

REQUESTED BY:  
NOVAK

LAW DEPARTMENT  
DRAFT NO. 3506

TITLE

AN ORDINANCE FOR THE PURPOSE OF AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ENTER INTO A COOPERATIVE PURCHASING PROGRAM WITH THE OHIO DEPARTMENT OF TRANSPORTATION UNDER SECTION 5513.01(B) OF THE OHIO REVISED CODE FOR THE PURCHASE OF ROCK SALT FOR THE 2015-2016 WINTER SEASON, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 12589/15

WHEREAS, it is the responsibility of the City of Warren to maintain and operate the roadways in the City for the safety of the community; and

WHEREAS, the Ohio Department of Transportation invites all local governments and political subdivisions to partner with ODOT for the cooperative purchase of rock salt (Summer Contract #418-15) and (Winter Contract #018-15) for the 2015-2016 winter season; and

WHEREAS, as members of the State Cooperative Purchasing Program, the City of Warren is eligible to participate in the ODOT program and was a program participant in previous salt contracts presently in effect; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That the Council of the City of Warren, Ohio, hereby determines that cooperative bidding and purchasing with ODOT will most likely ensure the best possible price and a reliable source of availability for road salt for the 2015-2016 winter season and authorize the Mayor and Director of Public Service and Safety to enter into contract agreements with ODOT.

Section 2: That the City of Warren agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The City of Warren agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the Cooperative Purchasing Program which the City 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.

Section 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety, and for the further reason to maintain and operate the roadways in the City for the safety of the community. WHEREFORE, this Ordinance shall go into immediate effect.

Passed in Council this 25<sup>TH</sup> day of MARCH, 2015.

SIGNED: [Signature]

PRESIDENT OF COUNCIL

ATTEST: [Signature]

CLERK

FILED WITH THE MAYOR: 3-25-15

DATE APPROVED: 3-25-15

[Signature]  
MAYOR, CITY OF WARREN, OHIO