

P/C 6-18-19 SERVICE
CA PROOF 7-2-19
1st R 7-2-19
2nd R _____
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 1102-2019

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
AUTHORIZING A CHANGE ORDER BETWEEN
BEST EQUIPMENT CO., INC., AND THE CITY OF BROOK PARK
AND TO ENTER INTO A LETTER OF INTENT,
AND DECLARING AN EMERGENCY

WHEREAS, Ordinance No. 10029-2018, passed on July 10, 2018, which authorized the Mayor to lease/purchase a new 2019 Mack Chassis with a 32-yard leach rear loader body; and

WHEREAS, a contract between the City of Brook Park and Best Equipment Co., Inc., was executed on or about July, 2018; and

WHEREAS, at the time of delivery of the 2019 Mack Chassis garbage truck it was discovered that due to the cab configuration, it did not meet the City's specifications and was rejected; and

WHEREAS, a new 2020 Mack Chassis with 32-yard leach rear loader body will be built with the correct specifications, without any additional charge to the City of Brook Park; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: The Council for the City of Brook Park hereby authorizes the change order needed to proceed with a new order for a 2020 Mack Chassis with 32-leach rear loader body and to enter into a letter of intent for same, which is attached hereto as Exhibit "A."

SECTION 2: There is no additional funds needed for this change order.

SECTION 3: 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 of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to authorize a change order with Best Equipment Co., Inc.; provided this ordinance receives the affirmative vote of at least five (5) 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.

PASSED: July 2, 2019

M. P. Keckler
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
Clerk of Council

APPROVED: [Signature]
MAYOR

7/2/19
DATE

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]
DIRECTOR OF LAW

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 11102-2019 passed on the 2nd day of July 2019 by said council.
Michelle Blazak
Clerk of Council

I, Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.
commencing July 3, 2019
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Stemm	<u>[check]</u>	<u>[check]</u>
Menchl	<u>[check]</u>	<u>[check]</u>
Orcutt	<u>[check]</u>	<u>[check]</u>
Scott	<u>[check]</u>	<u>[check]</u>
Burgio	<u>[check]</u>	<u>[check]</u>
Poindexter	<u>[check]</u>	<u>[check]</u>
Salvatore	<u>[check]</u>	<u>[check]</u>



Indiana : 5550 Poindexter Drive Indianapolis, Indiana 46235
(317) 823-3050 ♦ (800) 372-2378 ♦ fax (317) 823-3060

Ohio : 12359 Abbey Road North Royalton, Ohio 44133
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Randy Garner
John Pensis
City of Brookpark
6161 Engle Road
Brookpark, Ohio 44142

May 10, 2019

RE: Re-order of Mack/Leach Rear Loader Truck

Dear Randy and John,

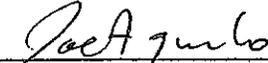
The intent of this letter is two-fold:

1. To confirm that due to the Mack cab configuration not meeting City's specifications, the City of Brookpark has rejected the delivery of a brand new 2019 Mack/Leach Rear Loader.
2. The City's intent is to have Best Equipment Company re-order the truck with the City's specific specifications which include:
 - Single standard steering (Left hand, street side single steering only).
 - Right hand side of cab (curbside), will not have any steering.
 - Right hand side will have a standard ride air seat.
 - Right hand (curbside), door will be identical to the driver side door.
 - Mirror mounting on right hand (curbside) will be door mounted. Identical to left hand side (street side).

Current delivery status of this re-order is between 12 to 14 months. If all orders are in by May 17th, Best Equipment's goal is to have this new 2020 total truck unit delivered to the City by the very end of this year.

Please expedite signatures in a timely manner so that all Truck components can be ordered by May 17th.

Sincerely,



Joe Aquilino

5-10-19

Date

Randy Garner
Service Director

Date



You deserve the BEST



City of Brook Park – Service Department

19065 Holland Road ♦ Brook Park ♦ Ohio ♦ 44142 ♦ P (216)433-7192 ♦ F (216)433-7193 ♦ www.cityofbrookpark.com

Mayor, Michael D. Gammella

May 10, 2019

Re: New Rear Loader Garbage Truck

- 1) New truck delivered – wrong steer specs.
- 2) Offered alternatives to take truck
- 3) After (1) one week no answers. We refused delivery of the truck and started the process to have the correct truck rebuilt.
- 4) New truck to be rebuilt to our original specs and the price stays the same.
- 5) The only change is the truck will be a 2020 and not 2019.

Repeal current Ordinance # 11029-2018 and apply for a new Ordinance to reflect year change from 2019 to 2020 and the cost stays the same.

RK7