

OHIO TURNPIKE COMMISSION

Resolution Rejecting the Bids Received for Contract No. 43-12-03

WHEREAS, the Commission duly advertised, in accordance with law, an Invitation for Bids upon a Contract for Bridge Rehabilitations over the Ohio Turnpike in Williams County, herein designated as **Contract No. 43-12-03**; and

WHEREAS, the Commission received three bids for the performance of said Contract from **Suburban Maintenance & Construction, Inc.** of North Royalton, Ohio, **The Velotta Company** of Sharon Center, Ohio, and **Vernon Nagel, Inc.** of Napoleon, 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 low bid received from **Suburban Maintenance & Construction, Inc.** was in the amount **\$1,567,034.50**, however, this bidder did not include the required combination Bid Guaranty and Contract Bond 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 Velotta Company** in the amount of **\$2,143,124.00** exceeded the lowest bid by more than thirty-six percent, and he, therefore, recommends that all bids be rejected and that the staff be directed to review the Invitation for clarity of the work scope, and that the Commission re-advertise for bids for Contract No. 43-12-03 as soon as practicable; and

WHEREAS, the Commission's General Counsel has advised that, in accordance with Ohio Revised Code Section 154.54 and the Commission's Bidding Documents for Contract No. 43-12-03, a bid that is submitted without the requisite Bid Guaranty and Contract Bond shall be rejected; and

WHEREAS, the Commission's General Counsel has further advised the Commission that, pursuant to Ohio Revised Code Section 5537.07(A) and the aforementioned Bidding Documents, the Commission has also 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. 43-12-03 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. 43-12-03, 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. 43-12-03.

(Resolution No. 51-2012 adopted November 19, 2012)