

**OHIO TURNPIKE COMMISSION**

**Resolution Awarding Contract No. 59-05-04**

WHEREAS, on May 16, 2005, via Resolution No. 22-2005, the Commission rejected bids for Contract No. 59-05-04 because the lowest bid was more than 10% over the engineer's estimate, and directed the executive director and the director of contracts administration to re-advertise for bids for Contract No. 59-05-04; and

WHEREAS, the Commission has duly re-advertised according to law for bids upon said Contract for shoulder repair and resurfacing from Milepost 196.2 to Milepost 197.9 located in Portage County, Ohio, herein designated Contract No. 59-05-04; and

WHEREAS, the Commission has received bids from three (3) bidders for the performance of said Contract; and

WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis, which report is before the Commission; 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 **Shelly & Sands, Inc.** of Akron, Ohio, in the amount of **\$509,766.50** for the performance of Contract No. 59-05-04, 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 Shelly & Sands, Inc.; and

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

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Shelly & Sands, Inc.** of Akron, Ohio, in the amount of **\$509,766.50**, for the performance of Contract No. 59-05-04 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 vice-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 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 **McCoy Associates, Inc.** of Akron, Ohio, to Contract 59-05-04 for the purpose of performing construction inspection services. Such assignment shall be in accordance with the 2005-2006 General Engineering Services Agreement between the Ohio Turnpike Commission and McCoy Associates, Inc.; and

FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **PSI, Inc.** of Valley View, Ohio, to Contract No. 59-05-04 for the purpose of performing materials testing. Such assignment shall be in accordance with the 2005-2006 General Engineering Services Agreement between the Ohio Turnpike Commission and PSI, Inc.; and

FURTHER RESOLVED that Project No. 59-05-04 is designated a System Project under the Commission's 1994 Master Trust Agreement.

**(Resolution No. 26-2005 adopted July 18, 2005)**