

TEXAS TRANSPORTATION COMMISSION

FORT BEND County

MINUTE ORDER

Page 1 of 1

HOUSTON District

Project RMC 6153-99-001 (Cleaning and Sweeping Highways) was let on December 12, 2006 in the Houston District. Strand Engineering, Maintenance & Construction, L.L.C. was the low bidder but was unable to fulfill the bonding requirements. The second lowest bidder, Sweeping Services of Texas – Operating, L.P., has indicated in writing that it is willing to perform the work at the unit bid prices set forth in the lowest bid.

Section 221.0041 of the Transportation Code allows the Texas Transportation Commission (commission), under certain conditions, to award a maintenance contract of less than \$300,000 to the second lowest bidder when the lowest bidder does not execute a contract.

Title 43, Texas Administrative Code §9.17(d) allows the commission to accept the withdrawal of the lowest bid and award the contract to the second lowest bidder on the recommendation of the executive director when the executive director determines that the second lowest bidder is willing to perform the work at the unit bid prices of the lowest bidder, the unit bid prices of the lowest bidder are reasonable, and delaying award of the contract may result in significantly higher unit bid prices.

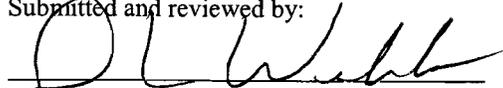
The memorandum attached as Exhibit A to this minute order and incorporated in this order by reference contains the executive director's recommendation and written determination, required by 43 TAC §9.17(d), that the contract is eligible for award to the second lowest bidder in accordance with the law and the rules.

The commission concurs with the executive director's determinations as set forth in attached Exhibit A.

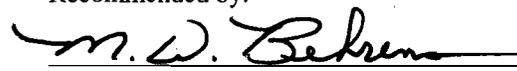
IT IS THEREFORE ORDERED by the commission that Strand Engineering, Maintenance & Construction, L.L.C be allowed to withdraw its bid for the contract for Project RMC 6153-99-001.

IT IS FURTHER ORDERED that the contract for Project RMC 6153-99-001 be awarded to Sweeping Services of Texas – Operating, L.P. in the low bid amount of \$180,377.50.

Submitted and reviewed by:


Director, Maintenance Division

Recommended by:


Executive Director

110861 FEB 28 07

Minute Number Date Passed

EXHIBIT A

MEMORANDUM



TO: Texas Transportation Commission February 5, 2007
FROM: Michael W. Behrens, P. E. *M. W. B.*
SUBJECT: Minute Order
Award to Second Low Bidder

Contract No.: 12061202
Project: RMC 615399001
Highway: US 59, etc.
County: Fort Bend

Description: Cleaning and Sweeping Highways
Engineer's Estimate: \$198,600.00
Low Bid: \$180,377.50

Project RMC 615399001 (Cleaning and Sweeping Highways) was let on December 12, 2006, in the Houston District. The low bidder was Strand Engineering, Maintenance & Construction, L.L.C. with a bid in the amount of \$180,377.50. Strand Engineering, Maintenance & Construction, L.L.C. was unable to fulfill the bonding requirements.

The second lowest bidder, Sweeping Services of Texas – Operating, L.P., has indicated that he wants the contract and is willing to perform the work at the unit bid prices on Strand Engineering, Maintenance & Construction, L.L.C. bid. Sweeping Services of Texas – Operating, L.P. original bid was \$8,985.50 higher than Strand Engineering, Maintenance & Construction, L.L.C. I find that the unit bid prices of the lowest bidder are reasonable. In addition, there is a specific need to expedite completion of the project to protect the safety of the traveling public.

Based on the above, I recommend that the contract be awarded to Sweeping Services of Texas – Operating, L.P.