

## LEGAL NOTICE TO BIDDERS

Bids will be received by the Board of County Commissioners in and for Lake County via the Bid Express website ([www.bidexpress.com](http://www.bidexpress.com)) or paper bid in a sealed envelope at their office in the **Lake County Administration Center, 105 Main St., Suite A513, Painesville, Ohio 44077**; up to the hour of 11:00 AM Local Time on **Wednesday, March 15, 2023**, and read publicly thereafter in the Commissioners' Chambers at the above address, for the following improvement project:

### LAK-Prouty Road (CR 414) Resurfacing Project

Concord Township, Ohio

Federal Aid No. FAN E220(308), PID No. 115910, LCE Project NO. 2021-016

Engineer's or Architect's Estimate of Cost: \$2,050,000.00

Said improvements shall be in accordance with specifications and bid forms on file with the Clerk of the Board of County Commissioners.

**"All Contractors and their Subcontractors must be prequalified by ODOT for work being performed on this project. Bids submitted by Contractors that are not prequalified will not be considered."**

Proposal, plans, and specifications may be obtained from [www.bidexpress.com](http://www.bidexpress.com). Contractors and sub-contractors can view and download information free of charge. All online bidders must register with Bid Express to bid on projects (please allow time for processing). Submission of an online bid requires payment to Bid Express of \$35/bid, or a monthly subscription of \$50 for unlimited bidding. For bidders preferring to submit paper bids, the Bid Set may be obtained from the Office of James R. Gills, P.E., P.S., Lake County Engineer, 105 Main St., Suite. A205, Painesville, Ohio 44077 (440-350-2770). The bidder is responsible to make arrangements for pickup and payment of the bid documents during weekday business hours from 8:00 a.m. to 4:30 p.m. Checks in the amount of **\$15.00 (NON-REFUNDABLE)** shall be made payable to the Lake County Engineer. Bidders shall allow the County up to three business days for printing of paper bid documents. Sealed Bids shall be addressed to the Board of Lake County Commissioners, Lake County Administration Center, 105 Main St., Suite A513, Painesville, Ohio 44077, and marked "**LAK-Prouty Road (CR 414) Resurfacing Project**".

The work covered by the plans and specifications includes: pavement planing, placement of a scratch course, fabric, asphalt intermediate course, asphalt surface course, guardrail, storm sewer, and related items. All work under this contract shall be completed by **September 29, 2023**.

Pursuant to R.C. 153.01 et. seq., the bid must be accompanied by an original sealed document (uploaded for online bidders) in the form of a bond for the full amount (100%) of the bid **OR** by a certified check, cashier's check, or irrevocable letter of credit equal to ten percent (10%) of the amount bid, drawn on a solvent bank payable to the Treasurer of Lake County, Ohio, as surety that if the bid is accepted, a contract will be entered into and its performance properly secured. **All online Bidders must submit original within 3 days** of bid opening. Should any bid be rejected said surety shall forthwith be returned to the bidder and should any bid be accepted such bid bond, certified check, cashier's check, or letter of credit will be returned to the bidder upon proper execution and securing of the contract.

**All online Bidders must submit their original Form of Non-collusion Affidavit within 3 days** of bid opening to be considered a complete bid.

No bidder shall be considered eligible to be awarded the contract to which this Notice or Bid Specifications apply, if the bidder is listed on the Auditor of State's Database as having a "Finding of Recovery" as that term is defined in R.C. 9.24. No bidder shall be considered eligible to be awarded the contract to which this Notice or Bid Specifications apply unless the bidder has read the complete ODOT LPA Template which is included as part of this package, completed the EEO Certification of this Template on Page 3, Item 6, as well as signed the specified contract Proposal.

**"DOMESTIC STEEL USE REQUIREMENTS AS SPECIFIED IN SECTION 153.011 OF THE REVISED CODE APPLY TO THIS PROJECT. COPIES OF SECTION 153.011 OF THE REVISED CODE CAN BE OBTAINED FROM ANY OF THE OFFICES OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES."**

Bids shall be subject to the conditions that the right is reserved to hold bids for a period not longer than sixty (60) days after date of bid opening and/or to award the contract at any time during said period.

The successful bidder will be required to execute the contract within ten (10) days after the award of the work to him/her, and he/she shall furnish acceptable bond or surety, if not filed previously to the satisfaction of the County of Lake, Ohio for the faithful performance of said contract in the sum of one hundred percent (100%) of the total amount of the bid. In case of failure to execute the contract as stated or to furnish bond and/or surety, the bidder shall be considered to have abandoned the contract and is then liable for the difference between his/her bid and the next lowest bid, not to exceed ten percent (10%) of the amount bid.

The County reserves the right to reject any or all bids, or to increase or decrease or omit any item or items. ORC 153.011 may apply. Each bid must contain the full name of every party or all parties submitting the bid. Each bidder must submit evidence of its experience on projects of similar size and complexity. All contractors and subcontractors shall comply with the equal employment opportunity requirements of Ohio Administrative Code Chapter 123, the Governor's Executive Order of 1972 and Governor's Executive Order 84-9. The contract shall be awarded to the lowest and best bidder.

Record Retention - As the LPA, ODOT or the United States Government may legitimately request from time to time, the Contractor agrees to make available for inspection and /or reproduction by the LPA, ODOT or the United States Government, all records, books and documents of every kind and description that relate to this contract.

Disadvantaged Business (DBE) Requirement. **DBE participation goals (subcontracts, materials, supplies), have been set on this project for those certified as DBE's pursuant to Title 23, U.S.C. Section 140(c) and 49 CFR, part 26, and where applicable qualified to bid with ODOT under Chapter 5525 of the ORC. The DBE Goal for this project is 7%.**

Federal Prevailing Wage – The Contractor agrees that each individual employed by the Contractor or Subcontractor and engaged in work on the project under this contract shall be paid to meet the minimum requirements of the prevailing wage established by the U.S. Department of Labor under the Davis-Bacon and related Acts. This shall occur regardless of any contractual relationship which may be said to exist between the Contractor and any individual or any Subcontractor and any individual.

The Federal Prevailing Wage Determination Schedule for this project is available for review at the office of the Owner's Prevailing Wage Coordinator and via the internet at: <https://beta.SAM.gov>.

Bidders may also access this Legal Notice to Bidders via the internet at [www.lakecountyohio.org/commissioners](http://www.lakecountyohio.org/commissioners), click on **Legal Notices to Bidders** tab to link to the Legal Notices site, and the Ohio Newspaper Association public notices website, [www.publicnoticesohio.com](http://www.publicnoticesohio.com).

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS in and for Lake County, Ohio.

John R. Hamercheck, President  
John Plecnik, Commissioner  
Richard J. Regovich, Commissioner

Jennifer Bell, Clerk

PUBLISH: **THE NEWS HERALD**  
**Friday, February 17, 2023**  
**Friday, February 24, 2023**  
**Friday, March 3, 2023**  
**Lake County Website, and**  
**[www.publicnoticesohio.com](http://www.publicnoticesohio.com)**