

## OHIO TURNPIKE COMMISSION

### Resolution Concerning Award of Contract Pursuant to Invitation No. 3986

WHEREAS, the Commission has advertised for bids for Invitation No. 3986 for furnishing to the Commission all services for removal, transportation, disposal and testing of slag leachate wastewater from three (3) locations along the Ohio Turnpike, under Invitation No. 3986; and

WHEREAS, although the Commission is continuing with remediation activities to resolve problems associated with leachate run-off via a hydrogen peroxide treatment method, it will take some time to determine the effectiveness of this remediation effort and, in the meantime, the Commission must continue disposing of slag leachate wastewater until it is certain that the run-off problem has been resolved; and

WHEREAS, two (2) bids were received in response to Invitation No. 3986, and such bids have been reviewed by the Commission's staff; and

WHEREAS, it is anticipated that the expenditures of the Commission for disposal of slag leachate wastewater under Invitation No. 3986 shall 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, the two (2) bids received in response to the Invitation were reviewed by the maintenance engineer who has stated that the lowest responsive and responsible bid was submitted by **AKE Laboratory, Inc.** of Bedford, Ohio in the amount of \$197,500.00, and that this bidder proposes to furnish services in accordance with the Commission's specifications; and

WHEREAS, the maintenance engineer has stated that, due to the potential for large fluctuations of precipitation during the term of the contract, it is possible that the estimated quantity may be exceeded, and he recommends that a blanket order dollar amount be established at \$250,000.00 under Invitation No. 3986; and

WHEREAS, the maintenance engineer recommends that the Commission authorize the executive director to award a blanket order contract in the amount of \$250,000.00 to AKE Laboratory, 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. 3986 is in accordance with Sections 5537.07, 9.312 and 154.53 of the Ohio Revised Code, and that the bid of AKE Laboratory, Inc., Bedford, Ohio is the lowest responsive and responsible bid received, and that the Commission may legally enter into a contract with AKE Laboratory, Inc. to furnish all service for removal, transportation, disposal and testing of slag leachate wastewater from three (3) locations along the Ohio Turnpike, in accordance with Invitation No. 3986; and

WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that a blanket order contract in the amount of \$250,000.00 be awarded to the lowest responsive and responsible bidder, AKE Laboratory, Inc.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **AKE Laboratory, Inc.** in the amount of \$197,500.00 under Invitation No. 3986 is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted, and the chairperson and executive director, or either of them, is hereby authorized: (1) to execute a blanket order contract in the amount of **\$250,000.00** with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; (2) to direct the return to the other bidder of its bid security at such time as AKE Laboratory, Inc. has entered into a contract and furnished a performance bond required thereby; and (3) to take any and all action necessary to properly carry out the terms of said contract.

**(Resolution No. 53-2004 adopted October 18, 2004)**