

**Resolution Awarding a Contract for the Purchase
of Hot-Pour, Ready-Mixed Joint Sealant**

WHEREAS, the Commission has advertised for bids for Invitation No. 4082 for the furnishing to the Commission of approximately 600,000 pounds hot-pour, ready-mixed joint sealant for a twelve (12) month period; and

WHEREAS, the expenditures of the Commission for hot-pour, ready-mixed joint sealant under Invitation No. 4082 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, four (4) bids were received in response to the Invitation; and

WHEREAS, the bids were reviewed by the Maintenance Engineer who has stated that the lowest responsive and responsible bid was submitted by **McAsphalt Industries Limited** of **Toronto, Ontario, Canada** and that this bidder proposes to furnish materials and services in accordance with the Commission's specifications; and

WHEREAS, the Maintenance Engineer has recommended an award of Contract to McAsphalt Industries Limited in the amount of **\$165,060.00** (bid amount plus 5%); and

WHEREAS, the Commission has been advised by the Director of Contracts Administration that all bids for Invitation No. 4082 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of McAsphalt Industries Limited for Invitation No. 4082 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a bid security in the form of a certified check of good and sufficient surety has been submitted by McAsphalt Industries Limited; 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. 4082 to McAsphalt Industries Limited; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **McAsphalt Industries Limited** for Invitation No. 4082 is deemed by the Commission to be the lowest responsive and responsible bid received and is accepted, and the Executive Director and Director of Contracts Administration, or either of them, is hereby authorized: 1) to execute a Contract with **McAsphalt Industries Limited** of **Toronto, Ontario, Canada** in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; 2) to incur expenditures under the Contract in the quantities estimated by the Maintenance Department's staff for the purchase of hot-pour, ready-mixed joint sealant; 3) to direct the return to the other bidders of their bid security at such time as McAsphalt Industries Limited has entered into a Contract; and 4) to take any and all action necessary to properly carry out the terms of said Contract.

(Resolution No. 3-2008 adopted February 11, 2008)