

MINUTES OF THE 333RD MEETING OF THE OHIO TURNPIKE COMMISSION

April 30, 1982

Pursuant to bylaws the Ohio Turnpike Commission met in a special session at the BancOhio National Bank Building at 155 East Broad Street, Columbus, Ohio at 12:00 noon on April 30, 1982, with key members of the staff; a representative, William R. Fleischman, of the consulting engineers, J. E. Greiner Company-Ohio; a representative, P. Joseph Sesler, of the trustee, the BancOhio National Bank; and others in attendance.

The meeting was called to order by the Chairman. The roll was called and the attendance was reported to be as follows:

Present: David L. Weir, Sandra D. Cooke,
Clarence D. Rogers, Jr.

Absent: Ralph H. Anderson, Charles R. Pinzone

A motion was made by Mrs. Cooke, seconded by Mr. Weir, that the minutes of the meeting of March 11, 1982, which had been examined by the Members and on which the corrections suggested by the Members had been made, be approved without reading.

A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Mrs. Cooke, Mr. Weir, Mr. Rogers

Nays: None

The Chairman declared the minutes stood approved with all Members present voting in the affirmative.

The Chairman reported that the meeting was the 333rd of the Ohio Turnpike Commission. He said it was a special meeting called by the Chairman pursuant to Article II, Sec. 4.00 of the Commission's Code of Bylaws to review and act on bids received for Contract No. RMP 43-82-02, pier repairs on the Cuyahoga River bridges.

The Chairman reported further that appropriate notice of the special meeting had been sent to the news media normally notified of the Commission's meetings.

The Chairman reported further that Mr. Anderson, who was ill, and Mr. Pinzone, obligated by a prior commitment, could not attend the day's meeting. He said he wanted to note the presence of Browning Crow, a partner of Howard, Needles, Tammen and Bergendoff, the Commission's design consultants for the project under consideration at the day's meeting, and also at the meeting was Rob Fleischman, the representative of the Commission's general

consultants, J. E. Greiner Company - Ohio.

The Chairman reported further that he wanted to particularly note that James McGrath was attending his first meeting as the Commission's General Counsel.

The Chairman reported further that he would call on the Executive Director to comment on the bids received for the bridge pier repairs and to explain the resolution concerning the project.

The Executive Director, Allan V. Johnson, said that for more than two years the Commission's staff had been working on studies and plans for repairing deterioration of the concrete piers of the twin bridges carrying the Turnpike over the Cuyahoga River and Cuyahoga River valley. He said the Cuyahoga River bridges were the longest and highest bridges on the Turnpike. He said it just so happened that the foundations and piers of the Cuyahoga River bridges were the first Turnpike projects constructed nearly thirty years ago.

The Executive Director said further that the deterioration was basically to the surface concrete, and it was not a threat to the structural capacity of the piers. He said that, however, the deterioration was not something that could be ignored and it had been gradually worsening.

The Executive Director said further that the Commission's design consultants, Howard, Needles, Tammen and Bergendoff, assisted by other experts, had concluded that the deterioration had been largely the result of salt penetration into the concrete to the level of the outermost reinforcing steel.

The Executive Director said further the repairs to the deterioration called for removing all of the outer layer of existing concrete and replacing it with new concrete. He said that was the essence of the project on which plans were prepared and bids solicited.

The Executive Director said further that the bidding plans and specifications permitted alternates for replacing the concrete by either a process called pressure grouting or by a normal forming of the piers - pouring the concrete inside the forms. He said four companies bid on the project and all four bid the pressure grouting method, also known as shotcreting. He said there had been only one bid on the forming method.

The Executive Director said further that the tabulations of the bids had been sent to the Commission Members, along with the notice of the special meeting. He said the low bid for the project was in the total amount of \$2,731,176.20 and the high bid was \$7,183,736.30, a significant range.

The Executive Director said further that the low bid by the Pressure Concrete Construction Company was under the estimate of \$3,397,125.00

The Executive Director said further that the bids and supporting information had been reviewed by the Commission's design consultant, its general consultant, its Deputy Executive Director-Chief Engineer, its General Counsel, its Comptroller, its Minority Business Enterprise counsel and advisor, and by him. He said that, although the low bidder had not done work for the Commission before, it had been concluded that the firm had vast experience in the required type of work. He said he thought the company had contracts in progress with the Ohio Department of Transportation.

