

**RESOLUTION NO. R3-2009**

**A RESOLUTION AUTHORIZING JOSEPH J. DENEN, CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF BULK HIGHWAY ROCK SALT.**

**WHEREAS,** The City of Washington Court House desires to participate with the Ohio Department of Transportation in the purchase of rock salt for the 2008-2009 winter season; and,

**WHEREAS,** Ohio Department of Transportation provides such services; and,

**WHEREAS,** The City of Washington Court House and the Ohio Department of Transportation wish to enter into such agreement, (see attached) and,

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WASHINGTON COURT HOUSE, FAYETTE COUNTY, OHIO AS FOLLOWS:**

**SECTION 1.** That Joseph J. Denen, City Manager, is hereby authorized to enter into an agreement with Ohio Department of Transportation.

**SECTION 2.** That this Resolution shall take effect and be in full force from and after the earliest date permitted by law.


ADOPTED: February 25, 2009

  
CHAIRPERSON OF COUNCIL

ATTEST:

  
CLERK OF COUNCIL

APPROVED AS TO FORM:

  
CITY ATTORNEY

**OHIO DEPARTMENT OF TRANSPORTATION**  
 Office of Contracts  
 Purchasing Services  
 Sodium Chloride (Rock Salt)  
 Contract 18

**DATE SUBMITTED:** \_\_\_\_\_

**RESOLUTION / ORDINANCE** as adopted for sodium chloride requirements for purchase. Effective period: twelve months from date of award, inclusive.

Whereas, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles;

**Now Therefore, Be it Ordained, Intending to Be Legally Bound That** Joseph J. Denen  
 (Agent)

**Hereby Requests Authority in The Name of** The City of Washington Court House  
 (Political Subdivision)

To Participate in the Ohio Department of Transportation's Contract for Sodium Chloride and Agrees:

- 1) To purchase a minimum of 80 percent up to 120 percent of the estimated salt tonnage requirements indicated below, exclusively from the vendor awarded the sodium chloride contract for the county in which said political subdivision is located.
- 2) To be bound by the terms and conditions of the contract.
- 3) To be responsible for payment directly to the vendor for the quantities purchased under the contract.
- 4) To hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract pursuant to Ohio Revised Code Section 5513.01(b)

MINIMUM ORDER = 1 TRUCKLOAD / 22 TONS WITHOUT PILER OR 200 TONS WITH PILER

STOCKPILE LOCATIONS	STOCKPILE CAPACITY	TONS REQUIRED (Estimated)
220 Park Avenue	1000 Ton	800 Ton

Continued

Participating Political Subdivisions are intended beneficiaries under this contract 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 this contract during the upcoming winter season, upon award of the contract 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 the contract. Failure of a Political Subdivision to purchase its requirements from the awarded vendor shall invalidate participation for the following winter season.

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 Signature and Title)* 2-26-2009  
\_\_\_\_\_  
*(Date)*

Joseph J. Denen  
\_\_\_\_\_  
*(Print Exactly as Signed Above)*

Fayette  
\_\_\_\_\_  
*(County Location)* *(County Number)*

Washington Court House  
\_\_\_\_\_  
*(Political Subdivision)*

105 N. Main Street  
\_\_\_\_\_  
*(Street)* *(P.O. Box)*

Washington Court House                      Ohio                      43150  
\_\_\_\_\_  
*(City)* *(State)* *(Zip plus 4)*

Joseph M. Burbage                                              740-536-2380  
\_\_\_\_\_  
*(Contact Name Responsible for Ordering Salt)* *(Phone Number)*

**Note:** This Participation Agreement must Be Received by the Ohio Department of Transportation, Office of Contracts, Purchasing Services prior to the mailing of Invitation 018 each year.

**Fax copy to 614-728-2078**

**Mail original to:**

The Ohio Department of Transportation  
Office of Contracts, Purchasing Services  
Attention, Jim Schurch, Purchasing Coordinator  
1980 West Broad Street, 1<sup>st</sup> floor  
Columbus, Ohio 43223