

RESOLUTION 29-07

A RESOLUTION AUTHORIZING THE CITY OF ORRVILLE, OHIO TO BECOME A MEMBER OF THE NORTHEAST OHIO SOURCING OFFICE (“NEOSO”), ADOPTING THE CODE OF REGULATIONS OF NEOSO, AND DIRECTING THE MAYOR TO ENTER INTO THE MEMBERSHIP AGREEMENT, THE MASTER SERVICES AND CONSULTING AGREEMENT, AND THE MASTER PRODUCTS AGREEMENT WITH NEOSO, AND DECLARING AN EMERGENCY.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ORRVILLE, COUNTY OF WAYNE (the “City”), AND STATE OF OHIO, THAT:

Section 1. Findings and Determinations. This Council finds and determines the following matters:

- (a) Certain municipal corporations and other political subdivisions located in Ashtabula, Columbiana, Cuyahoga, Geauga, Lake, Lorain, Mahoning, Medina, Portage, Stark, Summit, Trumbull, Ashland, Carroll, Richland and Wayne Counties, Ohio, as members (“Members”), have formed The Northeast Ohio Sourcing Office, an Ohio nonprofit corporation organized as a regional council of governments under Chapter 167, Ohio Revised Code (“NEOSO”).
- (b) NEOSO was organized for the purposes of (i) providing consulting and management to its Members, (ii) developing and implementing certain sound business practices and processes as shared services to be made available to the Members, and (iii) developing and operating as a collective purchasing and service organization to enable its Members to obtain competitive terms from vendors and service providers by utilizing the combined purchasing power of all of NEOSO’s Members thereby systematically creating leverage for the Members.
- (c) In order to participate in NEOSO, a political subdivision must become a Member by (i) executing the Membership Agreement with NEOSO, a copy of which is attached as Exhibit A, and (ii) satisfying the qualifications and conditions of, and adopting, NEOSO’s Code of Regulations, a copy of which is attached as Exhibit B.
- (d) In order to purchase services made available by NEOSO from service providers, the Membership Agreement requires NEOSO and the Member to enter into a Master Services and Consulting Agreement, a copy of which is attached as Exhibit C, setting forth the terms and conditions under which the services will be provided for the political subdivision.
- (e) In order to purchase products made available by NEOSO from vendors, the Membership Agreement requires NEOSO and the Member to enter into a Master Products Agreement, a copy of which is attached as Exhibit D, setting forth the terms and conditions under which the political subdivision may acquire products.

The Membership Agreement, the Master Services and Consulting Agreement, and the Master Products Agreement are collectively referred to as the “Agreements.”

- (f) The acquisition of products and services for the City is a burden of the City, and the collective procurement of products and services by NEOSO on behalf of its Members lessens the City’s burdens.
- (g) The City’s collective purchase of products and services as a Member of NEOSO will conserve and protect the City’s funds.
- (h) It is in the best interests of the City and its citizens for the City to become a Member of NEOSO and to enter into the Agreements necessary to participate in the collective purchasing and service programs.
- (i) All formal actions of this Council concerning and relating to the enactment of this Ordinance were taken in open meetings of this Council and all deliberations of this Council or any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with Section 121.22, Revised Code.

Section 2. Authorization of City to Become Member. This Council authorizes the City to become a Member of NEOSO, and authorizes and directs the Mayor to enter into the Membership Agreement.

Section 3. Adoption of Code of Regulations. This Council approves and ratifies the Code of Regulations, as amended from time to time, as the Code of Regulations of NEOSO.

Section 4. Adoption of Master Services and Consulting Agreement. This Council authorizes and approves, and directs the Mayor to enter into, the Master Services and Consulting Agreement, as amended from time to time, with NEOSO. This Council directs the Mayor to consider and notify Council of all available contracts under which it is economically advantageous for the City to acquire services.

Section 5. Adoption of Master Products Agreement. This Council authorizes and approves, and directs the Mayor to enter into, the Master Products Agreement, as amended from time to time, with NEOSO. This Council directs the Mayor to consider and notify Council of all available contracts under which it is economically advantageous for the City to acquire products.

Section 6. Statement of Emergency. Council declares this Resolution to be an emergency measure immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of the City of Orrville and for the further reason that the City’s membership in NEOSO must be immediately effective in order that the collective purchasing opportunities may be available to the City at the earliest possible time.

Section 7. Effective Date. Provided that this Resolution receives the affirmative vote of two-thirds of the members elected or appointed to Council, it will take effect and be in force

immediately upon its passage and approval by the Mayor, otherwise, it will take effect and be in force at the earliest time allowed by law.

Passed this _____ day of _____ 2007.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date_____