

OHIO TURNPIKE COMMISSION

Resolution Awarding a Contract for the Purchase of Unleaded Gasoline/Ethanol Blend

WHEREAS, the Commission has advertised for bids for Invitation No. 4116 (Group I and Group II), for the furnishing and delivery to the Commission's eight (8) maintenance buildings of approximately 390,000 gallons of unleaded gasoline/ethanol blend fuel for a twelve (12) month period, with an option to extend the ensuing Contract for two (2) additional one-year periods; and

WHEREAS, the expenditures of the Commission for unleaded gasoline/ethanol blend under Invitation No. 4116 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, three (3) bids for Group I and four (4) bids for Group II received in response to the Invitation were reviewed by the Maintenance Engineer who has stated that the lowest responsive and responsible bids for both Group I (Maintenance Buildings west) and Group II (Maintenance Buildings east) were submitted by **Petroleum Traders Corporation of Fort Wayne, Indiana** ("Petroleum Traders"), and this bidder proposes to furnish materials and services in accordance with the Commission's specifications; and

WHEREAS, the Maintenance Engineer has estimated the quantities of unleaded gasoline/ethanol blend fuel required during the next year for Group I and Group II combined at **390,000 gallons**, and, based on these quantities, has been able to estimate expenditures with Petroleum Traders in the amount of **\$980,000.00**, which estimate takes into consideration the possibility of further price increases in the volatile unleaded gasoline market; and

WHEREAS, the Director of Contracts Administration has advised the Commission that the bids of Petroleum Traders for both Group I and Group II qualify for consideration under the Commission's "Buy Ohio Bid Preference" policy; and

WHEREAS, the Director of Contracts Administration has further advised that all bids for Invitation No. 4116 were solicited on the basis of the same terms and conditions and the same specifications, that the bids of Petroleum Traders for both Group I and Group II conform to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has 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, predicated upon such analysis, has made his recommendation to the Commission that one (1) Contract be awarded to the lowest responsive and responsible bidder for both Group I and Group II, Petroleum Traders Corporation; and

WHEREAS, should the quantities of unleaded gasoline/ethanol blend purchased exceed the number of gallons estimated by the Maintenance staff by more than ten percent (10%), the Commission will be presented with a new resolution to increase said estimated quantities; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED that the bids under Invitation No. 4116 of **Petroleum Traders Corporation of Fort Wayne, Indiana**, for both Group I and Group II, are and are by the Commission deemed to be the lowest responsive and responsible bids received and are accepted, and the Executive

Director or the Director of Contracts Administration, or either of them, is hereby authorized: 1) to execute a single Contract with **Petroleum Traders Corporation** of **Fort Wayne, Indiana** in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; 2) to expend the **\$980,000.00** estimated by the Maintenance Engineer; 3) to direct the return to the bidders of their bid securities, when appropriate; 4) to take any and all action necessary to properly carry out the terms of said Contract; and 5) to determine whether the Contract should be extended pursuant to the two (2), one-year options set forth therein, pending satisfactory performance evaluations by the Maintenance Engineer.

(Resolution No. 16-2009 adopted May 18, 2009)