

# OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

## Resolution Awarding a Contract for the Furnishing of Guardrail Materials under Invitation No. 4225

WHEREAS, the Commission has advertised for bids for furnishing to the Commission guardrail materials; and

WHEREAS, expenditures for the award to be made under Contract No. 4225 will exceed \$150,000.00 and, therefore, 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, the Commission received four bids for the performance of Group I and five bids for the performance of Group II for said Invitation, and said bids have been reviewed and analyzed by the Commission's Maintenance Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Maintenance Engineer reports that the lowest responsive and responsible bid for the performance of **Group I** under Contract No. 4225 was submitted by **The Firelands Supply Company**, of **Norwalk, Ohio**, in the amount of **\$160,116.00**; and

WHEREAS, the Maintenance Engineer reports that the apparent low bid for the performance of Group II under Contract No. 4225 was submitted by **E.M.M./Black's Distributor**, of **Dayton, Ohio**, however, this Bidder submitted a bid guaranty in an incorrect amount, and therefore, its bid is non-responsive and must be rejected; and

WHEREAS, the Maintenance Engineer reports that the second low bid, which is a responsive and responsible bid for the performance of **Group II** under Contract No. 4225, was submitted by **R.G. Steel Corp.**, of **Pulaski, Pennsylvania**, in the amount of **\$10,500.00**; and

WHEREAS, the Maintenance Engineer further reports that both The Firelands Supply Company and R.G. Steel Corp. propose to furnish materials in accordance with the specifications, that the amounts bid are below the estimated expenditures for both Groups, and both bidders have furnished similar materials to the Commission in the past and have performed satisfactorily; and he, therefore, recommends that a Contract be awarded to the lowest responsible and responsive bidder for Group I, **The Firelands Supply Company**, in the amount of **\$160,116.00** and to the lowest responsible and responsive bidder for Group II, **R.G. Steel Corp.**, in the amount of **\$10,500.00**; and

WHEREAS, the Director of Contracts Administration has advised the Commission that both The Firelands Supply Company and R.G. Steel Corp. qualify for consideration under the Commission's "Domestic and Ohio Preference" Policy; and

WHEREAS, the Commission has also been advised by the Director of Contracts Administration that bids for Contract No. 4225 were solicited on the basis of the same terms and conditions and the same specifications, that the bids of both The Firelands Supply Company and R.G. Steel Corp. for Contract No. 4225 conform to the requirements of Ohio Revised Code Sections 5537.07 and 9.312 and that a bid guaranty and performance bond of good and sufficient surety has been submitted by The Firelands Supply Company and that a bid security in the form of a cashier's check in the appropriate amount has been submitted by R.G. Steel Corp.; and

WHEREAS, the Interim Executive Director has reviewed the reports of the Maintenance Engineer and the Director of Contracts Administration and, predicated upon such analysis, concurs with the recommendation to award the Contract for Group I of Invitation 4225 to the lowest responsive and responsible bidder, The Firelands Supply Company and award the Contract for Group II of Invitation 4225 to the lowest responsive and responsible bidder, R.G. Steel Corp.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of E.M.M./Black's Distributor for Group II of Invitation No. 4225 is deemed not responsive and is hereby rejected; and

FURTHER RESOLVED that the bids of **The Firelands Supply Company**, of **Norwalk, Ohio**, for **Group I** of Invitation No. 4225 in the amount of **\$160,116.00**, and of **R.G. Steel Corp.**, of **Pulaski, Pennsylvania**, for **Group II** of Invitation No. 4225 in the amount of **\$10,500.00**, and are by the Commission, determined to be the lowest responsive and responsible bids received for the performance of said Contracts, and are accepted, and that the Interim Executive Director and the Director of Contracts Administration, or either of them, hereby are authorized to: 1) notify E.M.M./Black's Distributor that its low bid for Group II of Invitation No. 4225 has been rejected; 2) execute a Contract for Group I with The Firelands Supply Company of Norwalk, Ohio, and a Contract for Group II with R.G. Steel Corp., of Pulaski, Pennsylvania, in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation, 3) direct the return to the bidders of their bid guaranty, when appropriate, and 4) take any and all action necessary or proper to carry out the terms of said bid and of said Contract.

**(Resolution No. 53-2014 adopted August 18, 2014)**