

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Approving the Selection of Suburban Maintenance and Construction, Inc. for the Slope and Ditch Repairs Under Project No. 70-19-01 for the Total Amount of \$809,856.26 and Approving the Assignment of ACA Engineering, Inc. to Perform Professional Services on the Project**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published a notice in accordance with law advertising its invitation to bid on a Contract to repair the slope at Milepost 222.0 and the ditch at Milepost 222.5 in Mahoning County, designated as Project No. 70-19-01 (the “Project”); and

WHEREAS, the Commission received three bids to perform the Contractor’s obligations on the Project, and the Chief Engineer and Deputy Chief Engineer reviewed and evaluated the bids received, which report concerning such analyses is before the Commission; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer report that Suburban Maintenance and Construction, Inc., of North Royalton, Ohio (“SMCI”), submitted the lowest responsive and responsible bid to perform the Contractor’s obligations on the Project for the total amount of \$809,856.26, which they recommend the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration advises that bids for the Project were solicited on the basis of the same terms, conditions and specifications, that selecting the bid of SMCI for the Project conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and SMCI submitted a performance bond with good and sufficient surety and made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the amount of the bids received will require expenditures under the Project that will exceed \$150,000.00; and

WHEREAS, the Commission’s Executive Director has reviewed the reports of the Chief Engineer, the Deputy Chief Engineer and the Director of Contracts Administration and concurs with the recommendation that the Commission approve the award of the Project to SMCI as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of SMCI in the total amount of \$809,856.26 for Project No. 70-19-01 is approved as the lowest responsive and responsible bid received, and the Executive Director is authorized to execute a Contract on the basis of said bid; and

FURTHER RESOLVED that the Commission approves the Executive Director and the Chief Engineer assigning ACA Engineering, Inc. to perform the necessary material testing, construction inspection and administration services for the Project under its Miscellaneous Professional Services Agreement with the Ohio Turnpike and Infrastructure Commission; and

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under said contracts as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

**(Resolution No. 23-2019 adopted April 15, 2019)**