

## **OHIO TURNPIKE COMMISSION**

### **Resolution Ratifying the Rejection of Bids for Contract No. 58-08-01 / 58-08-02**

WHEREAS, the Commission duly advertised according to law for bids upon a Contract for renovation work at the Toll Plazas, Utility Buildings, Toll Booths and Islands located at Milepost 52 in Lucas County, Ohio and the same work including Canopy work at Milepost No. 64 located in Wood County, Ohio, herein designated **Contract No. 58-08-01 / 58-08-02**; and

WHEREAS, on August 8, 2008, the Commission received bids from five (5) bidders for the performance of said Contract; and

WHEREAS, said bids were initially reviewed by the Commission's Director of Contracts Administration, and she has submitted a report concerning such review to the Executive Director, which report is also before the Commission; and

WHEREAS, the Commission's Director of Contracts Administration reports that all bids for Contract No. 58-08-01 / 58-08-02 were in excess of ten percent (10%) above the Engineer's estimate; and

WHEREAS, the Commission's Director of Contracts Administration further advises that, pursuant to the bidding documents for Contract No. 58-08-01 / 58-08-02 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, upon advice of the General Counsel and pursuant to his authority as the "chief operating administrative officer" under Article V, Section 1.00 of the Commission's Bylaws, proceeded with the rejection of these bids and directed Commission staff to review the plans and specifications for said Contract, to make modifications where needed and to re-advertise for said Contract; and

WHEREAS, the Executive Director requests the Commission to ratify the rejection of all bids received for Contract No. 58-08-01 / 58-08-02 predicated upon the legal analysis submitted by both the Director of Contracts Administration and the General Counsel; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby ratifies the Executive Director's rejection of all the above-mentioned bids heretofore received pursuant to the advertisement for bids for **Contract No. 58-08-01 / 58-08-02**.

**(Resolution No. 41-2008 adopted September 15, 2008)**