Village of Johnstown
Administrative Offices
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VILLAGE OF JOHNSTOWN

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RESOLUTION 2016-17

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 attached ODOT Contract 018-17

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.

WHEREAS, 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).

NOW, THEREFORE, Be it resolved by the Village of Johnstown:

SECTION 1.
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 "Cooperative Purchasing Program· Sodium Chloride (Rock Salt)" and incorporated as if fully rewritten herein.

SECTION 2.
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 3.
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.

Res 2016-17

By: Van Gundy

Sean Staneart, Mayor

Date Passed: May 17, 2016

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe
Clerk of Council

Jennifer Croghan
Law Director

RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT WINTER CONTRACT (018-17) FOR ROAD SALT

WHEREAS, the (Village of Johnstown, Licking County) (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual winter road salt bid (018-17) 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 winter road salt contract:

a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon of 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 winter 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 winter 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 winter road salt contract; and

d. The Political Subdivision hereby requests through this participation agreement a total of (300) tons of Sodium Chloride (Road Salt) of which 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 above-requested salt quantities from its awarded salt supplier during the contract's effective period of October 1, 2016 through March 31, 2017; 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 winter 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 Wednesday, June 1, 2016. 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 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 winter 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 winter salt contract:

_____	(Authorized Signature) 5-17-16	Approval Date
_____	(Authorized Signature) 5-17-16	Approval Date
_____	(Authorized Signature) 5-17-16	Approval Date
_____	(Authorized Signature) _____	Approval Date
_____	(Authorized Signature) _____	Approval Date

THIS RESOLUTION MUST BE UPLOADED TO THE WINTER SALT PARTICIPATION WEBSITE BY NO LATER THAN FRIDAY, MAY 27, 2016.

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.