

**RESOLUTION OF THE CITY OF OKLAHOMA CITY
EXTENDING TIME TO AWARD FOR GOOD CAUSE,
REJECTING THE LOWEST BID, AND AWARDING THE
CONTRACT FOR PROJECT MB-1478, REPLACEMENT OF
FIRE STATION 31 TO SHILOH ENTERPRISES INC, AS THE
LOWEST RESPONSIBLE BIDDER, IN THE AMOUNT OF
\$7,587,500; AND APPROVING THE CONTRACT AND
BONDS WITH SHILOH ENTERPRISES INC.**

WHEREAS, Project MB-1478 replaces Fire Station 31; and

WHEREAS, the City of Oklahoma City has advertised and received bids for Project MB-1478; and

WHEREAS, provisions of the Oklahoma state law known as the Public Competitive Bidding Act of 1974, provides a contract for construction of a public improvement be awarded within 30 days, or within 45 days for good cause shown, or within 120 days upon mutual agreement between the lowest responsible bidder and the awarding public agency or agencies; and

WHEREAS, due to the time required to receive executed contract and bonds and the time necessary to route documentation to the City of Oklahoma City for approval, contract award was thereby delayed, preventing award within 30 days of receipt of bids; and

WHEREAS, a letter agreeing to honor the bid for 120 days has been received from Shiloh Enterprises Inc.; and

WHEREAS, it is the desire of the City of Oklahoma City to award the contract to the lowest responsible bidder; and

WHEREAS, the bids were opened on September 27, 2023; and

WHEREAS, the bids closed on October 25, 2023, with W.L. McNatt & Company bidding the lowest at \$7,232,000; and

WHEREAS, 61 O.S. § 117 and Oklahoma case law permits public construction contracts to be awarded to the lowest responsible bidder, other than the low bidder, for reasons determined and publicized by the awarding public agency; and

WHEREAS, W.L. McNatt & Company is currently behind schedule on awarded projects M3-H004, M3-H005, MP-0533, and MP-0414; and

WHEREAS, the lowest bidder, W.L. McNatt & Company, is not the lowest responsible bidder due to delinquencies on outstanding and unfinished Public Work projects; and

WHEREAS, the lowest responsible bidder, Shiloh Enterprises Inc, should be awarded the contract.

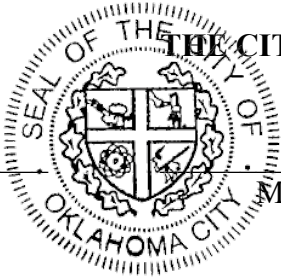
NOW, THEREFORE, BE IT RESOLVED by the City of Oklahoma City extend

time to award for good cause, to reject the lowest bid and to award the contract for Project MB-1478, replacement of Fire Station 31 to Shiloh Enterprises Inc, as the lowest responsible bidder, in the amount of \$7,587,500; and approving the contract and bonds with Shiloh Enterprises Inc.

APPROVED by the Council and signed by the Mayor of The City of Oklahoma City this 30TH day of JANUARY, 2024.

ATTEST:

Amy K. Simpson
CITY CLERK



THE CITY OF OKLAHOMA CITY

David Holt
MAYOR

REVIEWED for form and legality.

Craig Keith
Assistant Municipal Counselor