

OHIO TURNPIKE COMMISSION

Resolution Awarding a Contract for Furnishing and Installation of Diesel Emission Reduction Devices on Ohio Turnpike Medium and Heavy Duty Diesel Trucks under Invitation No. 4130

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, \$189,600 of the Grant is to be utilized for installation of fuel operated cab heaters, diesel oxidation catalyst mufflers, and diesel multi-stage filter mufflers on a portion of the Commission's diesel truck fleet; and

WHEREAS, in accordance with the final grant agreement, the Commission advertised for bids under Invitation No. 4130 for the Furnishing and Installation of Diesel Emission Reduction Devices on Ohio Turnpike Medium/Heavy Diesel Trucks, and specifically for the following Groups: Group I - fifty-five (55) Fuel Operated Cab Heaters, Group II - eleven (11) Diesel Oxidation Catalyst Mufflers, Group III - two (2) Diesel Multi-stage Filter Mufflers, and Group IV - sixteen (16) Diesel Oxidation Catalyst mufflers in combination with Closed Crankcase Ventilation Units; and

WHEREAS, bidders were also given the option of submitting a Combination Bid for all four (4) Groups; and

WHEREAS, on February 19, 2010, the Commission received five (5) bids in response to the various Groups within Invitation No. 4130; and

WHEREAS, said bids were reviewed and analyzed by the Commission's Maintenance Engineer, whose report concerning said analysis is before the Commission; and

WHEREAS, the Maintenance Engineer reports that the low bid for **Groups I, II, III and IV** was submitted in the form of a Combination Bid by **W.W. Williams, Midwest, Inc. of Brunswick, Ohio**, in the total amount of **\$137,948**; and

WHEREAS, the Maintenance Engineer further indicates that the apparent low bid is below the estimate, and that this bidder proposes to furnish the specified diesel emission reduction devices in accordance with the Specifications, and is, therefore, the lowest responsive and responsible bidder; and

WHEREAS, the Contract Documents for Invitation No. 4130 include an option for the Commission to purchase additional diesel emission reduction devices based on the unit costs quoted, and since the bid for the devices was well below the \$189,600 allocated under the final grant agreement, a request may be made to amend the grant agreement to allow for additional purchases; and

WHEREAS, inasmuch as expenditures for the Contract to be awarded under Invitation No. 4130 could exceed \$150,000, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is requested for the award of said Contract; and

WHEREAS, the Director of Contracts Administration has advised the Commission that W.W. Williams, Midwest, Inc. qualifies for consideration under the Commission's "Buy Ohio Bid Preference" policy, and has further advised that: 1) bids for Invitation No. 4130 were solicited on the basis of the same terms and conditions and the same specifications, 2) the bid of W.W. Williams, Midwest, Inc. for Invitation No. 4130 conforms to the requirements of Ohio Revised Code Section 5537.07 and Section 9.312, and 3) a bid guaranty and performance bond of good and sufficient surety bond has been submitted by W.W. Williams, Midwest, Inc.; and

WHEREAS, the Commission's 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 the Contract for Invitation No. 4130 be awarded to the lowest responsive and responsible bidder for Groups I, II, III and IV to W.W. Williams, Midwest, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Combination Bid of **W.W. Williams, Midwest, Inc.** of **Brunswick, Ohio**, in the total amount of **\$137,948.00** for Groups I, II, III and IV under Invitation No. 4130, is, and is by the Commission, determined to be the lowest responsive and responsible of all bids received, and is accepted; and

FURTHER RESOLVED that the Executive Director and the Director of Contracts Administration, or either of them, hereby is authorized to: 1) execute a Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bids, 2) direct the return to each of the bidders of their bid security, when appropriate, 3) authorize additional purchases under the Contract if it is deemed in the Commission's best interest, and 4) take any and all action necessary or proper to carry out the terms of said Contract; and

FURTHER RESOLVED that the Executive Director and the General Counsel, or either of them, hereby are authorized to execute any amendment necessary to the final grant agreement executed by and between the Ohio Turnpike Commission and the Ohio Department of Development to allow for the savings incurred during the bidding process for Invitation No. 4130 to be utilized for the purchase of additional diesel emission reduction devices under the Contract with W.W. Williams, Midwest, Inc.

(Resolution No. 7-2010 adopted March 22, 2010)