

RESOLUTION NO. R-25-22

**A RESOLUTION REQUESTING AUTHORIZATION FOR THE MAYOR,
ON BEHALF OF THE CITY OF AVON, TO PARTICIPATE IN THE H-GAC
COOPERATIVE PURCHASING PROGRAM
AND DECLARING AN EMERGENCY**

WHEREAS, H-GAC, the Houston-Galveston Area Council, is a political subdivision of the State of Texas operating under Chapter 391 of the Texas Local Government Code; and

WHEREAS, pursuant to the Texas Act, H-GAC is authorized to contract with eligible entities to perform certain governmental functions such as purchasing goods and services; and

WHEREAS, relying on said authority, H-GAC has instituted a cooperative purchasing program known as H-GACBuy; and

WHEREAS, Ohio Revised Code (ORC) Section 9.48(B)(2) permits political subdivisions of the State of Ohio to participate in joint purchasing programs (Cooperatives) operated by or through a national or state association of political subdivisions; and

WHEREAS, the City of Avon seeks membership in H-GACBuy, a national, purchasing cooperative made up of various political subdivisions throughout the United States; and

WHEREAS, the Mayor, pursuant to authority granted under ORC Section 9.48(B)(2), requests Council's authorization to become a member of and to participate in said program for the purchase of machinery, material, supplies or other articles required by various City departments and offered to members of H-GACBuy. There is no cost associated with membership; and

WHEREAS, purchases made by the City through H-GACBuy would be exempt from competitive bidding and would be at costs competitively bid by the H-GACBuy cooperative; and

WHEREAS, the savings would greatly benefit the community and further promote the health, safety and welfare of the citizens of Avon.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 - That the Mayor and the Administration, pursuant to ORC Section 9.48(B)(2), is hereby granted authority to become a member of H-GACBuy thereby enabling it to participate in their joint purchasing program for the purchase of equipment, material, supplies and services required for the efficient and cost-effective operation of City departments. (See attached [Exhibit A](#), H-GAC Promotional Materials”).

Section 2 - That the Mayor or his designee is hereby authorized to complete on-line and execute the “Interlocal Contract for Cooperative Purchasing”, a sample of which is attached hereto and incorporated herein as [Exhibit B](#).

Resolution R-25-22 (Con't.)

Section 3 - That the Finance Director is hereby authorized to directly pay HGACBuy vendors pursuant to contracts with said vendors for items purchased through the HGACBuy cooperative purchasing program.

Section 4 - That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's 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, including Section 121.22 of the Ohio Revised Code.

Section 5 - That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity for the City to become a member of the HGACBuy purchasing cooperative so as to acquire equipment, materials, supplies and services at reduced cost for use in various city departments; therefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks, Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:

John A. Gasior, Esq.
Law Director