

OHIO TURNPIKE COMMISSION

**Resolution Rejecting Bids for the Furnishing of
of Truck-Mounted Attenuators Pursuant to Invitation No. 4027**

WHEREAS, the Commission has advertised for bids for Invitation No. 4027 for the furnishing to the Commission of sixteen (16) truck-mounted attenuators; and

WHEREAS, the expenditures of the Commission for truck-mounted attenuators under Invitation No. 4027 will exceed \$150,000 and, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of such contract; and

WHEREAS, the two (2) bids received in response to the Invitation were reviewed and analyzed by the maintenance engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the maintenance engineer states that the apparent low bid submitted by Baldwin & Sours, Inc. failed to comply with the Commission's technical specifications and cannot be considered for award; and

WHEREAS, the maintenance engineer further states that, although the second apparent low bidder, A & A Safety, Inc. of Warrensville Heights, Ohio, proposed to furnish materials and services in accordance with the Commission's specifications, its bid significantly exceeds the estimated cost for this equipment; and

WHEREAS, the maintenance engineer, therefore, recommends that both bids be rejected by the Commission and that the Invitation for truck-mounted attenuators be re-advertised as soon as possible; and

WHEREAS, the Commission's director of contracts administration has reviewed the bids received and has advised the Commission that the procedure followed by the Commission in advertising for Invitation No. 4027 was in accordance with Section 5537.07 and Section 9.312 of the Ohio Revised Code, and further advises that, pursuant to the bidding documents for Invitation No. 4027 and Ohio Revised Code Section 5537.07(A), the Commission has expressly reserved the right to reject any and all bids; and

WHEREAS, the executive director has reviewed the reports of the maintenance engineer and the director of contracts administration and has recommended to the Commission that all bids received in response to Invitation No. 4027 be rejected by the Commission and that the Invitation for truck-mounted attenuators be re-advertised as soon as possible.

NOW, THEREFORE, BE IT

RESOLVED that all bids received in response to Invitation No. 4027 for furnishing sixteen (16) truck-mounted attenuators are hereby rejected and the executive director and director of contracts administration, or either of them, is hereby authorized: 1) to notify all bidders in writing of said action; 2) to direct the return to all bidders of their bid security; and 3) to take any and all action necessary to re-advertise Invitation No. 4027 for truck-mounted attenuators as soon as possible.

(Resolution No. 36-2005 adopted August 15, 2005)