

**OHIO TURNPIKE COMMISSION**

**Resolution Rejecting the Bids and Authorizing the Executive Director to Take Further Action Concerning Award of Contract No. 43-00-01**

WHEREAS, the Commission has duly advertised according to law for bids upon a contract for bridge deck replacement of I-90 (*eastbound*) over West Ridge Road at Milepost 142.6 and I-90 (*eastbound*) over Ohio Turnpike mainline at Milepost 142.8 located in Lorain County, Ohio;

WHEREAS, the Commission has received three bids for the performance of said contract;

WHEREAS, said bids have been reviewed and analyzed by the Commission's assistant deputy executive director/chief engineer and its executive director, and they have reported thereon and have made recommendations with respect thereto;

WHEREAS, the Commission's general counsel has reviewed said bids and has adopted the recommendations of the assistant deputy executive director/chief engineer and finds that the bids were in excess of 10% above the consulting engineer's estimate, and therefore, in conformity with Revised Code Section 153.12, the bids cannot be considered for award;

WHEREAS, the Commission has been advised by its general counsel that it may lawfully reject all bids for the aforesaid invitation;

WHEREAS, the purchasing agent advises that the bid opening date is tentatively scheduled for May 9, 2000, and the next regularly scheduled meeting of the Commission is scheduled for mid-June 2000;

WHEREAS, the Commission's assistant deputy executive director-chief engineer advises that awarding the subject contract at the June Commission Meeting would jeopardize the construction progress due to the inclement winter season;

WHEREAS, the Commission desires to delegate to the executive director authority to take action on behalf of the Commission concerning the award of a contract for bridge deck replacement of I-90 (*eastbound*) over West Ridge Road at Milepost 142.6 and I-90 (*eastbound*) over Ohio Turnpike mainline at Milepost 142.8 located in Lorain County, Ohio, if such action is deemed necessary prior to the next Commission meeting so that the bridge rehabilitation project will be accomplished prior to the onset of inclement weather;

NOW, THEREFORE, BE IT

RESOLVED that the above-mentioned bids hereto received pursuant to the advertisement for bids upon Contract No. 43-00-01, for bridge deck replacement of I-90 (*eastbound*) over West Ridge Road at Milepost 142.6 and I-90 (*eastbound*) over Ohio Turnpike mainline at Milepost 142.8 located in Lorain County, Ohio; be and the same hereby are rejected, and the executive director is authorized to notify the bidders in writing of said action, and to return to the bidders the bid security furnished by it; and

FURTHER RESOLVED that the executive director and general counsel hereby are authorized and directed to take any and all action necessary to re-advertise for bids for Contract No. 43-00-01 for bridge deck replacement of I-90 (*eastbound*) over West Ridge Road at Milepost 142.6 and I-90 (*eastbound*) over Ohio Turnpike mainline at Milepost 142.8 located in Lorain County, Ohio forthwith.

FURTHER RESOLVED that the authority hereby granted to the executive director and general counsel shall include authority, if deemed appropriate, to execute a contract with the lowest responsive and responsible bidder;

FURTHER RESOLVED that the executive director may take such action aforesaid, provided that the assistant deputy executive director/chief engineer concurs in the recommendation of award and that the general counsel issues an opinion that the successful bidder complies with all statutory requirements of the State of Ohio and complies with the policies of the Commission; and

FURTHER RESOLVED that the executive director of the Ohio Turnpike Commission is hereby authorized to take any action necessary concerning award and execution of Contract No. 43-00-01 for bridge deck replacement of I-90 (*eastbound*) over West Ridge Road at Milepost 142.6 and I-90 (*eastbound*) over Ohio Turnpike mainline at Milepost 142.8 located in Lorain County, Ohio; prior to the next meeting of the Commission, including the award of contract for such invitation or the rejection of the bids received in response thereto.

**(Resolution No. 10-2000 adopted April 10, 2000)**