

OHIO TURNPIKE COMMISSION

Resolution Awarding Contract No. 59-12-05

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Repairs and Resurfacing, Eastbound and Westbound Roadways, from Milepost 209.6 to Milepost 214.4 located in Trumbull County, Ohio, herein designated **Contract No. 59-12-05**; and

WHEREAS, expenditures for the award to be made under Contract No. 59-12-05 will exceed \$150,000.00 and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for said Contract award; and

WHEREAS, the Commission received two (2) bids for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission's Deputy Executive Director/Chief Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Deputy Executive Director/Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 59-12-05 was submitted by **Shelly & Sands, Inc.** of **Akron, Ohio**, in the amount of **\$5,164,368.05**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the General Counsel that bids for Contract No. 59-12-05 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Shelly & Sands, Inc. for Contract No. 59-12-05 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by Shelly & Sands, Inc.; and

WHEREAS, the Executive Director has reviewed the reports of the Deputy Executive Director/Chief Engineer and the General Counsel and, predicated upon such analysis, concurs with the recommendation to award Contract No. 59-12-05 to the lowest responsive and responsible bidder, Shelly & Sands, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Shelly & Sands, Inc.** of **Akron, Ohio**, in the amount of **\$5,164,368.05** for the performance of Contract No. 59-12-05 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **KCI Associates of Ohio, P.A.** of **Akron, Ohio** to Contract No. 59-12-05 for the purpose of performing construction inspection, and **ACA Engineering, Inc.** of **Boardman, Ohio** for the purpose of performing material testing and inspection, with such assignments in accordance with the 2011-2012 Miscellaneous Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

FURTHER RESOLVED that **Project No. 59-12-05** is designated a **System Project** under the Commission's 1994 Master Trust Agreement.

(Resolution No. 15-2012 adopted March 19, 2012)