The Executive Director said further that he was satisfied that the Pressure Concrete Construction Company was committed to meeting the Commission's Minority Business Enterprise goals. He said it was his recommendation that the contract be awarded to the Pressure Concrete Construction Company of Florence, Alabama in the total amount of \$2,731,176.20. He said he further recommended that, in accepting or awarding the contract, all other bids be rejected. He said the purpose for rejecting the other bids was because they all exceeded the estimate by a considerable amount. He said that in the absence of making an award to the low bidder, he recommended rejecting all bids. He said that even with an award to the low bidder he recommended specific rejection of the other three bids in case something went wrong with the low bid. He said he didn't recommend the contract going to the second bidder, if fault was found with the first bidder.

The Executive Director said further that a draft resolution had been prepared and he recommended it be adopted. He said that before that, he wanted to express his appreciation to the Commission Members for agreeing to attend the special meeting on such short notice. He said that when the last meeting had been concluded, the Chairman had adjourned saying that a meeting would be called as necessary. He said he would take responsibility for the short notice of the meeting because he had not known the precise timing of bid solicitations when the last regular Commission meeting had taken place. He said he appreciated the opportunity to have the special meeting to award the contract, which he considered important for the Commission to do.

The Executive Director said further that the pier repair work was only the first stage of what would, no doubt, be extensive repairs to the Cuyahoga River bridges. He said plans had already begun for replacement of the entire deck of the westbound span. He said the deck replacement had been earmarked to be done within the next few years as part of the extensive toll rates and bridge condition study completed last year, which led to the Commission adopting the new toll rates.

A resolution awarding Contract RMP 43-82-02 was moved for adoption by Mr. Weir, seconded by Mrs. Cooke as follows:

RESOLUTION NO. 5-1982

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for pier repairs of the Cuyahoga River Bridge, located at Milepost 177.2 in Summit County, Ohio, which contract is designated Contract RMP 43-82-02, and proof of said advertising is before the Commission;

"WHEREAS, four bids were received for the performance of the contract and said bids were duly opened and read as provided in the published notice for bids;

"WHEREAS, said bids have been analyzed by the Commission's consulting engineers and by its deputy executive director-chief engineer, and they have reported thereon with respect to said analyses, and they, and also the Commission's executive director, have made their recommendations predicated upon such analyses;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications with respect to all bidders and potential bidders, and the bid of Pressure Concrete Construction Co. of Florence, Alabama, in the amount of \$2,731,176.20 for the performance of Contract RMP 43-82-02 by the shotcrete method, has been determined by the Commission to be the lowest and best of all bids received, and it has been determined to be in the best interest of the Commission to accept the bid of said company on the aforesaid basis;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.04 of the Revised Code of Ohio, and to the terms, conditions, specifications and the legal notice applicable thereto, and accordingly, the Commission is authorized to accept said bid as the lowest and best of all bids for the performance of the work required under said contract, and of the incidental obligations thereof; and

"WHEREAS, said bid was accompanied by a bid and performance bond with surety, as provided by law, and the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of Pressure Concrete Construction Co. of Florence, Alabama, in the amount of \$2,731,176.20 for the performance of Contract RMP 43-82-02 by the shotcrete method of repair, is, and is by the Commission, determined to be the lowest and best of all bids received for the performance of said contract, and is accepted, and that the chairman 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 other bidders of their bid security,

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 bids of Joseph Lach Construction Company, Inc. of Avon, Ohio, Forest City Erectors, Inc., of Twinsburg, Ohio and The Horvitz Company of Valley View, Ohio, are hereby rejected."

A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Mr. Weir, Mrs. Cooke, Mr. Rogers

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was No. 5-1982.

The Chairman said the next Commission meeting would be held after consultation with the Members.

There being no further business to come before the Commission, a motion was made by Mrs. Cooke, seconded by Mr. Weir that the meeting adjourn, subject to call of the Chairman.

A vote by ayes and nays was taken and all Members responded to roll call.

Ayes: Mrs. Cooke, Mr. Weir, Mr. Rogers

Nays: None

The Chairman declared the meeting adjourned. Time of adjournment was 12:13 p.m.

Approved as a correct transcript of the proceedings of the Ohio Turnpike Commission



Allan V. Johnson
Assistant Secretary-Treasurer