

1 RESOLUTION NO. 2025-063

2
3 SPONSOR Executive Shapiro

4
5 DATE March 3, 2025 COMMITTEE Public Works

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7 **A Resolution authorizing the Executive, on behalf of the Engineer, to participate in the**
8 **Ohio Department of Transportation’s annual road salt bid, for the Engineer, and declaring**
9 **an emergency.**

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11 WHEREAS, pursuant to Ohio Revised Code section 5513.01(B), the Engineer wishes to
12 participate in the Ohio Department of Transportation’s (“ODOT”) road salt purchase contract bid
13 which the County has done since 2022; and

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15 WHEREAS, ODOT requires authorizing legislation from the County in order to
16 participate in the road salt bid and this Council must authorize the County’s participation under
17 the terms and conditions established by ODOT; and

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19 WHEREAS, by participating in this process, the County is effectively agreeing to enter
20 into a contract with the selected salt supplier, upon the execution of a contract between the
21 supplier and ODOT; and

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23 WHEREAS, the Engineer has provided ODOT with an amount of road salt he agrees to
24 purchase and upon selection of the supplier, the execution of the contract by ODOT, the
25 Engineer agrees to purchase at least 90% of that amount; and

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27 WHEREAS, this Council has determined by reviewing all pertinent information that it is
28 necessary and in the best interest of the County of Summit to authorize the Executive to
29 participate in ODOT’s annual road salt bid on behalf of the Engineer;

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31 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
32 of Ohio, that;

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34 SECTION 1

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36 The Executive is hereby authorized to participate in the Ohio Department of
37 Transportation’s (“ODOT”) annual road salt bid. The County of Summit agrees to the following
38 terms and conditions:

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40 a. The County of Summit hereby agrees to be bound by all terms and conditions established
41 by ODOT in the road salt contract and acknowledges that upon of award of the contract
42 by the Director of ODOT it shall be bound by all such terms and conditions included in
43 the contract; and
44 b. The County of Summit hereby acknowledges that upon the Director of ODOT’s signing
45 of the road salt contract, it shall effectively form a contract between the awarded salt
46 supplier and the County of Summit; and
47 c. The County of Summit agrees to be solely responsible for resolving all claims or disputes
48 arising out of its participation in the ODOT road salt contract and agrees to hold the
49 Department of Transportation harmless for any claims, actions, expenses, or other
50 damages arising out of the County of Summit’s participation in the road salt contract; and
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4 SECTION 1 (Continued)

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6 d. The County of Summit's electronic order for Sodium Chloride (Road Salt) will be the
7 amount the County of Summit agrees to purchase from its awarded salt supplier at the
8 delivered bid price per ton awarded by the Director of ODOT; and

9 e. The County of Summit hereby agrees to purchase a minimum of 90% of its electronically
10 submitted salt quantities from its awarded salt supplier during the contract's effective
11 period; and

12 f. The County of Summit hereby agrees to place orders with and directly pay the awarded
13 salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract;
14 and

15 g. The County of Summit acknowledges that should it wish to rescind this participation
16 agreement it will do so by written, emailed request by no later than Friday, April 29 by
17 5:00 p.m. The written, emailed request to rescind this participation agreement must be
18 received by the ODOT Office of Contract Sales, Purchasing Section email:
19 Contracts.Purchasing@dot.ohio.gov by the deadline; and

20 h. The Department, upon receipt, will respond that it has received the request and that it has
21 effectively removed the County of Summit's participation request; and

22 i. It is the sole responsibility of the County of Summit to ensure ODOT has received this
23 participation agreement as well as the receipt of any request to rescind this participation
24 agreement, ODOT shall not be held responsible or liable for failure to receive the County
25 of Summit's participation agreement and/or its request to rescind its participation
26 agreement.

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28 SECTION 2

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30 This Resolution is hereby declared an emergency in the interest of the health, safety and
31 welfare of the residents of the County of Summit, and for the further purpose to immediately
32 allow the Executive to execute said agreement and allow Engineer to purchase necessary road
33 salt.

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35 SECTION 3

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37 Provided this Resolution receives the affirmative vote of eight members, it shall take
38 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
39 effect and be in force at the earliest time provided by law.

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42 SECTION 4

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44 It is found and determined that all formal actions of this Council concerning and relating
45 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
46 deliberations of this Council and of any of its committees that resulted in such formal action,
47 were in meetings open to the public, in compliance with all legal requirements, including Section
48 121.22 of the Ohio Revised Code.

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5 INTRODUCED March 3, 2025

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8 ADOPTED March 24, 2025

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15 APPROVED March 24, 2025

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21 ENACTED EFFECTIVE March 25, 2025

Signed by:

Monique Willis

CLERK OF COUNCIL

DocuSigned by:

Rita J. Darrow

PRESIDENT OF COUNCIL

Signed by:

Gene Shapiro

EXECUTIVE

Voice Vote – YES: 10 – 0: Darrow, Dickinson,
Donofrio, Higham, Kacyon, Licata, McKenney,
Schmidt, Walters, Wilhite
Absent: Ford