

OHIO TURNPIKE COMMISSION

Resolution Awarding a Contract for the Furnishing of Guardrail Materials Pursuant to Invitation No. 4175

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for the furnishing of Guardrail Materials, herein designated **Invitation No. 4175**; and

WHEREAS, expenditures for the award to be made under Invitation No. 4175 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 said Contract award; and

WHEREAS, the Commission received four bids for the performance of Group I and five bids for the performance of Group II under 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 apparent low bid for **Group I** to furnish galvanized guardrail parts was submitted by **Gregory Industries of Canton, Ohio** in the amount of **\$251,629.35**, which includes a **one-quarter percent (0.25%) term discount**; and

WHEREAS, the Maintenance Engineer reports that the apparent low bid for **Group II** to furnish guardrail blocks was submitted by Monroeville Industrial Moldings of Norwalk, Ohio, but this bidder failed to submit the required Bid Guaranty with its bid and was also otherwise non-responsive, and must be rejected; and

WHEREAS, the apparent second low bid for **Group II** was submitted by **Gregory Industries of Canton, Ohio** in the amount of **\$6,957.56**, which includes a **one-quarter percent (0.25%) term discount**; and

WHEREAS, the Maintenance Engineer further reports that Gregory Industries proposes to furnish materials in accordance with the specifications, that the amounts bid are below the estimated expenditures for both Groups, and that this bidder has furnished similar materials to the Commission in the past and has performed satisfactorily; and he, therefore, recommends that a Contract be awarded to the lowest responsible and responsive bidder, **Gregory Industries**, for both **Group I** and **Group II** in the total amount of **\$258,586.91**; and

WHEREAS, the Director of Contracts Administration has advised the Commission that Gregory Industries qualifies 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 Invitation No. 4175 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Gregory Industries, Inc. for Invitation No. 4175 conforms to the requirements of Ohio Revised Code Sections 5537.07 and 9.312, and that a cashier's check with good and sufficient surety has been submitted by Gregory Industries, Inc.; and

WHEREAS, the Executive Director has reviewed the reports of the Maintenance Engineer and the Director of Contracts Administration and, predicated upon such analysis, concurs with the recommendations to reject the award of Group II to Monroeville Moldings, and to award the Contract for Invitation No. 4175 to the lowest responsive and responsible bidder for both Group I and Group II, Gregory Industries, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of Monroeville Moldings of Norwalk, Ohio, is not responsive and is hereby rejected.

FURTHER RESOLVED that the bids of **Gregory Industries, Inc. of Canton, Ohio**, for both Group I and Group II of Invitation No. 4175 in the amount of **\$258,586.91**, are and are by the Commission, determined to be the lowest responsive and responsible bids received for the performance of said Contract, and are accepted, and that the Executive Director and the General Counsel, or either of them, hereby is authorized to: 1) execute a Contract with said 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 bid and of said Contract.

(Resolution No. 3-2012 adopted January 17, 2012)