



NORTHEAST OHIO AREAWIDE COORDINATING AGENCY

MEMORANDUM

TO: NOACA Board of Directors

FROM: Grace Gallucci, Executive Director

DATE: March 6, 2015

RE: Participation in ODOT's Cooperative Purchasing Program

ACTION REQUESTED

The Board of Directors is asked to approve authorization for agency participation in the Ohio Department of Transportation (ODOT) Cooperative Purchasing Program.

PREVIOUS ACTION

The NOACA Finance and Audit Committee recommended this item for action at their February 27, 2015 meeting. The Executive Committee also reviewed and recommended this item for Board approval.

BACKGROUND/JUSTIFICATION FOR CURRENT ACTION

The Ohio Department of Transportation (ODOT) permits political subdivisions, including MPOs such as NOACA, to purchase materials, supplies, equipment or other articles through contracts which the Director of Transportation has entered. This program is referred to as the Cooperative Purchasing Program. Purchases made by NOACA under the Cooperative Purchase Program are exempt from any additional competitive bidding requirements. The ability to participate in the program will further streamline the agency's purchase of materials, supplies and equipment, including purchases to aid in the implementation of local sponsored transportation projects.

To participate in the program, ODOT requires an authorizing resolution from the NOACA Board of Directors agreeable to the terms and conditions as the Director of Transportation prescribes. Those terms include that NOACA agrees to be responsible for resolving claims or disputes arising out of its participation; and NOACA agrees to waive any claims, actions, expenses, or other damages arising out of its participation which NOACA may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

The resolution will also recognize the Executive Director as the authorized agent to execute agreements and directly pay vendors for items it receives pursuant to the contract.

FINANCIAL IMPACT

There is no financial impact at this time.

CONCLUSION/NEXT STEPS

With Board approval, staff will file the resolution with ODOT to begin participating in this program.

GG/rl/6873c

**RESOLUTION NO. 2015-022
(PARTICIPATION IN ODOT'S
COOPERATIVE PURCHASING
PROGRAM)**

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
NORTHEAST OHIO AREAWIDE COORDINATING AGENCY**

WHEREAS, the Northeast Ohio Areawide Coordinating Agency (NOACA) is the Metropolitan Planning Organization (MPO) for the counties of Cuyahoga, Geauga, Lake, Lorain and Medina, and the areawide water quality management agency for the same region; and

WHEREAS, Ohio Revised Code Section 5513.01(B) provides the opportunity for public agencies to participate in contracts of the Ohio Department of Transportation (ODOT) for the purchase of machinery, material, supplies or other articles; and

WHEREAS, the program is referred to as the ODOT Cooperative Purchasing Program; and

WHEREAS, NOACA is an eligible agency for participation in the ODOT Cooperative Purchasing Program; and

WHEREAS, participation in the program requires a resolution by the NOACA Board of Director's agreeable to the terms and conditions prescribed by the Director of Transportation as contained in the Sections below; and

WHEREAS, the ability to participate in the program will further streamline the agency's purchase of materials, supplies and equipment, including purchases to aid in the implementation of local sponsored transportation projects; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Northeast Ohio Areawide Coordinating Agency, consisting of 45 principal officials serving general purpose local governments throughout and within the counties of Cuyahoga, Geauga, Lake, Lorain, and Medina that:

Section 1. The Executive Director is hereby authorized to agree in the name of NOACA to be bound by all terms and conditions as the ODOT Director of Transportation prescribes.

Section 2. The Executive Director is hereby authorized to agree in the name of NOACA to directly pay vendors, under each such contract of the ODOT in which NOASCA participates, for items it receives pursuant to the contract.

Section 3. NOACA agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under O.R.C. 5513.01(B). NOACA agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which NOACA may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

Section 4. The Executive Director is hereby authorized to transmit certified copies of this resolution to the appropriate federal, state, and local agencies.

Certified to be a true copy of a Resolution of the Governing Board of the Northeast Ohio Areawide Coordinating Agency adopted this 13th day of March 2015.

Secretary: 

Date Signed: 3-13-15