

OHIO TURNPIKE COMMISSION

Resolution Concerning Award of Contract Pursuant to Invitation No. 4030

WHEREAS, the Commission has advertised for bids under Invitation No. 4030 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. 4030; and

WHEREAS, in accordance with an Ohio EPA directive, the Commission has continued with remediation activities to resolve problems associated with leachate run-off via a hydrogen peroxide treatment method, and, in the meantime, the Commission must continue disposing of slag leachate wastewater; and

WHEREAS, it is anticipated that the expenditures of the Commission for disposal of slag leachate wastewater under Invitation No. 4030 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, three (3) bids were received in response to Invitation No. 4030, and such bids have been reviewed and analyzed by the Commission's maintenance engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the maintenance engineer reports that the lowest responsive and responsible bid was submitted by **CleanHarbors Environmental Services** of Cleveland, 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 also reports 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. 4030; 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 CleanHarbors Environmental Services; 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. 4030 is in accordance with Sections 5537.07 and 9.312 of the Ohio Revised Code, and that the bid of CleanHarbors Environmental Services of Cleveland, Ohio is the lowest responsive and responsible bid received, and that the Commission may legally enter into a Contract with CleanHarbors Environmental Services 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. 4030; and

WHEREAS, the executive director has reviewed the reports of both the maintenance engineer and the director of contracts administration 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, CleanHarbors Environmental Services.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **CleanHarbors Environmental Services** in the amount of \$197,500.00 under Invitation No. 4030 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 bidders of their bid security at such time as CleanHarbors Environmental Services has entered into a Contract and furnished the performance bond required thereby; and (3) to take any and all action necessary to properly carry out the terms of said Contract.

(Resolution No. 41-2005 adopted September 12, 2005)