

OHIO TURNPIKE COMMISSION

Resolution Awarding a Contract to Furnish and Apply Retro-Reflective Pavement Markings on the Ohio Turnpike's Mainline Roadway and Interchange Ramps

WHEREAS, the Commission duly advertised according to law for bids under Invitation No. 4157 for furnishing and applying retro-reflective pavement markings on the Ohio Turnpike's mainline roadway and interchange ramps located in Williams, Fulton, Lucas, Wood, Ottawa, Sandusky, Erie, Lorain, Cuyahoga, Summit, Portage, Trumbull and Mahoning Counties, Ohio (*Milepost 0.0 to Milepost 241.2*); and

WHEREAS, expenditures for the Contract to be awarded 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 said Contract; and

WHEREAS, on March 24, 2011, the Commission received four bids in response to said Invitation; 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 lowest responsive and responsible bid for the performance of the work under Invitation No. 4157 was submitted by a joint venture comprised of M&M Contractors, Inc. of Parrish Florida and T-Mark Services, Inc. of Ravenna, Ohio in the total amount of \$567,420.13, however, this bid is non-responsive due to the inability of the joint venture to obtain the requisite insurance and bonding coverage required under the Invitation, and, therefore, should be rejected; and

WHEREAS, the Maintenance Engineer reports that the second lowest bid was submitted by **Aero-Mark, Inc. of Streetsboro, Ohio** in the total amount of **\$658,080.00**, which bid is below the Commission's estimated expenditure for this Contract; and

WHEREAS, the Maintenance Engineer further reports that Aeromark, Inc. has performed satisfactory work of this kind for the Commission in the past, and he, therefore, recommends that this bid be accepted by the Commission; and

WHEREAS, the Commission's Director of Contracts Administration has submitted a report advising the Commission that, pursuant to the Bidding Documents for Invitation No. 4157 and Ohio Revised Code Section 5537.07(A), the Commission has expressly reserved the right to reject any and all bids and, therefore, may lawfully reject the bids submitted by the joint venture comprised of M&M Contractors, Inc. and T-Mark Services, Inc.; and

WHEREAS, the Commission has also been advised by the Director of Contracts Administration that bids for Invitation No. 4157 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Aeromark, Inc. for Invitation No. 4157 conforms to the requirements of Ohio Revised Code Sections 5537.07, Section 9.312 and Section 153.54, and that a bid guaranty and performance bond of good and sufficient surety has been submitted by Aeromark, Inc.; and

WHEREAS, the Commission's Interim 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 Commission reject the low bid of the joint venture comprised of M&M Contractors, Inc. and T-Mark Services, Inc. as non-responsive, and that the Contract for Invitation No. 4157 be awarded to the lowest responsive and responsible bidder, Aeromark, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid submitted by the joint venture consisting of **M&M Contractors, Inc.** of **Parrish Florida** and **T-Mark Services, Inc.** of **Ravenna, Ohio**, is deemed non-responsive and is hereby rejected; and

FURTHER RESOLVED, that the bid of **Aero-Mark, Inc.** of **Streetsboro, Ohio** in the total amount of **\$658,080.00** under Invitation No. 4157 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Interim Executive Director and 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 bid, 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 Contract.

(Resolution No. 19-2011 adopted April 18, 2011)