

**OHIO TURNPIKE COMMISSION**

**Resolution Concerning Award of Contract  
and Rejection of Certain Groups  
Pursuant to Invitation No. 3456**

WHEREAS, the Commission has advertised for bids for Invitation No. 3456 for the furnishing and delivery to the Commission of 453,000 L.F., portable concrete barrier, and nine bids were received in response to that invitation, plus seven alternate bids, such bids having been reviewed by the Commission's staff;

WHEREAS, it is anticipated that the expenditures of the Commission for portable concrete barrier under Invitation No. 3456 shall exceed \$500,000 and in accordance with Article V, Section 2.10 (16) of the Commission's Code of Bylaws, Commission action is necessary for the award of such contract;

WHEREAS, the bids were reviewed by the chief engineer who has stated that the lowest responsive and responsible bids were submitted by the following bidders:

<u>Group</u>	<u>Bidder/Address</u>	<u>Amount</u>
I, III, IV	Norwalk Concrete Industries, Inc. Norwalk, Ohio	\$3,130,413.00
II	No Award	
V	No Award	
VI	No Award	
VII	Mack Industries, Valley City, Ohio	1,270,950.00
VIII	No Award	
<b>Total .....</b>		<b>\$4,401,363.00</b>

WHEREAS, the chief engineer states that the above-mentioned bidders comply with the provisions of the contract and provide for the least total combination cost to the Commission, and further states that all bidders propose to furnish materials and services in accordance with the Commission's specifications;

WHEREAS, the chief engineer states that the bids received for Groups II, V, VI and VIII be rejected and that the future barrier needs of the Commission, necessitated by the third-lane project, be obtained through the preparation of an additional invitation in 1996;

WHEREAS, the Commission's general counsel has reviewed the bids received and has advised the Commission that the procedure followed by the Commission in advertising for Invitation No 3456 is in accordance with Section

5537.07 of the Revised Code of Ohio, and that the above-mentioned bids are the least total combination cost to the Commission and the lowest responsive and responsible bids received and that the Commission may legally enter into contracts with the above-mentioned bidders to furnish portable concrete barrier in accordance with Invitation No. 3456 as well as reject any and proposals;

WHEREAS, the executive director and general counsel have reviewed the bids received and have recommended to the Commission that contracts be awarded to the above-mentioned bidders which represent the least total combination cost to the Commission and are the lowest responsive and responsible bids and that the Commission reject the bids received for Groups II, V, VI, and VIII;

NOW, THEREFORE, BE IT

RESOLVED that the following bids:

<u>Group</u>	<u>Bidder/Address</u>	<u>Amount</u>
I, III, IV	Norwalk Concrete Industries, Inc. Norwalk, Ohio	\$3,130,413.00
VII	Mack Industries, Valley City, Ohio	1,270,950.00
	<b>Total .....</b>	<b>\$4,401,363.00</b>

for Invitation No. 3456 are, and are by the Commission deemed to represent the least total combination cost to the Commission and are the lowest responsive lowest responsive and responsible bids received and are accepted, and that the chairman and executive director, or either of them, is hereby authorized (1) to execute a contract with each successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidder of its bid security, when appropriate; and (3) to take any and all action necessary to properly carry out the terms of said contract; and

FURTHER RESOLVED that the bids received for Groups II, V, VI and VIII in response to Invitation No. 3456 be and are hereby rejected, and the executive director and general counsel are authorized and directed to notify the bidders of such rejection and to return to said bidders their bid security; and

FURTHER RESOLVED that the chief engineer is directed through the preparation of an additional invitation in 1996 to seek additional bids for the future barrier needs of the Commission; and

FURTHER RESOLVED that contracts for Invitation No. 3456 are designated a System Project under the Commission's 1994 Master Trust Agreement.

**(Resolution No. 66-1995 adopted December 26, 1995)**