

RESOLUTION NO.: 78-2008
INTRODUCED BY: O'Toole

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CARGILL DEICING TECHNOLOGY FOR ROAD SALT; AND DECLARING AN EMERGENCY.

WHEREAS, the City, as part of a consortium of local governments through the Northeast Ohio Sourcing Office ("NEO/SO"), a regional council of governments in Ohio, advertised for bids to supply bulk road salt to the City and other members of the consortium for the 2008-2009 winter season but received no bids; and

WHEREAS, a quote was later received by NEO/SO for road salt at a cost of \$120.00 per ton; and

WHEREAS, it is commonly known throughout the State of Ohio and throughout the Midwest that prices for road salt for this winter season fluctuate almost daily and are far in excess of the cost per ton for the 2007-2008 winter season and the Ohio Municipal League has documented this state of the market; and

WHEREAS, the Service Director of the City has received a proposal to supply road salt from Cargill Deicing Technology ("Cargill") under the terms set forth in a letter from Cargill dated October 2, 2008, which is attached hereto and incorporated herein as "Exhibit A", at \$53.09 per ton for 2,000 tons of salt; and

WHEREAS, with the road salt currently stock piled by the City and the 2,000 tons being offered by Cargill, the City Service Department may have enough road salt to satisfy its needs for the 2008-2009 winter season; and

WHEREAS, upon inquiry, the Service Director has received no other quotes for road salt for this winter season and Cargill has requested an immediate response for acceptance of the terms and conditions in Exhibit A.

NOW, THEREFORE, be it Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The Mayor's acceptance of the terms and conditions of an agreement as set forth in Exhibit A to this Resolution is hereby authorized and ratified so as to enter

into an agreement with Cargill Deicing Technology for the purchase of 2,000 tons of road salt at a cost of \$53.09 per ton.

Section 2: The Director of Finance is authorized and directed to appropriate to a proper account an amount sufficient to cover the cost of the agreement authorized in Section 1 of this Resolution.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation and furtherance of the public health, safety and general welfare, and for the further reason that immediate action must be taken to authorize the purchase of road salt in order to keep the City streets safe for passage this winter season and for the reasons set forth in the preamble to this Resolution;

THEREFORE, provided this Resolution receives the affirmative vote of five members of Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect from and after the earliest period allowed by law.

PASSED: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council