

ORDINANCE NO. 2015- 14

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH TEREX UTILITIES, INC. OF WHITEHOUSE, TN FOR THE PURCHASE OF A NEW 2015 TEREX AERIAL TRUCK FOR CLYDE LIGHT & POWER IN THE CITY OF CLYDE; APPROPRIATING FUNDS AND AUTHORIZING THE EXPENDITURE OF MONEYS THEREFOR.**

**BE IT ORDAINED** by the Council of the City of Clyde, State of Ohio:

**SECTION 1.** That the City Manager be and he is hereby authorized and directed to enter into an agreement with Terex Utilities, Inc., 200 Eden Way, Whitehouse, TN 37188 through the State of Ohio STS Purchasing Program for the purchase of a new Terex Aerial Truck for Clyde Light & Power in the City of Clyde for the amount of \$235,615.00 as per the attached proposal dated March 9, 2015.

**SECTION 2.** That it is hereby determined that this contract shall be entered into notwithstanding the provisions of Section 133.01 (a) and 133.01 (b) of the Clyde Code of Ordinances or Chapter 735 of the Ohio Revised Code relative to advertising and bidding requirements for public contracts. It is further determined that the said purchase and delivery is being completed through the State of Ohio STS Purchasing Program contract number 800028.

**SECTION 3.** That funds in the amount of Two Hundred Thirty-five Thousand Six Hundred Fifteen Dollars and No Cents (\$235,615.00) shall be appropriated from the Electric Fund and the expenditure of funds in such amount is expressly authorized.

**SECTION 4.** That the City Manager is further authorized by this Council to execute any and all documents associated with this project, including Change Orders; Additional Work Orders by either Unit Pricing or agreed upon pricing by the City and the Contractor performing the work.

**SECTION 5.** That this Ordinance shall take effect and be in force from and after its passage at the earliest period allowed by law.

PASSED: 4-21-15

  
G. Scott Black, Mayor

ATTEST: Janet R. Dickman  
Clerk of Council

APPROVED AS TO FORM:

  
Barry W. Bova, Solicitor



**TEREX®**

**Customer Order Acknowledgement**

Terex Utilities, Inc. - 200 Eden Way – Whitehouse, TN 37188 – Phone: 262-547-8500 – Fax: 262-544-8410

March 9, 2015

Clyde Light and Power  
309 Premier Drive  
Clyde, OH 43410  
Attn: Cory Lachner

Quote Number: 44256

Unit:	\$ 165,143.00
Chassis:	\$ 69,714.00
Delivery:	\$ 758.00
Chassis FET Tax:	\$ 0.00
Upfit FET Tax Estimate:	\$ 0.00
Grand Total:	\$ 235,615.00

\*Plus all applicable taxes and license fees. Chassis payment is due upon chassis receipt at our facility.

Quote is valid for 30 days. Please ensure the accuracy of the specifications and drawings you provide. Changes made after receipt of order may incur additional charges. If you are trading equipment in, you warrant that: You have good title to the trade-in; it is free of all liens and encumbrances; all information you have provided related to the trade-in is true and correct.

Notes:

- 1) Delivery Terms are: FCA, Shipping Point
- 2) Terms: Net 10 days
- 3) Delivery days from receipt of order shall be 300-360 days

Buyer hereby submits its offer to purchase the Products in this Quotation, subject to acceptance by Seller. Buyer has read and agrees to all of Seller's attached Terms and Conditions of Sale. Please fax completed form to 262-544-8410 or transmit it to your Account Manager.

Terex Utilities Inc.

Donna R. Bruso  
Sales Coordinator

Wally Stephens  
Account Manager

Accepted By: \_\_\_\_\_

PO Number: \_\_\_\_\_

Quantity: \_\_\_\_\_

Grand Total: \_\_\_\_\_

Date: \_\_\_\_\_