

OHIO TURNPIKE COMMISSION

Resolution Awarding a Contract for the Purchase of Ten Each Truck Cabs and Chassis (Group I); and Awarding a Contract for the Purchase of Ten Each Dump Bodies, Wing Plows, Central Hydraulic and Control Systems and Lighting Systems and Two Each Front Reversible Plows (Group II), under Invitation No. 4139

WHEREAS, via Resolution 30-2009, the Commission accepted a National Clean Diesel Funding Assistance Grant in conjunction with the American Recovery and Reinvestment Act of 2009, which funds are to be used for the purpose of reducing fuel consumption, operating vehicles on biodiesel fuel, and reducing fuel emissions; and

WHEREAS, under the final grant agreement executed by and between the Ohio Turnpike Commission and the Ohio Department of Development, up to \$600,000 of the Grant is to be utilized for offsetting the cost for new tandem-axle dump trucks having an improved snow plow design that meet 2010 emission standards; and

WHEREAS, in accordance with the final grant agreement, the Commission re-advertised for bids under Invitation No. 4139 for the furnishing to the Commission of ten truck cabs and chassis (**Group I**) and furnishing and installing ten dump bodies, front and wing plows, central hydraulic and control systems, and lighting systems and two front reversible plows (**Group II**).

WHEREAS, the Commission received eight bids in response to the two Groups within Invitation No. 4139; and

WHEREAS, expenditures for the Contracts to be awarded under Invitation No. 4139 will exceed \$150,000, 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 said Contracts; and

WHEREAS, said bids were reviewed and analyzed by the Commission's Maintenance Engineer who has reported that the apparent low bid for the **Group I** truck cabs and chassis was submitted by **Cleveland Freightliner, Inc., dba Valley Freightliner, Sterling & Western Star ("Cleveland Freightliner, Inc.")** of **Brookpark, Ohio**, and that this bidder proposes to furnish a 2011 Western Star model 4964 FA cab and chassis in accordance with the Commission's Specifications; and

WHEREAS, the Maintenance Engineer has recommended award of the Contract for **Group I** to the lowest responsive and responsible bidder, Cleveland Freightliner, Inc., in the amount of **\$1,153,620.00 (ten at \$115,362.00 each)**; and

WHEREAS, the Commission's Maintenance Engineer has reported that the apparent low bid for the **Group II** dump bodies, wing plows, central hydraulic and control systems and lighting systems, and front reversible plows was submitted by **Henderson Products, Inc. - Henderson Truck Equipment Ohio ("Henderson Products, Inc.")** of **Bucyrus, Ohio** and that this bidder proposes to furnish equipment and services in accordance with the Commission's Specifications; and

WHEREAS, the Maintenance Engineer has recommended award of the Contract for **Group II** to the lowest responsive and responsible bidder, Henderson Products, Inc., in the amount of **\$922,578.00 (ten dump bodies, wing plows, central hydraulic and control systems and lighting systems at \$90,636 each, and two front reversible plows at \$8,109.00 each)**; and

WHEREAS, the Contract for Group II also allows for purchases of up to eight additional front reversible plows at \$8,109.00 each, which option the Maintenance Engineer has not recommended at this time, but may wish to pursue in the future; and

WHEREAS, the Commission has been advised by the Director of Contracts Administration that bids for Invitation No. 4139 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Cleveland Freightliner, Inc. for Group

I and the bid of Henderson Products, Inc. for Group II both qualify for consideration under the Commission's "Domestic and Ohio Preference" Policy and conform to the requirements of Ohio Revised Code Section 5537.07 and Section 9.312, and that a bid guaranty with good and sufficient surety has been submitted by the aforementioned bidders; 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 to award Contracts under Invitation No. 4139 for Group I to Cleveland Freightliner, Inc., and for Group II to Henderson Products, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Cleveland Freightliner, Inc. of Brookpark, Ohio** in the total amount of **\$1,153,620.00** for **Group I** under Invitation 4139 (for furnishing ten truck cab and chassis) and the bid of **Henderson Products, Inc. of Bucyrus, Ohio** in the total amount of **\$922,578.00** for **Group II** under Invitation 4139 (for furnishing ten dump bodies, wing plows, central hydraulic systems and lighting systems, and two front reversible plows) are, and are by the Commission, determined 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, hereby is authorized to: 1) execute a Contract with both successful bidders in the form heretofore prescribed by the Commission pursuant to the aforesaid bids, 2) direct the return to the bidders of their bid security when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said Contracts.

(Resolution No. 19-2010 adopted June 21, 2010)