

**OHIO TURNPIKE COMMISSION**

**Resolution Awarding a Contract for the Purchase  
of Unleaded Gasoline and Diesel Fuel for a One-Year Period**

WHEREAS, the Commission has advertised for bids for Invitation No. 3982 for the furnishing to the Commission of unleaded gasoline and diesel fuel for a twelve (12) month period, with an option to renew for two (2) additional one (1) year periods; and

WHEREAS, the expenditures of the Commission for unleaded gasoline and diesel fuel under Invitation No. 3982 will exceed \$150,000 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, bidders were asked to state the price differential per gallon that they would charge from the Oil Price Information Service ("OPIS"); and

WHEREAS, the four (4) bids received in response to the Invitation were reviewed by the maintenance engineer who has stated that the lowest responsive and responsible bid for Groups I and II was submitted by **Petroleum Traders Corporation** of Fort Wayne, Indiana, and that the lowest responsive and responsible bid for Groups III and IV was submitted by **BP Products North America, Inc.** of Cuyahoga Heights, Ohio and these bidders propose to furnish materials and services in accordance with the Commission's specifications; and

WHEREAS, the maintenance department has estimated the quantities of unleaded gasoline required for the next year (Groups I and II) at **323,000 gallons**, and diesel fuel required for the next year (Groups III and IV) at **430,000 gallons**, and, based on these quantities has been able to estimate expenditures with both Petroleum Traders Corporation and BP Products North America, Inc.; and

WHEREAS, the Commission's director of contracts administration has reviewed the bids received and has advised the Commission that the procedure followed by the Commission in advertising for Invitation No. 3982 is in accordance with Section 5537.07 of the Revised Code of Ohio, and that the bids of Petroleum Traders Corporation and BP Products North America, Inc. are the lowest responsive and responsible bids received and that the Commission may legally enter into a contract with Petroleum Traders Corporation and BP Products North America, Inc. to furnish unleaded gasoline and diesel fuel in accordance with Invitation No. 3982; and

WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that the contract be awarded to the lowest responsive and responsible bidders, Petroleum Traders Corporation and BP Products North America, Inc.; and

WHEREAS, should the quantities of unleaded gasoline and diesel fuel purchased exceed the number of gallons estimated by the maintenance staff by more than ten (10%) percent, the Commission will be presented with a new resolution to increase said estimated quantities; and

WHEREAS, based on the maintenance department's estimates, initial purchase orders shall be prepared in amounts that take into consideration the possibility of further price increases in the volatile gasoline/diesel fuel market.

NOW, THEREFORE, BE IT

RESOLVED that the bids of **Petroleum Traders Corporation** for Groups I and II and **BP Products North America, Inc.** for Groups III and IV of Invitation No. 3982 are, and are by the Commission deemed to be the lowest responsive and responsible bids received and are accepted and the chairperson and executive director, or either of them, is hereby authorized: 1) to execute a contract with each successful bidder 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 unleaded gasoline and diesel fuel; 3) to direct the return to the other bidders of their bid security at such time as Petroleum Traders Corporation and BP Products North America, Inc. have entered into a contract and furnished a performance bond required thereby; 4) to make a recommendation to the Commission on whether to exercise either of the one (1) year renewal options and 5) to take any and all action necessary to properly carry out the terms of said contract.

**(Resolution No. 35-2004 adopted July 19, 2004)**