RECORD OF RESOLUTIONS

0063

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____ *Passed* _____, *20*____

RESOLUTION NO. 7 - 10

A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO SIGN AGREEMENTS AND/OR AGREEMENTS ON BEHALF OF THE CITY OF ORRVILLE FOR THE PURCHASE SALT FROM THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE 2010–2011 SEASON.

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles; and

WHEREAS, the City of Orrville desires to enact legislation wherein the City of Orrville is authorized to enter into, execute and comply with all the terms and conditions of an agreement with the Director of Transportation for the purpose of purchasing of road salt; and

WHEREAS, the City of Orrville desires to commit to purchasing a minimum of 80 percent and up to 120 percent of the estimated salt tonnage requirements of 1,400 tons, exclusively from the vendor awarded the sodium chloride contract for Wayne County by ODOT;

BE IT RESOLVED, by the Council of the City of Orrville, County of Wayne, and State of Ohio, that:

Section 1: The City of Orrville shall enter into a participation agreement with the Department of Transportation, and that the Safety-Service Director for City of Orrville be, and is hereby authorized, to execute said agreement and/or agreements substantially in the form attached hereto and incorporated here in as "Exhibit A", providing for the payment by the City of Orrville of the necessary funds for the purchase of road salt; and

Section 2: The City of Orrville shall transmit to the Director of Transportation a fully executed copy of this Resolution; and

Section 3: That this Resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed this 1st day of March 2010.

President of Council

Attest:

T Peppard
Clerk of Council

Approved:

David J. Hardwal
Mayor

Date 3/1/10

OHIO DEPARTMENT OF TRANSPORTATION
Office of Contracts
Purchasing Services
Cooperative Purchasing Program
Sodium Chloride (Rock Salt)
Contract 018 - http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Pages/Purchase.aspx

DATE SUBMITTED: _____

RESOLUTION / ORDINANCE as adopted for sodium chloride/ rock salt requirements for purchase. Effective period: twelve months from date of award, inclusive, or on an effective date as determined by the Director at the time of bid.

Whereas, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Political Subdivisions including Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards and others to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles;

Now Therefore, Be it Ordained, Intending to Be Legally Bound That Safety-Service Director
(Agent)

Hereby Requests Authority In The Name of CITY OF ORRVILLE
(Political Subdivision)

To participate in the Ohio Department of Transportation's Contract for Rock Salt and Agrees:

1) To purchase an estimated salt tonnage, indicated below, exclusively from the vendor awarded the rock salt contract for the county in which said political subdivision is located;

   NOTE: By executing this agreement and providing an estimated tonnage the Political Subdivision recognizes that Contract 18 will contain a min/max tonnage provision, as determined by the Director at the time of bid but will not exceed 80/120 respectively, for which the Political Subdivision will be responsible.

2) To be bound by the terms and conditions of the contract;

3) To be responsible for payment directly to the vendor for the quantities purchased under the contract; and

4) To be responsible for resolving all disputes arising out of participation in the contract and agree to release the Director of Transportation and the Ohio Department of Transportation from liability for all loss or damage, and from any and every claim or damage resulting from or arising out of participation in the contract pursuant to Ohio Revised Code Section 5513.01(b).

MINIMUM ORDER = 1 TRUCKLOAD / 22 TONS WITHOUT PILER OR 200 TONS WITH PILER

STOCKPILE LOCATIONS	STOCKPILE CAPACITY	TONS REQUIRED (Estimated)[1]
East Jefferson Court	400 tons	
415 East Pine Street	150 tons	1400 ~~1300~~ for both locations

Email the completed resolution to contracts.purchasing@dot.state.oh.us or fax a copy to 614-887-4022.

Continued

Participating Political Subdivisions are intended beneficiaries under this contract and are real parties in interest with the capacity to sue and be sued in their own name without joining the state of Ohio, Ohio Department of Transportation. By signing and returning this agreement, you will be bound to participate in this contract during the upcoming winter season, upon award of the contract to a successful vendor. A participating Political Subdivision cannot change its position during this contract period. Termination of participation is effective upon the expiration date of the contract. Failure of a Political Subdivision to purchase its requirements from the awarded vendor or comply with the terms of this contract may invalidate participation for the following winter season.

Political subdivisions will be required to submit a new participation agreement form every year, indicating storage capacity and stating salt needs for the contract period.

, Safety-Service Director
(Authorized Signature and Title) *(Date)*

Steven M. Wheeler
(Print Exactly as Signed Above)

Wayne
(County Location)

City of Orrville
(Political Subdivision)

207 North Main Street
(Street) *(P.O. Box)*

Orrville OH 44667-1639
(City) *(State)* *(Zip plus 4)*

Mike Staley, Superintendent 330-684-5060
(Contact Name Responsible for Ordering Salt) *(Phone Number)*

mwheeler@orrville.com mstaley@orrville.com
(E-Mail Address)

Note: This Participation Agreement must be received by the Ohio Department of Transportation, Office of Contracts, Purchasing Services prior to the mailing of Invitation 018 each year.

Email the completed resolution to contracts.purchasing@dot.state.oh.us or fax a copy to 614-887-4022.