

CITY OF MIDDLETOWN
For Southwest Ohio Purchasers for Government

HIGHWAY ROCK SALT
BID NO. 09-6999-09

Addendum #1

It has come to my attention that there are two errors in the SWOP4G cooperative bid that was posted by the City of Middletown for Highway Rock Salt. Please make the following corrections to your bid package:

- 1) The City of Lebanon was unintentionally left out of the bid. Please include the following in the rebid:

Lebanon, City of
Total Tonnage: 3,000 Tons
Contact Name: Dan Wilson, Public Works
513-617-0209 – cell
513-932-2493 – fax
Delivery address: 513 N. Broadway, Lebanon, OH 45036
Invoicing address: 50 S. Broadway, Lebanon, OH 45036

- 2) The correct tonnage for Franklin Township in Warren County is **2,200 Tons**. The tonnage is listed correctly on page 10, but incorrectly on page 21.

The bid located on the website has been revised, and may be downloaded. The bid opening date remains the same (Tuesday, June 2, 2009 at 11:00 AM).

I am sorry for any inconvenience this may have caused.

Sincerely,

Cindy Strayer, CPPB
Purchasing Agent
City of Middletown, OH

SPECIFICATIONS

ROAD SALT

Bid No. 09-6999-09

SOUTHWEST OHIO PURCHASERS FOR GOVERNMENT

Company Name: Cargill Incorporated Deicing Technology Business Unit

Contact Person: Rosemary Schwarz

Address: 24950 Country Club Blvd. Suite 450

City, State, & Zip: North Olmsted, Ohio 44070

Phone No: 1-800-600-SALT (7258) /Fax No: 888-739-8705

Bid Opening Date: Tuesday, June 2, 2009

LEGAL NOTICE NO. 09-6999-09

Sealed proposals will be received by the City of Middletown, Ohio, and the participating entities of Southwest Ohio Purchasers for Government (SWOP4G) in the Purchasing Office, second floor, City Building, One Donham Plaza, until 11:00 a.m., Tuesday, June 2, 2009, at which time such proposals will be publicly opened for the following item:

ROAD SALT

A certified check on a solvent bank, drawn and made payable to the Treasurer of the City of Middletown, Ohio, or a bid bond by a surety company licensed to do business in Ohio, in a sum not less than 5% of the total amount of the bid, as surety for the execution of the contract, shall accompany each proposal. The checks of all bidders will be returned upon the execution and securing of the contract.

The successful bidder will be required to execute the contract and to provide a 100% performance bond within ten (10) days after the award of the contract if so requested by the individual entities. In case the bidder neglects to so execute the contract, the check accompanying the proposal shall be forfeited to the City of Middletown, not as a penalty, but as liquidated damages.

Detailed specifications, proposal forms and instructions to vendors may be obtained in the Purchasing Office.

Cindy Strayer
Purchasing Agent

THE CITY OF MIDDLETOWN DOES NOT DISCRIMINATE ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, SEX, RELIGION, AGE AND HANDICAPPED STATUS IN EMPLOYMENT OR THE PROVISION OF SERVICES.

Publish: May 19, 2009
May 26, 2009

INFORMATION TO VENDORS

The intent of this bid is to establish a firm price agreement for the purchase of rock salt for the City of Middletown and the participating entities of the Southwest Ohio Purchasers for Government (SWOP4G).

The City of Middletown Purchasing Office has agreed to advertise and solicit bids for the joint purchase of rock salt to obtain the best possible price for all participants. The bid calls for delivered prices for the salt from origin to the individual entities.

The quantities listed on the attached sheets are estimated quantities for each entity. Actual deliveries may be more or less, as the entities require. The successful vendor must have the minimum quantities specified available for each entity, and must deliver to each entity the quantity called for during the contract period. Delivery and invoicing addresses for each entity are attached to this specification.

Each entity will issue a purchase order or letter of intent committing their estimated portion of this request for rock salt.

All sealed bids must be delivered to the City of Middletown Purchasing Office prior to the time specified in the bid request (**11:00 a.m., TUESDAY, JUNE 2, 2009**). No proposal may be withdrawn after it has been deposited with the Purchasing Agent of the City of Middletown. Proposal forms and specifications may be secured at the Purchasing Office, City Building, One Donham Plaza, Middletown, Ohio 45042.

All proposals must be made on the forms provided and must be in conformity with this notice. Proposals shall be returned with notice, proposal form and specifications intact. All proposals containing quotes not asked for or which are otherwise not in conformity with this notice, may be considered invalid and may be rejected. The right to reject any and all proposals is reserved by SWOP4G. Formalities may be waived at the option of the organization.

All bids will be opened and read publicly on the bid due date.

A certified check on a solvent bank, drawn and made payable to the Treasurer of the City of Middletown, Ohio, or a bid bond by a surety company licensed to do business in Ohio, in a sum not less than 5% of the total amount of the bid based on estimated tonnage for all entities, as surety for the execution of the contract, shall accompany each proposal. The checks of all bidders will be returned upon the execution of the contract.

Failure of vendor to furnish material complying with the specifications called for in this invitation to bid, or to comply with the terms of this invitation, may be justification to purchase the materials in the open market or to cancel the contract or applicable portions thereof, and award the portions canceled to another supplier. In the event either of the above procedures must be resorted to, the vendor shall be required to reimburse those participating for any expense incurred in excess of the contract price.

GENERAL CONDITIONS

1. The City Manager reserves the right to reject any or all bids, and unless otherwise specified by the bidder, to accept any item in the bid. In case of error in extending the total amount of the bid the unit prices the will govern.
2. Unless otherwise stated in the bid by the bidder, time, in connection with discount offered, will be computed from date of delivery of the supplies or services to carrier when final inspection and acceptance are at a point of origin, or from date of delivery and acceptance at destination when final inspection and acceptance are at this point, or from date correct bill or claim voucher properly certified by the contractor is received if the latter date is later than the date of delivery and acceptance.
3. In case of default by the bidder or contractor, the City of Middletown may procure the articles or services from other sources and hold the bidder or contractor responsible for any excess cost occasioned thereby.
4. Prices should be stated in units of quantity specified.
5. Prices quoted unless otherwise stated by bidder, will be considered as being based on delivery to destination as designated and to include any charges for packing, crating, containers, etc. and being in strict accordance with specifications as shown.
6. Wherever a reference is made in the specification or in describing the material, supplies or services required, of a particular trade name, manufacturers' catalog or model number, the bidder, if awarded a contract will be required to furnish the particular item referred to in strict accordance with the specifications or description unless a departure or substitution is clearly noted and described in the proposal by the bidder.
7. The bidder, if awarded an order or contract, agrees to protect, defend and save harmless the City against any demand for payment for use of any patented material, process, article or device, that may enter into the manufacture, construction, or form a part of the work covered by either order or contract; and he further agrees to indemnify and save harmless the City from suits or actions of every nature and description brought against it for, or on account of any injuries or damages received or sustained by any party or parties, by or from any of the acts of the contractor, his servants, or agents.
8. Samples, when requested, must be furnished free of expense prior to the opening of bids and, if not destroyed, will, upon request, be returned at the bidder's expense.

INSTRUCTIONS TO BIDDERS

1. Each bid must be signed by the bidder with his usual signature. Bids by partnerships must be signed with the partnership name by one of the members of the partnership, or by an authorized representative, followed by the signature and title of the person signing. Bids by corporations must be signed with the name of the corporation, followed by the signature of a person authorized to bind it in this matter.
2. Proposals, to receive consideration, must be received prior to the specified time of closing as designated in the invitation.
3. Envelopes must be sealed when submitted.
4. Separate proposals must be submitted on each reference number.
5. Proposals having any erasures or corrections thereon will be rejected unless explained or noted over the signature of the bidder.
6. Bidders may submit proposals on any one or group of items, provided, however, that the unit price is shown as requested.
7. References in the specification or in describing the material, supplies or services required, of a particular trade name, manufacturers' catalog or model number are made for descriptive purposes to guide the bidder in interpreting the type of material or supplies or nature of the work desired.

They should not be construed as excluding proposals on other types of materials and supplies or of performing the work in a manner other than specified.

However, the bidder's attention is called to paragraph six of the General Conditions as shown above, which must be strictly adhered to.

8. Proposals should be mailed or delivered to the City Purchasing Office, second floor, City Building, One Donham Plaza, Middletown, OH 45042.

CITY OF MIDDLETOWN
AFFIDAVIT FOR DELINQUENT PERSONAL PROPERTY TAX

Rosemary Schwarz, being first duly sworn says that he/she is the Customer Solutions Specialist

Cargill Incorporated-
of Deicing Technology Business Unit, which company is submitting a bid

to the City of Middletown for Road Salt

on May 28, 2009. (date)

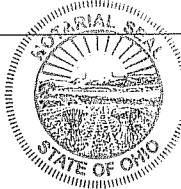
Affiant says that no personal property taxes are currently due to Butler/Warren County, Ohio, as of the date of said bid.

Rosemary Schwarz
(Signature)

SWORN TO AND SUBSCRIBED before me, a notary public, this 28th day of May, 2009.

Mary Ellen Kleiner
(Notary Public)

My Commission expires _____ MARY ELLEN KLEINER, 20____.



