

OHIO TURNPIKE COMMISSION

**Resolution Awarding a Contract for the Furnishing of
Propane-Liquefied Petroleum Gas Fuel for a One-Year Period
Pursuant to Invitation No. 4028**

WHEREAS, the Commission has advertised for bids for Invitation No. 4028, which was divided into Groups I and II, for the furnishing to the Commission of propane-liquefied petroleum gas fuel at nine (9) Commission locations; and

WHEREAS, the expenditures of the Commission under this Contract and its extensions 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, the Contract to be awarded as a result of Invitation No. 4028 has an initial term of twelve (12) months with an option to renew for two (2) additional one (1) year periods; 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, only one bid was received in response to the Invitation, which was reviewed and analyzed by the maintenance engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the maintenance engineer states that the lowest responsive and responsible bid for Groups I and II was submitted by **AmeriGas** of Swanton, Ohio, and that this bidder proposes to furnish materials and services in accordance with the Commission's specifications; and

WHEREAS, the maintenance engineer advises that AmeriGas was awarded a one-year Contract for propane in 2002 that also contained two, additional one-year extensions and that the contractor has performed satisfactorily; and

WHEREAS, the maintenance engineer recommends that a one (1) year Contract in the estimated amount of **\$148,000.00** be awarded to AmeriGas of Swanton, Ohio with two (2) possible one-year renewals, pursuant to the same terms and conditions, and

WHEREAS, should the quantities of propane-liquefied petroleum gas fuel purchased under this Contract 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, the Commission's director of contracts administration has reviewed the only bid received and has advised the Commission that the procedure followed by the Commission in advertising for Invitation No. 4028 was in accordance with Section 5537.07 and Section 9.312 of the Ohio Revised Code, that the bid of AmeriGas is the lowest responsive and responsible bid received and that the Commission may legally enter into a Contract with AmeriGas to furnish propane-liquefied petroleum gas fuel in accordance with Invitation No. 4028; and

WHEREAS, the executive director has reviewed the reports of the maintenance engineer and the director of contracts administration and has recommended to the Commission that a Contract be awarded to the lowest responsive and responsible bidder, AmeriGas; and

WHEREAS, based on the maintenance department's estimates, an initial purchase order shall be prepared in the estimated amount of **\$148,000.00**.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **AmeriGas** for Groups I and II of Invitation No. 4028, 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 Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; 2) to direct the return of AmeriGas's bid security as such time as AmeriGas has entered into a Contract and furnished the requisite performance bond therefor; 3) to incur expenditures under the Contract in the quantities estimated by the Maintenance Department's staff for the purchase of propane-liquefied petroleum gas fuel; 4) to determine 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. 37-2005 adopted August 15, 2005)