

OHIO TURNPIKE COMMISSION

**Resolution Rejecting the Bids Received for
Contract No. 43-04-01**

WHEREAS, the Commission has duly advertised according to law for bids upon a contract for reconstruction of the Norfolk & Southern Railroad Bridge over the Ohio Turnpike located at Milepost 182.0 in Summit County, herein designated **Contract No. 43-04-01**; and

WHEREAS, the Commission has received bids from six (6) bidders for the performance of said contract; and

WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer and its director of contracts administration, and they have reported thereon and have made recommendations with respect thereto; and

WHEREAS, both the Commission's chief engineer and director of contracts administration have recommended that, due to the project design consultant's underestimation of the quantity of structural steel required for the subject Project, which was brought to the Commission's attention only after the bid opening, the bids should not be considered for award and should be rejected; and

WHEREAS, the Commission's director of contracts administration has submitted a report concerning such analysis, which report is before the Commission; and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis; and

WHEREAS, the Commission has been advised by its director of contracts administration that it may lawfully reject all bids for the aforesaid invitation pursuant to its authority contained in the bidding documents and under the provisions of Ohio Revised Code Section 5537.07(A).

NOW, THEREFORE, BE IT

RESOLVED that the above-mentioned bids heretofore received pursuant to the advertisement for bids upon a contract for reconstruction of the Norfolk & Southern Railroad Bridge over the Ohio Turnpike located at Milepost 182.0 in Summit County, herein designated **Contract No. 43-04-01**, 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 each; and

FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to take any and all action necessary to re-advertise for bids for **Contract No. 43-04-01** for reconstruction of the Norfolk & Southern Railroad Bridge over the Ohio Turnpike located at Milepost 182.0 in Summit County, Ohio and to take steps to recover the additional costs that may be incurred by the Commission including, but not limited to, re-advertising costs from the Commission's project design consultant.

(Resolution No. 46-2004 adopted August 23, 2004)