Notary Public
In and for the State of Ohio
My Commission Expires
12-13-2009

(ORC 5719.042)

CITY OF MIDDLETOWN
AFFIDAVIT

RELATIONSHIP TO CITY OFFICIALS OR EMPLOYEES TO BE SIGNED BY AN
OFFICER OF BIDDER

STATE OF OHIO

COUNTY OF Cuyahoga, ss

Rosemary Schwarz

Customer Solutions Specialist (name and title) being first duly sworn says

that he/she is related by blood or marriage to the following City of Middletown officials or
employees none known

(if none, write in "none")

Affiant further states that he/she knows of no person in his/her company who is related
by blood or marriage to any City of Middletown official or employee, except the following:

<u>Name of Company Person</u>	<u>Relationship</u>	<u>City Official or Employee</u>
<u>No Exceptions Known</u>	_____	_____
_____	_____	_____

(If none, write "no exception")

Further affiant saith not.

Rosemary Schwarz
(Signature)

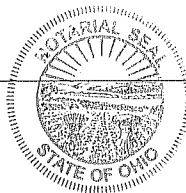
Customer Solutions Specialist/ Cargill Incorporated
(Title and Company Name)

24950 Country Club Blvd. Suite 450
(Address)
North Olmsted, Ohio 44070

SWORN TO AND SUBSCRIBED before me, a notary public, this 28th day of
May, 2009.

Mary Ellen Kleiner
(Notary Public)

My Commission expires _____



MARY ELLEN KLEINER
Notary Public

In and for the State of Ohio
My Commission Expires
12-13-2009

CERTIFICATION

ORC Section 3517.13 (I)(3) & (J) (3)

The undersigned hereby certifies that the entity entering into this contract with the City of Middletown is in compliance with ORC Section 3517.13 (I) (1) * or ORC 3517.13 (J) (1)*, whichever is applicable.

Cargill Incorporated Deicing Technology

Print Name of Business Business Unit

By: Rosemary Schwarz

Printed Name Rosemary Schwarz

Title: Customer Solutions Specialist

By: _____

Printed Name _____

Title: _____

Knowingly making a false statement on the certification is a felony of the fifth degree and the contract shall be rescinded. ORC Sections 3517.13 (A) (A) and 3517.992 (R) (3).

* These sections of the Ohio Revised Code deal with political contributions to members of City Council by individuals or business entities seeking to do business with the City of Middletown. Vendors should take adequate steps to be sure they are in compliance with these statutes prior to signing this certification.

This certification must be attached to all contracts involving the purchase of goods costing more than \$10,000.00 or services costing more than \$10,000.00.

DECLARATION OF MATERIAL ASSISTANCE

In compliance with the Ohio Department of Safety, Division of Ohio Homeland Security, all bidders must familiarize themselves, obtain and complete the Declaration Regarding Material Assistance/Nonassistance to a Terrorist Organization. This is in accordance with division (A)(2)(b) of section 2909.32 of the Ohio Revised Code.

The form can be found at the following website:

http://www.homelandsecurity.ohio.gov/PDF_files/DMA_vendor.pdf

STATE ISSUED LICENSE

In accordance with section 2909.32 (A)(2)(a) of the Ohio Revised Code

DECLARATION REGARDING MATERIAL ASSISTANCE/NONASSISTANCE TO A TERRORIST ORGANIZATION

This form serves as a declaration by an applicant for a license of material assistance/nonassistance to an organization on the U.S. Department of State Terrorist Exclusion List ("TEL"). Please see the Ohio Homeland Security Division Web site for a copy of the TEL.

Any answer of "yes" to any question, or the failure to answer "no" to any question on this declaration shall serve as a disclosure that material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List has been provided. Failure to disclose the provision of material assistance to such an organization or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree.

For the purposes of this declaration, "material support or resources" means currency, payment instruments, other financial securities, funds, transfer of funds, and financial services that are in excess of one hundred dollars, as well as communications, lodging, training, safe houses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials.

LAST NAME		FIRST NAME		MI
HOME ADDRESS				
CITY		STATE	ZIP	COUNTY
HOME PHONE ()		WORK PHONE ()		

COMPLETE THIS SECTION ONLY IF YOU ARE A COMPANY, BUSINESS OR ORGANIZATION

BUSINESS/ORGANIZATION NAME			PHONE	
Cargill Incorporated Deicing Technology Business Unit			(800) 600-7258	
BUSINESS ADDRESS				
24950 Country Club Blvd. Suite 450				
CITY		STATE	ZIP	COUNTY
North Olmsted		Ohio	44070	Cuyahoga
BUSINESS/ORGANIZATION REPRESENTATIVE NAME			TITLE	
Rosemary Schwarz			Customer Solutions Specialist	

DECLARATION

In accordance with section 2909.32 (A)(2)(b) of the Ohio Revised Code

For each question, indicate either "yes," or "no" in the space provided. Responses must be truthful to the best of your knowledge.

- Are you a member of an organization on the U.S. Department of State Terrorist Exclusion List? Yes No
- Have you used any position of prominence you have with any country to persuade others to support an organization on the U.S. Department of State Terrorist Exclusion List? Yes No
- Have you knowingly solicited funds or other things of value for an organization on the U.S. Department of State Terrorist Exclusion List? Yes No
- Have you solicited any individual for membership in an organization on the U.S. Department of State Terrorist Exclusion List? Yes No
- Have you committed an act that you know, or reasonably should have known, affords "material support or resources" to an organization on the U.S. Department of State Terrorist Exclusion List? Yes No
- Have you hired or compensated a person you knew to be a member of an organization on the U.S. Department of State Terrorist Exclusion List, or a person you knew to be engaged in planning, assisting, or carrying out an act of terrorism? Yes No

If an applicant's license is denied due to a positive indication on this form, the applicant may request the Ohio Department of Public Safety to review the denial. Please see the Ohio Homeland Security Web site for information on how to file a request for review.

CERTIFICATION

I hereby certify that the answers I have made to all of the questions on this declaration are true to the best of my knowledge. I understand that if this declaration is not completed in its entirety, it will not be processed and I will be automatically disqualified. I understand that I am responsible for the correctness of this declaration. I understand that failure to disclose the provision of material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List, or knowingly making false statements regarding material assistance to such an organization is a felony of the fifth degree. I understand that any answer of "yes" to any question, or the failure to answer "no" to any question on this declaration shall serve as a disclosure that material assistance to an organization identified on the U.S. Department of State Terrorist Exclusion List has been provided by myself or my organization. If I am signing this on behalf of a company, business or organization, I hereby acknowledge that I have the authority to make this certification on behalf of the company, business or organization referenced above.

X Rosemary Schwarz
APPLICANT SIGNATURE

May 28, 2009
DATE



Deicing Technology
24950 Country Club Blvd, Suite 450
North Olmsted OH 44070
Phone: 440-716-4692
Fax: 888-739-8705

May 28, 2009

Cargill agrees to provide a maximum of 120% over the tonnage listed for each entity, if awarded that point. Cargill may subsequently agree to supply additional tons of white salt on mutually agreeable terms. The maximum tonnage will be allotted for the participants listed on the bid at the time of the bid opening (and only be relative to those who award the business to Cargill). In no event shall Cargill be obligated to supply white salt in excess of 120% over the quantity listed for each entity nor fill orders once the tonnage has been met. Cargill does not agree to pay damages or penalties for failing to supply white salt in excess of the maximum tons.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Kleiner", written over a horizontal line.

Mary Kleiner
Central Region Team Leader

PROPOSAL FORM

Please provide a delivered price for the salt from origin to the individual entities. **FREIGHT IS TO BE INCLUDED.** Also list the stockpile and mine to be used for each location.

<u>Item</u>	<u>Quantity</u>	<u>Municipality</u>	<u>Delivered Dump Price Per Ton</u>	<u>Stockpile and mine Location</u>
1.	1,500T	Batavia Township	\$ <u>61.97</u>	<u>North Bend, OH/Avery Island,</u>
2.	600T	Bath Township	\$ <u>64.71</u>	<u>North Bend, OH/Avery Island, I</u>
3.	5,000T	Beavercreek, City of	\$ <u>63.16</u>	<u>North Bend, OH/Avery Island, I</u> <u>Camden, OH/Cleveland, OH</u>
4.	850T	Beavercreek Township	\$ <u>64.22</u>	<u>North Bend, OH/Avery Island, I</u>
5.	500T	Bellbrook, City of	\$ <u>64.71</u>	<u>North Bend, OH/Avery Island, I</u>
6.	400T	Bethel Township	\$ <u>65.60</u>	<u>Columbus, OH/Cleveland, OH</u>
7.	1,500T	Blendon Township	\$ <u>62.75</u>	<u>Columbus, OH/Cleveland, OH</u>
8.	2,000T	Butler Township	\$ <u>64.71</u>	<u>North Bend, OH/Avery Island, I</u> <u>Camden, OH/Cleveland, OH</u>
9.	75T	Cardington Village of	\$ <u>63.08</u>	<u>Cleveland, OH</u>
10.	2,000T	Centerville, City of	\$ <u>64.71</u>	<u>North Bend, OH/Avery Island, I</u> <u>Camden, OH/Cleveland, OH</u>
11.	200T	Central Ohio Transit Authority	\$ <u>64.59</u>	<u>Columbus, OH/Cleveland, OH</u>
12.	3,000T	Clayton, City of	\$ <u>61.50</u>	<u>North Bend, OH/Avery Island, I</u>
13.	1,500T	Clearcreek Township	\$ <u>64.74</u>	<u>North Bend, OH/Avery Island, I</u>
14.	10,000T	Clermont County Engineer's Office	\$ <u>57.50^{RS}</u>	<u>North Bend, OH/Avery Island, I</u>
15.	100T	Clinton Township	\$ <u>64.59</u>	<u>Columbus, OH/Cleveland, OH</u>
16.	1,200T	Columbus Regional Airport Authority	\$ <u>62.78</u>	<u>Columbus, OH/Cleveland, OH</u>
17.	1,250T	Concord Township	\$ <u>61.80</u>	<u>Cleveland, OH</u>
18.	300T	Dayton, Board of	\$ <u>65.19</u>	<u>North Bend, OH/Avery Island, I</u> <u>Camden, OH/Cleveland, OH</u>

Please Note:

9

Corrections on this proposal, which have been initialed, were simply typing errors.

