

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of A.P. O'Horo Company for Project No. 58-22-01 in the Total Amount of \$3,676,000.00

WHEREAS, on January 13, 2023, the Ohio Turnpike and Infrastructure Commission ("Commission") published notice in accordance with law to advertise an invitation to bid upon a contract for Project No. 58-22-01, Mainline Toll Plaza 239 Renovation at Milepost 239 located in Mahoning County, Ohio (the "Project"); and

WHEREAS, on February 24, the Commission received four (4) bids to perform the Contractor's obligations on the Project and the report of the Commission's Chief Engineer concerning the review and analysis of bids is before the Commission; and

WHEREAS, the Chief Engineer reports that A.P. O'Horo Company ("A.P. O'Horo"), of Youngstown, Ohio, submitted the lowest and most responsive bid on the Project in the total bid amount of \$3,676,000.00, which he recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Commission's 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 Director of Contracts Administration 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 A.P. O'Horo conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and A.P. O'Horo submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion has found that A.P. O'Horo has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 12.4% which exceeds the SBE 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 Chief Engineer recommends the Commission select A.P. O'Horo 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 A.P. O'Horo 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 A.P. O'Horo Company for Project No. 58-22-01 in the amount of \$3,676,000.00 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid.

FURTHER RESOLVED, that the Executive Director or the General Counsel, individually, is authorized to obtain builder's risk insurance for the Project, after obtaining competitive quotes, for the Project.

(Resolution No. 28-2023 adopted March 20, 2023)