

**OHIO TURNPIKE COMMISSION**

**Resolution Accepting the Bids and Authorizing the Executive Director  
To Take Further Action Concerning Award of Contract No. 54-98-04**

WHEREAS, the Commission has duly advertised according to law for bids upon a contract for installation of sanitary sewer service at the Commission's Portage and Brady's Leap Service Plazas at Milepost 197.0, located in Portage County, Ohio;

WHEREAS, the Commission has received bids from four companies for the performance of said contract;

WHEREAS, said bids have been reviewed and analyzed by the Commission's maintenance engineer, and he has submitted a report concerning such analysis and his report is before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of Kirila Contractors, Inc. of Brookfield, Ohio, in the amount of \$781,327.50 for the performance of Contract No. 54-98-04 has been determined by the Commission to be the lowest responsive and responsible bid received;

WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by Kirila Contractors, Inc.;

WHEREAS, the Commission has also been advised by the maintenance engineer that the Ohio Environmental Protection Agency (OEPA) has not issued the Commission's Permit to Install, however, representatives from the OEPA anticipate that the permit will be issued within two to three weeks;

WHEREAS, the Commission has been advised by general counsel that award of the subject contract should be delayed until receipt of the above-mentioned OEPA permit;

WHEREAS, the Commission's maintenance engineer advises that awarding the subject contract at its next scheduled meeting would jeopardize the construction progress;

WHEREAS, the Commission desires to delegate to the executive director authority to take action on behalf of the Commission concerning the award of Contract No. 54-98-04 to Kirila Contractors, Inc. of Brookfield, Ohio in the amount of \$781,327.50 at such time as the Commission is in receipt of the applicable OEPA Permit to Install, if such action is deemed necessary prior to the next Commission meeting so that the installation of the sanitary sewer system at the Portage and Brady's Leap Service Plazas will be accomplished in an expedient manner;

NOW, THEREFORE, BE IT

RESOLVED that the bid submitted by Kirila Contractors, Inc. of Brookfield, Ohio in the amount of \$781,327.50 in response to the Commission's advertisement for bids upon Contract No. 54-98-04 for installation of sanitary sewer service at the Commission's Portage and Brady's Leap Service Plazas at Milepost 197.0, located in Portage County, Ohio; be and the same hereby is accepted; and

FURTHER RESOLVED that the authority hereby granted to the executive director and general counsel shall include authority, if deemed appropriate, to award the subject contract to Kirila Contractors, Inc.; and

FURTHER RESOLVED that the executive director may take such action aforesaid, provided the maintenance engineer advises that the OEPA has issued the requested Permit to Install, and he concurs in the recommendation of award and that the general counsel issues an opinion that Kirila Contractors, Inc. complies with all statutory requirements of the State of Ohio and complies with the policies of the Commission; and

FURTHER RESOLVED that the executive director of the Ohio Turnpike Commission is hereby authorized to take any action necessary concerning award and execution of Contract No. 54-98-04 for installation of sanitary sewer service at the Commission's Portage and Brady's Leap Service Plazas at Milepost 197.0, located in Portage County, Ohio; prior to the next meeting of the Commission, including the award of contract for such invitation and is further directed to notify the bidders in writing of said action, and to return to the other bidders the bid security furnished by it;

FURTHER RESOLVED that Project No. 54-98-04 is designated a System Project under the Commission's 1994 Master Trust Agreement.

**(Resolution No. 20- 2000 adopted September 11, 2000)**