

## OHIO TURNPIKE COMMISSION

### Resolution Rejecting the Bid Received for Contract No. 59-07-01

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Repairs and Resurfacing of the Eastbound and Westbound Roadways from Milepost 5.7 to 14.8 located in Williams County, Ohio, herein designated **Contract No. 59-07-01**; and

WHEREAS, the Commission received one (1) bid for the performance of said Contract from Gerken Paving, Inc. of Napoleon, Ohio; and

WHEREAS, said bid has 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 sole bid for Contract No. 59-07-01, as submitted by Gerken Paving, Inc., was approximately 10.3% above the engineer's estimate and, therefore, cannot 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. 59-07-01 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 the sole bid received for Contract No. 59-07-01 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 bid heretofore received pursuant to the advertisement for bids upon a Contract for Repairs and Resurfacing of the Eastbound and Westbound Roadways from Milepost 5.7 to 14.8 located in Williams County, Ohio, herein designated **Contract No. 59-07-01**, be and the same hereby is rejected, and the director of contracts administration is authorized to notify the bidder in writing of said action, and to return to the bidder its bid security; and

FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to take any and all action necessary, at the appropriate time, to re-advertise for bids for **Contract No. 59-07-01**, Repairs and Resurfacing of the Eastbound and Westbound Roadways from Milepost 5.7 to 14.8 located in Williams County, Ohio.

**(Resolution No. 2-2007 adopted February 26, 2007)**