IN THE COUNCIL OF THE VILLAGE OF NEW CONCORD, OHIO

RESOLUTION NO. 3-10-3

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE VILLAGE OF NEW CONCORD PARTICIPATION IN THE CONTRACT AND AGREEING TO BE BOUND BY THE INVITATIONS TERMS AND CONDITIONS AS ADOPTED FOR SODIUM CHLORIDE REQUIREMENTS FOR PURCHASE EFFECTIVE PERIOD: TWELVE MONTHS FORM THE DATE OF AWARD, INCLUSIVE, AND DECLARING AN EMERGENCY.

WHEREAS, Section 5513.01 (B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles; and

NOW, THEREFORE, be it ordained by the Council of the Village of New Concord that:
John Huey, Village Administrator hereby requests authority in the name of The Village of New Concord.

Section 1. To participate in the Ohio Department of Transportation's Contract for Sodium Chloride and agrees:

1) To purchase a minimum of 80 percent up to 120 percent of the estimated salt tonnage requirements indicated below, exclusively from the vendor awarded the sodium chloride contract for the county in which said political subdivision is located.

2) To be bound by the terms and conditions of the contract.

3) To be responsible for payment directly to the vendor for the quantities purchased under the contract.

4) To hold the Director of Transportation and the Ohio Department of Transportation harmless for any claim or dispute arising out of participation in a contract pursuant to Ohio Revised Code, Section 5513.01(B).

MINIMUM ORDER = 1 TRUCKLOAD/22 TONS WITHOUT PILER OR 200 TONS WITH PILER

Stockpile Locations	**Stockpile Capacity**	**Tons Required (Estimated)**
220 West Main Street	250 Tons	350

Section 2. Participating Political Subdivisions are intended beneficiaries under this contract and are real parties in interest with the capacity to sue and be sued in their own name without joining the State of Ohio, Ohio Department of Transportation. N By signing and returning this agreement you will be bound to participate in this contract during the upcoming winter season, upon award of the contract to a successful vendor. A participating Political Subdivision cannot change its position during this contract period. Termination of participation is effective upon the expiration date of the contract. Failure of a Political Subdivision to purchase its requirements from the awarded vendor shall invalidate participation for the following winter season.

(Authorized Signature and Title) *(Date)*

John Huey
(Print Exactly as Signed Above)

Muskingum
(County Location) *(County Number)*

Village of New Concord
(Political Subdivision)

220 West Main Street
(Street)

P. O. Box 10
(P. O. Box)

New Concord Ohio 43762
(City) *(State)* *(Zip plus 4)*

John Huey 740/826-7671
(Contact Name Responsible for Ordering Salt) *(Phone Number)*

Section 3. That this Resolution shall be in full force and effect at the earliest date permitted by law.

PASSED: March 15, 2010

Al Chaffee, President of Council

APPROVED: March 15, 2010

R. Gregory Adams, Mayor

ATTEST:
Sue Wilson, Village Fiscal Officer

I hereby certify that the above legislation was posted per Ordinance No. L-1-84-1.

Sue Wilson, Fiscal Officer