

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Miller Bros. Const., Inc. for Project No. 43-27-03 (REBID) for the Total Amount of \$13,447,863.84

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 Replacement and Bridge Rehabilitation of Nettle Creek Road Bridge (CR N.30) over the Ohio Turnpike Mainline at Milepost 6.0, White Bridge Road Bridge (CR 7.75) over the Ohio Turnpike Mainline at Milepost 6.9, and Champion Road Bridge (CR 8.50) over the Ohio Turnpike Mainline at Milepost 7.7, all in Williams County, Ohio, and designated as Project No. 43-27-03 (REBID); and

WHEREAS, the Commission received no bids on Project No. 43-27-03 (REBID); and

WHEREAS, the Commission published notice in accordance with law readvertising its Invitation to Bid on a contract for Bridge Replacement and Bridge Rehabilitation of Nettle Creek Road Bridge (CR N.30) over the Ohio Turnpike Mainline at Milepost 6.0, White Bridge Road Bridge (CR 7.75) over the Ohio Turnpike Mainline at Milepost 6.9, and Champion Road Bridge (CR 8.50) over the Ohio Turnpike Mainline at Milepost 7.7, all in Williams County, Ohio, and designated as Project No. 43-27-03 REBID (hereinafter the “Project”); and

WHEREAS, on October 1, 2026, the Commission received one (1) bid to perform the Contractor’s obligations on the Project and the report of the Commission’s Chief Engineer/Deputy Executive Director concerning the review and analysis of the bid is before the Commission; and

WHEREAS, the lone bid was in excess of ten percent (10%) above the Engineer’s estimate and, pursuant to Article 5, Section 5.1.2 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 October 6, 2026, and after considering the Commission’s Consultant’s evaluation memorandum and information provided by the Commission’s Engineering staff, the CCAC determined that the lone responsive and responsible bid submitted by Miller Bros. Const., Inc. (“Miller Bros.”) should be accepted for the reasons set forth in the CCAC memorandum dated October 7, 2026, which is before the Commission and summarized below:

- The Commission received one (1) bid for the Project, and the bidder is fully capable of performing the work and has satisfactorily performed work for the Commission in the past.
- Based on the feedback received from reaching out to the other prime contractors on the plan holders list, it is unlikely that any other bids would be submitted for this project.
- The largest disparities between the Miller Bros. Const. bid items and the Engineer’s Estimate were “Maintaining Traffic” and other miscellaneous lump sum items related to structure MP 6.0. Maintaining Traffic is a lump sum item that can vary greatly from project to project, making estimating those costs difficult during the design as they are typically based on means and methods of the individual Construction Company. The other items related to structure MP 6.0 are also lump sum items and vary in price by the Contractor’s means and methods, of which the design consultant does not have knowledge. The design consultant uses historical information from similar projects to estimate these items.
- A delay in awarding the Project would negatively impact the completion timeframe of the project. Specifically, rebidding the project would result in the project not being awarded until the December 21, 2026, Commission Meeting, which would make the contract execution in the January 2027 timeframe and increase costs to ensure timely completion (i.e., accelerated construction costs for 2027 and 2028

work);

- Pricing and availability of construction labor and materials is not expected to decrease in the foreseeable future;
- There are no scope items that could be removed to still accomplish the intent and the requirements of the Project;
- Awarding the Project to the lone bidder, Miller Bros., will not adversely affect the Commission's Capital Program or financial condition;
- Miller Bros. has committed to meeting the SBE goal for the Project;
- Miller Bros. bid appears balanced; and
- Miller Bros. appears to have the capacity to perform the Project.

WHEREAS, the CCAC reports that Miller Bros. submitted the lone responsive and responsible bid on the Project in the total bid amount of \$13,447,863.84, which it recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration has 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 Miller Bros. conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Miller Bros. submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Opportunity and Inclusion has found that Miller Bros. has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment to meet the SBE participation goal of 10% for the Project; 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 bid received will require expenditures under the Project that will exceed \$150,000.00; and

WHEREAS, the Commission's Executive Director concurs with the CCAC's recommendation that the Commission approve the award for the Project to Miller Bros. as the lone 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 Miller Bros. Const., Inc for Project No. 43-27-03 (REBID) in the amount of \$13,447,863.84 is approved as the lone responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid.

(Resolution No. 76-2026 adopted October 19, 2026)