

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Approving the Selection of Bear Environmental, LLC to Remove and Dispose of Waste, Storm and Floor Drain Water and Treatment Plant Waste for One Year in the Estimated Amount of \$375,000.00 with the Option to Renew for One Additional Year**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice of an Invitation for Bids to provide its requirements for the Removal, Transport and Disposal of Wastewater Sludge & Floor Drain/Storm Water Treatment Waste for a one year term with the Commission having the option to renew for one additional one-year period (“Invitation to Bid No. 4321”); and

WHEREAS, the Commission received two bids in response to Invitation to Bid No. 4321, and the Commission’s Deputy Chief Engineer reviewed and analyzed the bids submitted, whose report concerning such analysis is before the Commission; and

WHEREAS, the Deputy Chief Engineer reports that Bear Environmental, LLC, of Dublin, Ohio, submitted the lowest responsive and responsible bid for all Groups under Items 2, 3, 4 and 5 and to perform the emergency call outs for those Groups under Item 7 in the total estimated amount of \$375,000.00 over the one-year term, which bid he recommends the Commission approve for award; and

WHEREAS, the Deputy Chief Engineer further reports that Badger Daylighting Corp. of Brownsburg, Indiana, submitted the lowest responsive and responsible bids for all Groups under Item 6 and to perform the emergency call outs for the Group under Item 7 in the total estimated amount of \$15,000.00, which bid the Deputy Chief Engineer recommends and the Executive Director agrees and he will select Badger Daylighting Corp. of Brownsburg, Indiana separately for contract award under the authority of Article V, Section 1.00 of the Code of Bylaws; and

WHEREAS, the Deputy Chief Engineer finally reports that single bid received for all Groups under Item 1 was grossly above the estimate and deemed unreasonable, and recommended for rejection and rebidding after reviewing the specifications and conducting further market research; and

WHEREAS, the Director of Contracts Administration advises that the bids for Invitation No. 4321 were solicited on the basis of the same terms and conditions and the same specifications, and conform to the requirements of Ohio Revised Code Sections 5537.07 and 9.312 as the lowest responsive and responsible bids received and supported by good and sufficient surety; and

WHEREAS, expenditures required under the bid of Bear Environmental will exceed \$150,000.00 and Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws; and

WHEREAS, the Executive Director has reviewed the report of the Deputy Chief Engineer and concurs with the recommendation to approve the selection of Bear Environmental for all Groups under Items 2, 3, 4 and 5 and to perform the emergency call outs for those Groups under Item 7 under Invitation No. 4321 as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid to perform the Commission’s requirements for the removal and disposal of waste, storm and floor drain water and treatment plant waste for a one year term from Bear Environmental, LLC for all Groups under Items 2, 3, 4 and 5 and to perform the emergency call outs for those Groups under Item 7 in the total estimated amount of \$375,000.00 is approved as the lowest responsive and responsible bids received, and the Executive Director is authorized to execute Contracts on the basis of said bid with the option to renew for an additional one year period; and

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under said contracts as a result of an increase in the planned quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the contract services or increase its costs.

**(Resolution No. 55-2018 adopted September 17, 2018)**