Education

19.	2,500T	Deerfield Township	\$ <u>64.74</u>	North Bend, OH/Avery Island,
20.	2,000T	Delaware, City of	\$ <u>61.60</u>	Cleveland, OH
21.	1,200T	Englewood, City of	\$ <u>64.65</u>	North Bend, OH/Avery Island, L Camden, OH/Cleveland, OH
22.	200T	Enon, Village of	\$ <u>66.26</u>	Columbus, OH/Cleveland, OH
23.	1,000T	Evendale, Village of	\$ <u>59.80</u>	North Bend, OH/Avery Island,
24.	2,500T	Fairborn, City of	\$ <u>63.83</u>	North Bend, OH/Avery Island, L Camden, OH/Cleveland, OH
25.	150T	Farmersville, Village of	\$ <u>65.40</u>	North Bend, OH/Avery Island, L Camden, OH/Cleveland, OH
26.	3,500T	Franklin, City of	\$ <u>63.15</u>	North Bend, OH/Avery Island, L
27.	2,200T	Franklin Township, Warren County	\$ <u>66.02</u>	North Bend, OH/Avery Island, L
28.	1,600T	Genoa Township	\$ <u>62.33</u>	Cleveland, OH
29.	500T	German Township Road Department	\$ <u>65.09</u>	North Bend, OH/Avery Island, L Camden, OH/Cleveland, OH
30.	850T	Germantown, Village of	\$ <u>65.01</u>	North Bend, OH/Avery Island, L Camden, OH/Cleveland, OH
31.	500T	Goshen Township Road Dept.	\$ <u>61.86</u>	North Bend, OH/Avery Island, L
32.	100T	Greater Dayton RTA	\$ <u>65.67</u>	North Bend, OH/Avery Island, L Camden, OH/Cleveland, OH
33.	10,000T	Greene County Highway Dept.	\$ <u>63.57</u>	North Bend, OH/Avery Island, L
34.	1,000T	Groveport	\$ <u>62.94</u>	Columbus, OH/Cleveland, OH
35.	250T	Harlem Township	\$ <u>62.68</u>	Cleveland, OH
36.	1,200T	Harrison Township, Montgomery County	\$ <u>64.68</u>	North Bend, OH/Avery Island, L Camden, OH/Cleveland, OH
37.	3,000T	Hillard, City of	\$ <u>61.04</u>	Columbus, OH/Cleveland, OH
38.	3,000T	Huber Heights, City of	\$ <u>63.73</u>	North Bend, OH/Avery Island, L Camden, OH/Cleveland, OH

39.	3,500T	Indian Hill, Village of	\$ <u>59.80</u>	North Bend, OH/Avery Island, North Bend, OH/Avery Island, LA
40.	200T	Jackson Township Mont. County	\$ <u>65.20</u>	Camden, OH/Cleveland, OH
41.	600T	Jefferson Township Road Department	\$ <u>65.05</u>	North Bend, OH/Avery Island, LA Camden, OH/Cleveland, OH
42.	4,500T	Kettering, City of	\$ <u>63.25</u>	North Bend, OH/Avery Island, LA Camden, OH/Cleveland, OH
43.	3,000T	Lebanon, City of	\$ <u>64.55</u>	North Bend, OH/Avery Island, LA
44.	500T	Mad River Township, Clark County	\$ <u>64.32</u>	Columbus, OH/Cleveland, OH
45.	5,500T	Mason, City of	\$ <u>64.74</u> ^{RS}	North Bend, OH/Avery Island,
46.	4,500T	Miami County Engineer	\$ <u>64.45</u>	Columbus, OH/Cleveland, OH
47.	2,500T	Miami Township, Clermont County	\$ <u>58.40</u>	North Bend, OH/Avery Island, LA
48.	3,500T	Miami Township, Montgomery Cty.	\$ <u>63.60</u>	North Bend, OH/Avery Island, LA Camden, OH/Cleveland, OH
49.	3,500T	Miamisburg, City of	\$ <u>63.60</u>	North Bend, OH/Avery Island, LA Camden, OH/Cleveland, OH
50.	4,500T	Middletown, City of	\$ <u>59.43</u>	North Bend, OH/Avery Island, LA
51.	750T	Milford, City of	\$ <u>63.05</u>	North Bend, OH/Avery Island, LA
52.	1,800T	Monroe, City of	\$ <u>59.25</u>	North Bend, OH/Avery Island, LA
53.	13,000T	Montgomery County Engineer	\$ <u>63.00</u>	North Bend, OH/Avery Island, LA Camden, OH/Cleveland, OH
54.	1,500T	Moraine, City of	\$ <u>64.60</u>	North Bend, OH/Avery Island, LA Camden, OH/Cleveland, OH
55.	200T	Mt. Gilead, Village of	\$ <u>62.97</u>	Cleveland, OH
56.	200T	New Carlisle, City of	\$ <u>67.60</u>	Columbus, OH/Cleveland, OH
57.	200T	Northridge Schools	\$ <u>65.20</u>	North Bend, OH/Avery Island, LA Camden, OH/Cleveland, OH
58.	1,200T	Oakwood, City of	\$ <u>64.72</u>	North Bend, OH/Avery Island, LA Camden, OH/Cleveland, OH

Please Note:

Corrections on this proposal, which have been initialed, were simply typing errors.

59.	1,500T	Obetz, Village of	\$ <u>62.78</u>	<u>Columbus, OH/Cleveland, OH</u>
60.	1,400T	Orange Township	\$ <u>62.43</u>	<u>Cleveland, OH</u>
61.	700T	Pataskala, City of	\$ <u>62.71</u>	<u>Cleveland, OH</u>
62.	1,200T	Pierce Twp	\$ <u>62.69</u>	North Bend, OH/Avery Island,
63.	2,000T	Piqua, City of	\$ <u>61.78</u>	^{RS} <u>Columbus, OH/Cleveland, OH</u>
64.	1,500T	Powell, Village of	\$ <u>62.33</u>	<u>Cleveland, OH</u>
65.	2,000T	Reynoldsburg, City of	\$ <u>61.59</u>	<u>Columbus, OH/Cleveland, OH</u>
66.	200T	Rickenbacker Int'l Airport	\$ <u>64.59</u>	<u>Columbus, OH/Cleveland, OH</u>
67.	3,000T	Riverside, City of	\$ <u>63.68</u>	North Bend, OH/Avery Island, L <u>Camden, OH/Cleveland, OH</u>
68.	300T	Sharonville, City of	\$ <u>63.81</u>	<u>North Bend, OH/Avery Island, I</u>
69.	1,600T	Sidney, City of	\$ <u>65.72</u>	<u>Columbus, OH/Cleveland, OH</u>
70.	1,800T	Springboro, City of	\$ <u>68.72</u>	<u>North Bend, OH/Avery Island, I</u>
71.	1,500T	St. Bernard, City of	\$ <u>62.83</u>	<u>North Bend, OH/Avery Island, I</u>
72.	1,200T	Sugarcreek Township	\$ <u>64.55</u>	<u>North Bend, OH/Avery Island, I</u>
73.	800T	Tipp City, City of	\$ <u>64.83</u>	<u>Columbus, OH/Cleveland, OH</u>
74.	1,000T	Troy, City of	\$ <u>64.70</u>	<u>Columbus, OH/Cleveland, OH</u> <u>North Bend, OH/Avery Island, L</u>
75.	400T	Union, City of	\$ <u>65.17</u>	<u>Camden, OH/Cleveland, OH</u>
76.	2,000T	Union Township	\$ <u>59.40</u>	<u>North Bend, OH/Avery Island, I</u>
77.	700T	Urbana, City of	\$ <u>65.28</u>	<u>Columbus, OH/Cleveland, OH</u>
78.	2,500T	Vandalia, City of	\$ <u>63.11</u>	<u>North Bend, OH/Avery Island, L</u> <u>Camden, OH/Cleveland, OH</u>
79.	250T	Versailles, Village of	\$ <u>69.72</u>	<u>Columbus, OH/Cleveland, OH</u>
80.	3,500T	Washington Twp., Montgomery County	\$ <u>63.87</u>	<u>North Bend, OH/Avery Island, LA</u> <u>Camden, OH/Cleveland, OH</u>

Please Note:

12

Corrections on this proposal, which have been initialed, were simply typing errors.

