

**OHIO TURNPIKE COMMISSION**

**Resolution Rejecting the Bids Received for Contract No. 59-05-04**

WHEREAS, the Commission has duly advertised according to law for bids upon a contract for shoulder repair and resurfacing from Milepost 196.2 to Milepost 197.9 located in Portage County, Ohio, herein designated **Contract No. 59-05-04**; and

WHEREAS, the Commission received two (2) bids for the performance of said contract from The Shelly Company of Akron, Ohio and Shelly & Sands, Inc. of Twinsburg, Ohio; 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, the Commission's chief engineer has reported that the lowest bid for Contract No. 59-05-04, as submitted by The Shelly Company, was 14% above the engineer's estimate and, that he is not satisfied with the bids and that both bids should not be considered for award and should be rejected; and

WHEREAS, the Commission's director of contracts administration has advised the Commission that, pursuant to the bidding documents for Project 59-05-04 and Ohio Revised Code Section 5537.07(A), the Commission has expressly reserved the right to reject any and all bids, and that pursuant to Ohio Revised Code Section 153.12, the Commission legally must reject all bids if they are greater than ten percent above the engineer's estimate; and

WHEREAS, the Commission's chief engineer and the director of contracts administration have both submitted reports concerning such analysis, which reports are before the Commission; and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis.

NOW, THEREFORE, BE IT

RESOLVED that the above-mentioned bids heretofore received pursuant to the advertisement for bids upon a contract for shoulder repair and resurfacing from Milepost 196.2 to Milepost 197.9 located in Portage County, Ohio, herein designated **Contract No. 59-05-04**, 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. 59-05-04** for shoulder repair and resurfacing from Milepost 196.2 to Milepost 197.9 located in Portage County, Ohio, forthwith.

**(Resolution No. 22-2005 adopted May 16, 2005)**