

# OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

## **Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. for Project No. 99-22-07 for the Total Amount of \$247,630.00**

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 Repairs of the mainline bridge over State Route 163 at Milepost 73.0 in Wood County, Ohio, and designated as Project No. 99-22-07 (hereinafter the “Project”); and

WHEREAS, the Commission received two (2) bids to perform the Contractor’s obligations on the Project, and the report of the Commission’s Chief Engineer concerning the review and analysis of the bids is before the Commission; and

WHEREAS, both bids were in excess of ten percent (10%) above the Engineer’s estimate and, pursuant to Article V of the Instructions to Bidders, the Commission may convene a 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 September 12, 2023, and after considering the Commission’s consultant’s evaluation memorandum and information provided by the Commission’s Engineering staff, the CCAC determined that the apparent low bid submitted by Suburban Maintenance & Construction, Inc. should be accepted for the reasons set forth in the CCAC memo dated September 12, 2023, which is before the Commission and summarized below:

- The Commission advertised the Project on August 15, 2023, and August 22, 2023, and the Commission received two bids; it does not appear that rebidding the project will attract more bidders due to the small size of the project and the type of work required;
- There is only an 8.4% difference between the bid submissions, which indicates the contractors’ bid more accurately reflect the true costs of the work;
- The costs submitted by the low bidder were analyzed and appear to be reasonable and a few bid items pertaining to Structure Members, Level 1 or Level UF, As Per Plan, and Heat Straightening of Damages Members have the largest disparities with the engineer’s estimate (\$93,000 vs. \$40,000), but the Commission’s consultant acknowledged it underestimated the bid amount for these items;
- Delaying the Project would negatively impact the completion time frame of the Project;
- A rebid would result in the project not being awarded until the January 16, 2024, Commission Meeting, which would make contract execution in the early-February timeframe. This would affect the ability to complete the Project during the 2024 construction season and the Commission would incur accelerated construction costs in 2024 and/or increased costs for any 2024 work;
- The pricing and availability of construction labor and materials is not expected to decrease in the foreseeable future;
- No items can be removed from the Project scope and still accomplish the requirements of the Project;
- The cost of the Project is expected to be reimbursed by the responsible parties that caused the damage;
- The SBE goal applicable to this Project was waived due to the specialty nature of the work, low project cost, and availability of contractors; and
- The apparent low bid received appears balanced; and
- The bidder appears to have the capacity to perform the Project.

WHEREAS, the CCAC reports that Suburban Maintenance & Construction, Inc. submitted the apparent low bid on the Project in the total bid amount of \$247,630.00 which it recommends the Commission accept and approve authorization for the Executive Director to award; and

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 Suburban Maintenance & Construction, Inc. conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Suburban Maintenance & Construction, Inc. submitted a performance bond with good and sufficient surety; and

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

WHEREAS, the CCAC recommends the Commission select Suburban Maintenance & Construction, Inc. as the lowest responsive and responsible bidder for the Project; and

WHEREAS, the Commission's Executive Director concurs with the CCAC's recommendation that the Commission approve the award of the Project to Suburban Maintenance & Construction, 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 Suburban Maintenance & Construction, Inc. for Project No. 99-22-07 in the amount of \$247,630.00 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. 88-2023 adopted October 16, 2023)**