

OHIO TURNPIKE COMMISSION

Resolution to Increase Executive Director's Authority to Purchase Additional Sodium Chloride (Rock Salt) under Invitation No. 3947

WHEREAS, pursuant to Resolution No. 30-2003 adopted on July 21, 2003, the executive director was authorized to execute contracts with four (4) bidders: (The Detroit Salt Company; North American Salt Company, Cargill, Inc.- Deicing Technology and Morton Salt Company) to furnish to the Commission its requirements for sodium chloride (rock salt) estimated at approximately 55,500 tons for the 2003-2004 winter season; and

WHEREAS, the Commission's purchasing agent has recently advised the executive director that the Commission has already spent an additional \$146,340.60 and will soon exceed the executive director's contracting authority for the purchase of rock salt under Invitation No. 3947; and

WHEREAS, pursuant to the Commission's bylaws, additional purchases procured beyond 10% of the original purchasing authority granted by the Commission to the executive director require Commission approval unless, among other exceptions, the increase is a result of "circumstances that would create a life, safety or health-threatening situation;" and

WHEREAS, it is anticipated that the current inclement winter season will require additional purchases of rock salt to provide the safest driving conditions on the Ohio Turnpike for its customers during the anticipated heavy snow and ice season for 2004; and

WHEREAS, although this scenario could be viewed as one that could create a "life, safety or health-threatening situation," the executive director feels there is sufficient time to apprise the Commissioners of the anticipated need to exceed his contracting authority to purchase rock salt by more than 10%, and to seek their approval to order quantities beyond those previously approved as dictated by the remainder of the 2004 snow and ice season; and

WHEREAS, all four (4) of the rock salt vendors have previously agreed to a contract obligation maximum of 150% of estimated quantities, and they will honor orders for the supply of up to 150% of the sum of the estimated quantities of rock salt for all delivery destinations; and

WHEREAS, the Commission desires to delegate authority to the executive director to take action on behalf of the Commission concerning purchases of rock salt pursuant to the terms and conditions of Invitation No. 3947 in excess of the originally approved contract amounts.

NOW, THEREFORE, BE IT

RESOLVED that the authority originally granted to the executive director and director of contracts administration under Resolution No. 30-2003 shall include authority, as deemed appropriate, to purchase additional quantities of rock salt from the above-mentioned four (4) companies awarded contracts under Invitation No. 3947, as such needs are dictated by the remainder of the 2004 snow and ice season, up to 150% of the originally estimated contract quantities; and

FURTHER RESOLVED that the executive director of the Ohio Turnpike Commission shall report to the Commission at a subsequent Commission Meeting as to the total additional amount expended for rock salt under Invitation No. 3974.

(Resolution No. 5- 2004 adopted February 23, 2004)