

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of The Great Lakes Construction Co. Under Project No. 70-20-01(Rebid) in the Amount of \$1,648,416.80 and Approving the Assignment of AECOM Technical Services, Inc. and Resource International, Inc. to Perform Professional Services on the Project

WHEREAS, on March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D declaring a State of Emergency for the entire State of Ohio in response to the COVID-19 pandemic; and

WHEREAS, on March 22, 2020, Amy Acton, MD, MPH, Director of Health, issued a “Stay at Home Order” which expired on May 1, 2020, requiring individuals to stay home unless engaged in Essential Activities, Essential Governmental Functions or to operate Essential Businesses and Operations; and

WHEREAS, under the Stay at Home Order, the Ohio Turnpike and Infrastructure Commission (“Commission”) continued operations as Essential Infrastructure and Essential Governmental Functions and further determined that its contractors and service providers must continue to perform services and supply goods and materials to the Commission as Essential Infrastructure, Critical Trades, Supplies for Essential Business and Operators and/or Essential Critical Infrastructure Workers; and

WHEREAS, on April 30, 2020, Director Acton issued the “Director’s Stay Safe Ohio Order,” in effect through May 29, 2020, which permits governmental entities to continue operations subject to Sector Specific COVID-19 Information and Checklist for Businesses/Employees requiring measures such as, ensuring 6 feet between employees, daily symptom assessments of employees, wearing face coverings, regular handwashing, disinfecting work stations and common areas, changing shift patterns, working from home when possible, among others; and

WHEREAS, the Chief Engineer has issued a memorandum to the Commission’s contractors regarding required work site measures that comply with the Director’s Stay Safe Ohio Order and this memorandum is available on the Commission’s website at <https://www.ohioturnpike.org/business/doing-business-with-us/construction-projects>; and

WHEREAS, the Commission finds that the contract approved pursuant to this Resolution is necessary for the Commission to continue its operations and complies with the Director’s Stay Safe Ohio Order and that the work to be performed under the contract shall comply with the requirements of the Director’s Stay Safe Ohio Order and the Commission’s work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely; and

WHEREAS, the Commission previously advertised for bids to repair the slope at Milepost 132.6 Westbound, in Lorain County, Ohio, designated as Project No. 70-20-01, and received three bids which were rejected pursuant to Commission Resolution No. 10-2020 dated February 24, 2020 because the bids were greater than ten percent over the Engineer’s estimate; and

WHEREAS, the Commission rebid Project No. 70-20-01 by publishing a notice, in accordance with law, advertising an Invitation for Bids upon a contract to repair the slope at Milepost 132.6, Westbound, in Lorain County, Ohio, designated as Project No. 70-20-01 (Rebid) (the “Project”); and

WHEREAS, the Commission received four bids to perform the Contractor’s obligations on the Project and the report of the Commission’s Chief Engineer and Deputy Chief Engineer/Director of Field Operations concerning the review and analysis of the bids is before the Commission; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations report that The Great Lakes Construction Co., of Hinckley, Ohio, submitted the lowest responsive and responsible bid to perform the Contractor’s obligations under the Project in the amount of

\$1,648,416.80, which they recommend the Commission accept and approve authorization for the Executive Director to select; and

WHEREAS, the Staff Attorney has determined that the bids for the Project were solicited on the basis of the same terms, conditions and specifications, that The Great Lakes Construction Co. submitted a bid guarantee and performance bond with good and sufficient surety, and that the bid of The Great Lakes Construction Co. conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54; and

WHEREAS, the Office of Equity and Inclusion Manager found that The Great Lakes Construction Co. has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 5.2% which exceeds the SBE participation goal of 5% for the Project; and

WHEREAS, Commission action is necessary to approve the contract for Project No. 70-20-01 (Rebid) in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws because the amount of the bids received require an expenditure that will exceed \$150,000.00; and

WHEREAS, the Commission's Executive Director concurs with the recommendations of the Chief Engineer and Deputy Chief Engineer/Director of Field Operations that the Commission approve the award of the Project to The Great Lakes Construction Co. as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of The Great Lakes Construction Co. in the amount of \$1,648,416.80 for Project No. 70-20-01 (Rebid) 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 Chief Engineer assigning AECOM Technical Services, Inc. to perform the necessary construction inspection and administration services for the Project and Resource International, Inc. to perform the necessary material testing and inspection services on the Project in accordance with the 2019-2020 Miscellaneous Professional Services Agreement between the Ohio Turnpike and Infrastructure Commission and said firms; and

FURTHER RESOLVED that the Executive Director has the authority under Article V, Section 1.00 of the Code of Bylaws to approve such extra work or change orders under said contract that does not exceed ten percent of the approved contract amount or the Executive Director's contracting authority and which is the 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 or increase its costs; and

FURTHER RESOLVED that awarding the contract for Project No. 70-20-01 (Rebid) to The Great Lakes Construction Co. is necessary to continue the operations of the Ohio Turnpike and complies with the Director's Stay Safe Ohio Order and this Commission further requires that the work to be performed under the contract shall comply with the requirements of the Director's Stay Safe Ohio Order and the Commission's work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely.

(Resolution No. 37-2020 adopted May 18, 2020)