

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Kokosing Construction Company, Inc. for Project No. 59-21-03 for the Total Amount of \$3,697,200.56

WHEREAS, the Commission published notice in accordance with law advertising its invitation to bid upon a contract for Repairs, Resurfacing, and Weight in Motion, Eastbound and Westbound Roadways, at Milepost 79.8, Milepost 141.1, and Milepost 198.6, in Ottawa, Lorain and Portage Counties, Ohio, designated as Project No. 59-21-03 (hereinafter the "Project"); and

WHEREAS, the Commission received one (1) bid to perform the Contractor's obligations on the Project; and

WHEREAS, the lone bid is in excess of ten percent (10%) above the Engineer's estimate and, pursuant to Article V of the Instructions to Bidders, the Commission must convene a Construction Contracts Award Committee ("CCAC") to determine if the bid prices are within reasonable conformance with the Engineer's estimate and a bid price may be accepted by the Commission upon a recommendation by the Committee; and

WHEREAS, the CCAC met on June 14, 2021 and after considering the Commission consultant's evaluation memorandum and the Engineering staff's recommendation, the CCAC determined that the apparent low bid submitted by Kokosing Construction Company, Inc. ("Kokosing"), of Elyria, Ohio, is within reasonable conformance with the Engineer's estimate and should be accepted; and

WHEREAS, the CCAC reports that Kokosing submitted the apparent low bid on the Project in the total bid amount of \$3,697,200.56 which it recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Staff Attorney determined that bids for the Project were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of Kokosing conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Kokosing submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion Manager has found that Kokosing has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment to meet the SBE participation goal of 10% for 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 CCAC recommends the Commission select Kokosing as the lowest responsive and responsible bidder for the Project; and

WHEREAS, the Commission's Executive Director concurs with the CCAC's recommendation that the Commission approve the award of the Project to Kokosing as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of Kokosing Construction Company, Inc. for Project No. 59-21-03 in the amount of \$3,697,200.56 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid; and

FURTHER RESOLVED, that the Executive Director has the authority under Article V, Section 1.00 of the Code of Bylaws to approve such extra work or change orders under said Contract that does not exceed ten percent of the approved contract amount or the Executive Director's contracting authority and which is a result of an increase in the planned quantities, newly mandated requirements that did not exist at the time of original contract award, 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. 33-2021 adopted June 21, 2021)