

OHIO TURNPIKE COMMISSION

Resolution Rejecting the Bid Received for Contract No. 59-10-01

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Repairs and Resurfacing of the Eastbound and Westbound Lanes from Milepost 14.8 to Milepost 27.5 in Williams County, Ohio, designated as **Contract No. 59-10-01**; 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 bid for Contract No. 59-10-01, as submitted by Gerken Paving, was in excess of ten percent (10%) above the Engineer's Estimate and, therefore, the bid 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 the Bidding Documents for Contract No. 59-10-01 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 bids if they are greater than ten percent (10%) above the Engineer's Estimate; and

WHEREAS, the Commission's Executive Director has reviewed the reports of the Chief Engineer and the Director of Contracts Administration, and has made his recommendation to the Commission to reject the bid received for Contract No. 59-10-01 predicated upon their analysis; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED that the bid received from **Gerken Paving, Inc. of Napoleon, Ohio** pursuant to the Invitation for Bids for **Contract No. 59-10-01**, be and the same hereby is rejected, and the Executive Director and the Director of Contracts Administration, or either of them, is authorized to notify the bidder in writing of said action, and to return to the bidder the bid security it furnished in response to said Invitation; and

FURTHER RESOLVED that, when deemed appropriate, 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. 59-10-01 for Repairs and Resurfacing in the Eastbound and Westbound Lanes from Milepost 14.8 to Milepost 27.5 in Williams County, Ohio.

(Resolution No. 11-2010 adopted March 22, 2010)