

CITY OF OBERLIN, OHIO

ORDINANCE NO. 17-24 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S ANNUAL WINTER ROAD SALT CONTRACT (018-18) AND DECLARING AN EMERGENCY

WHEREAS, the City of Oberlin, County of Lorain desires to participate in the ODOT annual winter road salt bid (018-18) in accordance with Ohio Revised Code 5513.01(B).

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the City Manager is hereby authorized and directed to participate in the ODOT Annual Winter Road Salt Contract (018-18).

SECTION 2. That the necessary funds required to meet the City of Oberlin's obligation for this participation will be available on or before July 1, 2017.

SECTION 3. That the City of Oberlin agrees to the following terms and conditions regarding its participation in the ODOT winter road salt contract:

- a. The City of Oberlin 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 City of Oberlin 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 City of Oberlin; and
- c. The City of Oberlin 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 ODOT harmless for any claims, actions, expenses, or other damages arising out of the City of Oberlin's participation in the winter road salt contract; and
- d. The City of Oberlin hereby requests through this participation agreement a total of Three Hundred and Fifty (350) tons of Sodium Chloride (Road Salt) of which the City of Oberlin agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The City of Oberlin hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period of October 1, 2017 through April 30, 2018; and
- f. The City of Oberlin 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 this ODOT winter salt contract; and

- g. The City of Oberlin acknowledges that should it wish to rescind this participation agreement it will do so by written, e-mail request no later than Thursday, June 1, 2017. Furthermore, it is the sole responsibility of the City of Oberlin to ensure ODOT has received this participation agreement. The Department shall not be held responsible or liable for failure to receive the City of Oberlin's participation agreement.

SECTION 4. It is hereby found and determined that all formal actions of this Council concerning or 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 Section 121.22 of the Ohio Revised Code.


SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit: to authorize a participation agreement for road salt with ODOT in a timely manner", and shall take effect immediately upon passage.

PASSED: 1st Reading: May 1, 2017 (E)
2nd Reading: _____
3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



RONNIE J. RIMBERT
PRESIDENT OF COUNCIL

POSTED: 05/02/2017

EFFECTIVE DATE: 05/01/2017



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HOME DISTRICTS DIVISIONS ODOT A-Z EMPLOYMENT SERVICES CONTACTS

ODOT Home Divisions Construction Management/Contract Sales Contracts Winter Fill Contract - Sodium Chloride (Rock Salt)

DEADLINE TO SUBMIT WINTER SALT RESOLUTION/ORDINANCE AND ELECTRONIC PARTICIPATION FORM: WEDNESDAY, MAY 10th

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You must get the below resolution/ordinance document approved, signed, and submitted along with the electronic form at the bottom of this page to be included in the Department's road salt contract. All resolutions/ordinances must include the exact language included in the document below and must be physically signed (you cannot submit a word doc. copy of your resolution/ordinance). **You cannot use previously submitted or approved resolutions/ordinances. No exceptions.**

Link to Required Resolution/Ordinance Language:

<http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Purchase/Mandatory%20Resolution%20for%20018-18%20Winter%20Road%20Salt%20Contract.doc>

Note: Your Resolution/Ordinance document must include all of the language in the above document and be physically signed by your governing board (e.g. city council, trustees, county commissioners, etc.). The department will not accept electronic submissions for salt that fail to include a resolution/ordinance with the exact language that is included in the document above.

By submitting the electronic participation form below AND attaching a completed and signed Resolution/Ordinance (link above) for the ODOT Winter Salt Contract (018-18), you will be included in the Department's bidding opportunity for road salt and, upon the Director of ODOT's award of the contract, bound to purchase at least 90% (and you can purchase up to 110%) of the salt quantities requested. The Winter Salt Contract will be valid from October 1, 2017 through April 30, 2018.

HOW TO VERIFY THAT YOUR FORM AND RESOLUTION WERE SUCCESSFULLY SUBMITTED

It is each Political Subdivision's responsibility to verify that its information has been received and that all information entered is correct. We have provided a link below that each Political Subdivision must use to verify its information was submitted properly and that all submitted information (e.g. tonnage, stockpile location, county location, etc.) is correct. See section below for how to make changes to an already submitted form.

Link to Verify Your Electronic Form and Resolution/Ordinance Were Received by the Department:

<http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Purchase/salt-winter.doc>

Note: Please check the above document 1-2 business days after submission of your electronic form to verify it has been received and all information is correct.

HOW TO MAKE CHANGES TO AN ALREADY SUBMITTED PARTICIPATION FORM

If you need to make any changes to your information after it has already been submitted, you must do so by no later than **5:00 PM on Friday, May 12th, 2017**. To make changes to an already submitted form you must re-submit the ENTIRE FORM WITH ALL INFORMATION FILLED OUT (including attached resolution/ordinance) and it will automatically overwrite the information you had previously submitted. Please check back 1-2 business days after submission, using the link provided above, to ensure changes have been successfully made.

Winter Fill Contract

Thank you for your submission.

Attachments: Salt Resolution.pdf

County: Lorain

Political Subdivision: City of Oberlin

Authorized Person: Robert Hillard

Street: 85 S. Main St.

City: Oberlin

State: OH

Zip: 44074

Contact for Ordering: David Rucker

Email: drucker@cityofoberlin.com

Phone: 440-775-7270

1st Stockpile Address - Include Zip: 538 Hillcreek Dr., Oberlin, OH 44074

1st Stockpile Tons Required: 350

