

# OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

## **Resolution Approving the Selection of Alan Stone Co., Inc. for Project No. 70-23-01 for the Total Amount of \$1,432,180.10**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published a notice in accordance with law to advertise an invitation to bid on a contract for Eastbound Slope Repair at Milepost 63.6 in Perrysburg Township, Wood County, Ohio, and designated as Project No. 70-23-01 (hereinafter the “Project”); and

WHEREAS, the Commission received two (2) bids to perform the Contractor’s obligations on the Project, as follows:

	<b>Alan Stone Co., Inc.</b>	<b>Suburban Maintenance &amp; Construction, Inc.</b>
Bid Amount	\$1,432,180.10	\$1,796,125.50

WHEREAS, both bids were in excess of ten percent (10%) above the Engineer’s estimate and, pursuant to Article V of the Instructions to Bidders, the Commission may 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 April 21, 2023, and after considering the Commission consultant’s evaluation memorandum, information provided by the Commission’s Engineering staff, the CCAC determined that the apparent low bid submitted by Alan Stone Co., Inc., of Vincent, Ohio, should be accepted for the reasons set forth in the CCAC memo dated April 25, 2023, which is before the Commission and summarized below:

- The Project was advertised on March 27, 2023, and the Commission received two bids;
- The range of bids submitted was \$1,432,180.10 to \$1,796,625.50. This represents a 25.4% (\$364,445.40) difference between the bidders submitted pricing;
- A delay in the award of this Project would likely negatively impact the completion time frame of the project. Rebidding the project would result in the project not being awarded until the August 21, 2023, Commission Meeting, which would make the contract execution in the early-September 2023 timeframe. This would result in work being pushed to the 2024 season. The Commission would possibly incur increased labor and material costs for the 2024 work. Due to the condition of the slope and the effect on the stability of the roadway pavement, it is imperative this work be completed this year;
- The items with the largest disparities were Mobilization and Maintenance of Traffic. The Engineer’s estimate for Mobilization and Maintenance of Traffic, lump sum items, was \$20,000.00 and \$50,000.00, respectively. Alan Stone Co., Inc.’s bid was \$75,000.00 and \$200,000.00, respectively. The Maintenance of Traffic estimate did not account for setting portable concrete barrier, and the Mobilization of Traffic estimate was too low for the scale of this Project;
- No items can be removed from the scope and still accomplish the intent and requirements of the Project and the pricing and availability of construction labor and materials is not expected to decrease in the foreseeable future;
- Changing the contract period would not benefit the pricing received for the Project or the schedule;
- Awarding this Project to Alan Stone Co., Inc. will not adversely affect the Commission’s Capital Program or financial condition;
- The bidder has committed to exceed the SBE goal for the Project; and
- The apparent low bid appears balanced and the bidder’s references gave favorable recommendations; and
- The bidder appears to have the capacity to perform the Project.

WHEREAS, the CCAC reports that Alan Stone Co., Inc. submitted the apparent low bid on the Project in the total bid amount of \$1,432,180.10 which it recommends the Commission accept and approve authorization for the Executive Director to award; 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 Alan Stone Co., Inc. conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Alan Stone Co., Inc. submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion has found that Alan Stone Co., Inc. 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 10.65% which exceeds the 5% SBE participation goal 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 Code of 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 Alan Stone Co., Inc. 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 Alan Stone Co., Inc. 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 Alan Stone Co., Inc. for Project No. 70-23-01, in the amount of \$1,432,180.10 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid.

**(Resolution No. 43-2023 adopted May 15, 2023)**