81.	1,800T	West Carrollton, City of	\$ <u>64.50</u>	North Bend, OH/Avery Island, LA Camden, OH/Cleveland, OH
82.	300T	West Milton, City of	\$ <u>64.99</u>	Columbus, OH/Cleveland, OH
83.	2,000T	Whitehall, City of	\$ <u>61.50</u>	Columbus, OH/Cleveland, OH
84.	100T	Williamsburg Township	\$ <u>63.45</u>	North Bend, OH/Avery Island, I
85.	1,500T	Worthington, City of	\$ <u>61.90</u>	Columbus, OH/Cleveland, OH
86.	1,000T	Xenia, City of	\$ <u>63.68</u>	North Bend, OH/Avery Island, LA Camden, OH/Cleveland, OH

Piling Charge Per Ton (all locations) \$ 3.50^{RS} /ton minimum 200 tons/order.

Performance Bond: Cost per \$1,000 \$ 0.00 /\$1,000

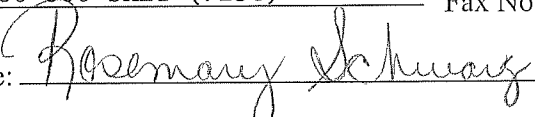
Terms: Net 30 Days Date: May 28, 2009

Company Name: Cargill Incorporated Deicing Technology Business Unit

Address: 24950 Country Club Blvd. Suite 450

City State & Zip Code: North Olmsted, Ohio 44070

Telephone No. 1-800-600-SALT (7258) Fax No. 1-888-739-8705

Authorized Signature: 

Contact Person for Orders: Rosemary Schwarz

Email Address: Rosemary_Schwarz@cargill.com

Please Note:
Corrections on this proposal, which have been initialed, were simply typing errors.

CITY OF MIDDLETOWN
ROCK SALT
GENERAL SPECIFICATIONS

1.0 SCOPE

For furnishing during the period of the contract, the commodity listed herein, as required by participating entities and divisions from time to time.

2.0 PRICE AGREEMENT

Bid price shall remain firm during the term of the contract.

3.0 PERFORMANCE BOND

Each individual entity may, at its option, require a 100% performance bond for the total tonnage required by that entity. The cost of the performance bond will be added to the price of the salt, and will be considered in the award determination. The cost of the performance bond must be listed on the proposal page.

4.0 DELIVERY

The material shall be delivered as required to the participating entities at the addresses listed on the attached listing of delivery and invoicing addresses.

A blanket purchase order or letter of intent will be issued by each entity. Releases will be made off these blanket purchase orders or letters as required.

Vendor will be required to start delivery to storage facility within 48 hours of initial order and have entire order delivered within 96 hours. Delivery must be made between the hours of 8:00 a.m. and 3:30 p.m., Monday through Friday. Delivery at other times will be allowed only with prior approval of the authorizing entity.

5.0 CONTRACT PERIOD

The Southwest Ohio Purchasers for Government is interested in a contract from August 1, 2009 through July 31, 2010.

6.0 INVOICING

Invoices shall be sent directly to each entity. Invoicing addresses are on the attached listing.

7.0 AWARD

Prices should be bid in the units requested. The City reserves the right to reject any or all bids. A representative of SWOP4G reserves the right to determine what is or is not in the best interests of the entities.

8.0 AWARDING CRITERIA

In making an award, each participating entity will evaluate the bids received and will issue its own purchase order or letter of intent based upon the lowest and best bid to that entity. Consideration will also be given to the factors listed below, as well as other factors, which are considered pertinent.

- 1) Past experience of municipalities with the vendors.
- 2) Total delivered net price.
- 3) Delivery time.
- 4) Compliance with specifications.

9.0 BIDDER QUALIFICATIONS

Bidder must include with the bid a statement detailing how long the company has been in the business of supplying highway rock salt to public entities. References may be required during the evaluation process. Bidders may be requested to provide a listing of public accounts where a minimum of 1,000 Tons of highway rock salt was delivered.

10.0 REQUIREMENTS AND DATA

Estimates are for a twelve (12) month period and are on a "more or less" basis. Actual orders may be more or less than estimated.

Estimates indicated will be used solely for the purpose of making a tabulation of bids.

11.0 DEFAULT STATUS

Any entity that has placed a vendor in default with the entity will not be required to place an order with that vendor until the default status has been lifted.

12.0 ADDITIONAL PARTICIPATION

Other SWOP4G entities may wish to participate in this bid. Please indicate if this participation will be permitted.

Yes X* No _____ If "yes", SWOP4G must give prior approval.

*Cargill will consider additional entity participation on a case by case basis.

13.0 SUBMISSION OF BIDS

All bids must be received in the Middletown Purchasing Office, no later than 11:00 a.m., Tuesday, June 2, 2009. Envelopes must be clearly marked, "**Highway Rock Salt, Bid No. 09-6999-09**". Bidders should take caution if U.S. Mails or other carriers are to be used for submission of bids. Mailing should be made in sufficient time for bids to arrive at the City Purchasing Office prior to the time and date specified above.

13.0 CONTACT PERSON

Please provide name and telephone number of contact person:

Name: Rosemary Schwarz Phone No: -800-600-SALT (7258)

14.0 ADDITIONAL INFORMATION

Additional information needed in the preparation of the bid package may be obtained by contacting Lisa Koppin, Montgomery County Purchasing, 937/225-6484, or by e-mail at koppinl@mcoho.org.

TECHNICAL SPECIFICATIONS
SODIUM CHLORIDE (ROCK SALT)

All trucks and stockpiles other than mine location, shall be adequately covered to assure that the sodium chloride will be delivered in a free flowing, usable condition.

Bidders shall list below the location of all mines from which rock salt will be taken to fulfill this contract:

Cleveland, Ohio

Avery Island, LA

Bidder shall also list below the working capacity of each stockpile to be used:

Cleveland, Ohio 800,000 tons

Columbus, Ohio 150,000 tons

North Bend, Ohio 150,000 tons

Camden, Ohio 25,000 tons

The City of Middletown and participating entities reserve the right to spot check truck and/or trailer loads at point of delivery, for weight confirmation to that shown on weight slip or invoice (including tare weight if deemed advisable). Upon direction by authorized personnel, truck shall proceed to the nearest independent scale for such weight determination.

Salt containing free water, foreign matter, or lumps will be rejected at point of delivery. Salt must be "Free-Flowing," be in such graduation to be blown, and shall meet Ohio State Highway Department Specifications, Section 712.03. Sufficient non-caking additive shall be incorporated in the delivered material in order to prevent caking under normal outdoor storage conditions.

Where there is evidence of moisture in excess of 2.00%, a composite sample of salt shall be taken from the truck and tested for moisture content.

Sodium Chloride shall be of fresh stock. Reclaimed salt will not be accepted. Grade shall be "Course Crystal" as required. Screening shall conform to the following size requirements:

<u>U.S. Screen Size</u>		<u>"CC" Scale</u>
3/8"	% Passing	100
#4	% Passing	70 Max
#8	% Passing	20 Max.
#12	% Passing	5 Max.

Tests of rock salt delivered under the contract may be made from time to time and any which does not conform to the specifications will be returned to the contractor at his expense. If the vendor cannot supply salt meeting these specifications in a reasonable period of time, the entity will purchase the salt elsewhere on the open market and charge the vendor in non-compliance for the difference in price.

Salt shall be delivered as needed in motor transport loads. All salt deliveries shall be made as agreed upon by each entity with the successful vendor. Salt shall not be unloaded on the ground or outside of a salt shed without specific permission. Twenty-four (24) hour notice of delivery must be made to dispatcher or contact person at telephone number listed on attached listing.

All deliveries of sodium chloride shall include:

- 1) Adequate equipment to stock salt, such as conveyor, blower, slinger, etc., as needed for the particular installations utilized at the delivery destination.
- 2) If the type of unloader or the maximum height to be unloaded is unknown it will be the responsibility of the vendor to contact those participating for the information.

A deduction equal to that assessed when unloading equipment is used will be deducted from invoice when said equipment is requested by the entity, but not used in the placement of sodium chloride.

Vendors will be responsible for any damage caused to equipment due to foreign materials in the salt. Vendors will also be responsible for any damage to salt storage building resulting from the improper piling of salt, and or caked salt (including equipment and labor costs).

