

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Yates Electric, LLC for Project No. 64-22-02 for the Total Amount of \$5,051,172.62

WHEREAS, the Commission published notice in accordance with law advertising its invitation to bid upon a contract for Toll Collection System, Eastern Toll Plazas, Toll Plaza 145, Toll Plaza 151, Toll Plaza 152, Toll Plaza 161, Toll Plaza 173, Toll Plaza 180, Toll Plaza 187, Toll Plaza 193, and Toll Plaza 209, in Lorain, Cuyahoga, Summit, Portage, and Trumbull Counties, Counties, as part of the Commission's Toll Collection System Modernization, and designated as Project No. 64-22-02 (hereinafter "Project"); and

WHEREAS, the Commission received four (4) bids to perform the Contractor's obligations on the Project; and

WHEREAS, J. W. Didado Electric, LLC failed to submit a bid bond which rendered its bid invalid, and this bidder withdrew its bid on December 6, 2021, leaving three (3) bids for the Commission's review; and

WHEREAS, the report of the Commission's Chief Engineer concerning the review and analysis of the bids is before the Commission; and

WHEREAS, the Chief Engineer reports that Yates Electric, LLC. ("Yates"), of Aliquippa, Pennsylvania, submitted the apparent low bid on the Project in the total bid amount of \$5,051,172.62 which he recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration has 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 Yates, conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Yates submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion has found that Yates 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 16% 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 Chief Engineer recommends the Commission select Yates as the lowest responsive and responsible bidder for the Project; and

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

WHEREAS, the Commission's Acting General Counsel advises that it is in the best interest of the Commission to obtain builder's risk insurance for this Project and recommends that the Commission approve the purchase of such insurance for the Project; 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 Yates Electric, LLC. for Project No. 64-22-02 in the amount of \$5,051,172.62 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 and Acting General Counsel are permitted to obtain builder's risk insurance for the Project, after obtaining competitive quotes, for the Project.

(Resolution No. 74-2021 adopted December 20, 2021)