

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Participation in the ODOT Cooperative Purchasing Program for Road Salt During the Terms of the 2018 Summer Pre-Fill and 2018/2019 Winter Use Contracts

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) is authorized to participate in contracts awarded by the Ohio Department of Transportation (“ODOT”) for the purchase of machinery, materials, supplies, or other articles under Section 5513.01(B) of the Ohio Revised Code; and

WHEREAS, the Deputy Chief Engineer recommends leveraging the volume pricing ODOT is able to obtain from salt suppliers for fulfilling the Commission’s requirements for road salt; and

WHEREAS, the Deputy Chief Engineer has recommended the following certain quantities of rock salt be submitted to ODOT for inclusion in that agency’s bid invitation for the 2018 Summer Fill and estimated quantities for the 2018/2019 Winter Use under the ODOT Cooperative Purchasing Program for the counties where the following delivery sites are located:

	<u>Summer Pre-Fill</u>	<u>Estimated Winter Use</u>
Kunkle MB (Williams Cty.)	500 Tons	2,800 Tons
Swanton MB (Fulton Cty.)	1,500 Tons	1,900 Tons
TP 59 (Lucas Cty.)	1,500 Tons	400 Tons
Elmore MB (Ottawa Cty.)	3,000 Tons	3,300 Tons
River Road (Sandusky Cty.)	1,000 Tons	800 Tons
Castalia MB (Erie Cty.)	1,500 Tons	4,400 Tons
Humm Road (Erie Cty.)	500 Tons	2,800 Tons
Amherst MB (Lorain Cty.)	0 Tons	8,300 Tons
TP 161 (Cuyahoga Cty.)	1,000 Tons	4,600 Tons
Boston MB (Summit Cty.)	500 Tons	8,600 Tons
TP 187 (Portage Cty.)	0 Tons	2,900 Tons
Hiram MB (Portage Cty.)	1,000 Tons	4,900 Tons
TP 218 (Mahoning Cty.)	500 Tons	3,900 Tons
Canfield MB (Mahoning Cty.)	0 Tons	3,500 Tons
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TOTAL	12,500 Tons	53,100 Tons

WHEREAS, the ODOT Summer Pre-Fill Contract requires a set quantity commitment, but the Winter Use Contract will be structured such that the Commission must commit to order at least a minimum of 90% and no more than 110% of the estimated quantities for each delivery location; and

WHEREAS, in accordance with Section 5513.01(B) of the Ohio Revised Code, the Commission must file a certified copy of a Commission resolution requesting authorization to participate in the ODOT contract and agreeing to be bound by such terms and conditions as the Director of the Department of Transportation prescribes; and

WHEREAS, the Deputy Chief Engineer and the Executive Director recommend that the Commission authorize participation in the ODOT Cooperative Purchasing contracts for sodium chloride in the counties specified for the above-referenced delivery locations during the Summer Pre-Fill and Winter Use periods; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Ohio Turnpike and Infrastructure Commission hereby agrees to participate in the Ohio Department of Transportation Summer Pre-Fill Bid (Invitation No. 418-19) and Annual Winter Road Salt Bid (Invitation No. 018-19) in accordance with Section 5513.01(B) of the Revised Code, and that the Executive Director is authorized to take any and all actions necessary in the name of the Ohio Turnpike and Infrastructure Commission concerning its participation in the ODOT Contract for Road Salt during the Summer Pre-Fill of 2018 (“Summer Pre-Fill Contract”) and the Winter of 2018/2019 (“Winter Use Contract”); and

FURTHER RESOLVED, that the Commission hereby requests to participate in part of ODOT’s Summer Pre-Fill Contract in the total amount of 12,500 tons and Winter Use Contract in the total estimated amount of 53,100 tons of Sodium Chloride (Road Salt), which the Commission agrees to purchase from the

awarded salt supplier for each of the above-specified Delivery Locations in the subtotal quantities provided as the Summer Pre-Fill and Estimated Winter Use at the bid price per ton awarded by the Director of Transportation, and the Commission agrees to purchase the defined quantities under the Summer Pre-Fill Contract and a minimum of 90% of its above-requested salt quantities from its awarded salt supplier(s) during the term of the Winter Use Contract; and

FURTHER RESOLVED, that the Commission hereby agrees to be bound by all terms and conditions established under the Summer Pre-Fill Contract resulting from Bid Invitation No. 418-19 and Winter Use Contract resulting from Bid Invitation No. 018-19, and acknowledges that upon award of each Contract by the Director of Transportation the Commission shall be bound by all such terms and conditions included in the contract and that upon the signing of the Winter Use Contract by the Director of Transportation, the agreement shall effectively form a contract between the awarded salt supplier(s) and the Commission; and

FURTHER RESOLVED, that the Commission hereby agrees to place orders under the Summer Pre-Fill Contract and Winter Use Contract directly with the awarded salt supplier(s) and make payments directly to the awarded salt supplier(s) on a 30 day net basis for all road salt received under the Summer Pre-Fill Contract and Winter Use Contract, and the Commission agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the Summer Pre-Fill Contract and Winter Use Contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Commission's participation in the Winter Use Contract; and

FURTHER RESOLVED, that the Commission instructs the Deputy Chief Engineer to issue a report back to the Commission indicating the results of the ODOT bidding process; and

FURTHER RESOLVED that the Executive Director is authorized to submit a certified copy of this Resolution to the Director of Transportation providing the Commission's authorization and commitment to participate in the ODOT Cooperative Purchasing Contract(s) for the purchase of road salt resulting from Bid Invitation No. 418-19 and Bid Invitation No. 018-19 in the quantities and at the delivery sites as referenced above.

(Resolution No. 26-2018 adopted April 16, 2018)