

RESOLUTION NO. 24 – 05

A RESOLUTION AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S ROAD SALT PROGRAM FOR THE AWARD OF ROAD SALT NEEDED DURING 2024 AND 2025, AND DECLARING AN EMERGENCY.

WHEREAS, the Service-Safety Director has developed specifications for materials needed by this City during 2024 and 2025, and

WHEREAS, in order to keep costs low for the City of Ontario and ensure the necessary supply, the Service-Safety Director has determined that participating in the Ohio Department of Transportation (ODOT) road salt program for the purchase of road salt is in the best interests of the City, and

WHEREAS, the participation in this ODOT road salt program and cost of these expenditures require Council's authorization.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ONTARIO, STATE OF OHIO:

SECTION 1. THAT the Service-Safety Director is hereby authorized to participate in the ODOT road salt program during 2024 and 2025, all in accordance with the specifications on file in his office, and which are approved.

SECTION 2. THAT provided satisfactory bids are received by ODOT, the Service-Safety Director shall accept their lowest and best bidder as provided by law.

SECTION 3. THAT it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including R.C. §121.22.

SECTION 4. THAT it is hereby determined that this Ordinance is an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the residents of this City and for the further reason that in order to partner with ODOT immediate approval is necessary and shall therefore go into effect provided it receives a two-thirds (2/3) vote of all members elected to this Council, otherwise, it shall go into effect in thirty (30) days if passed by a majority vote of Council.

DATE: \_\_\_\_\_

Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Abstain \_\_\_\_\_

\_\_\_\_\_  
Edward J. Gallo, President of Council

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Andrew Medwid, Law Director

\_\_\_\_\_  
Cathy VanAuker, Clerk of Council

APPROVED:

\_\_\_\_\_  
Randy Hutchinson, Mayor

\_\_\_\_\_  
Date

DISAPPROVED:

Objections: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Randy Hutchinson, Mayor

\_\_\_\_\_  
Date

**RESOLUTION AUTHORIZING PARTICIPATION  
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2024**

**WHEREAS**, the City of Ontario, Richland County, Ohio (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual 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 road salt contract:

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 that each party hereto shall be responsible for liability associated with that party's own errors, actions, and failures to act.

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 3rd, **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](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.

**NOW, THEREFORE**, be it ordained by the following authorized person(s) that this participation agreement for the ODOT 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 salt contract:

_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date
_____	(Authorized Signature)	_____	Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN MAY 3rd,  
2024.**

