

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 20048

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_

## CITY OF BELPRE RESOLUTION NO. 1 (2020-21)

### A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO A SALT CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT)

**WHEREAS**, the Safety-Service Director of the City of Belpre, Ohio (hereinafter known as the "Safety-Service Director") 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 Safety-Service Director hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon the 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 Safety-Service Director 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 Safety-Service Director; and

C. The Safety-Service Director 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 Safety-Service Director's participation in the road salt contract; and

D. The Safety-Service Director's electronic order for Sodium Chloride (Road Salt) will be the amount the Safety-Service Director agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

E. The Safety-Service Director 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 Safety-Service Director 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 Safety-Service Director acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 24 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: [Contract.Purchasing@dot.ohio.gov](mailto:Contract.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 Safety-Service Director's participation request. Furthermore, it is the sole responsibility of the Safety-Service Director 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 Safety-Service Director's participation agreement and/or a Safety-Service Director's request to rescind its participation agreement.

# RECORD OF RESOLUTIONS

Dayton Legal Hawk, Inc., Form No. 00035

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_, 20\_\_\_\_

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BELPRE, OHIO, THAT:**

## SECTION I

This participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Safety-Service Director agrees to the above term and conditions regarding participation on the ODOT salt contract.

## SECTION II

This Resolution is hereby declared to be an emergency measure deemed necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this Resolution must be passed quickly to comply with Ohio law. Wherefore, this Resolution shall take effect and be in full force from and immediately after its passage by Council and signing by the Mayor.

PASSED: April 13, 2020

James W. Matthews  
PRESIDENT OF COUNCIL

ATTEST: Kimberly A. Mendenhall

PRESENTED TO MAYOR: 4/13/20

Michael R. Hardy  
MAYOR

APPROVED BY MAYOR: 4/14/20

## CLERK'S CERTIFICATION OF PUBLICATION

The undersigned Clerk of the Council of the City of Belpre, Ohio, does hereby certify that on April 14, 2020, this Resolution was published by posting a copy of the same at the five public places designated by the City Council in Ordinance No. 18 (2006-07).

April 14, 2020  
Date

Kimberly A. Mendenhall  
CLERK