

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Participation in the ODOT Cooperative Purchasing Program for Sodium Chloride for the 2014/2015 Snow & Ice Season

WHEREAS, in years past, at the conclusion of the previous Snow & Ice Season, the Commission has advertised an Invitation soliciting Bids for the furnishing of sodium chloride (rock salt) at fifteen different salt storage locations along the Turnpike, with such Invitation including a request for quotations for rock salt and freight charges to the designated delivery locations delineated in the Bid Schedule; and

WHEREAS, over the past four years, Commission staff have observed that the pricing for rock salt has been significantly higher than the pricing bid by these same salt providers to ODOT and, for the 2013/2014 Snow & Ice Season, the Commission authorized the purchase of rock salt through the ODOT Cooperative Purchasing for the seven easternmost locations along the Turnpike; and

WHEREAS, engaging in the purchase of rock salt through the ODOT Cooperative Purchasing Program saved the Commission significant dollars during the historic 2013/2014 Snow & Ice Season, and the Assistant Chief Engineer, Highway and Maintenance, has, therefore, recommended that all of the Commission's rock salt should be purchased through the ODOT Cooperative Purchasing Program, and that the following estimated quantities of rock salt be submitted to ODOT for inclusion in that agency's bid invitation for the 2014/2015 Snow & Ice Season under the ODOT Cooperative Purchasing Program for the counties where the following delivery sites are located:

Delivery Location	Summer Fill	Winter Use
Kunkle MB (Williams Cty.)	1,200 Tons	3,400 Tons
Interchange 34 (Williams Cty.)	600 Tons	500 Tons
Swanton MB (Fulton Cty.)	1,400 Tons	2,600 Tons
TP 59 (Lucas Cty.)	1,000 Tons	500 Tons
Elmore MB (Ottawa Cty.)	2,200 Tons	5,500 Tons
River Road (Sandusky Cty.)	1,200 Tons	1,700 Tons
Castalia MB (Erie Cty.)	1,200 Tons	4,700 Tons
Humm Road (Erie Cty.)	1,200 Tons	3,400 Tons
Amherst MB (Lorain Cty.)	1,300 Tons	8,900 Tons
TP 161 (Cuyahoga Cty.)	1,000 Tons	4,900 Tons
Boston MB (Summit Cty.)	1,700 Tons	9,200 Tons
TP 187 (Portage Cty.)	600 Tons	3,200 Tons
Hiram MB (Portage Cty.)	1,800 Tons	5,600 Tons
TP 218 (Mahoning Cty.)	600 Tons	4,200 Tons
<u>Canfield MB (Mahoning Cty.)</u>	<u>1,800 Tons</u>	<u>5,100 Tons</u>
TOTAL	18,800 Tons	63,400 Tons

WHEREAS, the ODOT contract or contracts will require that a minimum of 90% of the estimated quantities set forth in the Bid Schedule be purchased and, because the severity of the snow and ice season is unpredictable, the Bidding Documents will also allow for the Commission to purchase up to 110% of the estimated quantities bid for each designated delivery location; and

WHEREAS, the Director of Contracts Administration advises that, in accordance with Section 5513.01(B) of the Ohio Revised Code, the Commission is eligible to participate in contracts into which the Director of Transportation has entered for the purchase of machinery, materials, supplies, or other articles, provided that the Commission shall file with the Director a certified copy of bylaws or a resolution of the Board requesting authorization to participate in such contract(s) and agreeing to be bound by such terms and conditions as the Director prescribes; and

WHEREAS, based on the 2013/2014 average unit price, expenditures under the ODOT Cooperative Purchasing contract(s) for sodium chloride at the fifteen aforementioned delivery locations are estimated to potentially exceed \$2,600,000.00 and, as they will exceed \$150,000.00, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary to authorize participation in said ODOT contract(s); and

WHEREAS, the Executive Director has reviewed the reports of both the Assistant Chief Engineer, Highway and Maintenance, and the Director of Contracts Administration and, predicated upon such analysis, has made his recommendation that the Commission authorize participation in the ODOT Cooperative Purchasing contract(s) for sodium chloride in the counties where the aforementioned delivery sites are located; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director and the Director of Contracts Administration, or either of them, are authorized to forward a certified copy of this Resolution to the Director of Transportation indicating the Commission’s assent and commitment to participate in the ODOT Cooperative Purchasing contract(s) for the purchase of sodium chloride in the counties where the following delivery sites are located, and in the following estimated quantities for the 2014/2015 Snow & Ice Season:

Delivery Location	Summer Fill	Winter Use
Kunkle MB (Williams Cty.)	1,200 Tons	3,400 Tons
Interchange 34 (Williams Cty.)	600 Tons	500 Tons
Swanton MB (Fulton Cty.)	1,400 Tons	2,600 Tons
TP 59 (Lucas Cty.)	1,000 Tons	500 Tons
Elmore MB (Ottawa Cty.)	2,200 Tons	5,500 Tons
River Road (Sandusky Cty.)	1,200 Tons	1,700 Tons
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TP 218 (Mahoning Cty.)	600 Tons	4,200 Tons
Canfield MB (Mahoning Cty.)	1,800 Tons	5,100 Tons
TOTAL	18,800 Tons	63,400 Tons

FURTHER RESOLVED, that the Executive Director and the Director of Contracts Administration, or either of them, are authorized to agree, in the name of the Ohio Turnpike and Infrastructure Commission, to purchase the minimum quantities prescribed by the Director of Transportation, to be responsible for direct payments to any selected vendor for the quantities purchased under the contract(s), and to otherwise agree to be bound by all terms and conditions of the contract(s) as prescribed by the Director of Transportation; and

FURTHER RESOLVED, that the Ohio Turnpike and Infrastructure Commission agrees to be responsible for resolving all claims or disputes arising out of its participation in the ODOT Cooperative Purchasing Program under Section 5513.01(B) of the Ohio Revised Code, and agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the Cooperative Purchasing Program that the Commission may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees; and

FURTHER RESOLVED, that the Assistant Chief Engineer, Highway and Maintenance, shall issue a report back to the Commission indicating the results of the ODOT bidding process.

(Resolution No. 28-2014 adopted April 21, 2014)