

RESOLUTION R-16-08

A RESOLUTION AUTHORIZING THE VILLAGE OF SPENCER, OHIO, TO PARTICIPATE IN THE NORTHEAST OHIO SOURCING OFFICE'S ("NEO/SO'S") 2008 – 2009 SALT PROGRAM, TO DELEGATE THE RESPONSIBILITY FOR THE COMPETITIVE BIDDING FOR THE PURCHASE OF SALT, AND TO ESTABLISH THE VILLAGE'S SALT TONNAGE COMMITMENT FOR THE 2008 – 2009 SEASON AND DECLARING AN EMERGENCY

WHEREAS, NEO/SO, an Ohio nonprofit corporation organized as a regional council of governments under Chapter 167 of the Ohio Revised Code, will again establish a bulk road salt program for the 2008 – 2009 winter season (the "Salt Program"); and

WHEREAS, NEO/SO will conduct a competitive bid process on behalf of all entities participating in the Salt Program in accordance with Section 125 of the Ohio Revised Code to determine the best and lowest bidder; and

WHEREAS, NEO/SO will enter into a one-year Master Agreement for bulk road salt with the supplier(s) that provide the best and lowest bid(s); and

WHEREAS, the NEO/SO Salt Program requires each participating entity to purchase a minimum of sixty-five percent (65%) of its road salt commitment through the Salt Program and limits each participating entity to purchasing a maximum of one hundred ten percent (110%) of its road salt commitment through the Salt Program in an effort to achieve the most competitive price; and

WHEREAS, this resolution constitutes an emergency measure necessary for the daily operation of municipal departments, and provided it receives the affirmative vote of three-fourths (3/4) of the members elected to Council, it will take effect and be in force immediately upon its passage and approval by the Mayor, otherwise it will take effect and be in force from and after the earliest period allowed by law.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Spencer, County of Medina, Ohio, (the "Entity") three-fourths (3/4) of its members concurring herein as follows:

Section 1. Authorization to Participate in NEO/SO Salt Program. This Council authorized the Village of Spencer to participate in the NEO/SO Salt Program for the winter of 2008-2009, which includes purchases of bulk road salt during the NEO/SO Salt Program period.

Section 2. Delegation of Competitive Bidding. The Village of Spencer hereby delegates to NEO/SO the rights and responsibilities for engaging competitive bidding on behalf of the Village in accordance with Section 125 of the Ohio Revised Code.

Section 3. Commitment Amount. The Village hereby commits to purchase twenty-five (25) tons of bulk road salt through the NEO/SO Salt Program. The Village will have the obligation to purchase at least sixty-five percent (65%) (minimum) of the committed tonnage and the opportunity to purchase up to one hundred ten percent (110%) (maximum) of the committed tonnage before the Master Agreement for the Salt Program expires.

Section 4. Chargeable Accounts. All amounts incurred and paid with respect to the NEO/SO Salt Program as authorized herein will be charged to Account No.


Section 5. Effective Date. This Resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, and welfare of the Village of Spencer, Ohio, and for the particular reason that an agreement is immediately necessary to have a proper provision of salt for the winter season that is approaching, and this Resolution shall be in full force and effect from and after its passage.

PASSED: September 17, 2008



TOMMY RAMEY, Mayor

ATTEST:



SHERI RAMEY, Village Fiscal Officer