

OHIO TURNPIKE COMMISSION

**Resolution Awarding Contract No. 70-05-01 and
Rejecting the "Combination Bid" Submitted for
Contract No. 59-05-05 and Contract No. 70-05-01**

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for reprofiling the pavement surface of the **Interchange 91 ramps** located at Milepost 91.9 in Sandusky County, herein designated **Contract No. 59-05-05**, and a Contract for the **reconstruction of slope failure** of the eastbound roadway at Milepost 97.1 in Sandusky County, herein designated **Contract No. 70-05-01**; and

WHEREAS, the Commission has received bids from two (2) bidders for the performance of said Contracts, and bidders were given the option of submitting a "combination bid" for the performance of Contract No. 59-05-05 and Contract No. 70-05-01; and

WHEREAS, the bids received in response to Contract No. 59-05-05 have been reviewed and analyzed by the Commission's chief engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, no individual bid was received for the Interchange 91 ramps, Contract No. 59-05-05; and

WHEREAS, the chief engineer reports that two individual bids were received for Contract No. 70-05-01 to reconstruct the slope failure, and the lowest responsive and responsible bid was submitted by **Unilliance, Inc.** of Oak Harbor, Ohio in the total amount of **\$592,365.50**, which bid he recommends be accepted by the Commission; and

WHEREAS, the chief engineer further reports that the sole "combination bid" received for Contract No. 59-05-05 and Contract No. 70-05-01" was submitted by Kokosing Construction Co., Inc. of Columbus, Ohio in the total amount of \$862,760.00, which is approximately 9.2% above the engineer's estimate; and

WHEREAS, the chief engineer recommends that the sole "combination bid" be rejected, and that Contract No. 59-05-05 be re-advertised in the spring of 2006 in an attempt to obtain additional bids for this individual Project; and

WHEREAS, the Commission has been advised by its director of contracts administration that, pursuant to Ohio Revised Code Section 5537.07(A) and the contract documents for Contract No. 59-05-05 and Contract No. 70-05-01, the Commission has reserved the right to reject any and all bids, and the Commission, therefore, may lawfully reject the sole "combination bid" submitted by Kokosing Construction Co.; and

WHEREAS, the Commission has further been advised by the director of contracts administration that all bids for Contract No. 59-05-05 and Contract No. 70-05-01 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Unilliance, Inc. for Contract No. 70-05-01 conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Ohio Revised Code and that a performance bond with good and sufficient surety has been submitted by Unilliance, Inc.; and

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

NOW, THEREFORE, BE IT

RESOLVED that the sole "combination bid" for Contract No. 59-05-05 and Contract No. 70-05-01 submitted by Kokosing Construction Co. is hereby rejected, and

FURTHER RESOLVED that the bid of **Unilliance, Inc.** of Oak Harbor, Ohio, in the amount of **\$592,365.50**, for the performance of **Contract No. 70-05-01** 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 Contract No. 70-05-01 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 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. 59-05-05, if and when receipt of new bids is deemed necessary; and

FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **CTL Engineering, Inc.** of Cleveland, Ohio, to Contract 70-05-01 for the purpose of performing materials testing and inspection. Such assignment shall be in accordance with the new 2005-2006 General Engineering Services Agreement between the Ohio Turnpike Commission and CTL Engineering, Inc.; and

FURTHER RESOLVED that Project No. 70-05-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

(Resolution No. 34-2005 adopted August 15, 2005)