

OHIO TURNPIKE COMMISSION

Resolution Awarding a Contract for the Purchase of Current Model, Cargo Vans under Invitation No. 4020

WHEREAS, the Commission has advertised for bids for Invitation No. 4020 for the furnishing to the Commission of ten (10) current model, 9,500 lbs. GVWR (*minimum Gross Vehicle Weight Rating*) cargo vans and accepting in trade, ten (10) used 10,000 lbs. GVWR cargo vans; and

WHEREAS, five (5) companies submitted bids in response to that Invitation, and the bids have been reviewed by the Commission's staff; and

WHEREAS, it is anticipated that the expenditures of the Commission for the above-described current-model, cargo vans, under Invitation No. 4020, 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 five (5) bids received in response to the Invitation were reviewed by the maintenance engineer who has stated that the apparent low bid submitted by Nick Abraham-Elyria Ford failed to comply with the Commission's technical specifications and cannot be considered for award; and

WHEREAS, the maintenance engineer has stated that the lowest responsive and responsible bid was submitted by **Ed Schmidt Auto Group** of Maumee, Ohio, in the total net bid price, less trade-in allowance, of \$157,130.00, and this bidder proposes to furnish equipment and services in accordance with the Commission's specifications; and

WHEREAS, the Commission's director of contracts administration has reviewed the bids received and has advised the Commission that the procedures followed by the Commission in advertising for Invitation No. 4020 were conducted in accordance with Sections 5537.07, 9.312 and 153.54 of the Ohio Revised Code, and that the bid of Ed Schmidt Auto Group of Maumee, Ohio, is the lowest responsive and responsible bid received in response to Invitation No. 4020, and the Commission may legally enter into a Contract with said bidder; and

WHEREAS, the Commission's director of contracts administration further advises that the Commission, pursuant to the bidding documents for Invitation No. 4020 and Ohio Revised Code Section 5537.07(A), expressly reserves the right to reject any and all bids, and that the low bid of Nick Abraham-Elyria Ford may lawfully be rejected as non-responsive by the Commission; and

WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that a contract be awarded to the lowest responsive and responsible bidder, Ed Schmidt Auto Group and that the low bid of Nick Abraham-Elyria Ford be formally rejected.

NOW, THEREFORE, BE IT

RESOLVED that the low bid of Nick Abraham-Elyria Ford is non-responsive and is rejected, and the bid of **Ed Schmidt Auto Group** of Maumee, Ohio in the total net bid price, less trade-in allowance, of **\$157,130.00** under Invitation No. 4020 is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted, and the vice-chairperson and executive director, or either of them, is hereby authorized: (1) to inform Nick Abraham-Elyria Ford that its low bid is rejected; (2) to execute a Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; (3) to direct the return to the other bidders of their bid security at such time as Ed Schmidt Auto Group has entered into a contract and furnished a performance bond required thereby; and (4) to take any and all action necessary to properly carry out the terms of said contract.

(Resolution No. 23-2005 adopted May 16, 2005)