

RESOLUTION NO. 08-2015

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE OHIO DEPARTMENT
OF TRANSPORTATION (ODOT) COOPERATIVE PURCHASING PROGRAM
AND DECLARING AN EMERGENCY**

WHEREAS, Council has been advised that Section 5513.01 (B) provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Ohio Revised Code to participate in contracts of the Ohio Department of Transportations for purchase of machinery, material, supplies and other articles; and

WHEREAS, Council has been further advised that it is the responsibility of the Village to maintain and operate the roadways in the Village for the safety of the community; and

WHEREAS, Council finds it to be in the best interests of the residents of the Village of Perry that the Village participate in said Ohio Department of Transportation's purchasing program.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE
VILLAGE OF PERRY, COUNTY OF LAKE, AND STATE OF OHIO, AS FOLLOWS:**

Section 1. That Council hereby authorizes and directs the Mayor of the Village to take all steps and perform all acts necessary to provide for the Village to participate in the Ohio Department of Transportation Summer (418-16) and/or Winter (018-6) contracts for road salt.

Section 2. That Council further authorizes and directs the Mayor of the Village to be bound by all terms and conditions as the Director of Ohio Department of Transportation shall prescribe.

Section 3. That the Council further authorizes and directs the Mayor of the Village to take all steps and perform all acts necessary to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the Village of Perry participates, for items it received pursuant to the contract.

Section 4. That Council 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 Village of Perry agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the Village of Perry 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 5. That this Resolution is hereby declared to be and is passed as an emergency measure, the emergency being the need to continually provide for the prudent administration of Village affairs. Said Resolution is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Perry.

WHEREFORE, this Resolution shall take effect and be in force from and immediately upon its adoption.

Vicky Stevens
VICKY STEVENS, MAYOR

ADOPTED: March 12, 2015

ATTEST: *Joanne Clapp*
JOANNE CLAPP, FISCAL OFFICER