

# OHIO TURNPIKE COMMISSION

## Resolution Awarding a Contract for the Furnishing and Applying Herbicide on Turnpike Right-of-Way Areas – Groups I and II

WHEREAS, the Commission advertised for bids for Invitation No. 4062 for the furnishing and applying herbicide on right-of-way areas between Milepost 0.0 and 126.4 (Group I) and Milepost 126.4 and 241.2 (Group II) during the 2007 growing season, with an option to extend the Contract for the 2008 growing season pursuant to the same terms and conditions; and

WHEREAS, the Commission has received three bids in response to the Invitation; and

WHEREAS, it is anticipated that the expenditures by the Commission for furnishing and applying herbicide under Invitation No. 4062 will exceed \$150,000.00, and, therefore, 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 three bids were reviewed and analyzed by the Commission's maintenance engineer, and he has submitted a report concerning such analysis, which report is before the Commission; and

WHEREAS, the maintenance engineer reports that the lowest responsive and responsible bid for both Groups I and II of Invitation No. 4062 in the total amount of **\$81,140.00** per growing season was submitted by **DeAngelo Brothers, Inc. of Oak Harbor, Ohio**, and that this bidder proposes to furnish materials and services in accordance with the Commission's specifications; and

WHEREAS, the Commission has also been advised by the director of contracts administration that all bids for Invitation No. 4062 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of DeAngelo Brothers for the Contract resulting from Invitation No. 4062 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond of good and sufficient surety has been submitted by DeAngelo Brothers; and

WHEREAS, the executive director has reviewed the reports of the maintenance engineer and the director of contracts administration and, predicated upon such analysis, has made his recommendation to the Commission to award the Contract for Invitation No. 4062 to DeAngelo Brothers, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **DeAngelo Brothers, Inc.** in the amount of **\$81,140.00** for both Groups I and II under Invitation No. 4062 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 in the amount of **\$81,140.00** per Contract year; (2) to direct the return to the bidders of their bid security, when appropriate; (3) to take any and all action necessary to properly carry out the terms of said bid and said Contract; and (4) to determine, upon completion of a satisfactory performance evaluation, whether to exercise the one year renewal option under Invitation No. 4062 for the 2008 growing season.

**(Resolution No. 5-2007 adopted February 26, 2007)**