

*Village of Crooksville, Ohio*

**RESOLUTION NO. 2019-48**

**RESOLUTION AUTHORIZING PARTICIPATION  
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2019  
AS AN EMERGENCY**

**Whereas**, the Village of Crooksville (hereinafter referred to as the “Political Subdivision”), pursuant to Ohio Revised Code §5513.01(B), is permitted to participate in contracts into which the State of Ohio Director of Transportation has entered, for the purchase of machinery, materials, supplies, or other articles; and

**Whereas**, purchases made by a municipal corporation under Ohio Revised Code §5513.01(B) are exempt from any competitive bidding required by law for the purchase of machinery, materials, supplies, or other materials; and

**Whereas**, the Ohio Department of Transportation’s (ODOT) annual ROAD SALT FOR 2019 contains the following terms and conditions for a Political Subdivision’s participation in the ODOT ROAD SALT CONTRACTS AWARDED IN 2019:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the road salt contract; and
- d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier during the contract’s effective period; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 19 by 12:00pm. The written, emailed request to rescind this

participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**Whereas**, the Council has determined that participation in cooperative bidding and purchasing with ODOT will ensure the best possible price and a reliable source of availability for road salt for the 2019-2020 season, and will therefore serve the best interests and general welfare of the Village.

**NOW THEREFORE BE IT, AND IT IS HEREBY RESOLVED** by the Village Council of the Village of Crooksville, Perry County, State of Ohio, that:

**Section 1.** The participation agreement for the ODOT road salt contract as set forth hereinabove in Items a. through g. is hereby approved, funding is authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract.

**Section 2.** This Resolution is hereby declared an emergency measure in order to allow sufficient time for submission of the same to ODOT in accordance with the deadline for participation in the salt program. This Resolution shall therefore have immediate effect.

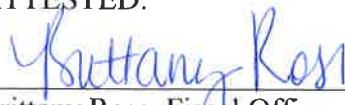
**1<sup>st</sup> Reading:** Waived on 3/4 Vote  
**2<sup>nd</sup> Reading:** Waived on 3/4 Vote  
**3<sup>rd</sup> Reading:** July 15, 2019

**Passed on 2/3 Vote:** July 15, 2019

  
Fred Redfern, Mayor

07-15-2019  
Date

ATTESTED:


  
Brittany Ross, Fiscal Officer

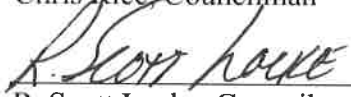
07-15-2019  
Date


**APPROVED**

 7-15-2019  
Chris Mohler, Council President Date

 7-15-2019  
Billie Smith, Councilwoman Date

 7-15-19  
Chris Rice, Councilman Date

 7-15-19  
R. Scott Locke, Councilman Date

 7-15-2019  
John Loomis, Councilman Date

ABSENT  
Bill Hampton, Councilman Date

**Posting Certification**

This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the 16<sup>th</sup> day of July, 2019.

  
Brittany Ross, Fiscal Officer