

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving Change Order No. 2 Under Contract with Ports Petroleum Company, Inc. for Unleaded Gasoline/Ethanol Blend for an Aggregate Not-to-Exceed Amount of \$1,815,000.00

WHEREAS, pursuant to Resolution No. 61-2020, adopted September 21, 2020, the Commission approved the selection of Ports Petroleum Company, Inc. of Wooster, Ohio under Bid Invitation 4372 to furnish approximately 215,000 gallons of unleaded gasoline/ethanol blend annually for Group IV-East in the estimated amount of \$470,000.00 for a one-year term, with two options to renew for one-year periods each and further authorized the Executive Director to exercise such renewal options for a total Contract amount of \$1,410,000.00; and

WHEREAS, in accordance with Resolution No. 61-2020, the Commission issued Purchase Order No. 20204372CB to Ports Petroleum Company, Inc. on November 1, 2020, for the initial one-year term in the amount of \$470,000.00 (the "Contract"); and

WHEREAS, based on Ports Petroleum Company, Inc.'s satisfactory performance and favorable unit prices, in 2021, the Commission exercised the first option and renewed the Contract for one-year in the additional amount of \$545,000.00, reflecting an increase of \$75,000 for the one-year renewal term due to potential fuel cost increases (hereinafter "Change Order No. 1) which was approved by the Executive Director pursuant to Article V, Section 1.00 of the Code of Bylaws; and

WHEREAS, based on Ports Petroleum Company, Inc.'s satisfactory performance and favorable unit prices, the Maintenance Operations Engineer recommends exercising the second, final option to renew the Contract for one-year in the additional amount of \$800,000.00, reflecting an increase of \$330,000.00 for the one-year renewal term due to cost increases (hereinafter "Change Order No. 2"); and

WHEREAS, the original Contract amount for the initial term (\$470,000.00), with the addition of Change Order No. 1 (\$545,000.00) for the first renewal term and proposed Change Order No. 2 (\$800,000.00) for the second, final renewal term will result in a total Contract amount of \$1,815,000.00; and

WHEREAS, the Chief Engineer and Executive Director have reviewed the report of the Maintenance Operations Engineer and concur with the recommendation to exercise the second and final option for a one-year extension of the Contract with Ports Petroleum Company, Inc. and to issue Change Order No. 2, resulting in an aggregate not-to-exceed Contract amount of \$1,815,000.00; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because proposed Change Order No. 2 exceeds the greater of \$150,000.00 or 10% of the original Contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Commission shall exercise the second and final option for a one-year extension of the Contract with Ports Petroleum Company Inc., of Wooster, Ohio, to furnish approximately 215,000 gallons of unleaded gasoline/ethanol blend for Group IV-East in the amount of \$800,000.00, representing an increase of \$330,000.00 over the previously authorized amount, and authorizing the Executive Director to issue Change Order No. 2 in the amount of \$800,000 in accordance with the terms and conditions of the existing Contract, resulting in an aggregate not-to-exceed Contract amount of \$1,815,000.00.

(Resolution No. 71-2022 adopted September 19, 2022)