

## OHIO TURNPIKE COMMISSION

### Resolution Awarding Contract No. 43-04-01

WHEREAS, pursuant to Resolution No. 46-2004, adopted on August 23, 2004, the Commission rejected the bids received on August 12, 2004, in response to the subject Invitation and directed the Commission to re-advertise for bids for Contract No. 43-04-01; and

WHEREAS, the Commission has duly re-advertised according to law for bids upon a contract for reconstruction of the Norfolk & Southern Railroad Bridge over the Ohio Turnpike located at Milepost 182.0 in Summit County, herein designated **Contract No. 43-04-01**; and

WHEREAS, the Commission has received bids from five (5) bidders for the performance of said contract; and

WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer and the director of contracts administration, and they have submitted reports concerning such analysis and their reports are before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis; and

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 The Ruhlin Company of Sharon Center, Ohio, in the amount of \$9,610,067.99 for the performance of Contract No. 43-04-01 has been determined by the Commission to be the lowest responsive and responsible bid received; and

WHEREAS, the Commission has been advised by its director of contracts administration 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 The Ruhlin Company.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **The Ruhlin Company**, Sharon Center, Ohio, in the amount of **\$9,610,067.99** for the performance of Contract No. 43-04-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson 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, when appropriate, 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 Commission hereby authorizes the executive director and the chief engineer to assign **Geo-Sci, Inc.**, of Berea, Ohio, to Contract 43-04-01 for the purpose of performing materials testing. Such assignment shall be in accordance with the 2003-2004 Engineering Services Agreement between the Ohio Turnpike Commission and Geo-Sci, Inc.; and

FURTHER RESOLVED that the Commission authorizes the executive director to enter into an agreement with Norfolk Southern Railway Company for reimbursement of costs associated with relocation of tracks, communication and signal lines and related expenses; and

FURTHER RESOLVED that Project No. 43-04-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

**(Resolution No. 52-2004 adopted October 18, 2004)**