

**RESOLUTION NO: 15-15
OF THE CITY OF FRANKLIN
BOARD OF PUBLIC WORKS AND SAFETY**

**A RESOLUTION AUTHORIZING THE RETURN AND PURCHASE OF STREET
DEPARTMENT EQUIPMENT**

WHEREAS, the City of Franklin by and through its Board of Works (hereinafter referred to as "City of Franklin") is a government organization providing services to the citizens of Franklin, Indiana; and is a disposing agent and purchasing agent as that term is contemplated by IC 36-1-10.5; and

WHEREAS, the City Street Department after due authorization from the Board of Public Works previously purchased a Terex chipper from Brown Equipment and said equipment has failed to perform as promised by its manufacturer and as needed by the Department; and

WHEREAS, Brown Equipment has agreed to refund the City of Franklin, in full the purchase money expended for the Terex chipper; and

WHEREAS, the purchasing agent for the street department has secured three (3) quotes for a replacement chipper with the lowest most responsive and responsible quote being from Vermeer Midwest; and

WHEREAS, the Vermeer chipper is equipment needed by the Street Department in conjunction with providing its services to the citizens of Franklin; and

WHEREAS, the Board of Public Works and Safety believes it is in the best interest of the citizens it serves to utilize the money refunded from the previous purchase to purchase the Vermeer chipper.

BE IT THEREFORE RESOLVED the City of Franklin does hereby adopt the above aforementioned as findings of fact;

IT IS FURTHER RESOLVED that the City of Franklin Board of Public Works and Safety does hereby approve of and authorize its representative to secure the refund of the purchase money from the initial purchase of the Terex chipper and to return said chipper to the dealer in exchange for the refund of the purchase price with said chipper being identified as Terex chipper; and

IT IS FURTHER RESOLVED that the Mayor of the City of Franklin as purchasing agent of the City of Franklin is hereby authorized, with the assistance of the Street Department Commissioner, to complete the purchase of the Vermeer chipper as said quote is the lowest most responsible and responsive quote for the equipment; and


IT IS FURTHER RESOLVED that the Mayor is authorized as the Purchasing Agent for the City of Franklin to execute and complete all documentation necessary to purchase the Vermeer chipper.

IT IS FURTHER RESOLVED this Resolution shall be in full force and effect from and after its passage and as provided for by applicable law.

INTRODUCED & APPROVED by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana this 2 day of November, 2015.

City of Franklin, Indiana, By its Board of Public Works and Safety:

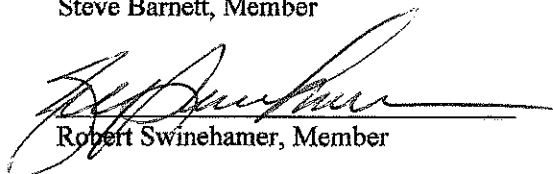
Voting Affirmative:



Mayor Joseph E. McGuinness



Steve Barnett, Member



Robert Swinehamer, Member

Attest:



Janet P. Alexander, Clerk Treasurer

Prepared by: Lynnette Gray
Attorney No.: 11567-41

Voting Opposed:

Mayor Joseph E. McGuinness

Steve Barnett, Member

Robert Swinehamer, Member