

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of The Ruhlin Company for Project No. 43-22-06 (REBID) for the Total Amount of \$9,525,793.68

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 the Bridge Repair and Rehabilitation on the Ohio Turnpike over the Cuyahoga River at Milepost 176.9 in Summit County, Ohio, and designated as Project No. 43-22-06; and

WHEREAS, the Commission received one (1) bid on Project No. 43-22-06 and because the bid was in excess of 100% above the Engineer’s Estimate, pursuant to Resolution No. 82-2022, adopted November 21, 2022, the Commission rejected the bid; and

WHEREAS, the Commission published a notice in accordance with law readvertising its invitation to bid upon a contract for Bridge Repair and Rehabilitation on the Ohio Turnpike over the Cuyahoga River at Milepost 176.9 in Summit County, Ohio, and now designated as Project No. 43-22-06 (REBID) (hereinafter the “Project”); and

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

	The Ruhlin Company (“Ruhlin”)	Suburban Maintenance & Construction, Inc.
Total	\$9,525,793.68	\$9,656,425.00

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 convened the 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 February 9, 2023, and after considering the Commission consultant’s evaluation memorandum and information provided by the Commission’s Engineering staff, the CCAC determined that the apparent low bid submitted by Ruhlin, of Sharon Center, Ohio, should be accepted for the reasons set forth in the CCAC memorandum dated February 10, 2023, which is before the Commission and summarized below:

- The Project was advertised on January 4, 2023, and the Commission received two (2) bids; readvertising the Project is not likely to attract more bidders and would negatively impact the schedule, likely extending the bridge work from a one-year project to a two-year project;
- There is only a 1.4% difference between the bidders submitted pricing, which represents competitive and consistent pricing;
- A delay in awarding the Project would negatively impact completion time due to significant leads times for fabricated steel components (bearings) and increase costs to ensure timely completion (i.e., accelerated construction costs in 2023 and/or increased cost for any 2024 work);
- The largest disparities were in the General and Structures Categories:
 - General Section – Ruhlin’s bid was \$1,208,000.00 less than the engineer’s estimate.
 - Portions of Structure Removed – The Engineer’s Estimate was \$25,000 and Ruhlin’s bid was \$4,800,000. This was a lump sum item and additional cost for other unit price items, specifically site access, was applied to this lump sum item.
 - Ruhlin’s bid pricing for other structural items (replacing expansion bearing devices, jacking and temporary support of superstructure, patching,

concrete weatherproofing and continuous strip seal) was approximately \$2.3 million less than the engineer's estimate.

- The Project includes various means and methods for the difficult access and handling of materials on this high-level structure and the bid amounts for several items were underestimated by the Commission's consultant.

- Pricing and availability of construction labor and materials is not expected to decrease in the foreseeable future;
- There are no scope items that could be removed to still accomplish the intent and the requirements of the Project;
- Awarding the Project to the low bidder, Ruhlin, will not adversely affect the Commission's Capital Program or financial condition;
- Ruhlin has committed to meet the SBE goal for the Project;
- Ruhlin's bid appears balanced; and
- Ruhlin appears to have capacity to perform the Project.

WHEREAS, the CCAC reports that Ruhlin submitted the apparent low bid on the Project in the total bid amount of \$9,525,793.68 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 Ruhlin conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Ruhlin submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion has found that Ruhlin 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% which meets 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 Ruhlin as the lowest responsive and responsible bidder for the Project; and

WHEREAS, the Commission's Director of Administration concurs with the CCAC's recommendation that the Commission approve the award of the Project to Ruhlin 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 The Ruhlin Company for Project No. 43-22-06 (REBID) in the amount of \$9,525,793.68 is approved as the lowest responsive and responsible bid received and the Chief Engineer is authorized to execute a contract based on said bid.

(Resolution No. 7-2023 adopted February 21, 2023)