

BRUNSWICK CITY SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

Agenda APRIL 24, 2017 7:10 PM

1. Discussion Items
 - (a) **RES. NO. 31-17** - An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2017-18 winter season - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)
2. General Discussion
3. Adjournment

THE CITY OF BRUNSWICK
PROPOSED LEGISLATION



DATE: 04/24/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 31-17** - An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2017-18 winter season - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

BACKGROUND: The ODOT Office of Contracts Purchasing Services provides the opportunity for municipal corporations to participate in the State's purchase of sodium chloride (road salt) for snow and ice removal.

PURPOSE AND EXPLANATION: This agreement would allow the City to purchase sodium chloride (road salt) through the ODOT contract. This provides an economy of scale that typically provides lower prices than the City can receive on its own and helps the City keep salt costs as low as possible. The City of Brunswick has participated in this program in past years with benefit.

IMPLEMENTATION SCHEDULE: The participation agreement is due back to ODOT by May 10, 2017.

FINANCIAL INFORMATION: ODOT Salt Purchasing Participation - 04/17/2017 - - 117-0420-55300 Salt & Cinders - - 0

FINANCIAL SUMMARY: Per ton salt price and purchasing requirements would be based on the new ODOT contract that is yet to be determined. Expenditures will be limited to authorized and executed purchase orders pursuant to ORC 5705.42 and sufficient appropriations adopted by Council.

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?

Staff recommends passage as an emergency measure with suspension of the rules in order to have legislation in effect prior to ODOT's issuance of its invitation to participate so that the City can respond in a timely fashion.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING PARTICIPATION IN THE
OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT FOR
ROAD SALT FOR THE 2017-2018 WINTER SEASON.

WHEREAS: Ohio Revised Code Section 5513.01(B) provides the opportunity for political subdivisions to participate in contracts of the Ohio Department of Transportation (“ODOT”) for purchase of supplies, including road salt; and

WHEREAS: The City has participated in ODOT contracts for road salt in past years, which participation minimizes road salt costs and price increases.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The City Manager is hereby authorized and directed, upon the approval of the Law Director, to enter into all necessary agreements with ODOT for the purchase of road salt for the 2017-2018 winter season upon the following terms:

- a) The City agrees to be bound by all terms and conditions established by ODOT in the Winter Contract for Road Salt (the “Contract”) and acknowledges that upon award of the Contract by the Director of ODOT, the City will be bound by all such terms and conditions contained therein.
- b) The City hereby acknowledges that upon formal execution of the Contract by the Director of ODOT, a contract between the City and the awarded road salt supplier (the “Supplier”) shall be created.
- c) The City hereby agrees to be solely responsible for resolving all claims or disputes arising out of the participation in the Contract and agrees to hold ODOT harmless from any claims, actions, expenses or other damages arising therefrom.
- d) The City hereby requests a total of 3,000 tons of Sodium Chloride (road salt), which the City agrees to purchase from the Supplier at the delivered price per ton as per the Contract.
- e) The City hereby agrees to purchase a minimum of 90% of the above requested road salt quantity from Supplier during the effective period of the Contract from October 1, 2017 through April 30, 2018.
- f) The City hereby agrees to place orders with and directly pay the Supplier on a net 30 basis for all road salt delivered pursuant to the Contract.
- g) The City hereby acknowledges that should the City wish to rescind its election to participate under the Contract, the City will do so no later than Thursday, June 1, 2017 by sending a written email request to ODOT Office of Contract Sales, Purchase Section at Contracts.Purchasing@dot.ohio.gov. Upon

receipt, ODOT shall respond that it has received the rescission request and confirm removal of the City's request to participate in the Contract. The City hereby acknowledges that it is the sole responsibility of the City to ensure that ODOT has timely received this Resolution and/or any rescission request and ODOT shall not be held responsible or liable for failure to timely receive the City's request to participate in the Contract and/or any rescission request.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that this Resolution must be submitted to ODOT by May 10, 2017 to allow for participation in the Contract for the 2017-2018 winter season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 31-17

BY: Mr. Salzgeber, Mr. Hanek and Mr. Ousley

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PASSED: 1st Reading _____

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ADOPTED: _____ AYES _____ NAYS _____

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Clerk of Council
Barbara J. Ortiz, CMC