

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 221

By: Mr. Carbone

AN ORDINANCE RATIFYING AND AUTHORIZING THE MAYOR TO ENTER INTO A STATE OF OHIO ADMINISTRATIVE SERVICES CONTRACT FOR THE PURCHASE OF ONE (1) JOHN DEERE 4044R COMPACT UTILITY TRACTOR AND APPURTENANCES, FOR USE BY THE DEPARTMENT OF PUBLIC SERVICE OF THE CITY, WITH THE SALE, TRADE-IN AND CREDIT FOR ONE (1) EXISTING OBSOLETE JOHN DEERE 4120 COMPACT UTILITY TRACTOR, AND WITH ADDITIONAL TERMS SET BY AGREEMENT, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Section 5513.01(B) provides the opportunity for counties, townships and municipal corporations to participate in contracts of the Ohio Department of Administrative Services for the purchase of machinery, materials, supplies or other articles; and

WHEREAS, this Council wishes to take advantage of that opportunity to purchase one (1) John Deere 4044R Compact Utility Tractor, with appurtenances, (Schedule No. 800276, Index No. STS515) for use by the Department of Public Service of the City; and

WHEREAS, John Deere & Company, through its authorized dealer, Polen Implement, Inc., provides the opportunity for governmental agencies to have the ability to upgrade tractors on a yearly basis with special pricing through a Roll Agreement program, which includes trade-in of the existing comparable John Deere tractor; and

WHEREAS, therefore, the Department of Public Service has one (1) John Deere 4120 Compact Utility Tractor that is obsolete and eligible for trade-in through such Roll Agreement program; and

WHEREAS, pursuant to Article IV, §3(e) of the City Charter, the Director of Finance is authorized to sell and trade-in obsolete or surplus equipment in such manner as Council may by ordinance authorize; and

WHEREAS, this Council is desirous of having the Director of Finance sell and trade-in the existing obsolete John Deere 4120 Compact Utility Tractor, and have the selling price credited against the purchase price of the new, upgraded John Deere 4044R Utility Tractor, with appurtenances.

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

Section 1. That this Council finds that the Service Department of the City of Strongsville has one (1) John Deere 4120 Compact Utility Tractor, which is obsolete, and therefore, is no longer needed for any municipal purpose, and further finds that it will be in the best interests of the City to sell and trade-in such equipment, and have the selling price applied as a credit against the purchase of a new, upgraded John Deere 4044R Compact Utility Tractor with appurtenances.

Section 2. That the Mayor accordingly be and is hereby authorized and directed to request authority in the name of the City of Strongsville to participate in an Ohio Department of Administrative Services contract with **JOHN DEERE & COMPANY, through POLEN IMPLEMENT, INC.**, its authorized dealer, for the purchase of one (1) John Deere 4044R Compact Utility Tractor, with appurtenances, in the amount of \$32,219.40, and for the sale and trade-in of one (1) existing John Deere 4120 Compact Utility Tractor for the amount of \$24,517.16, and providing that the sale price be credited towards the purchase price of the John Deere 4044R Compact Utility Tractor, with appurtenances; and further pursuant to the aforementioned Roll Agreement attached as Exhibit "B", an additional discount of \$6,202.24 will be applied, resulting in a total net and final contract price for the new and upgraded equipment in an amount not to exceed \$1,500.00, all as reflected on the invoice attached hereto as Exhibit "A" and incorporated herein.

Section 3. That the City of Strongsville hereby agrees to be bound by the terms and conditions prescribed by the Director of Administrative Services for such purchases, and to directly pay the vendor, under each such contract of the Ohio Department of Administrative Services in which the City participates for items it receives pursuant to the contract.

Section 4. That the Mayor and Director of Finance be and are hereby authorized to enter into and execute such agreements and documents as may be necessary to participate in the Ohio Department of Administrative Services Cooperative Purchasing Program and Roll Agreement with John Deere & Company, through its authorized dealer, Polen Implement, Inc.

Section 5. That the funds for the purposes of said contract have been appropriated and shall be paid from the General Fund.

Section 6. That 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.

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Section 7. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into said contract to provide for the continuity of services and efficient operation of the City of Strongsville Department of Public Service, to provide updated equipment, and to conserve public funds. 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.

Michael Daymut
President of Council

Approved: Thomas S. Brewer
Mayor

Date Passed: November 17, 2014

Date Approved: November 18, 2014

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daymut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DeMio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dooner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maloney	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schonhut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Southworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attest: Aimee Pientka
Clerk of Council

ORD. No. 2014-221 Amended: _____
 1st Rdg. 11-17-14 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: 11-17-14 Defeated: _____



JOHN DEERE

Invoice

Remittance Address:

Deere & Company
Ag & Turf CBD & Government Sales
21748 Network Place
Chicago, IL 60673-1217
888-222-7239

Bill To: 2082921

CITY OF STRONGSVILLE
16099 FOLTZ PKWY
STRONGSVILLE OH 44149

Ship To: 2082921

CITY OF STRONGSVILLE
16099 FOLTZ PKWY
STRONGSVILLE OH 44149

Information

Invoice Number 114038621
Invoice Date 10/15/2014
Invoice Due Date 11/15/2014
Payment Terms Net 30 Days
Purchase Order No. 23564-00
Reference# 2327811
Sold To 2082921
Servicing Dealer 000S034756
JD FID No. 36-2382580

