

OHIO TURNPIKE COMMISSION

Resolution Rejecting the Bids Received for Contract No. 59-11-05 A, Contract No. 59-11-05 B and Contract No. 59-11-05 C

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Longitudinal Joint Repairs and Resurfacing of Eastbound and Westbound Roadways, Milepost 71 to Milepost 80 and Milepost 101 to Milepost 110, located in Wood, Ottawa, Sandusky and Erie Counties, herein designated **Contract No. 59-11-05 A**; a Contract for Longitudinal Joint Repairs and Resurfacing of Eastbound and Westbound Roadways, Milepost 118 to Milepost 126 and Milepost 136 to Milepost 144, located in Erie and Lorain Counties, herein designated as **Contract No. 59-11-05 B**; and a Contract for Longitudinal Joint Repairs and Resurfacing of Eastbound and Westbound Roadways, Milepost 161 to Milepost 165 and Milepost 172 to Milepost 177, located in Cuyahoga and Summit Counties, herein designated as **Contract No. 59-11-05 C**; and

WHEREAS, the Commission received four bids for the performance of said Contracts from **Gerken Paving, Inc.** of Napoleon, Ohio; **The Shelly Company – Northwest Division** of Findlay, Ohio; **Kokosing Construction Co., Inc.** of Elyria, Ohio; and **The Shelly Company** of Twinsburg, 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 all bids for Contract No. 59-11-05 A, Contract No. 59-11-05 B and Contract No. 59-11-05 C were greater than ten percent (10%) above the Engineer's estimate and, therefore, cannot be considered for award and must 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 Ohio Revised Code Section 5537.07(A) as well as the Bidding Documents for Contract No. 59-11-05 A, Contract No. 59-11-05 B and Contract No. 59-11-05 C, the Commission has expressly reserved the right to reject any and all bids, and that pursuant to Ohio Revised Code Section 153.12(A), the Commission legally must reject all bids if they are greater than ten percent (10%) above the Engineer's estimate; and

WHEREAS, predicated upon the analysis of the reports submitted by both the Chief Engineer and the Director of Contracts Administration, the Commission concurs with such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the above-mentioned bids heretofore received pursuant to the advertisement for bids upon Contract No. 59-11-05 A, Contract No. 59-11-05 B and Contract No. 59-11-05 C, be and the same hereby are rejected, and the Director of Contracts Administration is authorized to notify the bidders in writing of said action, and to return to the bidders their bid security; and

FURTHER RESOLVED that the Interim 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. 59-11-05 A, Contract No. 59-11-05 B and Contract No. 59-11-05 C.

(Resolution No. 44-2011 adopted September 19, 2011)