Salt Delivery and Invoicing Addresses for 2009-2020 Salt Season

No.	Entity	Contact Name	Contact Telephone	Contact Fax No.	Delivery Addresses	Invoicing Addresses	Est. Tons
1	Batavia Township	Ken Embry	513/732-3888 513/615-6719-cell	513/732-1363	2401 Old State Route 32 Batavia, OH 45103	1535 Clough Pike Batavia, OH 45103	1500
2	Bath Township Greene County	Bennie Jenkins Road Supt.	937/878-9481 937/572-8231-cell	937/878-9081	1018 Yellow Springs-Fairfield Rd. Fairborn, OH 45324	1006 Yellow Springs-Fairfield Rd. Fairborn, OH 45324	600
3	Beavercreek, City of	Karen Hamilton	937/427-5511 ext. 347	937/427-5544	2260 Dayton-Xenia Road. Beavercreek, OH 45432	1368 Research park Dr. Beavercreek, OH 45432	5000
4	Beavercreek Township	Tim Parks	937/603-1371	937/427-6576	1981 Dayton-Xenia Road Beavercreek, OH 45434	1981 Dayton-Xenia Road Beavercreek, OH 45434	850
5	Bellbrook, City of	Dale Wilson	937/848-8415	937/848-5197	29 N. West St. Bellbrook, OH 45305	P. O. Box 285 Bellbrook, OH 45305	500
6	Bethel Township Clark County	Tim King	937/845-1341	937/845-9313	Bethel Township Garage 11300 W. National Rd. New Carlisle, OH 45344	Bethel Township, Clark County P O Box 225 New Carlisle, OH 45344	400
7	Blendon Township	John Giamarco Service Director	614/882-2673 614/738-2673-cell	614/794-4243	6360 Hempstead Rd. Westerville, OH 43081	6360 Hempstead Rd. Westerville, OH 43081	1500
8	Butler Township Service Dept.	Doug Brunk P. Works Director	937/890-1218	937/890-8123	3710 W. National Rd. Dayton, OH 45414	8524 N. Dixie Dr. Dayton, OH 45414	2000
9	Cardington, Village of	Dan Railey / Kathy Belcher	419/864-7607	419/864-0536	150 North Marion Street Cardington, OH 43315	PO Box 10 Cardington OH, 43315	75
10	Centerville, City of	Marty Tackett	937/428-4725	937/433-0286	7970 S. Suburban Rd. Centerville, OH 45458	7970 S. Suburban Rd. Centerville, OH 45458	2000
11	Central Ohio Transit Authority	Bonny Rickerson CPPB Purchasing Agent	614/275-5875	614/275-5892	1820 E. 25 th Ave Columbus, OH 43211	1600 McKinley Ave. Columbus, OH 43222	200
12	Clayton, City of	Jeff Sexton	937/836-3500 937-603-3042-cel	937/836-6773	200 Woolery Lane Dayton, OH 45415	P. O. Box 280 Clayton, OH 45315-0280	3000
13	Clearcreek Township	Dennis Pickett	937/748-1267	937/748-3252	7593 Bunnell Hill Road Springboro, OH 45066	7593 Bunnell Hill Rd. Springboro, OH 45066	1500

Salt Delivery and Invoicing Addresses for 2009-2020 Salt Season

No.	Entity	Contact Name	Contact Telephone	Contact Fax No.	Delivery Addresses	Invoicing Addresses	Est. Tons
14	Clermont County Engineer's Office	Todd Slone	513/732-8090	513/732-8055	1. 8000T to 4009 Filager Rd. Batavia, OH 45103 2. 3000T to 5900 McPicken Dr., Milford, OH 45140 (Miami Twp) 3. 3000T to Buchanan House 2460 State Rt. 743, Moscow, OH 45153 (Washington Twp.)	Clermont County Engineer's Office 2381 Clermont Center Drive Batavia, OH 45103-1959	10,000
15	Clinton Township	Jack Wilson	614/471-6854	614/476-9700	3820 Cleveland Ave. Columbus, OH 43224	3820 Cleveland Ave. Columbus, OH 43224	100
16	Columbus Regional Airport Authority (CMH)	Marc Sethna	614/429-4021	614/491-2242	4605 Brodeway Ave. Columbus, OH 43219	Columbus Regional Airport Authority Accounts Payable 4600 International Gateway Columbus, OH 43219	1200
17	Concord Township	David Leitch	740/881-5491	740/881-5823	7860 Dublin Road Delaware, OH 43061	6106 Dublin Road Delaware OH 43015	1,250
18	Dayton Board of Education	Mark Pierson	937/776-7782	937/542-3781	2003 N. James McGee Blvd. Dayton, OH 45427	Nita Williams 4280 James H. McGee Blvd. Dayton, OH 45427	300
19	Deerfield Township	Jim Houston	513/678-7143-cell	513/683-2181	3378 Townsley Dr. Loveland, OH 45140	4900 Parkway Dr. Ste. 150 Mason, OH 45040	2500
20	Delaware, City of	Charles E. Dukes	740/203-1801 740/272-7175-cell	740/203-1899	241 Cherry St. Delaware, OH 43015	1 South Sandusky St. Delaware, OH 43015	2000
21	Englewood, City of	Nancy Rivkin	937/836-5106, x402	937/836/1732	1111 Union Blvd. Englewood, OH 45322	333 W. National Rd. Englewood, OH 45322	1200
22	Enon, Village of	Kristy Thome	937/864-7870	937/864-5644	101 N. Scott St. Enon, OH 45323 (Behind Vet. Clinic)	P. O. Box 232 Enon, OH 45323 Attn: Timothy Howard	200
23	Evendale, Village of	Jim Bothe	513/317-2555	513/956-2690	2745 Glendale-Milford Rd. Evendale, OH 45241	10500 Reading Road Evendale, Ohio 45241	1000
24	Fairborn, City of	Dennis Whitt	937/754-3098	937/754-3115	51 Erie Avenue Fairborn, OH 45324	44 W. Hebble Ave. Fairborn, OH 45324	2500

Salt Delivery and Invoicing Addresses for 2009-2020 Salt Season

No.	Entity	Contact Name	Contact Telephone	Contact Fax No.	Delivery Addresses	Invoicing Addresses	Est. Tons
25	Farmersville, Village of	Tom Sears	937/696-2020	937/696-2996	44 Maple Street Farmersville, OH 45325	44 Maple Street Farmersville, OH 45325	150
26	Franklin, City of	Sonny Lewis	937/746-5001	937/746-2107	202 Baxter Drive Franklin, Ohio 45005	202 Baxter Drive Franklin, Ohio 45005	3500
27	Franklin Township, Warren County	Helen Campbell	937/746-2852	937/743-7761	(1) Bin #1 458 Fairview Dr. Carlisle, OH 45005 (2) Bin #2 - 474 Fairview Dr. Carlisle, OH 45005	Franklin Township P. O. Box 364 Franklin, OH 45005	2,200
28	Genoa Township, Delaware County	Bob Mathews	614/568-2080	614/895-1255	7049 Big Walnut Rd. Galena, OH 43021	5111 South Old 3C Highway Westerville, OH 43082	1600
29	German Township Road Dept.	Jeremy Holbrook	937/855-7881	937/855-4897	12102 St. Rt. 725 W Germantown, OH 45327	12102 St. Rt. 725 W Germantown, OH 45327	500
30	Germantown, Village of	Dennis Wasson Street Dept.	937/855-6050 937/313-1751- cell	937/855-3215	148 S. Water St. Germantown, OH 45327	75 N. Walnut St. Germantown, OH 45327	850
31	Goshen Township Service Dept.	Lou Clemons Service Director	513/722-3400 513/267-7107- cell	513/722-3100	6759 Wood Street Goshen, OH 45122	6757 Goshen Rd. Goshen, OH 45122	500
32	Greater Dayton RTA	Joy DesLauriers- Davis	937/425-8610	937/425-8677	1071 East Monument Ave. Dayton, OH 45402	Greater Dayton RTA PO Box 1301 Dayton, OH 45401-1301	100
33	Greene County Highway Dept.	Colin Lamb	937/562-7514	937/562-7510	615 Dayton-Xenia Rd. Xenia, OH 45385	615 Dayton-Xenia Rd Xenia, OH 45385	10,000
34	Groveport, Village of	Dennis Moore	614/836-3910	614/836-4963	7400 Groveport Rd Groveport, OH 43125	7400 Groveport Rd Groveport, OH 43125	1000
35	Harlem Township	Bart Walker	740/272-3983- cell	740/965-1310	3784 S. St. Rte 605 Galena, OH 43021	3883 S. St. Rte 605 Galena, OH 43021	250
36	Harrison Township Montgomery County	Dave Whitehair	937/274-6871	937/274-9157	2409 Rector Ave. Dayton, OH 45414	2409 Rector Ave. Dayton, OH 45414	1200
37	Hilliard, City of	Ronald W. Cottrill	614/334-2341	614/334-1183	3770 Municipal Way Hilliard, Ohio 43026	3800 Municipal Way Hilliard, Ohio 43026	3000
38	Huber Heights, City of	Luke Swift	937/233-1562	937/233-4279	7020 Brandt Pike Huber Heights, OH 45424	7020 Brandt Pike Huber Heights, OH 45424	3000
39	Indian Hill, Village of	John Davis Marty Chadwell	513/831-3712	513/831-3897	7100 Glendale-Milford Rd. Milford, OH 45150	6525 Drake Rd. Cincinnati, OH 45243	3500
40	Jackson Township - Montgomery Co.	Randy Lake	937/696-3027 937/313-1243	937/696-7021	316 W. Walnut St. Farmersville, OH 45325	Attn: Clerk 49 E. Walnut St. Farmersville, OH 45325	200

