

# OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

## **Resolution Approving the Selection of Kokosing Construction Company, Inc. for Project No. 43-24-11 for the Total Amount of \$1,637,033.60**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published a notice in accordance with law to advertise an invitation to bid on a contract for Bridge Deck Repair of the Ohio Turnpike Mainline Bridge over the Maumee River at Milepost 63.0 in Wood County, Ohio, and designated as Project No. 43-24-11; and

WHEREAS, the sole bid was in excess of ten percent (10%) above the Engineers estimate of \$1,100,000.00 and, pursuant to Article V of the Instructions to Bidders, the Commission convened the Construction Contracts Award Committee (“CCAC”) to determine if the bid prices are within reasonable conformance with the Engineer’s estimate and a bid price may be accepted by the Commission upon a recommendation by the Committee; and

WHEREAS, the CCAC met on August 9, 2024, and after considering the Commission consultant’s evaluation memorandum and information provided by the Commission’s Engineering staff, the CCAC determined that the bid submitted by Kokosing Construction Company, Inc. (“Kokosing”) should be accepted for the reasons set forth in the CCAC memorandum dated August 9, 2024, which is before the Commission and summarized below:

- There was one (1) bid submitted for the Project, and the bidder is fully capable of performing the work and has satisfactorily performed work in the past. A review of the Plan Holders List revealed there to be three (3) other potential prime contractors that could have submitted a bid. It does not appear that rebidding the project will attract more bidders on the project. The lack of bids submitted reveals that those potential entities were not interested in this work or did not have available staff to allocate to this project. Re-advertising the project will significantly impact the schedule of the project, and likely extend the project work into the following year’s construction season and within the limits of a resurfacing project that will be started at the beginning of the 2025 Construction Season.
- The bid appears to be reasonable with no unbalanced items. The largest disparities between the bid items and the Engineer’s Estimate was Ref. No. 2 “Maintaining Traffic” and Ref No. 12 “Patching Concrete Bridge Deck, Type B”. The bid for these items was approximately \$639,060 more than the Engineer’s Estimate. The Commission’s engineering consultant advised that Maintaining Traffic, Ref. No. 2, has a unit cost of lump sum and could vary greatly between contractors due to their specific means and methods of performing the work. The consulting engineer also indicated that Patching Concrete Bridge Deck was estimated at \$1,000/SY based on historical data. Historical bids for this item of work ranged from \$500/SY to \$3000/SY and without knowing the specificity of the historical bids it was hard to determine a comparable price per square yard cost for this project.
- A delay in award of this Project would likely negatively impact the completion time frame of the project. Specifically, rebidding the project would result in the project not being awarded until late Fall 2024, which would make the contract execution in the Winter 2024 timeframe. The type of repairs required for this project cannot be completed in the winter without additional, costly measures. Delaying the work until Spring 2025 would result in both increased construction costs and substantial risk that surface course failures will occur resulting in unanticipated lane closures resulting in traffic backups. Furthermore, we have a scheduled Resurfacing Project taking place in 2025 in this area and the maintenance of traffic for that project relies on this bridge having a sound surface. Lastly, the repairs being made on this project will be necessary to provide maintenance of traffic for the scheduled bridge deck replacement project for the Maumee River Bridge in 2026 and 2027.
- The pricing and availability of construction labor and materials is not expected to decrease in the foreseeable future.

- It was determined that no items can be removed from the scope of the Project and still accomplish the intents and the requirements of the Project.
- Awarding this Project will not adversely affect the Commission's Capital Program or financial condition.
- The bidder has successfully performed work for the Commission in the past and appears to have sufficient capacity to perform this Project.

WHEREAS, the Director of Contracts Administration determined that bids for the Project were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of Kokosing conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Kokosing submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion (OEI) Contracts Coordinator determined to waive the program requirements due to lack of subcontracting opportunities and availability of certified firms; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount of the bids received will require expenditures under the Project that will exceed \$150,000.00; and

WHEREAS, the Commission's Executive Director concurs with the Chief Engineer/Deputy Executive Director's recommendation that the Commission approve the award of the Project to Kokosing Construction Company, Inc. as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of Kokosing Construction Company, Inc. for Project No. 43-24-11 in the amount of \$1,637,033.60 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid.

**(Resolution No. 83-2024 adopted August 19, 2024)**