

RESOLUTION 07-2025

A RESOLUTION AUTHORIZING THE VILLAGE OF DELTA TO PARTICIPATE IN THE ODOT ROAD SALT CONTRACT AND DECLARING AN EMERGENCY.

WHEREAS, it is more efficient and cost-effective for the Village of Delta to purchase road salt as part of the Ohio Department of Transportation's annual road salt program; and

WHEREAS, the Village of Delta (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.

NOW THEREFORE, Be It Ordained By The Council Of The Village of Delta, Fulton County Ohio, That:

Section 1. The Council for the Village of Delta hereby agrees to purchase road salt through the ODOT annual participatory agreement and therefore agrees to the following:

- 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 that each party hereto shall be responsible for liability associated with that party's own errors, actions, and failures to act; 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 85% 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, May 2nd, **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.

Section 2. The Village Council hereby approves and authorizes the Village Administrator and other Village Officials to execute this participation agreement for the ODOT road salt contract, that funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract.

Section 3. That the administration is authorized to purchase One Hundred Fifty (150) tons of road salt, as needed.

Section 2. All formal actions of Council relating to the adoption of this Resolution, and all deliberations of Council and any of its committees leading to such action, were in meeting open to the public as required by law.

Section 3. This Resolution is deemed an emergency measure, is necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that it is immediately necessary to comply with the time frame for the funding and timely execution of the contract requirements.

Passed this 5th day of May, 2025.

MAYOR

CLERK OF COUNCIL