

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. 4101

WHEREAS, the Commission has advertised for bids for Invitation No. 4101, which was divided into Groups I and II, for the furnishing to the Commission of propane-liquefied petroleum gas fuel at nine Commission locations for one year, with two possible one-year renewal options; and

WHEREAS, the expenditures of the Commission under this Contract and its extensions will exceed \$150,000.00 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, bidders were asked to state the price differential per gallon that they would charge from the Oil Price Information Service ("OPIS"); and

WHEREAS, two bids were received in response to the Invitation, which were 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 bids for both Groups I and II were submitted by **Ferrellgas of Overland Park, Kansas** and that this bidder proposes to furnish materials and services in accordance with the Commission's specifications; and

WHEREAS, the Maintenance Engineer recommends that a one-year blanket order Contract in the estimated amount of **\$372,000.00** be awarded to Ferrellgas of Overland Park, Kansas with two possible one-year renewals, pursuant to the same terms and conditions, and

WHEREAS, should amounts expended for propane-liquefied petroleum gas fuel to be purchased under the blanket order Contract or any of its renewals exceed the amount estimated by the Maintenance staff by more than ten (10%) percent, the Commission will be presented with a new Resolution to increase said blanket order Contract amount; and

WHEREAS, the Director of Contracts Administration has advised the Commission that both bidders qualify for consideration under the Commission's "Buy Ohio Bid Preference" policy; and

WHEREAS, the Commission has also been advised by its Director of Contracts Administration that all bids for Invitation No. 4101 were solicited on the basis of the same terms, conditions and specifications, that the bids of Ferrellgas conform to the requirements of Ohio Revised Code Sections 5537.07 and 9.312, and that a bid guaranty of good and sufficient surety have been submitted by said bidder; and

WHEREAS, the Executive Director has reviewed the reports of the Maintenance Engineer and the Director of Contracts Administration and, pursuant to said analyses, has recommended to the Commission that a Contract be awarded to the lowest responsive and responsible bidder for Groups I and II, Ferrellgas; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bids of **Ferrellgas** for Groups I and II of Invitation No. 4101, are, and are, by the Commission deemed to be the lowest responsive and responsible bids received and are accepted and the Executive Director and the Director of Contracts Administration, or either of them, is hereby authorized: (1) to execute a blanket order Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; (2) to direct the return of the bidders' bid securities at such time as Ferrellgas has entered into a Contract; (3) to incur expenditures under the Contract in the amounts 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 two, one-year renewal options pursuant to the terms and conditions of the aforesaid Contract; and (5) to take any and all action necessary to properly carry out the terms of said Contract.

(Resolution No. 32-2008 adopted July 28, 2008)