

RESOLUTION 55-07

A RESOLUTION AUTHORIZING THE CITY OF ORRVILLE, OHIO TO PARTICIPATE IN THE NORTHEAST OHIO SOURCING OFFICE'S (NEO/SO'S) BULK ROAD SALT PROGRAM AND TO PURCHASE SALT THROUGH NEO/SO'S BULK ROAD SALT PROGRAM.

WHEREAS, NEO/SO, an Ohio nonprofit corporation organized as a regional council of governments under Chapter 167 of the Ohio Revised Code, has established a bulk road salt program through and with North American Salt Company ("North American"), which NEO/SO has determined to be the best and lowest bidder pursuant to a competitive bidding process (the "NEO/SO Bulk Road Salt Program"); and

WHEREAS, the City of Orrville ("Orrville") committed to participate in the NEO/SO Bulk Road Slat Program in the amount of 700 tons of road salt for the 2007-2008 winter; and

WHEREAS, the bid price for bulk road salt for Orrville as part of the NEO/SO Bulk Road Salt Program is \$40.75 per ton dumped and \$43.32 per ton piled (which NEO/SO determined to be the best and lowest bid price, which prices are applicable to Orrville's purchases of bulk road salt during the period January 1, 2008, through and including July 31, 2008 (the "NEO/SO Bulk Road Salt Program Period"); and

WHEREAS, NEO/SO has entered into a Master Agreement for Bulk Road Salt with North American effective August 1, 2007, a copy of which is attached hereto as "Exhibit A" (along with a Summary of Key Terms and Services) and the terms of which are incorporated herein; and

WHEREAS, NEO/SO's Master Agreement with North American with respect to the NEO/SO Bulk Road Salt Program requires the participating entities to purchase a minimum of sixty-five per cent (65%) of its road salt commitment through this Program and limits each participating entity to purchasing a maximum of one hundred thirty-five percent (135%) of its road salt commitment through this Program.

NOW THEREFORE, be it resolved by the Council of the City of Orrville, County of Wayne (the "City), and State of Ohio, that:

1. This Council authorizes the City to participate in the NEO/SO Bulk Road Salt Program for the winter of 2007-2008, which includes purchases of bulk road salt during the NEO/SO Bulk Road Salt Program Period.

2. This Council authorizes and directs and City to purchase bulk road salt as required during the NEO/SO Bulk Road Salt Program Period based upon a commitment of 700 tons, with a minimum required purchase during this period of 455 tons and a maximum allowable purchase during this period of 945 tons.

3. All amounts incurred and paid with respect to the NEO/SO Bulk Road Salt Program as authorized herein shall be charged to the appropriate account number.

4. This Resolution shall be in effect from and after the earliest period allowed by law.

Passed this _____ day of _____ 2007.

President of Council

Attest:

Clerk of Council

Approved:

Mayor

Date_____