

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Approving the Selection of The Shelly Company to Repair and Resurface the Interchange at Exit 209 Under Project No. 59-18-03 for the Total Amount of \$2,143,585.35 and Approving the Assignment of ms consultants, inc. and ACA Engineering to Perform Professional Services on the Project**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice in accordance with law advertising its invitation to bid upon a contract for the Repairs and Resurfacing of the Interchange at Exit 209 in Trumbull County, Ohio, designated as Project No. 59-18-03 (the “Project”); and

WHEREAS, the Commission received three bids to perform the Contractor’s obligations on the Project, and the Chief Engineer and the Deputy Chief Engineer reviewed and evaluated the bids received, and whose report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer report that The Shelly Company, of Twinsburg, Ohio (“Shelly Company”), submitted the lowest responsive and responsible bid to perform the Contractor’s obligations on the Project for the total amount of \$2,143,585.35, which they recommend the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration advises that bids for Project No. 59-18-03 were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of Shelly Company for Project No. 59-18-03 conforms to the requirements of Ohio Revised Code Sections 5537.07 and 9.312, and Shelly Company submitted a performance bond with good and sufficient surety and made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project; and

WHEREAS, the Commission’s Executive Director has reviewed the reports of the Chief Engineer, Deputy Chief Engineer and the Director of Contracts Administration and concurs that the Commission should approve the award of Project No. 59-18-03 to Shelly Company as the lowest responsive and responsible bidder; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the amount of the bids received will require expenditures under Project No. 59-18-03 that will exceed \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of The Shelly Company for Project No. 59-18-03 in the total amount of \$2,143,585.35 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 assigning ms consultants, inc., of Youngstown, Ohio, to perform the necessary construction inspection and administration services for the Project and ACA Engineering, of Youngstown, Ohio, to perform materials testing and inspection services both in accordance with the Miscellaneous Engineering Services Agreement between the Ohio Turnpike and Infrastructure Commission and said firms; 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. 31-2018 adopted May 21, 2018)**