Salt Delivery and Invoicing Addresses for 2009-2020 Salt Season

No.	Entity	Contact Name	Contact Telephone	Contact Fax No.	Delivery Addresses	Invoicing Addresses	Est. Tons
41	Jefferson Township Road Dept.	Craig Howell Rd Superintendent	937/262-3591 ext. 207 937/603-8363	937/262-3599	1495 S. Union Rd. Dayton, OH 45427	One Business Park Drive Dayton, OH 45427	600
42	Kettering, City of	David Miller Debbie Rigg	937/296-2472	937/296-3245	2800 Acorn Drive Kettering, OH 45419	2800 Acorn Drive Kettering, OH 45419	4500
43	Lebanon, City of	Dan Wilson Public Works	513/617-0209 – cell	513/932-2493	513 N. Broadway Lebanon, OH 45036	50 S. Broadway Lebanon, OH 45036	3000
44	Mad River Township, Clark County	Don O'Connor	937/605-1922	937/864-1798	260 E. Main St. (rear of Firehouse) Enon, OH 45323	Box 34 Enon, OH 45323	500
45	Mason, City of	David Riggs	513/229-8580	513/229-8581	3487 Mason-Morrow-Milgrove Rd., Mason, OH 45040	4211 St. Rt. 741 Mason, OH 45040	5500
46	Miami County Engineer	Doug Christian or Anita Hass	937/440/5656	937/440-5659	2100 N County Rd. 25-A Troy, OH 45373	Miami County Engineer 2100 N County Rd. 25-A Troy, OH 45373	4500
47	Miami Township Clermont County	Mike Mantel	513/659-4664	513/248-5864	5900 McPicken Dr. Milford, OH 45150	5900 McPicken Dr. Milford, OH 45150	2500
48	Miami Twp. Service Dept. Montgomery County	Ron Robinson	937/866-4661	937/859-3537	8580 Miamisburg-Springboro Rd. Miamisburg, OH 45342	8580 Miamisburg-Springboro Rd. Miamisburg, OH 45342	3500
49	Miamisburg, City of	Tim Young	937/847-6690	937/847-6634	Municipal Service Center 600 N. Main St. Miamisburg, OH 45342	Municipal Service Center 600 N. Main St. Miamisburg, OH 45342	3500
50	Middletown, City of	Lynwood Milton	513/464-1248	513/425-1877	Municipal Garage 400 N. Main St. Middletown, OH 45042	Street Dept. 400 N. Main St. Middletown, OH 45042	4500
51	Milford, City of	Michael Haight	513/615-9562	513/248-5096	50 Bay Road Milford, OH 45150	745 Center Street Milford, OH 45150	750
52	Monroe, City of	Gary Morton	513/727-8953	513/422-7146	City Garage 1000 Holman Ave. (Service Bldg.) Monroe, OH 45050	P. O. Box 330 Monroe, OH 45050	1800
53	Montgomery County Engineer	Ben Sievers	937/837-2528	937/854-3413	(1) 5625 Little Richmond Rd. Dayton, OH 45426 (2) 2759 Diamond Mill Rd. New Lebanon, OH 45345	451 W. Third St. Room 800 Dayton, OH 45422	13,000

Salt Delivery and Invoicing Addresses for 2009-2020 Salt Season

No.	Entity	Contact Name	Contact Telephone	Contact Fax No.	Delivery Addresses	Invoicing Addresses	Est. Tons
					(3) 2673 Austin Rd. Dayton, OH 45458 (4) 700 Arlington Road Brookville, OH 45309 (5) Butler Twp., 3710 W. National Rd., Dayton, OH 45414		
54	Moraine, City of	Doug Quillen	937/535-1041	937/535-1319	Street Dept. 4720 Vance Rd. Moraine, OH 45439	Street Dept. 4200 Dryden Rd. Moraine, OH 45439	1500
55	Mount Gilead, Village of	Bill Swain, Service Coordinator	419/946-1931	419/946-8111	273 South Street Mt. Gilead, Ohio 43338	72 West High Street Mt. Gilead, Ohio 43338	200
56	New Carlisle, City of	Ron Wright	937/845-3058	937/845-2338	803 W. Jefferson St. New Carlisle, OH 45344	331 South Church St. New Carlisle, OH 45344	200
57	Northridge Local Schools	Brian Lairson	937/278-5885	937/276-8351	4397 Payne Ave Dayton, OH 45414	2011 Timber Lane Dayton, OH 45414	200
58	Oakwood, City of	Jeff Rittenhouse	937/298-0777	937/297-2919	210 Shafor Blvd. Dayton, OH 45419	Accounts Payable 30 Park Avenue Dayton, OH 45419	1200
59	Obetz, Village of	Bob Parsley	614/491-7656	614/491-7507	4100 Orchard Lane Obetz, OH 43207	4175 Alum Creek Dr. Obetz, OH 43207	1500
60	Orange Township	Dick Ray	614/348-5716- cell	740/548-0556	7307 S. Old State Rd. Lewis Center, OH 43035	1680 E. Orange Rd. Lewis Center, OH 43035	1400
61	Pataskala, City of	Benjamin King	740/927-0145	740/927-0228	(1) 9560 Creek Road Pataskala, OH 43062 (2) 5840 Mink Street Pataskala, OH 43062	621 W. Broad Street Pataskala, OH 43062	700
62	Pierce Township	Daryl Berry	513/947-2021	513/752-8981	950 Locust Corner Rd. Cincinnati, OH 45245	Attn: Fiscal Office 950 Locust Corner Rd. Cincinnati, OH 45245	1200
63	Piqua, City of	Doug Harter	937/778-2095	937/778-2092	Street Dept. 859 S. Main St. Piqua, OH 45356	Accts. Payable 201 W. Water St. Piqua, OH 45356	2000

Salt Delivery and Invoicing Addresses for 2009-2020 Salt Season

No.	Entity	Contact Name	Contact Telephone	Contact Fax No.	Delivery Addresses	Invoicing Addresses	Est. Tons
64	Powell, City of	Steve Underwood	614/348-5954	614/885-5380	260 Village Park Dr. Powell, OH 43065	47 Hall St. Powell, OH 43065	1500
65	Reynoldsburg, City	Larry Ward	614/322-5800	614/575-4579	7806 E. Main St. Reynoldsburg, OH 43068	7806 E. Main St. Reynoldsburg, OH 43068	2000
66	Rickenbacker (LCK) International Airport	Mike Gloyd	614/492-2425	614/491-2100	2058 Club Road Columbus, OH 43127	4600 International Gateway Columbus, OH 43219	200
67	Riverside, City of	Mitch Miller	937/237-5956	937/237-5966	1791 Harshman Rd. Riverside, OH 45424	1791 Harshman Rd. Riverside, OH 45424	3000
68	Sharonville, City of	Herb Banyea	513/563-1177	513/588-3923	10900 Reading Rd. Sharonville, OH 45241	10900 Reading Rd. Sharonville, OH 45241	300
69	Sidney, City of	Marty Keifer	937/498-8153	937/498-8150	415 S. Van DeMark Rd. Sidney, OH 45365	Street Dept. 201 W. Poplar St. Sidney, OH 45365	1600
70	Springboro, City of	Ken Smith	937/748-0020	937/748-3216	220 E. Mill St. Springboro, OH 45066	320 W. Central Ave. Springboro, OH 45066	1800
71	St Bernard, City of	Phil Stegman	513/242-7770	513/691-1840	20 Oak St St Bernard, OH 45217	110 Washington Ave St. Bernard, OH 45217	1500
72	Sugar Creek Township Service Dept.	Tracey Messer	937/848-2330	937/848-7060	2090 Ferry Rd. Bellbrook, OH 45305-2003	2090 Ferry Road Bellbrook, OH 45305	1200
73	Tipp City, City of	Bob Steggemann Street Supt.	937/667-8234	937/667-2231	312 Park Avenue Tipp City, OH 45371	Attn: Bob Steggemann 260 S. Garber Dr. Tipp City, OH 45371	800
74	Troy, City of	M. Scott Walter Jerry Mullins	937/335-1914 937/875-2571- cell	937/339-0006	1400 Experiment Farm Rd. Troy, OH 45373	1400 Experiment Farm Rd Troy, OH 45373	1000
75	Union, City of	John P. Applegate	937/836-8624	937/836-1240	216 Shaw Rd. (service barn) Union, OH 45322	118 North Main Street Union, OH 45322	400
76	Union Township, Clermont County	Matt Taylor	513/753-2221 513/276-2070	513-753-2690	(1) Clepper Park, 4722 Summerside Rd., Cincinnati, Ohio 45245 (1500 T) (2) UTSD, 4312 GlenEste- Withamsville Rd., Cincinnati, Ohio 45245 (500T)	4312 GlenEste-Withamsville Rd. Cincinnati, OH 45245	2000

