

**OHIO TURNPIKE COMMISSION**  
**Resolution Awarding Contract No. 77-11-01**

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for third-lane construction from Milepost 178.01 to 180.4 (PART A) and Milepost 180.04 to 185.32 (PART B) located in Summit County, Ohio, (including MSE retaining wall repairs (PART C) and a utility crossing structure (PART D), herein designated **Contract No. 77-11-01**; and

WHEREAS, expenditures for the award(s) to be made under Contract No. 77-11-01 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 (5) 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 reports that the lowest responsive and responsible bid for the performance of Contract No. 77-11-01 was submitted by **Shelly & Sands, Inc. of Akron, Ohio** in the total amount of **\$30,695,432.12 (with a \$100,000.00 proposed temporary access credit that reduces the bid amount to \$30,595,432.12)**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the Director of Contracts Administration that bids for Contract No. 77-11-01 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. 77-11-01 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 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. 77-11-01 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 **\$30,595,432.12**, for the performance of **Contract No. 77-11-01** 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 **URS Corporation of Akron, Ohio** to Contract No. 77-11-01 for the purpose of performing construction administration services in accordance with the agreement specific to this Project as previously authorized under Resolution 33-2010, and to assign **Solar Testing Laboratories, Inc. of Brooklyn Heights, Ohio** for the purpose of performing materials testing and inspection with such assignment in accordance with the 2011-2012 Miscellaneous Engineering Services Agreement between the Ohio Turnpike Commission and said engineering firm; and

FURTHER RESOLVED that Project No. 77-11-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

**(Resolution No. 6-2011 adopted February 28, 2011)**