

OHIO TURNPIKE COMMISSION

**Resolution Awarding a Contract for the Purchase of
Two Portable Salt Conveyor Systems under Invitation No. 4095**

WHEREAS, the Commission has advertised for bids for Invitation No. 4095 for the furnishing to the Commission of Two Portable Salt Conveyor Systems; and

WHEREAS, expenditures for the Contract to be awarded under Invitation No. 4095 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 Contract; and

WHEREAS, the Commission received two (2) bids in response to Invitation 4095; and

WHEREAS, said bids were reviewed and analyzed by the Commission's Maintenance Engineer, and he has submitted a report concerning said analysis, which report is before the Commission; and

WHEREAS, the Maintenance Engineer reports that the low bid was submitted by **Kimko USA, Inc. of Marshall, Illinois** in the total amount of **\$192,255.08**, and that this bidder proposes to furnish the two portable salt conveyor systems in accordance with the Specifications; and

WHEREAS, the Maintenance Engineer further reports that, although the bid of Kimko USA, Inc. is seven percent (7%) above estimate, it is reasonable in light of the current material costs for both stainless steel and carbon steel, and he, therefore, recommends that the Contract for Invitation No. 4095 be awarded to Kimko USA, Inc.; and

WHEREAS, the Commission has been advised by the Director of Contracts Administration that bids for Invitation No. 4095 were solicited on the basis of the same terms and conditions and the same specifications; that the bid of Kimko USA, Inc. for Invitation No. 4095 conforms 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 bidder; 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. 4095 be awarded to the lowest responsive and responsible bidder, Kimko USA, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Kimko USA, Inc. of Marshall, Illinois** in the total amount of **\$192,255.08** under Invitation No. 4095 for furnishing the Commission with Two Portable Salt Conveyor Systems is, and is by the Commission, determined to be the lowest responsive and responsible bid received, and is accepted and the Executive Director and the Director of Contracts Administration, or either of them, hereby is authorized: 1) to execute a Contract with Kimko USA, Inc. in form heretofore prescribed by the Commission pursuant to the aforesaid bid; 2) to direct the return to the bidders of their bid security at such time as Kimko USA, Inc. has entered into a Contract; and 3) to take any and all action necessary or proper to carry out the terms of said Contract.

(Resolution No. 22-2008 adopted June 16, 2008)