

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Awarding Project No. 43-16-03, Bridge Deck Replacement and Rehabilitation in Williams and Fulton Counties

WHEREAS, the Commission published notice in accordance with law advertising its invitation to bid upon a Contract for Bridge Deck Replacement and Rehabilitation at Clifton-Gunn Road over the Ohio Turnpike at Milepost 21.4, Rueger-Shetler Road over the Ohio Turnpike at Milepost 23.9, Fulton-Williams Road over the Ohio Turnpike at Milepost 24.4, and Spies-Handy Corners Road over the Ohio Turnpike at Milepost 27.3 in Williams and Fulton Counties, Ohio, herein designated **Project No. 43-16-03** (the "Project"); and

WHEREAS, the Commission received three bids through Bid Express to perform the Contractor's obligations on the Project, and the Assistant Chief Engineer and the Chief Engineer reviewed and evaluated the bids received, and whose report concerning such analysis is before the Commission; and

WHEREAS, the Assistant Chief and the Chief Engineer report that the lowest responsive and responsible bid for the performance of Contract No. 43-16-03 was submitted by **E.S. Wagner Company**, of **Oregon, Ohio**, in the amount of **\$3,189,955.40**, which they recommend the Commission accept and approve authorization for the Executive Director to select; and

WHEREAS, the Director of Contract Administration advises the Commission that bids for Contract No. 43-16-03 were solicited from all bidders on the basis of the same terms, conditions and specifications, that the bid of E.S. Wagner Company for Contract No. 43-16-03 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, in that E.S. Wagner submitted a performance bond with good and sufficient surety and that E. S. Wagner has made a good faith effort to attain the participation of minority and/or disadvantaged businesses in the Project; and

WHEREAS, Commission action is necessary to approve Contract No. 43-16-03 in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount of the bids received require an expenditure exceeding \$150,000.00; and

WHEREAS, the Commission's Executive Director has reviewed the reports of the Chief Engineer and the Director of Contracts Administration and, predicated upon such analysis, has made his recommendation to the Commission to award Contract No. 43-16-03 to E.S. Wagner Company as the lowest responsive and responsible bidder; and

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of **E.S. Wagner Company** of **Oregon, Ohio**, in the amount of **\$3,189,955.40** for Project No. 43-16-03 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a Contract on the basis of said bid; and

FURTHER RESOLVED that the Commission approves the Executive Director and the Chief Engineer authorizing **DGL Consulting Engineers, LLC.**, of **Maumee, Ohio**, to proceed with performing all necessary construction inspection and administration services to complete the Project in accordance with the contract previously authorized under Resolution No. 44-2014, and assigning **Somat Engineering**, of **Cleveland, Ohio**, to perform all necessary material testing services for the Project, with such assignment in accordance with the 2015-2016 Miscellaneous Engineering Services Agreement; and

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under said contracts as a result of an increase in necessary 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 or increase its costs.

(Resolution No. 4-2016 adopted January 19, 2016)