

**RESOLUTION OF THE MECKLENBURG COUNTY BOARD OF COMMISSIONERS
ADOPTING THE CONCLUSIONS OF THE BID WITHDRAWAL ORDER AND
APPROVING
THE CONTRACT AWARD TO SECOND LOWEST, RESPONSIBLE AND RESPONSIVE
BIDDER BATSON-COOK CONSTRUCTION
FOR CONSTRUCTION OF THE OFFICE OF ECONOMIC DEVELOPMENT – JOHNSON
BUILDING**

WHEREAS, Mecklenburg County's Asset and Facility Management requested bids for the construction of the Office of Economic Development – Johnson Building; and

WHEREAS, Walter B. Davis Company submitted the lowest bid, a bid which was more than \$326,000 lower than the next lowest bid, with Batson Cook Construction having the second lowest bid; and

WHEREAS, Walter B. Davis Company after reviewing its bid proposal, determined that one of its bidding subcontractors had made an unintentional omission of a substantial portion of the work in the calculation of its bid amount and pursuant to G.S. 143.129.1 sought to withdraw their bid due to an unintentional omission; and

WHEREAS, Pursuant to G.S. 143-129.1, a hearing was conducted on August 20, 2024, and after presentation of evidence, it was determined that the low bidder had made an error justifying withdrawal of the bid without forfeiture of their bid security; and

WHEREAS, with the withdrawal of the Walter B. Davis Company bid, Batson-Cook Construction thus became the lowest, responsive and responsible bidder with a price of \$1,552,338.00; now, therefore, be it

RESOLVED that the Mecklenburg County Board of Commissioners adopts the conclusions of the bid withdrawal order and awards the contract to Batson-Cook Construction for the construction of the Office of Economic Development – Johnson Building.

ADOPTED the ____ day of September 2024.

Clerk to the Board

APPROVED AS TO FORM:

(SEAL)

County Attorney