

OHIO TURNPIKE COMMISSION

Resolution Awarding Contract No. 40-05-01
and Contract No. 40-05-03 and
Rejecting Bids for Contract No. 40-05-02

WHEREAS, the Commission has duly advertised according to law for bids upon a contract(s) for bridge repainting to the following bridges:

Bridge	Milepost	County	Project No.
Oberlin Road	141.2	Lorain	40-05-01
Murray Ridge Road	143.4	Lorain	40-05-01
Gulf Road	146.4	Lorain	40-05-01
S.R. 83	150-5	Lorain	40-05-01
Barr Road	171.6	Cuyahoga	40-05-02
Exit 173 Ramp	173.2	Summit	40-05-02
Boston Mills Road	178.0	Summit	40-05-02
Metroparks Bike Path Bridge	179.0	Summit	40-05-02
S. R. 303	207.3	Trumbull	40-05-03
Herbert Road	225.0	Mahoning	40-05-03
Raccoon Road	226.7	Mahoning	40-05-03
U.S. 224	227.6	Mahoning	40-05-03

WHEREAS, the Commission has received bids from five (5) companies for the performance of said contracts, and bidders were given the option to submit a single bid for one, two or all three contracts, as well as to submit a Combined Bid to perform all three Contracts as a "package;" and

WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer who has stated that **American Painting Co., Inc.** of Campbell, Ohio submitted the apparent low bid for all three Contracts, individually, as well as the lowest Combined Bid for all three Contracts, however, the individual bid for Contract No. 40-05-02 was 37.5% above the engineering estimate; and

WHEREAS, the Commission's chief engineer and director of contracts administration recommend that awards be made to American Painting Co., Inc. only for Contract No. 40-05-01 and Contract No. 40-05-03, and that all other bids received in response to Contract No. 40-05-02, as well as all Combined Bids be rejected, and that Contract No. 40-05-02 be re-advertised at a later date; and

WHEREAS, the Commission's executive director has made his recommendation to the Commission predicated upon the analyses of the chief engineer and the director of contracts administration; and

WHEREAS, all bids for said contracts were solicited on the basis of the same terms and conditions and the same specifications, and the bid of **American Painting Co., Inc.** in the amount of **\$550,850.00** for the performance of **Contract No. 40-05-01**, and in the amount of **\$707,995.00** for the performance of **Contract No. 40-05-03** have been determined to be the lowest responsive and responsible bids received for said Contracts; and

WHEREAS, the Commission has been advised by its director of contracts administration that the bids submitted by American Painting Co., Inc. for the performance of Contract Nos. 40-05-01 and 40-05-03 conform 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 American Painting Co., Inc.; and

WHEREAS, the Commission has been advised by its director of contracts administration that it may lawfully reject all bids submitted in response to Contract No. 40-05-02, and the Combined Bids, pursuant to its authority contained in the bidding documents and under the provisions of Ohio Revised Code Section 5537.07(A).

NOW, THEREFORE, BE IT

RESOLVED that the bids of **American Painting Co., Inc.** of Campbell, Ohio in the amount of **\$550,850.00** for the performance of **Contract No. 40-05-01**, and the bid in the amount of **\$707,995.00** for the performance of **Contract No. 40-05-03** are, and are by the Commission, determined to be the lowest responsive and responsible bids received for the performance of said Contracts, and are accepted, and that the chairperson and executive director, or either of them, hereby is authorized: (1) to execute Contracts with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bids; (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 bids and of said Contracts; and

RESOLVED that the bids for the Contract for bridge repainting designated **Contract No. 40-05-02**, and all Combined Bids received, be and the same hereby are rejected, and the executive director is authorized to notify the bidders in writing of said action, and to return to the bidders the bid security furnished by each; and

FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to take any and all action necessary to re-advertise for bids for **Contract No. 40-05-02** for bridge repainting of the aforesaid bridges located in Cuyahoga and Summit Counties at a later date; and

FURTHER RESOLVED that the Commission hereby directs the executive director and the chief engineer to assign Greenman-Pederson, Inc. of Babylon, New York to **Contract No. 40-05-01** and **Contract No. 40-05-03** for the purpose of performing inspection services. Such assignment shall be in accordance with the 2005-2006 engineering services agreement between the Ohio Turnpike Commission and Greenman-Pederson, Inc.; and

FURTHER RESOLVED that Project Nos. 40-05-01 and 40-05-03 are designated Fuel Tax Projects under the Commission's 1994 Master Trust Agreement.

(Resolution No. 15-2005 adopted April 18, 2005)