

RESOLUTION 2010-05

A RESOLUTION AUTHORIZING THE VILLAGE ADMININSTRATOR TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF SODIUM CHLORIDE AND DECLARING AN EMERGENCY.

WHEREAS, Section 5513.01 (B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles.

NOW THEREFORE BE IT RESOLVED, by the Council of the Village of Hiram, Portage County, Ohio, two thirds (2/3rds) or more of the members thereto concurring:

SECTION 1: That Robert Wood, Hiram Village Administrator hereby requests authority in the name of the Village of Hiram to participate in the Ohio Department of Transportation contracts for the purchase of sodium chloride which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B).

SECTION 2: Robert Wood, Hiram Village Administrator is hereby authorized to execute in the name of the Village of Hiram a contract in substantial conformity with the attached as exhibit "A."

SECTION 3: That Robert Wood, Hiram Village Administrator is hereby authorized to agree in the name of the Village of Hiram to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the Village of Hiram participates, for items it receives pursuant to the contract.

SECTION 4: That the Village of Hiram agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01 (B) of the Ohio Revised Code. The Village of Hiram releases and forever discharges the Director of Transportation and the Ohio Department of Transportation from all such claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the Village of Hiram 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: This Resolution is declared to be an emergency measure becoming immediately effective upon passage by Council and approval by the Mayor, the particular emergency being that time is of the essence for completion of the contract and return to the Ohio Department of Transportation before March 26, 2010

SECTION 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including §121.22 of the Revised Code of the State of Ohio.

Passed in council as an emergency on March 9, 2010.

Mayor Lou Bertrand
Mayor Lou Bertrand

ATTEST:
Kay E. Ziska
Fiscal Officer

I Kay E. Ziska, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2010-05 has been duly posted in the required 5 places.
3-10-10 Kay E. Ziska
Date Fiscal Officer, Village of Hiram

Approved as to Form:
Thomas Kelly
Solicitor