

## OHIO TURNPIKE COMMISSION

### Resolution Awarding Contract No. 59-07-03

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for repairs and resurfacing of the westbound roadway from Milepost 186.9 to Milepost 205.4, located in Portage County, Ohio, herein designated **Contract No. 59-07-03**; and

WHEREAS, the Commission has received bids from two (2) bidders for the performance of said Contract; and

WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis, which report is before the Commission; and

WHEREAS, the chief engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 59-07-03 was received from **Shelly & Sands, Inc.** of **Akron, Ohio**, in the amount of **\$5,189,828.50**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the director of contracts administration that all bids for Contract No. 59-07-03 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Shelly & Sands, Inc. for Contract No. 59-07-03 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by Shelly & Sands, Inc.; and

WHEREAS, the Commission's executive director has reviewed the reports of the chief engineer and the director of contracts administration and, predicated upon such analysis, has made his recommendation to the Commission to award Contract No. 59-07-03 to Shelly & Sands, Inc; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Shelly & Sands, Inc.** of Akron, Ohio, in the amount of **\$5,189,828.50** for the performance of Contract No. 59-07-03 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 chairperson and executive director, or either of them, hereby is authorized: (1) to execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **ms consultants, inc.** of **Youngstown, Ohio**, to Contract 59-07-03 for the purpose of performing construction inspection, and **Solar Testing Laboratories, Inc.** of **Brooklyn Heights, Ohio** for the purpose of performing material testing and inspection, with such assignments in accordance with the 2007-2008 General Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

**[FURTHER RESOLVED that Project No. 59-07-03 is designated a System Project under the Commission's 1994 Master Trust Agreement.]**

**(Resolution No. 3-2007 adopted February 26, 2007)**