ROSS TOWNSHIP RESOLUTION



RESOLUTION NUMBER 2014-017

RESOLUTION ENTERING INTO AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION TO PROVIDE ROAD SALT TO THE ROAD DEPARTMENT AND AUTHORIZING THE ROAD SUPERINTENDENT TO EXECUTE THE AGREEMENT

WHEREAS, Ross Township desires to purchase road salt in the Road Department for snow removal; and

WHEREAS, the State of Ohio, Department Of Transportation has a desire to provide said materials to Ross Township.

BE IT RESOLVED, by the Trustees of Ross Township, Butler County, Ohio, as follows:

SECTION 1-A:

That the Board hereby enters into an agreement with the State of Ohio, Department Of Transportation to provide road salt to the Ross Township Road Department, substantially in the form of the agreement attached hereto as Exhibit "A", subject to modifications approved by the Township Legal Council on terms not adverse to the Township.

SECTION 1-B:

That the Road Superintendent, Paul Bulach, be and hereby is authorized to execute the agreement as authorized herein.

SECTION 2:

This resolution shall take effect on March 20, 2014 following the filing of this resolution with the Ross Township Fiscal Officer.

SECTION 3:

It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Township Trustees and that all deliberations of such Board of Trustees were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

INTRODUCTION AND VOTE RECORD:

Trustee $\frac{40 \, \text{Reg}}{100 \, \text{Moder}}$ introduced the foregoing Resolution and moved its adoption, Trustee Warrellookerseconded the Motion. The roll

being called upon the question of adoption of the Resolution by the Township Fiscal Officer, the vote resulted as follows:

Trustees: Willsey A 4E Wurzelbacher A 4E Yordy A 4E

Adopted at the meeting of the Ross Township Board of Trustees this 20th day of March, 2014.

Ellen Yordy, President

Thomas Willsey, Vice President

Raymond Wurzelbacher, Trustee

AUTHENTICATION

This is to certify that this resolution was duly adopted by the Board of Trustees, and filed with the Ross Township Fiscal Officer, this 20th day of March, 2014.

Ross Township Fiscal Officer

THE REMAINDER OF THIS PAGE INTENTIONALLY

Ohio Department of Transportation-Office of Contract Sales, Purchasing Services Cooperative Purchasing Program Participation Agreement- Sodium Chloride (Rock Salt)

(PLEASE NOTE: YOU MAY CHOOSE TO PARTICIPATE IN EITHER OR BOTH CONTRACTS)

RESOLUTION/ORDINANCE as adopted for sodium chloride/rock salt to be procured by the ODOT through two separate contracts (a summer fill and winter use). A summer fill contract (Contract #418-15) that shall commence upon the date of contract award (May 8th estimated award date) and expire on October 31, 2014, and a Winter use contract (Contract #018-15) that shall commence November 1, 2014 and expire May 31, 2015;

Whereas, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Political Subdivisions including Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards and others 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	PAUL BULACH		
		(Authorized Agent of Political Subdivision)		
Hereby Requests Authority in The Name of	ROSS TOW	NSHIP		
	(Political Subdivision	ORU)		
	BU'	TLER		
	(County where F	Political Subdivision is located)		

To participate in the Ohio Department of Transportation's Contract(s) for Rock Salt and Agrees:

- 1. To be bound by the terms and conditions of contracts 018-15 (Winter use) and 418-15 (Summer fill);
- 2. To be responsible for purchasing at minimum 90% of the total tonnage requested for your political subdivision (applies to 018-15 Winter use contract only);
- 3. To be responsible for purchasing the total tonnage amount (100%) of salt requested for the Summer Fill contract (418-15) only withstanding if the awarded vendor delivers within the time constraints set forth in the contract.
- 4. To be responsible for placing all orders for sait directly with the awarded vendor;
- 5. To be responsible for prompt payment directly to the vendor for quantities delivered under the contract(s);
- 6. To be responsible for resolving all disputes arising out of participation in the contract(s) and agree to release the Director of Transportation and the Ohio Department of Transportation from liability for all loss or damage, and from any and every claim or damage resulting from or arising out of participation in the contract(s) pursuant to Ohio Revised Code Section 5513.01(b);

MINIMUM TONNAGE REQUEST= 22 Tons (1 Truckload)

418-15 Summer Fill Contr	act- (100% of tonnage guaranteed) (C	Contract award date-October 31, 2014)
STOCKPILE LOCATION(S):	STOCKPILE CAPACITY:	TONS REQUIRED: (must purchase 100%)
3133 HAMILTON CLEVES RD.	125 TONS	100 TONS
HAMILTON OH, 45013	Maria 1887 1	

	Contract- 90/110% (Min/Max Tonna	
018-15 Winter Use C STOCKPILE LOCATION(S):	Contract- 90/110% (Min/Max Tonna STOCKPILE CAPACITY:	ge) (Nov 1, 2014-May 31, 2015) TONS REQUIRED: (90/110% min/max)

Ohio Department o Cooperative Purchasin	f Transportation- Offic g Program Participatio			
	(Conti	nued)		

Participating Political Subdivisions are intended beneficiaries under these contracts 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 these contracts (as applicable to each Political Subdivision) during the upcoming Summer fill up and winter season, upon award of the contract by ODOT 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 each contract. Failure of a Political Subdivision to purchase its requirements from the awarded vendor or comply with the terms of these contracts may invalidate participation for the following summer or winter season contracts.

This Participation Agreement must be received by the Ohio Department of Transportation, Office of Contracts, Purchasing Services <u>prior</u> to the mailing of the Invitation to bid. 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.

Bul Bulah - Low S	As I hear	last		3-17-14	/
(Authorized Agent's Original Signature and Tit	le) (Cunnot be	typed)	(Da	ite)	
PAUL BULACH					
(Print Exactly as Signed Above)					
ROSS TOWNSHIP					
(Political Subdivision and County)					
3133 HAMILTON CLEVES RD.					
(Street)			(P.O. Box)		
HAMILTON	ОНЮ	45013			
· • • • • • • • • • • • • • • • • • • •	(State)	(Zip p	lus 4)		
Paul Bulach	513-200	<u>-4323</u>			
(Contact Name Responsible for Ordering Salt)	(Phone N	lumber)			_
phulach@rosstwp.org					
(E-Mail Address) (This email address will be use	d to contact y	our entity for	participation	in future salt	contracts)
phulach@rosstwp.org					
(E-Mail Address)					

COMPLETED PARTICIPATION AGREEMENT AND RESOLUTION/ORDINANCE DUE BACK TO ODOT NO LATER THAN Tuesday APRIL 8TH. WE WILL ONLY BE ACCEPTING COMPLETED PARTICIPATION AGREEMENTS BY MAIL OR EMAIL (NO FAXES):

Email this completed participation agreement along with a resolution/ordinance adopted by your legislative body to: contracts.purchasing@jdot.state.oh.us

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Mail completed participation agreements along with resolutions/ordinances to:

Ohio Department of Transportation Purchasing Services, Mail Stop 4110 Attn: Jim Schurch 1980 West Broad St.