

## OHIO TURNPIKE COMMISSION

### Resolution Awarding Contract No. 70-12-02 for Embankment Rehabilitation Project, Sandusky County, Ohio

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for the following Embankment Rehabilitation Project in Sandusky County: Four Mile House Road Approaches at Milepost 88.15; Carley Road Approaches at Milepost 94.70; and Karbler Road Approaches at Milepost 98.10, herein designated **Contract No. 70-12-02**; and

WHEREAS, this Project is being performed in conformance with Ohio Revised Code Section 5537.051, and pursuant to the Agreement that the Commission has entered into with Sandusky County for the rehabilitation of embankment approaches at eleven grade separations located at Turnpike overpasses in that County; and

WHEREAS, expenditures for the award to be made under Contract No. 70-12-02 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 five bids 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 has reported that the lowest responsive and responsible bid for the performance of Contract No. 70-12-02 was submitted by **Mark Schaeffer Excavating of Norwalk, Ohio**, in the amount of **\$2,041,883.45**, which company has the capacity to perform this Project, and which bid he has recommended be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the General Counsel that bids for Contract No. 70-12-02 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Mark Schaeffer Excavating for Contract No. 70-12-02 conforms to the requirements of Ohio Revised Code Section 5537.07, Section 9.312 and Section 153.54, and that a performance bond with good and sufficient surety has been submitted by said bidder; and

WHEREAS, the Executive Director has reviewed the reports of the Chief Engineer and the General Counsel and predicated upon such analysis, concurs that Contract No. 70-12-02 be awarded to the lowest responsive and responsible bidder, Mark Schaeffer Excavating; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Mark Schaeffer Excavating, of Norwalk, Ohio**, in the amount of **\$2,041,883.45** for the performance of Contract No. 70-12-02 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 Chief Engineer to assign **S&ME, Inc., of Valley View, Ohio**, to Contract No. 70-12-02 for the purpose of performing construction inspection and materials testing, in accordance with the Agreement specific to this Project; and

FURTHER RESOLVED that Project No. 70-12-02 is designated a System Project under the Commission's 1994 Master Trust Agreement.

**(Resolution No. 43-2012 adopted October 15, 2012)**