Invoice Details

Item	Material	Description	Qty/Wt	Unit Price	Amount
0010	0320LV	4044R Compact Utility Tractor (33 PTO hp) <u>Contract Description: OH STS515 #800276</u> Serial Number: <u>LV4044R110086</u>	1 PC	30,794.00	30,794.00
0050	5240	16.9L-24 6PR Rear R4 Ind. 2 Pos. Bias Contract Description: OH STS515 #800276	1 PC	180.00	180.00
0060	6240	10-16.5 6PR Front R4 Ind. 2 Pos. Bias Contract Description: OH STS515 #800276	1 PC	112.00-	112.00-
0070	BLV10043	Electrohydraulic Third SCV Kit (Cab and	1 PC	707.30	707.30
0080	BLV10456	Load Center Assembly (OOS Only)	1 PC	386.10	386.10
0090	BLV10454	Third SCV Rear Tubing Kit (OOS Only)	1 PC	264.00	264.00
0100	TRADE	COMPACT TRACTOR <u>Contract Description: OH STS515 #800276</u>	1 PC		

011428-5588
[Handwritten Signature]

SUBMITTED

OCT 21 2014

P.O. # 23564
BY: [Signature]

OCT 20 2014

EXHIBIT A

The above items are sold according to the terms on the face and reverse side hereof, including those limiting warranties and sellers liabilities, any federal, state or city sales or use taxes are to be paid by purchaser. The above goods are made in accordance with the Fair Labor Standard Act of 1938, as amended, proof of delivery must be requested within sixty days of invoice date.

DUPLICATE

Remittance Address:

Deere & Company
Ag & Turf CBD & Government Sales
21748 Network Place
Chicago, IL 60673-1217
888-222-7239

Bill To: 2082921

CITY OF STRONGSVILLE
16099 FOLTZ PKWY
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Reference# 2327811
Sold To 2082921
Servicing Dealer 000S034756
JD FID No. 36-2382580

Invoice Details

Item	Material	Description	Qty/Wt	Unit Price	Amount
				Items total.....	32,219.40
				Trade In	24,517.16-
				MSRP%Discount	6,202.24-
				Tax Amount.....	0.00
				TOTAL	1,500.00

OCT 20 2014

Pay This Amount

**When paying by check, please reference Invoice Number above.
Payment must be made to the remittance address listed above.**

**Payment should not be made to a dealership or any other remittance addr.
To pay by credit card, please contact us at 1-800-358-5010 option 1.**

The above items are sold according to the terms on the face and reverse side hereof, including those limiting warranties and sellers liabilities, any federal, state or city sales or use taxes are to be paid by purchaser. The above goods are made in accordance with the Fair Labor Standard Act of 1938, as amended, proof of delivery must be requested within sixty days of invoice date.

RECEIVED

UCI 3 1 2014

POLEN
IMPLEMENT

LAW DEPARTMENT
CITY OF STRONGSVILLE



JOHN DEERE

4226 S. Dublin-Hwy 70 Road • Dublin, OH 43005 • 614-240-2200 • 614-240-2200 • polenimplement.com

2014 ROLL AGREEMENT

1. COMPACT UTILITY TRACTORS 4000 SERIES TRACTORS

- A. IDENTICAL JOHN DEERE EQUIPMENT CAN BE ROLLED FOR \$1500.00 FOR EACH YEAR CONSECUTIVE STARTING 2014 THRU 2015.
- B. GOVERNMENTAL AGENCY KEEPS TIRES ON CURRENT TRACTOR ALONG WITH LOADER BUCKET IF EQUIPPED WITH ONE.
- C. GOVERNMENTAL AGENCY IS RESPONSIBLE FOR THE REMOVAL AND INSTALLATION OF ALL NON JOHN DEERE ATTACHMENTS.

2. AREA OF RESPONSIBILITY

- A. UPON DELIVERY OF EQUIPMENT, THE GOVERNMENTAL AGENCY AGREES TO USE AND CARE FOR THE EQUIPMENT IN A CAREFUL AND PRUDENT MANNER. THEY MUST ALSO PAY ALL OPERATING AND MAINTENANCE EXPENSES WHILE THE EQUIPMENT IS IN AGENCY POSSESSION. OPERATORS MANUALS SHALL BE SUPPLIED FOR EACH OF THE UNITS PURCHASED. ALL DAILY SERVICE ITEMS AND NORMAL MAINTENANCE, (IE: OIL CHANGES, AIR FILTERS, ETC.) SHOULD BE COMPLETED BASED ON THE MAINTENANCE SCHEDULE IN THE OPERATORS MANUAL.
- B. ALL UNITS SHALL HAVE A 450 HOUR LIMIT. ANY HOURS OVER THIS AMOUNT SHALL BE BILLED BACK TO THE AGENCY AT TEN DOLLARS A TACH HOUR.
- C. IN ORDER TO ROLL IN THE NEXT YEAR, THE AGENCY MUST PROVIDE POLEN IMPLEMENT WITH THREE MONTHS NOTICE.
- D. ALL EQUIPMENT SHALL BE RETURNED TO POLEN IMPLEMENT WASHED AND CLEANED WITH REASONABLE WEAR AND TEAR. IF EQUIPMENT IS NOT RETURNED IN A CLEAN CONDITION. POLEN IMPLEMENT RESERVES THE RIGHT TO CHARGE REGULAR SHOP RATES WHICH IS \$75.00 PER HOUR TO BRING MACHINE TO THIS CONDITION.
- E. POLEN IMPLEMENT SHOULD BE ADVISED OF ANY WARRANTY WORK THAT MUST BE DONE. PICK UP AND DELIVERY WILL NOT BE CHARGED FOR WARRANTY WORK.

GOVERNMENTAL ROLL PRICES ARE SUBJECT TO CHANGE AND ARE ONLY GOOD IF JOHN DEERE AND COMPANY KEEP CURRENT STATE DISCOUNT.

THIS AGREEMENT SHALL TERMINATE APRIL 30, 2015 AT WHICH TIME JOHN DEERE WILL REBID THEIR STATE CONTRACT PRICE.

EXHIBIT B