

## OHIO TURNPIKE COMMISSION

Resolution No. 29-1952

By Mr. McKay

Seconded by Mr. Teagarden

WHEREAS despite the fact that, based upon the opinions of its attorney and its bond counsel, the Commission deemed competitive bidding to be unnecessarily, nevertheless, and for practical reasons, the Commission, by resolution adopted on February 5, 1952, determined that it should secure competitive bids for the furnishing of title services and title contracts needed in connection with the acquisition of rights-of-way for Turnpike Project No. 1, according to terms and conditions then adopted by the Commission and the Commission then prescribed the form of advertisement of such competitive bidding; and

WHEREAS advertisement of such competitive bidding was made as prescribed by the Commission;

WHEREAS complete information with respect to the bidding requirements, in the form of the "Notice to Bidders and Proposal" adopted on February 5, 1952 was furnished to all persons and corporations who requested it -- six in number -- and thereafter two bids, by The Land Title Guarantee and Trust Company and the Louisville Title Insurance Company, were received, and were publicly opened on February 23, 1952 as heretofore prescribed by the Commission;

WHEREAS the members of the Commission individually have thoroughly considered said bids and abstracts, tabulations, and analyses of the prices proposed and the information with respect to qualifications set forth in said bids, and the Commission members have deliberated together with respect to the same;

WHEREAS the Commission has entertained and heard at its public meetings representatives of the two companies aforesaid with respect to their respective qualifications, and has likewise heard, and considered the suggestions and representations of, all other persons who have sought audience with the Commission with respect to which the bids were taken; and

WHEREAS the Commission has sought and procured the advice of its general counsel and its consulting engineer, with respect to the arrangements, time schedule, and procedures set forth in the aforesaid bids for handling the work of preparing descriptions of land and interests therein to be acquired for right-of-way purposes, the work of searching and reporting upon the titles thereto, and of furnishing ultimate title assurances with respect thereto;

NOW, THEREFORE, BE IT RESOLVED, that, upon due and full consideration of the advices furnished by its several counselors and of all relevant facts, including the personnel and facilities of the bidders and their prior comparable experience or lack thereof, all as indicated by the schedules of information furnished by them to

the Commission with and as a part of their bids, and also as indicated by the information supplied by the two bidders when they, respectively, appeared before the Commission, the Commission does hereby determine that The Land Title Guarantee and Trust Company is the best qualified of the bidders to furnish the title services and title guarantees and insurance required, and that upon a careful evaluation of the prices bid and of all said relevant facts, the bid of said The Land Title Guarantee and Trust Company is the lowest and best bid; and

FURTHER RESOLVED that the contract for said title services and title contracts be, and it is, awarded to said The Land Title Guarantee and Trust Company, and the Chairman of the Commission is authorized to sign said contract on behalf of the commission; and

FURTHER RESOLVED that when said contract, in the form embodied in the "Notice to Bidders and Proposal" adopted by the Commission on February 5, 1952, shall have been signed and delivered, and when said The Land Title Guarantee and Trust Company shall have delivered to the Secretary-Treasurer of the Commission a performance bond in the amount of \$134,995, which is one-half of the contract price, and said bond shall have been approved by the Commission, the Secretary-Treasurer shall return to said The Land Title Guarantee and Trust Company the certified check in the amount of \$10,000.00 which it submitted with its bid; and

FURTHER RESOLVED that the bid of the Louisville Title Insurance Company is not the lowest and best bid and it fails in substantial respects, including those set forth in the letter to the Commission by its general counsel under date of February 25, 1952, on the subject of "Bids for Title Services and Title Contracts", to comply with the requirements for said bids as adopted by the Commission on February 5, 1952; that, therefore, the Secretary-Treasurer shall forthwith return to said company the certified check in the amount of \$10,000.00 which it submitted with its bid.