Salt Delivery and Invoicing Addresses for 2009-2020 Salt Season

No.	Entity	Contact Name	Contact Telephone	Contact Fax No.	Delivery Addresses	Invoicing Addresses	Est. Tons
77	Urbana, City of	Colin Stein	937/652-4334	937/652-5117	Salt Bin 416 Taft Ave. Urbana, OH 43078	Finance Division 205 S. Main St. P.O. Box 747 Urbana, OH 43078	700
78	Vandalia, City of	Connie Fagg or Steve Nickels	937/415-2349	937/415-2394	97 Clubhouse Way Vandalia, OH 45377	333 Bohanan Drive. Vandalia, OH 45377	2500
79	Versailles, Village	Dane A. Nagel	937/526-3294	937/526-4476	300 Grande Ave Versailles, OH 45380	177 N. Center St. Versailles, OH 45380	250
80	Washington Township Mont. Cnty.	Mike Wanamaker	937/433-0151	937/438-2742	8190 S. McEwen Rd. Dayton, OH 45458	8190 S. McEwen Rd. Dayton, OH 45458	3500
81	West Carrollton, City of	Eric Bair Street Supt.	937/847-6075	937/859-3366	Street Dept. 250 N. Miami Ave. West Carrollton, OH 45449	300 E. Central Ave. West Carrollton, OH 45449	1800
82	West Milton, Municipality of	Ben Herron	937/698-1500 Ext. 116	937/698-3900	125 N. Jefferson St. West Milton, OH 45383	701 S. Miami St. West Milton, OH 45383	300
83	Whitehall, City of	Bob Grimm	614/205-7264- cell	614/338-3119	Garage Facility 4605 Poth Road Whitehall, OH 43213	Service Dept. 360 S. Yearling Road Whitehall, OH 43213	2000
84	Williamsburg Township	Bari Henning	513/724-2994	513/724-0200	Maintenance Building N. 8 th Street Williamsburg, OH 45176	PO Box 499 Williamsburg, OH 45176	100
85	Worthington, City of	Tom Gilkey	614/431-2425	614/785-1885	380 Highland Ave. Worthington, OH 43085	6550 N. High Street Worthington, OH 43085	1500
86	Xenia, City of	Ed Quinlan	937/376-7261	937/372-8151	966 Towler Rd., Xenia, OH 45385	101 N. Detroit St. Xenia, OH 45385	1000
	Grand Total in Tons						162,125

CARGILL INCORPORATED DEICING TECHNOLOGY

CUSTOMER REFERENCES

CITY OF CLEVELAND, OHIO

Tom Simmonds, Asst. Commissioner
601 Lakeside City Hall, R25
Cleveland, OH 44114
Phone: 216-664-2150

CITY OF INDIANAPOLIS, INDIANA

Jason Buchanan, Buyer
200 East Washington St.
Indianapolis, IN 46204
Phone: 317-327-3577

STATE OF OHIO

Jim Schurch, Purchasing Coordinator
1980 West Broad St. 1st Floor
Columbus, OH 43223
Phone: 614-644-7880

STATE OF MICHIGAN

Seleana Samuel, Purchasing
Office of Purchasing, Mason Bldg.
530 west Allegan St.
Lansing, MI 48933
Phone: 517-335-0046

STATE OF INDIANA

Dennis Belter, Purchasing Agent
402 W. Washington Street, RM W468
Indianapolis, IN 46204
Phone: 317-232-5424

Cargill has been supplying highway rock salt to public agencies
for over 50 years.



SAFECO Insurance Company
PO Box 34526
Seattle, WA 98124-1526

BID BOND

KNOW ALL BY THESE PRESENTS, That we, Cargill Incorporated Deicing Technology Business Unit

of North Olmsted, Ohio (hereinafter called the Principal),

as Principal, and SAFECO INSURANCE COMPANY OF AMERICA

(hereinafter called the Surety), as Surety are held and firmly bound unto Treasurer of the City of Middletown, Ohio

(hereinafter called the Obligee) in the penal sum of Five hundred fifteen thousand five hundred eighty

three dollars and eighty cents.***** Dollars (\$ 515,583.80)
for the payment of which the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That WHEREAS, the Principal has submitted or is about to submit a proposal to the Obligee on a contract for furnishing bulk rock salt.

NOW, THEREFORE, If the said Contract be timely awarded to the Principal and the Principal shall, within such time as may be specified, enter into the Contract in writing, and give bond, if bond is required, with surety acceptable to the Obligee for the faithful performance of the said Contract, then this obligation shall be void; otherwise to remain in full force and effect.

Signed and sealed this 28 day of May, 2009.

[Signature]
Witness

Rosemary Schwan (Seal)
Principal
Customer Solutions Specialist
Title

[Signature]
Witness

SAFECO INSURANCE COMPANY OF AMERICA
By S.R. Donovan
S.R. Donovan, Attorney-in-Fact





POWER OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
1001 4th Avenue
Suite 1700
Seattle, WA 98154

No. 12747

KNOW ALL BY THESE PRESENTS:

That SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA, each a Washington corporation, does each hereby appoint

S. R. DONOVAN; BRIAN TURNWALL; Wayzata, Minnesota

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, SAFECO INSURANCE COMPANY OF AMERICA and GENERAL INSURANCE COMPANY OF AMERICA have each executed and attested these presents

this 21st day of March, 2009

Dexter R. Legg

Timothy A. Mikolajewski

Dexter R. Legg, Secretary

Timothy A. Mikolajewski, Vice President

CERTIFICATE

Extract from the By-Laws of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business...

Extract from a Resolution of the Board of Directors of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
(ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
(iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Dexter R. Legg, Secretary of SAFECO INSURANCE COMPANY OF AMERICA and of GENERAL INSURANCE COMPANY OF AMERICA, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 28 day of May, 2009



Dexter R. Legg

Dexter R. Legg, Secretary

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That Cargill, Incorporated, a Corporation duly organized and existing under the laws of the State of Delaware, and having its Home Office in the City of Minneapolis, Minnesota, has made, constituted and appointed, and does by these presents, constitute and appoint:

Hilary Amos	Robin Fugo	Lisa Montonaro
Donna Bidak	Chris Gampfer	Jean Pereira
Tom Blackman	Nadine Gilbert	Angele Peterson
Gloria Bohman	Kenneth G. Howe	Monica Sue Petkac
Marjorie E. Bonner	Gail Hubbell	Stewart Petrick
David Bryden	Robin Kiewatt	Sean M. Riley
Stanley Carlin	Mary Kleiner	Christine M. Rupert
Deseree Caver	Phillip E. Knapp	Andrew Samson
Carol Chandler	Denise A. Koch	Jeanne Schulz
Annette Cillian	Sarah Liederbach	Rosemary Schwarz
Tony DiPietro	Mildred Lindsey	Amanda Secord
Ken Ellen	Alison Marincek	Jennifer Tyminski
Joshua D. Evcic	David Marshall	Kent Watson
Dale Fehrenbach	Bill Miller	Gord Williams
Jason Fenske	Brett Miller	Irving Williamson
Jeanne Fredericy	Jacques Moniere	Ellen Ziegman

each its true and lawful Attorneys-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, seal, acknowledge and deliver bids, bid bonds, contracts, performance bonds, and such other documents as may be necessary or required in connection with the bid, sale or delivery of mineral rock salt, solar salt, salt chemical mixtures, evaporated salt, and/or road deicing salt, to any state, county, city, municipality, or corporate body with which the Company may do business and to bind the Corporation thereby as fully and to the same extent as if such documents were signed by an officer of Salt, sealed with the Corporate Seal of the Corporation and duly attested by its Assistant Corporate Secretary, hereby ratifying and confirming all the said Attorney(s)-in-Fact may do in the premises.

IN WITNESS WHEREOF, Cargill, Incorporated has caused these presents to be signed by its President, Deicing Technology, and its Assistant Corporate Secretary, and its Corporate Seal to be hereunto affixed this 16th day of April, 2009

Cargill, Incorporated

By: 

Dale A. Fehrenbach, President, Deicing Technology

Attest: 

Jeanne Y. Smith, Assistant Corporate Secretary

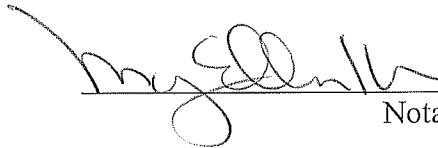
STATE OF OHIO

) ss

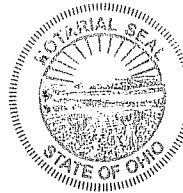
COUNTY OF CUYAHOGA

On May 28, 2009, before me, a Notary Public in and for said County and State, residing therein, duly commissioned and sworn, personally appeared Rosemary Schwarz, known to me to Attorney-in-Fact of CARGILL, INCORPORATED, the Corporation described in and that executed the within and fore-going instrument, and known to me to be the person who executed the said instrument in behalf of the said corporation; and he duly acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year stated in the certificate above.



Notary Public



MARY ELLEN KLEINER
Notary Public
In and for the State of Ohio
My Commission Expires
12-13-2009



Technical Information
Bulk Ice Control Salt

DESCRIPTION:

Bulk Ice Control Salt is a coarse screened, translucent to white crystalline solid obtained from underground bedded salt deposits by physical mining. The salt is exploited by drilling and blasting with explosives in a manner similar to that used in other types of mineral mining. The mined salt is then crushed, screened and hoisted to the surface where it is stockpiled awaiting distribution as a highway deicing product.

COMPLIANCE:

Bulk Ice Control Salt is not approved for human or animal consumption. It is intended for use only as a chemical deicer on roadways and thoroughfares. This salt complies fully with ASTM Specification D 632-99 Type 1, Grade 1.

ADDITIVES:

Bulk Ice Control Salt may contain Yellow Prussiate of Soda, which is added to improve caking resistance.

APPLICATIONS:

Bulk Ice Control Salt is intended for use as an ice and snow removal agent on highways and other roadways.

PACKAGING AND SHIPPING:

Bulk Ice Control Salt is available only in bulk form. Bulk quantities are shipped by rail or truck.

