

RESOLUTION 2008-17

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 that:

SECTION 1: That Robert Wood, Hiram Village Administrator hereby request 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: That Robert Wood, Hiram Village Administrator is hereby authorized to agree in the name of the Village of Hiram to be bound by all terms and conditions as the Director of Transportation prescribes. The contract is attached as exhibit "A."

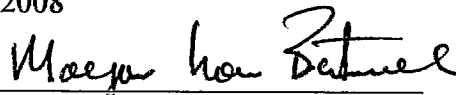
SECTION 3: That Robert Wood, Hiram Village Administrator is hereby authorized to agree in the name of the Village of Hiram to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the Village of Hiram participates, for items it receives pursuant to the contract.

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 July 11, 2008.


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 July 8, 2008

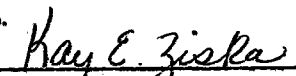

Mayor Lou Bertrand

ATTEST:


Fiscal Officer

I , Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2008-17 has been duly posted in the required 5 places.

7-14-08
Date


Fiscal Officer, Village of Hiram

OHIO DEPARTMENT OF TRANSPORTATION
Office of Contracts
Purchasing Services
Sodium Chloride (Rock Salt)
Contract 018

DATE SUBMITTED: _____

RESOLUTION / ORDINANCE as adopted for sodium chloride requirements for purchase. Effective period: twelve months from date of award, inclusive.

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;

Now Therefore, Be it Ordained, Intending to Be Legally Bound That _____
(Agent)

Hereby Requests Authority in The Name of _____
(Political Subdivision)

To Participate in the Ohio Department of Transportation's Contract for Sodium Chloride and Agrees:

- 1) To purchase a minimum of 50 percent up to 150 percent of the estimated salt tonnage requirements indicated below, exclusively from the vendor awarded the sodium chloride contract for the county in which said political subdivision is located.
- 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.
- 4) To hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a 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)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

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 shall 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)

(Date)

(Print Exactly as Signed Above)

(County Location)

(County Number)

(Political Subdivision)

(Street)

(P.O. Box)

(City)

(State)

(Zip plus 4)

(Contact Name Responsible for Ordering Salt)

(Phone Number)

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.

Mail original to:

The Ohio Department of Transportation
Office of Contracts, Purchasing Services
Attention, Jim Schurch, Purchasing Coordinator
1980 West Broad Street, 1st floor
Columbus, Ohio 43223