

RESOLUTION 03-2025

RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2025 AND DECLARING AN EMERGENCY

WHEREAS, the Village of Elmore, Ottawa County, Ohio, (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 that each party hereto shall be responsible for liability associated with that party's own errors, actions, and failures to act.

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 wishes to rescind this participation agreement it will do so by written, emailed request by no later than Friday, May 2, **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 that 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 BY THE COUNCIL OF THE VILLAGE OF ELMORE, OTTAWA COUNTY, OHIO:

Section 1. Be it ordained by the following authorized person(s), Village Administrator Dave Hower, that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation in the ODOT salt contract

Section 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of public health and safety to immediately provide materials to ensure transportation safety is of the utmost in case of a weather event.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were at meetings open to the public in compliance with all legal requirements of the Village of Elmore and the State of Ohio:

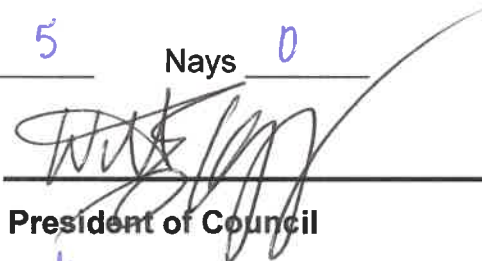
Passed

Vote to suspend the rules Yeas 5 Nays 0

Vote on emergency measure Yeas 5 Nays 0

To Pass Yeas 5 Nays 0

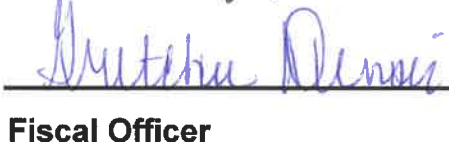
Date: 4/14/25



President of Council

Approved: 

Mayor



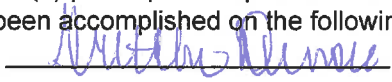
Fiscal Officer

FISCAL OFFICER'S CERTIFICATE AS TO PUBLICATION

This is to certify that publication of the foregoing ordinance was duly made as provided in Ordinance 14- 09, adopted June 8, 2009, by the following method.

By posting certified copies thereof in the five (5) public places specified in the Codified Ordinance No. 14-09 said posting having been accomplished on the following date:

 4/10/25



FISCAL OFFICER

FISCAL OFFICER'S CERTIFICATE AS TO AUTHENTICITY

I hereby certify that the foregoing Resolution is a true copy of the aforesaid Resolution No. 3/25 together with a true and accurate record of adoption by the Village of Elmore, Ohio.



FISCAL OFFICER