

OHIO TURNPIKE COMMISSION

Resolution Rejecting the Bids Received for Contract No. 53-12-02

WHEREAS, the Commission has duly advertised according to law an invitation for bids upon a Contract for Service Plaza Renovations, Erie Islands and Commodore Perry, Milepost 100, Sandusky County, herein designated **Contract No. 53-12-02**; and

WHEREAS, the Commission received four bids for the performance of said Contract from **RFC Contracting, Inc.** of Strongsville, Ohio, **The Spieker Company** of Perrysburg, Ohio, **Tusing Builders, Ltd.** of Monroeville, Ohio, and **S.M. Fox Construction, Inc.** of Elyria, Ohio; and

WHEREAS, the bids have been reviewed and analyzed by the Commission's Chief Engineer, whose report concerning said analysis is before the Commission; and

WHEREAS, the Commission's Chief Engineer reports that the apparent lowest bid received from **RFC Contracting, Inc.** was in the amount **\$942,000.00**, however, this bidder did not include required, material information with its bid and was, therefore, deemed non-responsive; and

WHEREAS, the Commission's Chief Engineer further reports that the second lowest bid from **The Spieker Company** in the amount of **\$1,095,300.00** was more than fifteen percent (15%) or \$153,300.00 above the lowest bid, and he, therefore, recommends that all bids be rejected and that the staff be directed to review the Invitation and re-advertise for bids for Contract No. 53-12-01 as soon as practicable; and

WHEREAS, the Commission's General Counsel concurs with the Chief Engineer's analysis and has submitted a report advising the Commission that, pursuant to Ohio Revised Code Section 5537.07(A) and the Bidding Documents for Contract No. 53-12-02, the Commission has expressly reserved the right to reject any and all bids; and

WHEREAS, predicated upon the analysis of the reports submitted by both the Chief Engineer and the General Counsel, the Executive Director concurs with their recommendation to reject all bids and re-advertise for new bids under Contract No. 53-12-02 as soon as possible; and

WHEREAS, the Commission has duly considered said recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the above-mentioned bids heretofore received pursuant to the advertisement for bids upon Contract No. 53-12-02, be and the same hereby are rejected, and the General Counsel is authorized to notify the bidders in writing of said action, and to return to the bidders their bid security; and

FURTHER RESOLVED that the Executive Director and the General Counsel hereby are authorized to take any and all action necessary, at the appropriate time, to re-advertise for bids for Contract No. 53-12-02.

(Resolution No. 34-2012 adopted August 20, 2012)