

FIRST READING: 4-3-23
SECOND READING: 4-10-23
THIRD READING: 4-24-23

RESOLUTION NO. 32-23

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 2023

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 Monday, May 1, 2023 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 resolved that the Mayor or Director or Public Safety Service shall be authorized to execute this participation agreement at a date no later than May 1, 2023 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 May 1, 2023, and provided it

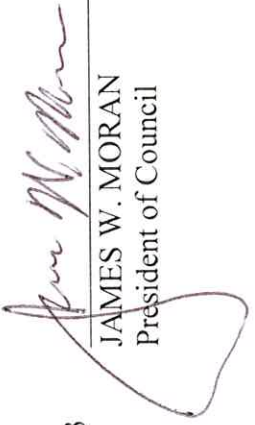
I, the undersigned clerk of Council of the City of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 24th day of April, 2023.



Clerk of Council of the City of Rocky River, Ohio

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 24th, 2023


JAMES W. MORAN
President of Council

PRESENTED

TO MAYOR: April 24th, 2023

APPROVED: April 24th, 2023

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

Salt Resolution/Ordinance Participation Form

* Indicates required field

Attachments	Choose FileNo file chosen
County *	Cuyahoga
Political Subdivision *	City of Rocky River
Other	Select Other if Not on List...
City	
Authorized Person *	Rich Snyder
Authorized Person Email *	rsnyder@rrcity.com
Ordering Contact *	David Arendec
Ordering Contact Email *	darendec@rrcity.com
Ordering Contact Phone *	440-895-2585
Billing Contact *	Charlie Wyatt
Billing Contact Email *	service@rrcity.com
Billing Address (Include CSZ) *	22401 Lake Road, Rocky River, OH 44116
Tons Requested *	2200
1st Stockpile Address - Include Zip *	22401 Lake Road, Rocky River, OH 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	

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