

**AN ORDINANCE**

**AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND TAKE ANY OTHER ACTION NECESSARY TO PARTICIPATE IN THE BULK PURCHASING OF ROAD SALT FOR THE 2012-2013 WINTER SEASON, AND DECLARING AN EMERGENCY.**

WHEREAS, the Ohio Department of Transportation has created a consortium of governmental entities to band together to purchase rock salt, for the purposes of controlling ice and snow on Ohio's roads; and

WHEREAS, this Council finds and determines that it is appropriate for the Village of Chagrin Falls to purchase rock salt with other organizations, in order to take advantage of economies of scale.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That the Mayor be, and hereby is, authorized to enter into an agreement with the Ohio Department of Transportation in order to participate in bulk purchasing of rock salt, and to enter into any additional agreements, or take any further necessary actions, to implement the road salt program sponsored by ODOT for the 2012-2013 winter season.

SECTION 2. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 3. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 4. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of this Village and for the reason that in order to obtain salt pursuant to the ODOT contract, immediate action is necessary; wherefore, provided it receives the requisite number of affirmative votes of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: May 14, 2012

  
\_\_\_\_\_  
Council President

**ORDINANCE NO.: 2012- 19**  
**INTRODUCED BY: MRS. EVANS**

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Submitted to the Mayor for  
his approval on this  
15 day of May, 2012

Approved by the Mayor  
May 15, 2012

  
\_\_\_\_\_  
Mayor

I hereby certify that Ordinance No. 2012- 19 was duly enacted on the 14 day of May  
      , 2012, by the Council of the Village of Chagrin Falls and posted in accordance with Section  
113.01 of the Codified Ordinances of the Village of Chagrin Falls.

  
\_\_\_\_\_  
Clerk of Council

OHIO DEPARTMENT OF TRANSPORTATION - Office of Contracts, Purchasing Services  
Cooperative Purchasing Program - Sodium Chloride (Rock Salt)

DATE SUBMITTED: 5.21.12

**RESOLUTION/ORDINANCE** as adopted for sodium chloride/rock salt requirements for purchase. Effective period: twelve months from date of award, inclusive, or on an effective date as determined by the Director at the time of bid.

Whereas, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Political Subdivisions including Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards and others 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 THOMAS G. BRICK  
(Agent)

Hereby Requests Authority in The Name of VILLAGE OF CHAGRIN FALLS  
(Political Subdivision)

To participate in the Ohio Department of Transportation's Contract for Rock Salt and Agrees:

- 1) To purchase an estimated salt tonnage, indicated below, exclusively from the vendor awarded the rock salt contract for the county in which said political subdivision is located;

**018 NOTE:** By executing this agreement and providing an estimated tonnage the Political Subdivision recognizes that Contract 018 will contain a min/max tonnage provision, as determined by the Director at the time of bid but will not exceed 80/120% respectively, for which the Political Subdivision will be responsible.

- 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; and
- 4) To be responsible for resolving all disputes arising out of participation in the contract and agree to release the Director of Transportation and the Ohio Department of Transportation from liability for all loss or damage, and from any and every claim or damage resulting from or arising out of participation in the contract pursuant to Ohio Revised Code Section 5513.01(b).

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

018 Salt Winter Use Contract - 80/120% (Min/Max Tonnage)		
STOCKPILE LOCATIONS	STOCKPILE CAPACITY	TONS REQUIRED (ESTIMATED)
240 SOLON ROAD	1200 TONS	1500 TONS

OHIO DEPARTMENT OF TRANSPORTATION - Office of Contracts, Purchasing Services  
Cooperative Purchasing Program - Sodium Chloride (Rock Salt)  
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 or comply with the terms of this contract may 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.

*Thomas Brick*

*5-21-12*

(Authorized Signature and Title)

(Date)

THOMAS BRICK

(Print Exactly as Signed Above)

CUYAHOGA

(County Location)

VILLAGE OF CHAGRIN FALLS

(Political Subdivision)

21 W. WASHINGTON STREET

(Street)

(P.O. Box)

CHAGRIN FALLS

(City)

OHIO

(State)

44022-3010

(Zip plus 4)

ROB JAMIESON

(Contact Name Responsible for Ordering Salt)

440-247-5053

(Phone Number)

*rjamieson@chagrin-falls.org*

(E-Mail Address)

**Note:** This Participation Agreement must be received by the Ohio Department of Transportation, Office of Contracts, Purchasing Services prior to the mailing of the Invitation to bid.

Upon receipt of the agreement each political subdivision will get added to a list that will be maintained on the Office of Contracts web site. This list will be updated daily on the Contracts web site located at ->

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

Email the completed resolution to [contracts.purchasing@dot.state.oh.us](mailto:contracts.purchasing@dot.state.oh.us).