



RESOLUTION 2014-15

A RESOLUTION AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO AN AGREEMENT TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION CONTRACT FOR ROCK SALT.

WHEREAS, As adopted for sodium chloride/rock salt to be procured by the ODOT through two separate contracts (a summer fill and winter use). A summer fill contract (Contract #418-15) that shall commence upon the date of contract award (May 8th estimated award date) and expire on October 31, 2014, and a winter use contract (Contract #018-15) that shall commence November 1, 2014 and expire May 31, 2015; and

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 resolved by the Village of Johnstown:

SECTION 1.

That the Village Manager hereby requests authority in the name of the Village of Johnstown to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Ohio Revised Code Section 5513.01 (B).

SECTION 2.

That the Village Manager is hereby authorized to agree in the name of the Village of Johnstown to be bound by all terms and conditions as the Director of Transportation prescribes in the attached document marked Exhibit A, captioned "Cooperative Purchasing Program Sodium Chloride (Rock Salt)" and incorporated as if fully rewritten herein.

SECTION 3.

That the Village Manager is hereby authorized to agree in the name of the Village of Johnstown to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the Village of Johnstown participates, for items it receives pursuant to the contract.

SECTION 4.

That the Village of Johnstown agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised

Code. The Village of Johnstown agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the Village of Johnstown may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

SECTION 5.

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter of the VILLAGE OF JOHNSTOWN.

By: Bill VanGundy

Date Passed: April 1, 2014

Sean Staneart
Sean Staneart, Mayor



ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe
Teresa Monroe
Clerk of Council

David Wigginton
David Wigginton
Law Director

Ohio Department of Transportation- Office of Contract Sales, Purchasing Services
Cooperative Purchasing Program Participation Agreement- Sodium Chloride (Rock Salt)

(Continued)

Participating Political Subdivisions are intended beneficiaries under these contracts 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 these contracts (as applicable to each Political Subdivision) during the upcoming Summer fill up and winter season, upon award of the contract by ODOT 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 each contract. Failure of a Political Subdivision to purchase its requirements from the awarded vendor or comply with the terms of these contracts may invalidate participation for the following summer or winter season contracts.

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. 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.



(Authorized Agent's Original Signature and Title) (Cannot be typed) 4-2-14

(Date)

J W Lennar

(Print Exactly as Signed Above)

Johnstown OHIO Licking Co

(Political Subdivision and County)

559 S. Main St 457

(Street) (P.O. Box)

Johnstown OH 43031

(City) (State) (Zip plus 4)

Jack Loggett 740-404-4315

(Contact Name Responsible for Ordering Salt) (Phone Number)

JLoggett@VillageofJohnstown.org

(E-Mail Address) (This email address will be used to contact your entity for participation in future salt contracts)

(E-Mail Address)

COMPLETED PARTICIPATION AGREEMENT AND RESOLUTION/ORDINANCE DUE BACK TO ODOT NO LATER THAN Tuesday APRIL 8TH. WE WILL ONLY BE ACCEPTING COMPLETED PARTICIPATION AGREEMENTS BY MAIL OR EMAIL (NO FAXES):

Email this completed participation agreement along with a resolution/ordinance adopted by your legislative body to: contracts.purchasing@dot.state.oh.us

or
Mail completed participation agreements along with resolutions/ordinances to:
Ohio Department of Transportation
Purchasing Services, Mail Stop 4110
Attn: Jim Schurch
1980 West Broad St.
Columbus, OH 43223