

## Resolution

Resolution No. 04-19

Date Passed 4-9 20 19

### EMERGENCY RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2019

WHEREAS, the Village of Lithopolis (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 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 road salt contract; and
- 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, April 19 by 12:00 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:

This Resolution is hereby declared to be an emergency measure in that the public peace, safety, health and welfare of the inhabitants of the Village of Lithopolis in that it must be posted to ODOT no later than April 19<sup>th</sup> 2019. This Resolution becomes effective and be in force immediately upon its passage by Council and signing by the Mayor.

Resolution

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Attest: Amanda Wolin  
Clerk

Signed: [Signature]  
Mayor

Date: 4-9-19.

Date: 4-9-19

Approved as to form: [Signature]  
Village Solicitor



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HOME DISTRICTS DIVISIONS ODOT A-Z EMPLOYMENT SERVICES CONTACTS

ODOT Home Divisions Construction Management/Contract Sales Contracts Sodium Chloride (Contract No. 018)

### DEADLINE TO SUBMIT SALT RESOLUTION/ORDINANCE PARTICIPATION FORM: FRIDAY, APRIL 19<sup>th</sup>

Each Political Subdivision **must** submit this electronic order form (BELOW) AND attach an approved, completed, and signed Resolution/Ordinance for the ODOT Salt Contract to be included in the Department's bidding opportunity for road salt. Upon the Director of ODOT's award of the contract, you will be bound to purchase at least 90% (and you can purchase up to 110%) of the salt quantities requested on this participation form.

#### Link to Required Resolution/Ordinance Language

**1) You cannot use previously submitted or approved resolutions/ordinances. No exceptions.**

**2) ALL ORDERS WILL BE BASED ON THIS ELECTRONIC SUBMISSION**

By submitting the electronic participation form below AND attaching a completed and signed Resolution/Ordinance (link above) for the ODOT Salt Contract (018-20), 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.

**3) Submission Receipt**

*Each Political Subdivision will receive a "submission receipt" via email verifying submitted tonnages. It is each Political Subdivision's responsibility to verify this information has been received and that all information is correct.*

**4) 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, April 19th, 2019**. 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.

### Salt Resolution/Ordinance Participation Form

Thank you for your submission.

**County:** Fairfield

**Political Subdivision:** Village of Lithopolis

**Authorized Person:** Ed VanVickle/Village Administrator

**City:** Village of Lithopolis

**Contact for Ordering:** ED VanVickle/Village Administrator

**EmailAddress:** villageadministrator@lithopolis.org

**Phone:** 614-774-9410

**Tons Requested:** 100

**1st Stockpile Address - Include Zip:** 43136

The Ohio Department of Transportation, 1980 West Broad Street, Columbus Ohio 43223  
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