

OHIO TURNPIKE COMMISSION

Resolution Awarding a Contract for the Purchase of Hot-Pour, Ready-Mixed Joint Sealant

WHEREAS, the Commission has advertised for bids for Invitation No. 4107 for furnishing to the Commission of approximately 490,000 pounds of hot-pour, ready-mixed joint sealant for a twelve (12) month period; and

WHEREAS, expenditures of the Commission for hot-pour, ready-mixed joint sealant under Invitation No. 4107 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 Contract; and

WHEREAS, three (3) bids were received in response to the Invitation; and

WHEREAS, the bids were reviewed by the Maintenance Engineer who has reported that the lowest responsive and responsible bid was submitted by **McAsphalt Industries Limited** of **Toronto, Ontario, Canada** and that this bidder proposes to furnish materials and services in accordance with the Commission's specifications; and

WHEREAS, the Maintenance Engineer has recommended award of the Contract to McAsphalt Industries in the amount of **\$165,411.75** (the bid amount plus a five percent manufacturing variance); and

WHEREAS, the Director of Contracts Administration has advised the Commission that McAsphalt Industries qualifies for consideration under the Commission's "Buy Ohio Bid Preference" policy; and

WHEREAS, the Commission has also been advised by the Director of Contracts Administration that all bids for Invitation No. 4107 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of McAsphalt Industries for Invitation No. 4107 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a bid security in the form of a certified check of good and sufficient surety has been submitted by McAsphalt Industries; and

WHEREAS, the Executive Director has reviewed the reports of the Maintenance Engineer and the Director of Contracts Administration and, predicated upon such analysis, has made his recommendation to the Commission to award the Contract for Invitation No. 4107 to McAsphalt Industries Limited; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of McAsphalt Industries Limited for Invitation No. 4107 is deemed by the Commission to be the lowest responsive and responsible bid received and is accepted, and the Executive Director and Director of Contracts Administration, or either of them, is hereby authorized: 1) to execute a Contract with **McAsphalt Industries Limited** of **Toronto, Ontario, Canada** in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; 2) to incur expenditures under the Contract in the quantities estimated by the Maintenance Department's staff for the purchase of hot-pour, ready-mixed joint sealant; 3) to direct the return to the other bidders of their bid security at such time as McAsphalt Industries Limited has entered into a Contract; and 4) to take any and all action necessary to properly carry out the terms of said Contract.

(Resolution No. 2-2009 adopted February 9, 2009)