

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_

20

RESOLUTION NO. 16 - 11

**A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO SIGN AN AGREEMENT AND/OR AGREEMENTS ON BEHALF OF THE CITY OF ORRVILLE FOR THE PURCHASE OF SALT FROM THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE 2011-2012 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 2nd day of May 2011.

  
President of Council

Attest:

T Peppard  
Clerk of Council

Approved:  
David J. Zandvord  
Mayor

Date 5/2/11

EXHIBIT A

OHIO DEPARTMENT OF TRANSPORTATION - Office of Contracts, Purchasing Services  
Cooperative Purchasing Program - Sodium Chloride (Rock Salt)

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 Steve Wheeler, 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;

018 NOTE: By executing this agreement and providing an estimated tonnage the Political Subdivision recognizes that Contract 018 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.

318 NOTE: By executing this agreement and providing tonnage to purchase the Political Subdivision recognizes that Contract 318 will contain a 100% tonnage provision 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

018 Salt Winter Use Contract -- 80/120% (Min/Max Tonnage)		TONS REQUIRED (ESTIMATED)
STOCKPILE LOCATIONS	STOCKPILE CAPACITY	
East Jefferson Court	400 tons	
415 East Pine Street	150 tons	1400 tons for both locations
318 Summer Fill-Up -- 100% Tonnage Provision		TONS REQUIRED (ESTIMATED)
STOCKPILE LOCATIONS	STOCKPILE CAPACITY	
		None required

Updated: 4/22/2011 2:31 PM

Contract 018 - <http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Pages/Purchase.aspx>

OHIO DEPARTMENT OF TRANSPORTATION - Office of Contracts, Purchasing Services  
Cooperative Purchasing Program - Sodium Chloride (Rock Salt)  
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.

\_\_\_\_\_  
(Authorized Signature and Title) *Safety-Service Director* (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)

Ron Cross, Service Superintendent 330-684-5060

\_\_\_\_\_  
(Contact Name Responsible for Ordering Salt) (Phone Number)

[swheeler@orrville.com](mailto:swheeler@orrville.com) [rcross@orrville.com](mailto:rcross@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 the Invitation to bid.

Upon receipt of the agreement each political subdivision will get added to a list that will be maintained on the Office of Contracts web site. This list will be updated daily on the Contracts web site located at ->

<http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Purchase/salt.doc>

**Email the completed resolution to [contracts.purchasing@dot.state.oh.us](mailto:contracts.purchasing@dot.state.oh.us).**