

OHIO TURNPIKE COMMISSION

Resolution Concerning Award of Contracts for Sodium Chloride (Rock Salt) Pursuant to Invitation No. 4136

WHEREAS, the Commission has duly advertised in accordance with law for bids for Invitation No. 4136 for furnishing its requirements for sodium chloride (rock salt) estimated at approximately 64,500 tons; and

WHEREAS, expenditures under the Contracts to be awarded for rock salt under Invitation No. 4136 will exceed \$150,000.00 and, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of such Contracts; and

WHEREAS, four bids were received in response to the Invitation, which included quotations for rock salt, freight charges to designated Commission locations and any additional "conveyor system" charges for stockpiling, if needed; and

WHEREAS, the Bidding Documents require that the Commission shall purchase a minimum of 75% of the estimated quantities set forth in the Bid Schedule and, because the severity of the snow and ice season for 2010/2011 is unpredictable, the Bidding Documents also allow for the Commission to purchase up to 130% of the estimated quantities bid for each designated delivery location; and

WHEREAS, the bids were reviewed and analyzed by the Maintenance Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Maintenance Engineer states that the following companies submitted the lowest responsive and responsible bids for the rock salt, including freight:

<u>Items and Estimated Tons</u>	<u>Company</u>	<u>Bid Amount based on Estimated Quantities</u>	<u>130% of Estimated Quantities Bid</u>	<u>Conveyor Charges</u>	<u>Total</u>
1, 2, 3, 13, 14 & 15 (22,500 tons)	Morton Salt Chicago, Illinois	\$1,341,985.00	\$1,744,580.50	\$27,085.50	\$1,771,666.00
5, 6, 7, 8, 9, 10, 11 & 12 (40,500 tons)	Cargill, Inc. Deicing Technology Business Unit, N. Olmsted, Ohio	\$2,066,640.00	\$2,686,632.00	\$47,385.00	\$2,734,017.00
4 (1,500 tons)	North American Salt Company Overland Park, Kansas	\$ 86,505.00	\$ 112,456.50	\$ 1,599.00	\$ 114,055.50
Totals reflecting 130% of estimated quantities bid, including freight\$4,543,669.00			
The totals also reflect an estimated additional cost of conveying 20% of the maximum Contract quantity that may be delivered by the Contractors utilizing a conveyor.\$76,069.50			
Grand Total\$4,619,738.50			

WHEREAS, the Maintenance Engineer further reports that the bidders propose to furnish materials and services in accordance with the Commission's Specifications, and he, therefore, recommends that the Commission proceed with awards of the following Contracts: 1) Items 1, 2, 3, 13, 14 and 15 to Morton Salt; 2) Items 5, 6, 7, 8, 9, 10, 11 and 12 to Cargill Inc.; and 3) Item 4 to North American Salt Company; and

WHEREAS, the Maintenance Engineer recommends an award to Morton Salt in the amount of **\$1,771,666.00**, which amount reflects 130% of quantities bid, and includes \$27,085.50 for conveying up to 20% of the maximum Contract quantity that may be delivered by the Contractor utilizing a conveyor; and

WHEREAS, the Maintenance Engineer recommends an award to Cargill, Inc. in the amount of **\$2,734,017.00**, which amount reflects 130% of quantities bid, and includes \$47,385.00 for conveying up to 20% of the maximum Contract quantity that may be delivered by the Contractor utilizing a conveyor; and

WHEREAS, the Maintenance Engineer recommends an award to North American Salt Company in the amount of **\$114,044.50**, which amount reflects 130% of quantities bid, and includes \$1,599.00 for conveying up to 20% of the maximum Contract quantity that may be delivered by the Contractor utilizing a conveyor; and

WHEREAS, the Director of Contracts Administration has advised the Commission that the low bids of Morton Salt for Items 1, 2, 3, 13, 14 and 15, and Cargill, Inc. for Items 5, 6, 7, 8, 9, 10, 11 and 12 each comply with the Commission’s Domestic and Ohio Preference Policy (“Policy”), and she and the General Counsel have together rendered a report evaluating whether the low bid of North American Salt Company for Item 4 complies with the Policy, and it is their opinion that, inasmuch as the bid is in excess of five percent below the next lowest bid received for that Item, it should be considered; and

WHEREAS, the Director of Contracts Administration has further advised that all bids for Invitation No. 4136 were solicited on the basis of the same terms, conditions and specifications, that the bids of Morton Salt, Cargill, Inc. Deicing Technology Business Unit and North American Salt Company each conform to the requirements of Ohio Revised Code Sections 5537.07 and 9.312, and that a bid guaranty and performance bond of good and sufficient surety has been submitted by each bidder; and

WHEREAS, the Executive Director has reviewed the reports of both the Maintenance Engineer and the Director of Contracts Administration and, predicated upon such analysis, has made his recommendation that Contracts be awarded for Items 1, 2, 3, 13, 14 and 15 to Morton Salt; Items 5, 6, 7, 8, 9, 10, 11 and 12 to Cargill, Inc. Deicing Technology Business Unit; and Item 4 to North American Salt Company; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bids of the following companies:

<u>Items</u>	<u>Company</u>	<u>Total Award</u>
1, 2, 3, 13, 14 & 15	Morton Salt Chicago, Illinois	\$1,771,666.00
5, 6, 7, 8, 9, 10, 11 & 12	Cargill, Inc. Deicing Technology Business Unit, N. Olmsted, Ohio	\$2,734,017.00
4	North American Salt Company Overland Park, Kansas	\$ 114,055.50
Grand Total of Awards		\$4,619,738.50

for Invitation No. 4136 are, and are by the Commission deemed to be the lowest responsive and responsible bids received and the Executive Director and the Director of Contracts Administration, or either of them, is hereby authorized to: 1) execute a Contract with each successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation, which Contract awards reflect 130% of estimated quantities bid for each individual delivery destination and any additional conveyor charges; 2) direct the return to the bidders of their bid securities at such time as the successful bidders have each entered into a Contract; and 3) take any and all action necessary to properly carry out the terms of said Contracts.

(Resolution No. 16-2010 adopted May 3, 2010)