

**ORDINANCE NO. 15 - 2023**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT PURSUANT TO THE OHIO DEPARTMENT OF TRANSPORTATION COOPERATIVE PURCHASING PROGRAM FOR ROAD SALT CONTRACTS AWARDED IN 2023; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to § 5513.01(B) of the Ohio Revised Code the Village may participate in contracts of the Ohio Department of Transportation (ODOT) for the purchase of machinery, material, supplies and other articles; and

WHEREAS, the Village desires to participate in ODOT's annual road salt bid for contracts awarded in 2023 for the purchase of road salt.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, LAKE COUNTY, STATE OF OHIO, THAT:

SECTION 1: The Mayor is hereby authorized to enter into a participation contract for the purchase of road salt via ODOT's road salt contracts awarded in 2023 and to do so upon such contractual terms and conditions as the Director of Transportation prescribes, it hereby being acknowledged and agreed that:

(a) The Village 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;

(b) The Village 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 Village;

(c) The Village 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 Village's participation in the road salt contract;

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

(e) The Village 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

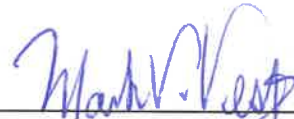
(f) The Village agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberation of this council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance constitutes an emergency in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the residents of the Village of Madison and is further necessary for the usual daily operation of the Village as securing adequate amounts of road salt is necessary to prevent disruptions in traffic accessibility and safety, and, in order to comply with ODOT's contractual deadline; WHEREFORE, this Ordinance shall take immediate effect in accordance with the provisions of Article V, § 5.2 of the Madison Village Charter.

PASSED:

March 27, 2023



Mark V. Vest,  
President of Council

Attested:



Kristie Crockett,  
Fiscal Officer / Clerk of Council

Approved:



Sam Britton Jr.,  
Mayor

3/27/2023

Date