

Village of Crooksville, Ohio

RESOLUTION NO. 39-2024

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2024
AND DECLARING 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 the Political Subdivision 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 articles; and

Whereas, the Ohio Department of Transportation’s (ODOT) annual ROAD SALT BID FOR 2024 contains the following terms and conditions for the Political Subdivision’s participation in the ODOT ROAD SALT CONTRACTS AWARDED IN 2024:

- 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 at the delivered bid price per ton awarded by the Director of ODOT; 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, May 3, by 5:00 p.m. 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 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 the Political Subdivision's participation agreement and/or the 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 2024-2025 season and will therefore serve the best interests and general welfare of the Political Subdivision.

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 necessary to serve the general welfare and safety of the inhabitants of the Village of Crooksville, and 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 upon its passage.

1st Reading: Waived on 3/4 Vote.

2nd Reading: Waived on 3/4 Vote.

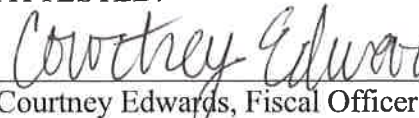
3rd Reading: Passed.

Passed: April 15, 2024.


Chris Mohler, Mayor

4/15/24
Date

ATTESTED:


Courtney Edwards, Fiscal Officer

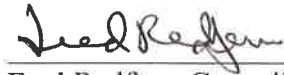
4/15/24
Date

APPROVED:

 4/15/24

Bill Hampton, Council President Date

_____
Billie Smith, Councilwoman Date

 4/15/24

Fred Redfern, Councilman Date

_____
R. Scott Locke, Councilman Date

 4-15-2024

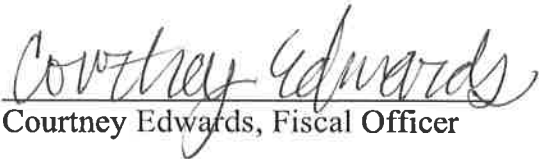
John Loomis, Councilman Date

 04/15/2024

Rodney Walters, Councilman Date

Posting Certification

This ordinance was posted at the five prescribed locations within the Village of Crooksville, Ohio, on the 16th day of April, 2024.


Courtney Edwards, Fiscal Officer