

# RECORD OF RESOLUTIONS

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_

## RESOLUTION 21-01

### A RESOLUTION TO AUTHORIZE THE ADMINISTRATOR AND FISCAL OFFICER TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION CONTRACT AWARDED IN 2021 FOR THE PURCHASE OF ROAD SALT FOR THE VILLAGE OF HEBRON, AND DECLARING AN EMERGENCY

WHEREAS, the Village of Hebron (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual winter road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter 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 winter 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 winter 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 winter road salt contract; and
- d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be for a total of 150 tons of which 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 above-requested 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 winter 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

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later than Friday, April 30<sup>th</sup> by 5:00pm. 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 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 of Hebron, Ohio authorized the Village of Hebron to participate in this Ohio Department of Transportation Cooperative Purchasing program by Ordinance 03-10, and;

WHEREAS, this purchase is necessary for the immediate preservation of the public health and welfare of the Village

NOW, THEREFORE, BE IT RESOLVED BY 2/3 OF THE MEMBERS ELECTED THERETO THE COUNCIL OF THE VILLAGE OF HEBRON, LICKING COUNTY, STATE OF OHIO, THAT THIS PARTICIPATION AGREEMENT FOR THE ODOT WINTER ROAD SALT CONTRACT IS HEREBY APPROVED, FUNDING HAS BEEN AUTHORIZED, AND THE POLITICAL SUBDIVISION AGREES TO THE ABOVE TERMS AND CONDITIONS REGARDING PARTICIPATION ON THE ODOT WINTER SALT CONTRACT:

Amelia Fortner (Authorized Signature) March 24, 2021 Approval Date
[Signature] (Authorized Signature) March 24, 2021 Approval Date
[Signature] (Authorized Signature) March 24, 2021 Approval Date
[Signature] (Authorized Signature) March 24, 2021 Approval Date
[Signature] (Authorized Signature) March 24, 2021 Approval Date
[Signature] (Authorized Signature) March 24, 2021 Approval Date

Section I: This resolution shall take effect and be in full force at the earliest date allowed by law.

Passed this 24 day of March, 2021
[Signature]
James Layton, Mayor

ATTEST:
[Signature]
Deborah Morgan, Fiscal Officer

APPROVED AS TO FORM: Wesley K. Untied, Solicitor