

RESOLUTION 2022-19
INTRODUCED BY: Mayor Bodnar

**AN EMERGENCY RESOLUTION
AUTHORIZING ENTERING INTO A CONTRACT
WITH THE OHIO DEPARTMENT OF TRANSPORTATION
FOR ITS 2022-2023 SALT PARTICIPATION PROGRAM**

WHEREAS, it is the responsibility of Mayfield Village to maintain and operate the roadways in the Village for the safety of the community; and

WHEREAS, the Ohio Department of Transportation (“ODOT”) invites all local governments and political subdivisions to partner with ODOT for the cooperative purchase of rock salt (Winter Contract 018-022) for the 2022-23 winter season; and

WHEREAS, as members of the State Cooperative Purchasing Program, Mayfield Village is eligible to participate in the ODOT program and was a program participant in previous salt contracts presently in effect.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. Council hereby authorizes participation in the Ohio Department of Transportation Winter (018-022) contract for road salt for the 2022-2023 winter season.

SECTION 2. The Village is hereby bound by all terms and conditions as the Director of Transportation prescribes. Furthermore, Mayfield Village agrees to directly pay vendors, for items it receives pursuant to the aforementioned contract.

SECTION 3. Council directs the Clerk of Council to send a copy of this Emergency Resolution with attached written agreement to participate in the annual winter road salt bid (018-22) to the Ohio Department of Transportation (Exhibit A).

SECTION 4. The Council finds and determines that all formal actions of the Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Mayfield Village in maintaining and operating the roadways for the safety of the community. It shall, therefore, take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.



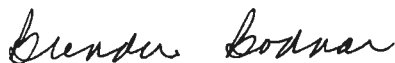
STEPHEN SCHUTT
Council President

First Reading: April 18, 2022

Second Reading: Suspended, 2022

Third Reading: _____, 2022

PASSED: April 18, 2022



BRENDA T. BODNAR, Mayor

APPROVED AS TO FORM:



DIANE A. CALTA, ESQ.
Director of Law

ATTEST:



MARY E. BETSA, MMC
Clerk of Council

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2022**

WHEREAS, MAYFIELD VILLAGE, (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 29 **by 5:00 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 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:

Brenda Bosner, Mayor (Authorized Signature) 4-18-22 Approval Date
[Signature] Council President (Authorized Signature) 4-18-22 Approval Date
Devin A. Gaber, Law Dept. (Authorized Signature) 4-18-22 Approval Date
[Signature] (Authorized Signature) 4-20-22 Approval Date
Ronald C. [Signature], Finance Director (Authorized Signature) 4-18-22 Approval Date

THIS RESOLUTION MUST BE UPLOADED TO THE SALT PARTICIPATION WEBSITE BY NO LATER THAN APRIL 29, 2022.

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.