

THE VILLAGE OF MARSHALLVILLE

RESOLUTION NO. 01-26

**A RESOLUTION OF THE VILLAGE OF MARSHALLVILLE, WAYNE COUNTY OHIO
AUTHORIZING PARTICIPATION IN THE OHIO DEPARTMENT OF TRANSPORTATION
ROAD SALT CONTRACTS AWARDED IN 2026 AND DECLARING AN EMERGENCY.**

WHEREAS, The Village of Marshallville (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; and

WHEREAS, 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

WHEREAS, 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

WHEREAS, 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 that each party hereto shall be responsible for liability associated with that party's own errors, actions, and failures to act; and

WHEREAS, The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount 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

WHEREAS, The Political Subdivision hereby agrees to purchase a minimum of 85% of its electronically submitted salt quantities from its awarded salt supplier during the contract's effective period; and

WHEREAS, 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

WHEREAS, 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 Friday, May 1, by 5:00 p.m. 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 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 Village of Marshallville, Wayne County, Ohio that:

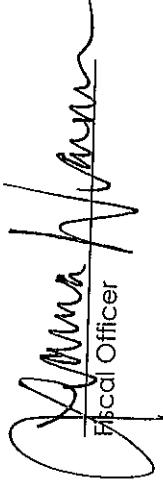
Section 1: That the Mayor and/or Service Director is hereby authorized to enter into an agreement with the Ohio Department of Transportation for the road salt contract and execute all necessary documents related to the road salt contract and the terms outlined above.

Section 2: That it is found and determined that all formal action of this Council concerning and relating to the passage of this Resolution were taken in conformance with the applicable open meetings laws and that all deliberations of this Council and of any committees that resulted in those formal actions were in compliance with all legal requirements including any applicable open meeting requirements.

Section 3: This Resolution is hereby declared an emergency measure necessary for the immediate preservation of the public health, safety, peace, property, and welfare; and for the further to comply with the deadlines for the Road Salt Contract. Wherefore this Resolution shall take effect and be in full force immediately from and after its passage and approval by the Mayor.

Passed: April 13, 2026

Attest:


Pamela Hanna
Fiscal Officer


Ron Hatfield, Mayor