

OHIO TURNPIKE COMMISSION

Resolution Rejecting the Bids Received for Contract No. 77-06-01

WHEREAS, the Commission has duly advertised according to law for bids upon a contract for third-lane construction from Milepost 64.13 to 71.05 located in Wood County, Ohio, (including safety upgrading, widening of bridges within the construction zone and resurfacing of existing travel lanes from Milepost 69.30 to Milepost 71.05) herein designated **Contract No. 77-06-01**; and

WHEREAS, the Commission received two (2) bids for the performance of said Contract from The Shelly Company of Findley, Ohio and Miller Brothers Construction of Archbold, Ohio; and

WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer whose report concerning said analysis is before the Commission; and

WHEREAS, the Commission's chief engineer reports that the lowest bid for Contract No. 77-06-01, as submitted by The Shelly Company, was approximately twenty percent (20%) above the consulting engineer's estimate and, therefore, neither bid can be considered for award and should be rejected; and

WHEREAS, the Commission's director of contracts administration concurs with the chief engineer's recommendation and has submitted a report advising the Commission that, pursuant to the bidding documents for Contract No. 77-06-01 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 (10%) above the engineer's estimate; and

WHEREAS, the Commission's executive director has made his recommendation to the Commission to reject both bids received for Contract No. 77-06-01 predicated upon the analysis of the chief engineer and the director of contracts administration; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the above-mentioned bids heretofore received pursuant to the advertisement for bids upon a Contract for third lane construction from Milepost 64.13 to 71.05 located in Wood County, Ohio, herein designated **Contract No. 77-06-01**, 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. 77-06-01** for third lane construction from Milepost 64.13 to 71.05 located in Wood County, Ohio.

(Resolution No. 12-2006 adopted March 20, 2006)