

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Participation in the ODOT Cooperative Purchasing Program for Sodium Chloride 2015 Summer Fill and 2015/2016 Winter Use

WHEREAS, in years past, at the conclusion of the previous Snow & Ice Season, the Commission has advertised an Invitation soliciting Bids for the furnishing of sodium chloride (rock salt) at fifteen different salt storage locations along the Turnpike, with such Invitation including a request for quotations for rock salt and freight charges to the designated delivery locations delineated in the Bid Schedule; and

WHEREAS, over the past four years, Commission staff have observed that the pricing for rock salt has been significantly higher than the pricing bid by these same salt providers to ODOT and, for the 2014 Summer Fill and 2014/2015 Snow & Ice Season, the Commission authorized the purchase of rock salt through the ODOT Cooperative Purchasing for all fifteen delivery locations along the Turnpike; and

WHEREAS, the Commission's Maintenance Engineer, has recommended the following certain quantities of rock salt be submitted to ODOT for inclusion in that agency's bid invitation for the 2015 Summer Fill and estimated quantities for the 2015/2016 Winter Use under the ODOT Cooperative Purchasing Program for the counties where the following delivery sites are located:

<u>Delivery Location</u>	<u>Summer Fill</u>	<u>Estimated Winter Use</u>
Kunkle MB (Williams Cty.)	1,500 Tons	3,000 Tons
Interchange 34 (Fulton Cty.)	0 Tons	700 Tons
Swanton MB (Fulton Cty.)	2,000 Tons	1,900 Tons
TP 59 (Lucas Cty.)	0 Tons	400 Tons
Elmore MB (Ottawa Cty.)	2,000 Tons	4,200 Tons
River Road (Sandusky Cty.)	1,000 Tons	1,100 Tons
Castalia MB (Erie Cty.)	1,200 Tons	4,200 Tons
Humm Road (Erie Cty.)	0 Tons	2,400 Tons
Amherst MB (Lorain Cty.)	2,000 Tons	8,500 Tons
TP 161 (Cuyahoga Cty.)	1,000 Tons	4,400 Tons
Boston MB (Summit Cty.)	1,000 Tons	8,500 Tons
TP 187 (Portage Cty.)	1,000 Tons	2,500 Tons
Hiram MB (Portage Cty.)	3,000 Tons	4,600 Tons
TP 218 (Mahoning Cty.)	2,000 Tons	3,500 Tons
<u>Canfield MB (Mahoning Cty.)</u>	<u>2,500 Tons</u>	<u>3,900 Tons</u>
TOTAL	20,200 Tons	53,800 Tons

WHEREAS, the ODOT Summer Fill Contract requires a set quantity commitment, but the Winter Use Contract will be structured such that the Commission will need to accept delivery of a minimum 90% of the estimated quantities set forth in the Bid Schedule, but allows for the Commission to purchase up to 110% of the estimated quantities bid for each designated delivery location because the severity of the snow and ice season is unpredictable; and

WHEREAS, the Director of Contracts Administration advises that, in accordance with Section 5513.01(B) of the Ohio Revised Code, the Commission is eligible to participate in contracts into which the Director of Transportation has entered for the purchase of machinery, materials, supplies, or other articles, provided that the Commission shall file with the Director a certified copy of bylaws or a resolution of the Board requesting authorization to participate in such contracts and agreeing to be bound by such terms and conditions as the Director prescribes; and

WHEREAS, expenditures under the ODOT Cooperative Purchasing contracts for sodium chloride at the fifteen aforementioned delivery locations for both Summer Fill and Estimated Winter Use will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary to authorize participation in said ODOT contract(s); and

WHEREAS, the Executive Director has reviewed the reports of the Maintenance Engineer, and the Director of Contracts Administration and, predicated upon such analysis, has made his recommendation that the Commission authorize participation in the ODOT Cooperative Purchasing contract(s) for sodium chloride in the counties where the aforementioned delivery sites are located; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director and the Director of Contracts Administration, or either of them, are authorized to forward a certified copy of this Resolution to the Director of Transportation indicating the Commission's assent and commitment to participate in the ODOT Cooperative Purchasing contracts for the purchase of sodium chloride in the counties where the following delivery sites are located, and in the following quantities for the 2015 Summer Fill and quantities not to exceed 110% of the estimated 2015/2016 Winter Use:

<u>Delivery Location</u>	<u>Summer Fill</u>	<u>Estimated Winter Use</u>
Kunkle MB (Williams Cty.)	1,500 Tons	3,000 Tons
Interchange 34 (Fulton Cty.)	0 Tons	700 Tons
Swanton MB (Fulton Cty.)	2,000 Tons	1,900 Tons
TP 59 (Lucas Cty.)	0 Tons	400 Tons
Elmore MB (Ottawa Cty.)	2,000 Tons	4,200 Tons
River Road (Sandusky Cty.)	1,000 Tons	1,100 Tons
Castalia MB (Erie Cty.)	1,200 Tons	4,200 Tons
Humm Road (Erie Cty.)	0 Tons	2,400 Tons
Amherst MB (Lorain Cty.)	2,000 Tons	8,500 Tons
TP 161 (Cuyahoga Cty.)	1,000 Tons	4,400 Tons
Boston MB (Summit Cty.)	1,000 Tons	8,500 Tons
TP 187 (Portage Cty.)	1,000 Tons	2,500 Tons
Hiram MB (Portage Cty.)	3,000 Tons	4,600 Tons
TP 218 (Mahoning Cty.)	2,000 Tons	3,500 Tons
Canfield MB (Mahoning Cty.)	2,500 Tons	3,900 Tons
TOTAL	20,200 Tons	53,800 Tons

FURTHER RESOLVED, that the Executive Director and the Director of Contracts Administration, or either of them, are authorized to agree, in the name of the Ohio Turnpike and Infrastructure Commission, to purchase the minimum quantities prescribed by the Director of Transportation, to be responsible for direct payments to any selected vendor for the quantities purchased under the contract(s), and to otherwise agree to be bound by all terms and conditions of the contract(s) as prescribed by the Director of Transportation; and

FURTHER RESOLVED, that the Ohio Turnpike and Infrastructure Commission agrees to be responsible for resolving all claims or disputes arising out of its participation in the ODOT Cooperative Purchasing Program under Section 5513.01(B) of the Ohio Revised Code, and agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the Cooperative Purchasing Program that the Commission may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees; and

FURTHER RESOLVED, that the Maintenance Engineer, shall issue a report back to the Commission indicating the results of the ODOT bidding process.

(Resolution No. 22-2015 adopted April 20, 2015)