

**AMENDED  
RESOLUTION NO. 17-21**

**BY: JOHN B. SHEPHERD**

**AN EMERGENCY RESOLUTION AUTHORIZING THE CITY OF ROCKY RIVER TO PARTICIPATE IN THE ODOT ROAD SALT CONTRACTS TO BE AWARDED IN 2021**

**WHEREAS**, the City of Rocky River in Cuyahoga County (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:

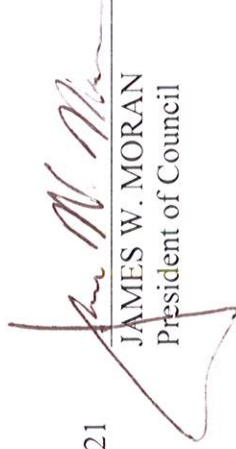
- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political 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 30 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](mailto: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 that the Mayor or Director or Public Safety Service shall be authorized to execute this participation agreement at a date no later than April 30, 2021 as mandated by ODOT requirements, approving the same stated above, as City Council has authorized this agreement for the ODOT road salt contract and it 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.

**SECTION 1.** That this Resolution is hereby declared to be an emergency measure, necessary for the immediate preservation of public peace, health and safety, and for the further reason

that the participation agreement must be executed no later than April 31, 2021, and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

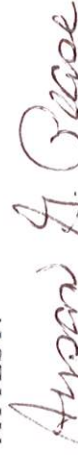
PASSED: April 12<sup>th</sup>, 2021

  
JAMES W. MORAN  
President of Council

PRESENTED

TO MAYOR: April 12<sup>th</sup>, 2021      APPROVED: April 12<sup>th</sup>, 2021

ATTEST:

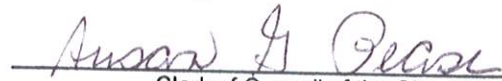
  
SUSAN G. PEASE  
Clerk of Council

  
PAMELA E. BOBST  
Mayor

It is hereby certified that the amount required for the execution of this Ordinance has been lawfully appropriated or authorized or directed for such purpose and is in the treasury or in the process of collection to the credit of the fund described herein free from any obligation or certification now outstanding.

  
MICHAEL THOMAS, CPA  
Director of Finance

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 12<sup>th</sup> day of April, 2021.

  
Clerk of Council of the City of Rocky River, Ohio

City of Rocky River } ss  
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 17-21 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 12<sup>th</sup> DAY OF April, 2021 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 17-21

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 12<sup>th</sup> DAY OF April, 2021.

  
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

4) HOW TO MAKE CHANGES TO AN ALREADY SUBMITTED PARTICIPATION FORM

If you need to make any changes to your information after it has already been submitted, you must do so by no later than **5:00 PM on Friday, April 30th, 2021**. To make changes to an already submitted form you must re-submit the ENTIRE FORM WITH ALL INFORMATION FILLED OUT (including attached resolution/ordinance) and it will automatically overwrite the information you had previously submitted.

Salt Resolution/Ordinance Participation Form

\* Indicates required field

|                                       |                                       |
|---------------------------------------|---------------------------------------|
| Attachments                           | <div>Choose File</div> No file chosen |
| County *                              | <div>Cuyahoga</div>                   |
| Political Subdivision *               | <div>City of Rocky River</div>        |
| Other                                 | Select Other if Not on List...        |
| Authorized Person *                   | Rich Snyder                           |
| City                                  |                                       |
| Contact for Ordering *                | Rich Snyder                           |
| EmailAddress *                        | rsnyder@rrcity.com                    |
| Email Address - 2nd                   |                                       |
| Phone *                               | 440-331-0600                          |
| Tons Requested *                      | 3000                                  |
| 1st Stockpile Address - Include Zip * | 22401 Lake Road, Rocky River 44116    |
| 2nd Stockpile Address - Include Zip   |                                       |
| 3rd Stockpile Address - Include Zip   |                                       |
| 4th Stockpile Address - Include Zip   |                                       |
| 5th Stockpile Address - Include Zip   |                                       |
| 6th Stockpile Address - Include Zip   |                                       |
| 7th Stockpile Address - Include Zip   |                                       |
| 8th Stockpile Address - Include Zip   |                                       |
| <div>Submit</div>                     |                                       |