

**ORDINANCE NO. 18-2021**

**AN ORDINANCE AUTHORIZING THE ANNUAL PARTICIPATION IN THE  
ODOT ROAD SALT PURCHASING CONTRACT**

**WHEREAS**, the City of Reynoldsburg, Franklin County (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the road salt contract; and
- d. The Political Subdivision hereby requests through this participation agreement the purchase of Sodium Chloride (road salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than .  
The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) <<mailto:Contracts.Purchasing@dot.ohio.gov>> by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation

agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, COUNTIES OF FRANKLIN, LICKING, and FAIRFIELD, STATE OF OHIO that:**

SECTION 1. That the Mayor hereby is granted authority in the name of the City of Reynoldsburg to participate in the Ohio Department of Transportation Annual Winter Contract, and providing that funding has been authorized in the budget.

SECTION 2. That the Mayor is hereby authorized to agree in the name of the City of Reynoldsburg to be bound by all terms and conditions as the Director of Transportation prescribes.

SECTION 3. That the Mayor is hereby authorized to agree in the name of the City of Reynoldsburg to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the City of Reynoldsburg participates, for items it receives pursuant to the contract.

SECTION 4. This Ordinance is hereby adopted by Council and shall be in effect at the earliest date allowed by law following the signature by the Mayor.

Passed this 22<sup>nd</sup> day of February, 2021.

Kristin Bryant

Kristin Bryant, President Pro Tempore

ATTEST: Mollie Prasher  
Mollie Prasher, Clerk of Council

APPROVED: Joe Begeny  
Joe Begeny, Mayor

DATE: 2-22-2021