

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Participation in the ODOT Cooperative Purchasing Program
Contract 018-20 for Road Salt During the 2019-2020 Winter Season
in the Total Estimated Amount of \$4,052,295.00

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, Commission staff has determined that the volume pricing ODOT is able to obtain from salt suppliers is significantly less than the bids the Commission obtains for fulfilling its salt requirements itself; and

WHEREAS, the Commission’s Deputy Chief Engineer, has recommended the following quantities of rock salt be submitted to ODOT for inclusion in the bid invitation for the 2019-2020 Winter Season under the ODOT Cooperative Purchasing Program for the counties where the following Delivery Locations are located:

<u>Delivery Location</u>	<u>Estimated Tons for Winter Use</u>
Kunkle MB (Williams Co.)	3,600
Swanton MB (Fulton Co.)	3,500
TP 59 (Lucas Co.)	400
Elmore MB (Ottawa Co.)	3,100
River Road (Sandusky Co.)	900
Castalia MB (Erie Co.)	4,400
Humm Road (Erie Co.)	2,300
Amherst MB (Lorain Co.)	7,900
TP 161 (Cuyahoga Co.)	3,800
Boston MB (Summit Co.)	9,100
TP 187 (Portage Co.)	3,900
Hiram MB (Portage Co.)	5,000
TP 218 (Mahoning Co.)	4,000
Canfield MB (Mahoning Co.)	4,000
TOTAL TONNAGE:	55,900

WHEREAS, the ODOT Winter Use Contract will require the Commission to accept at least 90% of its estimated quantities, but allows for the Commission to purchase up to 110% of its estimated amount at the fixed contract price throughout the 2019-2020 Winter Season; 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 the resolution authorization to participate in such contracts and agreeing to be bound by such terms and conditions as the Director prescribes; and

WHEREAS, the Chief Engineer and the Executive Director recommend that the Commission authorize participation in the ODOT Cooperative Purchasing contract(s) for sodium chloride in the counties specified for the above-referenced delivery locations; and

WHEREAS, the Commission has 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 Annual Winter Road Salt Bid (Invitation No. 018-20) 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 winter of 2019-2020 (“Winter Road Salt Contract”); and

FURTHER RESOLVED that the Commission hereby requests, as part of ODOT's agreement to participate in the Winter Road Salt Contract, a total of 55,900 tons of Sodium Chloride (Road Salt) that the Commission agrees to purchase from its awarded salt supplier for each of the above-specified Delivery Locations in the subtotal quantities provided as the Estimated Winter Use at the bid price per ton awarded by the Director of Transportation, and the Commission agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier(s) during the Contract term; and

FURTHER RESOLVED that the Commission hereby agrees to be bound by all terms and conditions established under the Winter Road Salt Contract resulting from Bid Number 018-20 and acknowledges that upon award of the Contract by the Director of Transportation it shall be bound by all such terms and conditions included in the contract and that upon the signing of the Winter Road Salt 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 Winter Road Salt 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 Winter Road Salt Contract, and the Commission agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the Winter Road Salt 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 Road Salt Contract; and

FURTHER RESOLVED the total amount to purchase 100% of the Commission's estimated requirements will cost \$4,052,295.00 based on the primary results of the ODOT bidding process; and

FURTHER RESOLVED that the Commission authorizes and instructs the Executive Director to take all necessary actions to cause the Commission to participate in the ODOT Cooperative Purchasing Contract(s) for the purchase of road salt resulting from Bid Invitation No. 018-20; 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. 018-20 in the quantities and at the delivery sites as referenced above.

(Resolution No. 26-2019 adopted May 20, 2019)