

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Ohio Turnpike and Infrastructure Commission's Participation in the Ohio Department of Transportation's Cooperative Purchasing Program for Two Years

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for the Ohio Turnpike and Infrastructure Commission ("Commission"), political subdivisions, counties, townships, municipal corporations, conservancy districts, township park districts, other park districts, port authorities, regional transit authorities, regional airport authorities, regional water and sewer districts, county transit boards, state universities or colleges to participate in contracts of the Ohio Department of Transportation ("ODOT") for the purchase of machinery, material, supplies or other articles; and

WHEREAS, the Ohio Turnpike and Infrastructure Commission ("Commission") is authorized pursuant to Ohio Revised Code Section 5537.04(A)(10) to enter into contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers; and

WHEREAS, the Commission has successfully participated in ODOT's Cooperative Purchasing Program for many years and desires to continue to participate in the Cooperative Purchasing Program for the purchase of machinery, materials, supplies or other articles.

NOW, THEREFORE, BE IT

RESOLVED, that the Executive Director shall be authorized to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department has entered into pursuant to Section 5513.01(B) of the Ohio Revised Code; and

FURTHER RESOLVED, that the Executive Director is authorized to agree in the name of the Commission to be bound by all contract terms and conditions as the Director of Transportation prescribes, subject to the limitations set forth in Chapter 5537 of the Ohio Revised Code and the Commission's Bylaws; and

FURTHER RESOLVED, that the Executive Director is authorized to agree in the name of the Commission to directly pay the vendor, under each contract of the Ohio Department of Transportation in which the Commission participates, for items it receives pursuant to the contract, and the Commission agrees to directly pay the vendor; and

FURTHER RESOLVED, that the Commission agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The Commission agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which 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 Executive Director shall provide a certified copy of this resolution to the Ohio Department of Transportation, Office of Contracts Purchasing Services.

(Resolution No. 83-2023 adopted September 18, 2023)