

## **OHIO TURNPIKE COMMISSION**

### **Resolution Rejecting Bids for the Furnishing, Removal, Transportation, Disposal and Testing of Slag Leachate Wastewater from One (1) Location along the Ohio Turnpike Pursuant to Invitation No. 4172**

WHEREAS, the Commission duly advertised according to law for bids upon a Contract for the furnishing, removal, transportation, disposal and testing of slag leachate wastewater from one location along the Ohio Turnpike, designated as Invitation No. 4172; and

WHEREAS, on September 23, 2011, three bids were received for the performance of said Contract, which bids have been reviewed and analyzed by the Maintenance Engineer whose report concerning said analysis is before the Commission; and

WHEREAS, the Commission's Maintenance Engineer reports that the apparent low bid was submitted by Waste Management of Ohio of Canal Winchester, Ohio, which submitted a bid guaranty in an insufficient amount and, therefore, must be rejected; and

WHEREAS, the Maintenance Engineer further reports that, although the second apparent low bidder, Clean Harbors Environmental Services of Cleveland, Ohio, proposed to furnish materials and services in accordance with the Commission's Specifications, its bid in the amount of \$180,000 exceeded the estimated cost for service by approximately fifty percent; and

WHEREAS, the Maintenance Engineer, therefore, recommends that all bids for Invitation No. 4172 be rejected by the Commission and that the Invitation for furnishing, removal, transportation, disposal and testing of slag leachate wastewater from one location along the Ohio Turnpike be re-bid as soon as possible; and

WHEREAS, the Commission's Director of Contracts Administration has submitted a report advising the Commission that the procedures followed in advertising for bids under Invitation No. 4172 were performed in conformance with Sections 5537.07(A) and 9.312 of the Ohio Revised Code, and further advising that, pursuant to the Bidding Documents for Invitation No. 4172 and Ohio Revised Code Section 5537.07(A), the Commission has expressly reserved the right to reject any and all bids; and

WHEREAS, inasmuch as the lowest valid bid submitted was in excess of \$150,000, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is requested for the rejection of bids for said Contract; and

WHEREAS, the Interim Executive Director has reviewed the reports submitted by both the Maintenance Engineer and the Director of Contracts Administration and, predicated upon their analysis, concurs with their recommendations; 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 Invitation No. 4172, 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 each of the bidders their bid security.

**(Resolution No. 46-2011 adopted October 17, 2011)**