

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Awarding a Contract to CrafcO, Inc. for Joint Sealant Under Bid Invitation No. 4395 in the Total Amount of \$274,015.35**

WHEREAS, the Commission advertised an Invitation for Bids to furnish the approximate quantity of 645,000 pounds of hot-pour, ready-mixed joint sealant under Invitation No. 4395; and

WHEREAS, the Commission received two bids in response to the Invitation, and the Commission's Acting Chief Engineer/Director of Field Operations reviewed and analyzed the timely bids submitted, whose report concerning such analysis is before the Commission; and

WHEREAS, the Acting Chief Engineer/Director of Field Operations reports that CrafcO, Inc. ("CrafcO"), of Chandler, Arizona, submitted the apparent low bid at a unit price of \$0.4046 per pound; and

WHEREAS, the Acting Chief Engineer/Director of Field Operations reports that the bid of CrafcO conforms with the bid specifications in all material respects, observed that CrafcO has satisfactorily furnished similar material previously to the Commission, and recommends that the Commission select the bid of CrafcO as the lowest responsible and responsive bid received under Invitation No. 4395, in the amount of \$0.4046 per pound, which may result in a total contract price of \$274,015.35 if the maximum delivery variance of five percent from the approximate quantity of 645,000 pounds is reached; and

WHEREAS, the Commission's Staff Attorney has determined that the bids for Invitation No. 4395 were solicited on the basis of the same terms and conditions and the same specifications, and that the bid from CrafcO for Invitation No. 4395 conforms to the requirements of Ohio Revised Code Section 5537.07 and 9.312; and

WHEREAS, the Office of Equity and Inclusion (OEI) Manager determined to waive the program requirements due to lack of opportunity and availability of certified firms; and

WHEREAS, the Executive Director has reviewed the report of the Acting Chief Engineer/Director of Field Operations and concurs with the recommendation to award the contract for Invitation No. 4395 to CrafcO as the lowest responsive and responsible bidder; and

WHEREAS, Commission action is requested to approve the contract in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws because the amount of the bid received will require an expenditure that exceeds \$150,000.00 to furnish the joint sealant material; and

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of CrafcO under Invitation No. 4395, to deliver an approximate quantity of 645,000 pounds of hot-pour, ready-mixed joint sealant for its bid price of \$0.4046 per pound, which will result in a total contract price of \$274,015.35 if the maximum delivery variance of five percent from the approximate quantity of 645,000 pounds is reached, is approved as the lowest responsive and responsible bid received, and that the Executive Director is authorized to execute a contract on the basis of said bid; and

FURTHER RESOLVED, that the Executive Director has the authority to approve such extra work or change orders under said contracts that does not exceed the greater of the Executive Director's contracting authority or ten percent of the approved contract amount, and authorize such extra work or change orders under said contract as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the project or increase its costs.

**(Resolution No. 51-2021 adopted August 16, 2021)**