD Crew Cab 1 Ton Dump Truck, for a total amount not to exceed Ninety Thousand One Hundred Thirty-One Thousand Dollars (\$90,131.00), a copy of which is attached hereto and incorporated herein as Exhibit "A".

**SECTION THREE:**

The requirement for competitive bidding is waived pursuant to Section 210.05 of the Codified Ordinances of the City of Green. Green City Council had previously recognized that individually these vehicles were below the cost for competitive bidding. Due to the scarcity and unavailability issues of these trucks, Council waives the comparison pricing requirement.

**SECTION FOUR:**

Green City Council authorizes the Finance Director to make payments to Liberty Ford through the established purchase order procedure.

**SECTION FIVE:**

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

**SECTION SIX:**

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and for the further reason that the need for this equipment is immediate. Provided that this legislation receives the affirmative vote of three-fourths (3/4ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: May 14, 2019  
Molly Kapeluck  
Molly Kapeluck, Clerk of Council

Bob Young  
Bob Young, Council President

APPROVED: May 14, 2019  
Gerard M. Neugebauer  
Gerard M. Neugebauer, Mayor

COPIED \_\_\_\_\_  
MAY FIN LAW PLAN ENG  
SVCE FIRE PARK ZONE HR

ENACTED EFFECTIVE: MAY 14, 2019

ON ROLL CALL: Babbitt -Aye Dyer -Aye Humphrey -Aye Shaughnessy -Aye  
Speight -Aye Yeargin -Aye Young -Aye Adopted 7-0

Suburbanite publication on MAY 17 and MAY 24, 2019  
Molly Kapeluck  
Molly Kapeluck, Clerk

**EXHIBIT "A"**  
2019-241

Liberty Ford CVC  
Commercial Vehicle Ctr  
Maple Heights Ohio  
5500 Warrenville Center Rd  
Maple Heights, Oh 44137  
(216) 438 7410  
Fax: (216) 232 7790

SALESPERSON - Frank Graley

DATE 5/8/2019

CUSTOMER CITY OF GREEN  
ADDRESS 1755 TOWN PARK BLVD EMAIL \_\_\_\_\_  
CITY GREEN STATE OH ZIP 44232  
COUNTY SUMMIT PHONE 330-896-5503  
CONTACT NAME LOUIE COLOR \_\_\_\_\_ ENGINE \_\_\_\_\_  
YEAR 2019 MAKE Ford MODEL F-550 MILEAGE \_\_\_\_\_  
SERIAL NUMBER \_\_\_\_\_ STOCK NUMBER: \_\_\_\_\_ ORDER \_\_\_\_\_

**PRICES ON ORDERED TRUCKS OR TRAILERS ARE SUBJECT TO CHANGE**

	BASE PRICE →	\$	44,557.00
REAR CAMERA		\$	375.00
		\$	-
		\$	-
		\$	-
		\$	-
		\$	-
	EXTENDED WARRANTY PLAN →	\$	-
	DOCUMENTARY FEE →	\$	100.00

GROSS TRADE ALLOWANCE	\$	45,032.00	← SELLING PRICE →	\$	45,032.00
BALANCE OWED	\$	-	← TRADE-IN		
NET EQUITY	\$	-			
<b>Taxable Total</b>		<b>\$ 45,032.00</b>	<b>CUYAHOGA 0.00%</b>	<b>SALES TAX →</b>	<b>\$ -</b>

ALL TRADE-INS ARE SUBJECT TO A PHYSICAL APPRAISAL AT TIME OF DELIVERY

TRADE: \_\_\_\_\_  
YEAR \_\_\_\_\_ MAKE \_\_\_\_\_ MILEAGE \_\_\_\_\_  
MODEL \_\_\_\_\_  
SERIAL NO. \_\_\_\_\_  
MORTGAGED BY \_\_\_\_\_  
PHONE \_\_\_\_\_

FET (NEW) →	\$	-
LICENSE FEE →	\$	18.50
PLATE FEES →	\$	15.00
(NON-REFUNDABLE DEPOSIT) →	\$	-
(TRADE-IN EQUITY) →	\$	-
(REBATE) →	\$	-
BALANCE		
(DOWN PAYMENT) →	\$	-
<b>TOTAL TO FINANCE</b>	<b>\$</b>	<b>45,065.50</b>

If this is a credit sale, buyer is entitled to and will receive a fully completed disclosure statement setting forth the terms of the financing

This contract is not assignable and not cancelable and all terms and conditions of this sale are contained on this and reverse side and the terms on the reverse side of this order are as much a part of the agreement as if written on this side and no other verbal understandings or promises whatsoever are a part of this agreement

The customer certifies that he is 18 years of age or over and warrants that he is the true and lawful owner of the truck traded in and that it is free of all encumbrances whatsoever except as noted above

The undersigned purchaser acknowledges that he has read and understands the conditions and terms of this contract as it appears on this and the reverse side and has received a copy of this order executed herewith.

THE SELLER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESSED OR IMPLIED INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE UNLESS OTHERWISE STATED IN THIS DOCUMENT

SELLER NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF THE ITEM(S).

FAILURE OF BUYER TO TAKE POSSESSION WITHIN TEN DAYS OF NOTIFICATION BY SELLER THAT THE VEHICLE IS READY MAY BE DEEMED BY SELLER AS A CANCELLATION OF THE CONTRACT BY THE BUYER

**THIS TRUCK/TRAILER SOLD**

XXXXXX WITH MANUFACTURERS STANDARD NEW TRUCK OR TRAILER WARRANTY

AS IS, I HEREBY MAKE THIS PURCHASE KNOWINGLY WITHOUT ANY GUARANTEE EXPRESSED OR IMPLIED, BY THIS DEALER OR HIS AGENT

**NEGATIVE EQUITY:**

I AM AWARE THE BALANCED OWED ON MY TRADE-IN VEHICLE OR AMOUNT OWED ON MY LEASE TURN-IN VEHICLE EXCEEDS THE TRADE IN ALLOWANCE FROM DEALER AND, AS A RESULT, I HAVE REQUESTED THE CASH PRICE OF THE VEHICLE BE INCREASED BY \$ \_\_\_\_\_ TO COVER NEGATIVE EQUITY FROM MY TRADE-IN / AMOUNT OWED ON MY LEASE TURN-IN.

CUSTOMER'S ACCEPTANCE \_\_\_\_\_

SALESMAN Frank Graley

ACCEPTED BY \_\_\_\_\_

Commercial Truck Sales

THIS ORDER NOT BINDING UNTIL ACCEPTED BY DEALER

CUSTOMER'S SIGNATURE \_\_\_\_\_



Drive one.