

**RESOLUTION NO.:** 2021-R02  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** JANUARY 12, 2021 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN AGREEMENT WITH M.P. DORY CO., FOR GUARDRAIL REPAIRS AND REPLACEMENT, OBVIATING FORMAL BIDDING AND ADVERTISING FOR A CONTRACT, AND DECLARING AN EMERGENCY.**

WHEREAS, due to recent severe weather events and motor vehicle accidents, it has been determined that the City of Green needs to make additional repairs beyond those originally expected in order to maintain its existing guardrail network; and

WHEREAS, the City of Green sought multiple quotes for the original repairs to the existing guardrail network; and

WHEREAS, the City of Green has entered into an Agreement with M.P. Dory Co., to make essential repairs to guardrail infrastructure in the City of Green; and

WHEREAS, the City of Green requires the authorization of spending additional money to make the remaining repairs to complete the Project; and

WHEREAS, it is in the City's best interest to waive the competitive bidding requirements for this Agreement; and

WHEREAS, Ohio Revised Code Section 735.051 permits the City to forego the formal advertising and bidding process for the award of the Agreement if a real and present emergency exists regarding the operation of the roadway; and

WHEREAS, pursuant to Section 735.05 of the Ohio Revised Code, an expenditure of Fifty Thousand Dollars (\$50,000.00) requires the authorization of Green City Council to approve the Agreement by Resolution with M.P. Dory Co., to complete the Project.

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

**SECTION ONE:**

The Mayor is hereby authorized to direct M.P. Dory Co., to perform the additional repairs to the guardrail network in the City of Green.

**SECTION TWO:**

The requirement for competitive bidding is waived pursuant to Section 210.06 of the Codified Ordinances of the City of Green. Green City Council recognizes these prices are fair and reasonable.

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**SECTION THREE:**

Green City Council authorizes the Finance Director to make payments to M.P. Dory Co. through the established purchase order process.

**SECTION FOUR:**

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 FIVE:**

Green City Council declares this to be an emergency necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. 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: \_\_\_\_\_

\_\_\_\_\_  
Nichole Baldinger, Clerk of Council

\_\_\_\_\_  
Rocco Yeargin, Council President

APPROVED: \_\_\_\_\_, 2021

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2021

ON ROLL CALL:   Babbitt                      Brandenburg                      DeVitis                      France  
                                  Shaughnessy                      Yeargin

*Suburbanite* publication on \_\_\_\_\_ and \_\_\_\_\_

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Nichole Baldinger, Clerk of Council