

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### Resolution Awarding Contract No. 4218 for the Furnishing of Ultra Low Sulfur Diesel Fuel and Unleaded Gasoline/Ethanol Blend

WHEREAS, the Commission has duly advertised, in accordance with law, an Invitation for Bids upon a Contract for the furnishing of ultra low sulfur diesel fuel (“ULSD”) and unleaded gasoline/ethanol blend to the Commission’s eight maintenance buildings for a twelve (12) month period, with two possible, one-year renewal terms, herein designated **Contract No. 4218**; and

WHEREAS, expenditures for the award to be made under Contract No. 4218 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, bidders were asked to submit bids for four Groups that are based on the geographical location of the Commission’s maintenance buildings and, for each Group, to state the price differential per gallon they would charge from the weekly reports published by the Oil Price Information Service (“OPIS”), Cleveland, Ohio, for ULSD (Group I and Group II) and for unleaded gasoline/ethanol blend (Group III and Group IV); and

WHEREAS, the Commission received four bids for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission’s Assistant Chief Engineer, Highway and Maintenance, whose report concerning such analysis is before the Commission; and

WHEREAS, the Assistant Chief Engineer reports that the lowest responsive and responsible bids received for both Group I and Group II under Invitation No. 4218 were submitted by **Ports Petroleum, of Wooster, Ohio**, in the approximate amount of \$1,714,720.00 and that this bidder proposes to furnish material and services in accordance with the Commission’s Specifications; and

WHEREAS, the Assistant Chief Engineer reports the bids for both Group I and Group II are approximately two percent (2%) below the annual estimated amount of \$1,750,000.00 for these two groups, but he has recommended that a cushion be built-in to account for the potential fuel cost increases and that the Commission authorize annual expenditures up to **\$1,750,000.00**; and

WHEREAS, the Assistant Chief Engineer reports that the lowest responsive and responsible bids received for both Group III and Group IV under Invitation No. 4218 were submitted by **Great Lakes Petroleum Co., of Cleveland, Ohio**, in the approximate amount of \$710,120.00 and that this bidder proposes to furnish material and services in accordance with the Commission’s Specifications; and

WHEREAS, the Assistant Chief Engineer reports the bids for both Group III and Group IV are approximately one percent (1%) below the annual estimated amount of \$720,000.00 for these two groups, but he has recommended that a cushion be built-in to account for the potential fuel cost increases and that the Commission authorize annual expenditures up to **\$720,000.00**; and

WHEREAS, should the quantities of ULSD and unleaded gasoline/ethanol blend purchased exceed the number of gallons estimated by the Engineering Department staff by more than ten percent (10%), or the cost of the ULSD or the unleaded gasoline/ethanol blend exceed the \$2,470,000.00 in expenditures allocated for the first contract year by more than ten percent (10%), the Commission will be presented with a new resolution to increase said estimated quantities and/or expenditures; and

WHEREAS, the Director of Contracts Administration has advised the Commission that both bidders qualify for consideration under the Commission’s Domestic and Ohio Preference Policy; and

WHEREAS, the Commission’s Director of Contracts Administration has further advised that bids for Contract No. 4218 were solicited on the basis of the same terms and conditions and the same specifications, that the bids of Ports Petroleum for Group I and Group II and the bids of Great Lakes Petroleum Co. for Groups III and IV for Contract No. 4218 conform to the requirements of Ohio Revised Code Section 5537.07 and Section 9.312; and that bid guaranties with good and sufficient surety have been submitted by the aforementioned bidders; and

WHEREAS, the Executive Director has reviewed the reports of both the Assistant Chief Engineer and the Director of Contracts Administration and, predicated upon such analysis, concurs with the recommendation to award the Contract for Invitation No. 4218 to the lowest responsive and responsible bidder for both Group I and Group II, Ports Petroleum and for both Group III and Group IV to Great Lakes Petroleum Co.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bids of **Ports Petroleum** for both Group I and Group II (Ultra Low Sulfur Diesel) and the bids of **Great Lakes Petroleum Co.** for both Group III and Group IV (Unleaded Gasoline/Ethanol Blend) under Invitation No. 4218 are, and are by the Commission deemed to be the lowest responsive and responsible bids received and are accepted, and the Executive Director or the Director of Contracts Administration, or either of them, is hereby authorized to: 1) execute Contracts with Ports Petroleum and Great Lakes Petroleum Co. in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; 2) incur expenditures under the Contracts in the quantities estimated by the Engineering Department's staff for the purchase of Ultra Low Sulfur Diesel and Unleaded Gasoline/Ethanol Blend fuel; 3) as appropriate, direct the return to the bidders of their bid security at such time as Ports Petroleum and Great Lakes Petroleum Co. have each entered into a Contract; 4) exercise the first and second of the two renewal options predicated upon satisfactory performance reviews by the Engineering Department; and 5) take any and all action necessary to properly carry out the terms of said Contracts.

**(Resolution No. 32-2014 adopted May 19, 2014)**