METHODS OF ANALYSIS:

Methods of analysis and product performance evaluation are taken from the ASTM designations D 632-99 and E 534-98.

CARGILL SALT
P.O. Box 5621
Minneapolis, MN
55440
1-888 385-7258

NOTICE: All of the above statements, recommendations, suggestions and data are based on our laboratory results, and we believe same to be reliable. Nevertheless, with the exception of data showing an express guaranty (such as in the case of products specifically designed for use as nutrient supplements), all such statements, recommendations, suggestions and data hereinabove presented are made without guaranty, warranty or responsibility of any kind on our part.

CHEMICAL ANALYSIS:

Component	Units	Typical	Specification
Sodium Chloride (dry basis) ¹	%	95.8	95.0 min.
Calcium & Magnesium (as Ca) ¹	%	1.1	-
Sulfate (as SO ₄) ¹	%	2.7	-
Water Insolubles ¹	%	0.4	2.0 max.
Surface Moisture ²	%	0.1	1.0 max.
Yellow Prussiate of Soda ³	ppm	50	100 max.

¹By difference of impurities before conditioning.

²110°C for 2 hours before conditioning.

³Optional anticaking agent (sodium ferrocyanide decahydrate).

SIEVE ANALYSIS:

U.S.S. Mesh	Opening Inches	Opening Microns	Typical	Specification
1/2"	0.500	12500	100	100 min.
3/8"	0.375	9500	98	95 - 100
4	0.187	4750	71	20 - 90
8	0.0937	2360	39	10 - 60
30	0.0232	600	11	15 max.

Note: Sieve analysis is reported as percent passing.

BULK DENSITY:

Parameter	Typical	Specification
Pounds per Cubic Foot	75	71 - 79
Grams per Liter	1200	1135 - 1265

Note: Bulk density is reported as loose (uncompacted).

PRODUCING LOCATION: CLEVELAND, OH
No. 4700 Revised May 2007



Material Safety Data Sheet

Note: This MSDS has been compiled as a response to customer requests. It is not required under current OSHA regulations.

1. CHEMICAL PRODUCT AND COMPANY INFORMATION

Chemical Product Name	Sodium Chloride (Salt)
Chemical Family	Alkali Metal/Halide
Chemical Name	Sodium Chloride
INCI Name	SODIUM CHLORIDE
INN Name	sodium chloride
Formula	NaCl
Molecular Weight	58.44
Commercial Name	Ice Control Salt
Manufacturer	Emergency Telephone Numbers
Cargill Salt	CHEMTREC (800) 424-9300
P.O. Box 5621	
Minneapolis, MN 55440	

2. COMPOSITION/INFORMATION ON INGREDIENTS

Description

White crystalline solid

Ingredient Name

CAS Number	Exposure Limits	Concentration (%)
Sodium Chloride 7647-14-5		95.8 - 99.8
Sodium Ferrocyanide Decahydrate 13601-19-9		0.0050 - 0.0100

3. HAZARDS IDENTIFICATION

EMERGENCY OVERVIEW

HMIS Health: 1, Flammability: 0, Reactivity: 0, Protective Equipment: A

Potential Health Effects

Route(s) Of Entry: Ingestion, skin/eye contact, inhalation.

Human Effects and Symptoms of Overexposure:

Acute Inhalation: Irritation of the respiratory tract.

Chronic Inhalation: No applicable information found for chronic system effects.

Acute Skin Contact: Large amounts can cause irritation, and, if applied to damaged skin, absorption can occur with effects similar to those via ingestion.

Chronic Skin Contact: No applicable information found for chronic system effects.

Acute Eye Contact: Irritation with burning and tearing (salt concentrations greater than the normal saline present).

Chronic Eye Contact: No applicable information found for chronic systemic effects.

Acute Ingestion: Intake of large amounts has generally occurred for deliberate reasons: suicide, absorption, and to induce vomiting. The following effects were observed; nausea and vomiting, diarrhea, cramps, restlessness, irritability, dehydration, water retention, nose bleed, gastrointestinal tract damage, fever, sweating, sunken eyes, high blood pressure, muscle weakness, dry mouth and nose, shock, cerebral edema (fluid on brain), pulmonary edema (fluid in lungs), blood cell shrinkage, and brain damage (due to dehydration of brain cells). Death is generally due to cardiovascular collapse or CNS damage. Less than a few grams would not be harmful. For larger quantities, drink large amounts of water or milk.

Chronic Ingestion: No applicable information found for chronic systemic effects.

Carcinogenicity

NTP: Not listed as carcinogen or mutagen.

IARC: Not listed as carcinogen or mutagen.

OSHA: Not listed as carcinogen or mutagen.

Medical Conditions Aggravated by Exposure: In some cases of confirmed hypertension, ingestion may result in elevated blood pressure.

4. FIRST AID MEASURES

First Aid for Eyes: For eye contact, flush with water immediately, lifting eyelids occasionally.

First Aid for Skin: Remove clothing from affected area. Wash skin thoroughly. Rinse carefully.

First Aid for Inhalation: If person breathes large quantities, remove to fresh air at once. If breathing stops, apply artificial respiration immediately.

First Aid for Ingestion: Less than a few grams would not be harmful. For larger quantities, drink large amounts of water or milk.

5. FIRE AND MEASURES

Flash Point: N/A

Extinguishing Media: N/A. This product is nonflammable.

Special Fire Fighting Procedures: N/A

6. ACCIDENTAL RELEASE MEASURES

Spill or Leak Procedures: Contain spills to prevent contamination of water supply or sanitary sewer system. Vacuum or sweep into containers for proper disposal.

7. HANDLING AND STORAGE

Storage Temperature (min./max.): Avoid humid or wet conditions as product will cake and become hard.

Special Sensitivity: Avoid contact with strong acids.

Handling and Storage Precautions: Becomes hygroscopic at 75% relative humidity.

8. EXPOSURE CONTROLS/PERSONAL PROTECTION

Eye Protection Requirements: Eyeglasses or goggles should be worn in dusty areas.

Skin Protection Requirements: Protective clothing may be worn in dusty areas, but is generally not required.

Respiratory/Ventilation Requirements: NIOSH/MSHA approved respirator for particulates.

Exposure Limits: Not listed.

9. PHYSICAL AND CHEMICAL PROPERTIES

Physical Form: White crystalline solid with slight halogen odor.

Color: White to opaque.

Odor: Halogen odor when heated.

Boiling Point (760mm Hg)(°C): 1465

Melting Point/Freezing Point (°C): 801

pH: 6.7 – 10.0

Solubility in Water (g/cc)(%): 26.4

Specific Gravity (H₂O = 1): 2.16

Bulk Density (lbs./ft³): 35-83

% Volatile by Weight: N/A

Vapor Pressure (mm Hg/747°C): 2.4

Vapor Density (Air=1): N/A

10. REACTIVITY

Stability: Stable

Incompatibilities: Avoid contact with strong acids. Becomes corrosive to metals when wet.

Decomposition Products: May evolve chlorine gas when in contact with strong acids.

11. TOXICOLOGICAL INFORMATION

Description: Not listed.

12. ECOLOGICAL INFORMATION

Ecotoxicity: Not listed.

Environmental Degradation: Not listed.

13. DISPOSAL CONSIDERATIONS

Waste Disposal Method: Follow applicable Federal, state, and local regulations.

14. TRANSPORTATION INFORMATION

D.O.T. Shipping Name: Not listed.

Technical Shipping Name: Not listed.

D.O.T. Hazard Class: Not listed.

U.N./N.A. Number: Not listed.

Product Rq (lbs.): N/A

D.O.T. Label: Not listed.

D.O.T. Placard: N/A

Freight Class Bulk: N/A

Freight Class Package: N/A

Product Label: N/A

15. REGULATORY INFORMATION

OSHA Status: Not listed.

TSCA Status: Listed as non-hazardous.

CERCLA Reportable Quantity SARA Title III

Section 302 Extremely Hazardous Substances: Not listed.

Section 311/312 Hazard Categories: Not an OSHA hazardous material.

Section 313 Toxic Chemicals: Not listed.

RCRA Status: Not listed.

EINECS Number: 231-598-3

ENCS Number: 1-236

ECL Serial Number: KE-31387

SWISS Number: G-2580

HMIS Rating: 1 0 0 A

State Regulatory Information

Company Name/Cas Number	Concentration	State Code
N/A		

16. OTHER INFORMATION

Reason for Issue: Regulatory compliance.

Prepared By:	Steve Karl
Approved By:	Richard Scarsella
Title:	Technical Director
Approval Date:	February 2009
Supersedes Date:	May 2007
MSDS Number:	NB2

Disclaimer: All statements, technical information and recommendations contained herein are, to the best of our knowledge, reliable and accurate; however, no warranty, either expressed or implied is made with respect thereto, nor will any liability be assumed for damages resultant from the use of the material described.

It is the responsibility of the user to comply with all applicable Federal, state and local laws and regulations. It is also the responsibility of the user to maintain a safe workplace. The user should consider the health hazards and safety information provided herein as a guide and should take the necessary steps to instruct employees, and to develop work practice procedures to ensure a safe work environment.

This information is not intended as a license to operate under, or a recommendation to practice or infringe upon any patent of this Company or others covering any process, composition of matter or use.