

OHIO TURNPIKE COMMISSION

Resolution Awarding Contract No. 59-13-07

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Repairs and Resurfacing of the Eastbound and Westbound Roadways, from Milepost 230.35 to Milepost 236.00 located in Mahoning County, Ohio, herein designated **Contract No. 59-13-07**; and

WHEREAS, expenditures for the award to be made under Contract No. 59-13-07 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 bids via Bid Express for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission's Chief Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 59-13-07 was submitted by **Shelly & Sands, Inc.**, of **Akron, Ohio**, in the amount of **\$5,080,061.50**, 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. 59-13-07 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Shelly & Sands for Contract No. 59-13-07 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; and

WHEREAS, the Executive Director has reviewed the reports of the Chief Engineer and the General Counsel and, predicated upon such analysis, concurs with the recommendation to award Contract No. 59-13-07 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 **\$5,080,061.50** for the performance of Contract No. 59-13-07 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 Chief Engineer to assign **ms consultants, inc.**, of **Youngstown, Ohio**, to Contract No. 59-13-07 for the purpose of performing construction administration and inspection services, and **ACA Engineering, Inc.**, of **Boardman, Ohio**, for the purpose of performing materials testing, with such assignments in accordance with the 2013-2014 Miscellaneous Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

FURTHER RESOLVED that Contract No. 59-13-07 is designated a System Project under the Commission's 1994 Master Trust Agreement.

(Resolution No. 35-2013 adopted June 17, 2013)