

# OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

## **Resolution Approving the Selection of Opterra Solutions, Inc. for Applying Herbicide Under Bid Invitation No. 4448 in the Total Not-to-Exceed Amount of \$413,016.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) advertised an invitation for bids (“Invitation”) to furnish and apply herbicide on right-of-way areas from Milepost 0.0 to Milepost 241.2 under Invitation No. 4448 for a term including the 2024 growing season and extending through the 2025 growing season or October 31, 2025, whichever date falls earlier; and

WHEREAS, the Commission received two (2) bids in response to the Invitation and the Commission’s Maintenance Engineer reviewed and analyzed the bids, whose report is before the Commission; and

WHEREAS, the Maintenance Engineer reports that Opterra Solutions, Inc. (“Opterra Solutions, Inc.”) submitted the apparent low bid based on the estimated quantities in the amount of \$344,180.00 and proposes to furnish and apply the herbicide in accordance with the specifications, which provides for a twenty percent (20%) variance between the quantities estimated and the actual quantities applied that could result in the total cost of the service to reach \$413,016.00; and

WHEREAS, the Director of Contracts Administration has determined that the bids for Invitation No. 4448 were solicited on the basis of the same terms, conditions and specifications, and that the bid from Opterra Solutions, Inc. conforms to the requirements of Section 5537.07 and 9.312 of the Ohio Revised Code, including a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion waived the program requirements due to the lack of subcontractor opportunity and availability of certified firms; and

WHEREAS, the Chief Engineer and the Executive Director have reviewed the report of the Maintenance Engineer and concur with the recommendation to award the contract for Invitation No. 4448 to Opterra Solutions, Inc. as the lowest responsive and responsible bidder; and

WHEREAS, Commission action is necessary to approve the contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the amount of the bids received will require expenditures that will exceed \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of Opterra Solutions, Inc., under Invitation No. 4448 to furnish and apply the Commission’s requirements for herbicide, which may result in a total contract price of \$413,016.00 if the maximum variance of twenty percent (20%) from the estimated quantities is reached, is approved as the lowest responsive and responsible bid received, and that the Executive Director is authorized to cause a purchase order to be issued on the basis of said bid for a term including the 2024 growing season and extending through the 2025 growing season or October 31, 2025, whichever date falls earlier.

**(Resolution No. 33-2024 adopted February 20, 2024)**