

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Awarding Contract No. 59-16-01 Repairs and Resurfacing in Fulton County, Ohio

WHEREAS, the Commission publicly advertised, in accordance with law, an Invitation for Bids upon a Contract for the Repair and Resurfacing of the Eastbound and Westbound Roadways from Milepost 38.90 to Milepost 43.30 located in Fulton County, Ohio, designated as **Contract No. 59-16-01** (the "Project"); and

WHEREAS, the Commission received two bids, via Bid Express, for the performance of the Contract, and the Chief Engineer's report analyzing the bids is before the Commission; and

WHEREAS, the amount of the bids received identify expenditures for the Project under Contract No. 59-16-01 that will exceed \$150,000.00, and Commission action is necessary to execute the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws; and

WHEREAS, the Chief Engineer reports that **Gerken Paving, Inc.**, of **Napoleon, Ohio**, submitted the lowest bid to perform the Contractor's obligations for the Project in the amount of **\$5,287,095.75**, which he recommends that the Commission approve as the lowest responsive and responsible bid received; and

WHEREAS, the Director of Contracts Administration advised the Commission that bids for Contract No. 59-16-01 were solicited on the basis of the same terms, conditions and specifications, that Gerken Paving, Inc. submitted a bid guarantee and performance bond with good and sufficient surety, and that the bid of Gerken Paving, Inc. conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54; and

WHEREAS, the Executive Director has reviewed the reports of the Chief Engineer and the Director of Contracts Administration, and concurs with the recommendation to award Contract No. 59-16-01 to Gerken Paving, Inc. as the lowest responsive and responsible bidder; and

WHEREAS, the Commission, through the Executive Director under the authority of Article V, Section 1.00 of the Commission's Bylaws, entered into a 2015-2016 Miscellaneous Services Agreement with The Mannik & Smith Group, Inc. ("Mannik & Smith") and Somat Engineering of Ohio, Inc. ("Somat Engineering") to perform various engineering and other professional services for the Commission on an assignment basis, and the Chief Engineer recommends the Commission assign Mannik & Smith to perform the necessary construction administration inspection services and Somat Engineering to perform the necessary material testing services to successfully complete the Project; and

WHEREAS, the Commission has considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of **Gerken Paving, Inc.**, of **Napoleon, Ohio**, in the amount of **\$5,287,095.75** for Contract No. 59-16-01 is approved as the lowest responsive and responsible bid received and that the Executive Director is authorized to execute a Contract on the basis of said bid; and

FURTHER RESOLVED that the Commission approves the assignment of **Mannik & Smith**, of **Maumee, Ohio**, to perform the necessary construction administration and inspection services and **Somat Engineering**, of Cleveland, Ohio, to perform all necessary material testing services to complete the Project, with both such assignments in accordance with the 2015-2016 Miscellaneous Engineering Services Agreement;

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under previously awarded said contracts as a result of an increase in the planned quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project and increase its costs.

(Resolution No. 12-2016 adopted February 16, 2016)