

**RESOLUTION NO. 2015-36
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE CITY OF LYNDHURST,
OHIO TO PARTICIPATE IN THE OHIO DEPARTMENT OF
TRANSPORTATION'S BULK ROAD SALT PROGRAM FOR THE
2015-16 WINTER SEASON, AND DECLARING AN EMERGENCY**

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Political Subdivisions including Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards and others to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles; and

WHEREAS, the Ohio Department of Transportation has established a bulk road salt program through which public agencies can make use of the Ohio Department of Transportation's competitive bidding process and;

WHEREAS, the City of Lyndhurst committed to participate in the Ohio Department of Transportation's Bulk Road Salt Program in the amount of 3,800 tons of road salt for the 2014-15 winter season; and

WHEREAS, the City wishes to continue to participate for the 2015-2016 winter season. Now therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

SECTION 1. This Council authorizes the City to participate in the Ohio Department of Transportation Bulk Road Salt Program for the winter 2015-2016.

SECTION 2. Council agrees to purchase an estimated salt tonnage in the amount of 4,000 tons exclusively from the vendor awarded the rock salt contract for the county in which said political subdivision is located.

SECTION 3. Council agrees to be bound by the terms and conditions of the contract.

SECTION 4. Council agrees to be responsible for the quantities purchased under the contract.

SECTION 5. Council agrees to be responsible for resolving all disputes arising out of participation in the contract and agrees to release the Director of Transportation and the Ohio Department of Transportation from liability for all loss or damage, and from any and every claim or damage resulting from or arising out of participation in the contract pursuant to Ohio Revised Code Section 5513.01(B)

SECTION 6. Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 7. This Resolution shall hereby be declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of the City of Lyndhurst in order to meet contractual requirements for the City. It shall therefore take effect immediately upon the affirmative vote of not less than five members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

PASSED: May 4, 2015

MAYOR

VICE-MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on _____ and _____.

Clerk of Council

First Reading: _____ May 4, 2015 _____

Second Reading: _____ Suspended _____

Third Reading: _____ Suspended _____

Passed 5-4-2015