

RESOLUTION #08-0707-01: AUTHORIZING A ROCK SALT BID AGREEMENT WITH OHIO DEPARTMENT OF TRANSPORTATION

Whereas, ORC Section 5513.01(B) provides the opportunity for Townships to participate in contracts for the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles.

Whereas, Liberty Township desires to purchase rock salt for the best prices possible.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LIBERTY TOWNSHIP, DELAWARE COUNTY, OHIO:

1. To agree to the attached agreement with the Ohio Department of Transportation to provide purchasing services for rock salt (sodium chloride), and
2. To authorize the Fiscal Officer to sign said agreement.

Motion made by Peggy Guzzo and seconded by Curt Sybert.

Vote:

Yes Ms. Guzzo NP Mr. Mann Yes Mr. Sybert

This Resolution shall be in force and become effective immediately upon its execution.

7/2/08

Date

Peggy Guzzo

Peggy Guzzo, Trustee

Robert Mann, Trustee

Curt Sybert

Curtis J. Sybert, Trustee

CERTIFIED BY:

Mark S. Gerber

Mark S. Gerber, Fiscal Officer

OHIO DEPARTMENT OF TRANSPORTATION

Office of Contracts
Purchasing Services
Sodium Chloride (Rock Salt)
Contract 18

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 Ohio Department of Transportation
(Agent)
Hereby Requests Authority in The Name of Liberty Township, Delaware County
(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 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 (Political Subdivision) 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 (Political Subdivision) 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.

MINIMUM ORDER = 1 TRUCKLOAD / 22 TONS WITHOUT PILER OR 200 TONS WITH PILER

STOCKPILE LOCATIONS	STOCKPILE CAPACITY	TONS REQUIRED (Estimated)
<u>7761 W. Liberty Rd</u> <u>Powell, OH 43065</u>	<u>500 ton</u>	<u>1000 ton</u>

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.

Mark S. Gerber 8/7/08
(Authorized Signature and Title) (Date)
Mark S. Gerber, Fiscal Officer
(Print Exactly as Signed Above)
Delaware 21
(County Location) (County Number)
Liberty Township
(Political Subdivision)
10104 Brewster Lane Suite 125
(Street) (P.O. Box)
Powell OH 43065-7578
(City) (State) (Zip plus 4)
John Walkup 740-881-4222
(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.

Fax copy to 614-887-4022

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