

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Participation in the Ohio Department of Transportation's Cooperative Purchasing Program for Road Salt for the 2023/2024 Winter Season

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 Maintenance Operations 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 Maintenance Operations Engineer has recommended the following estimated quantities for the 2023/2024 Winter season under ODOT Contract No. 018-24 (the "ODOT Salt Contract (018-24)") for the counties where the following delivery sites are located:

<u>Delivery Locations</u>	<u>Estimated Winter Use</u>
Kunkle MB (Williams Cty.)	1,600 Tons
Swanton MB (Fulton Cty.)	1,400 Tons
TP 59 (Lucas Cty.)	500 Tons
Elmore MB (Ottawa Cty.)	3,200 Tons
River Road (Sandusky Cty.)	500 Tons
Castalia MB (Erie Cty.)	3,800 Tons
Humm Road (Erie Cty.)	1,700 Tons
Amherst MB (Lorain Cty.)	7,800 Tons
TP 161 (Cuyahoga Cty.)	4,200 Tons
Boston MB (Summit Cty.)	7,700 Tons
TP 187 (Portage Cty.)	2,600 Tons
Hiram MB (Portage Cty.)	4,200 Tons
TP 218 (Mahoning Cty.)	1,000 Tons
Canfield MB (Mahoning Cty.)	3,300 Tons
TOTAL	43,500 Tons

WHEREAS, the ODOT Salt Contract (018-24) 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, at an estimated salt cost of \$45.00 per ton, the estimated expenditures for rock salt for the 2023/2024 Winter season will potentially exceed \$1,957,500.00 and the maximum purchase of 110% of the estimated quantities would result in a potential total estimated cost of \$2,153,250.00; 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 Salt Contract (018-24) and agreeing to be bound by such terms and conditions as the Director of the Department of Transportation prescribes; and

WHEREAS, the Chief Engineer and the Executive Director recommend that the Commission authorize participation in the ODOT Cooperative Purchasing Program, ODOT Salt Contract No. 018-24 for sodium chloride in the counties specified for the above-referenced delivery locations during the 2023/2024 Winter season; 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 Cooperative Purchasing Program, Annual Winter Road Salt Bid (Invitation No. 018-24) in accordance with Section 5513.01(B) of the Ohio 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 2023/2024 (“ODOT Salt Contract (018-24)”); and

FURTHER RESOLVED, that the Commission hereby requests to participate in ODOT Salt Contract (018-24) in the total estimated amount of 43,500 tons of Sodium Chloride (Road Salt), which the Commission agrees to purchase from the awarded salt supplier(s) 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 term of ODOT Salt Contract (018-24); and

FURTHER RESOLVED, that the Commission hereby agrees to be bound by all terms and conditions established under the ODOT Salt Contract (018-24), and acknowledges that upon award of the 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 ODOT Salt Contract (018-24) 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 ODOT Salt Contract (018-24) 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 ODOT Salt Contract (018-24), and the Commission agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT Salt Contract (018-24) 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 ODOT Salt Contract (018-24); and

FURTHER RESOLVED, that the Commission instructs the 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 Salt Contract (018-24) for the purchase of road salt in the quantities and at the delivery sites referenced above; and

FURTHER RESOLVED, that the Commission must provide ODOT with a resolution submitting its estimated quantities of road salt for the 2023/2024 winter season on or before May 1, 2023.

(Resolution No. 38-2023 adopted April 17, 2023)