Resolution #21-0476
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RESOLUTION ALLOWING WITHDRAWAL OF A BID FOR CONSTRUCTION OF EASTON PARK RESTROOM

WHEREAS, after proper advertisement, bids were received and publicly opened at 3:00 p.m. on Wednesday, June 30, 2021, for construction of the Easton Park Restroom and the following bids were received:

	City/State	Total Bid
Creative Design & Construction, Inc.	Tobaccoville, NC	$463,109.80
Bar Construction Company, Inc.	Greensboro, NC	496,754.93
Dreambuilt Construction, Inc.	Advance, NC	568,696.00
Hodgin Construction Company	Greensboro, NC	701,405.33

WHEREAS, following the bid opening, it was discovered that the low bidder, Creative Design & Construction, Inc., had misinterpreted the specifications for two of the line items in the bid, causing their total bid amount to be incorrect and notified the Purchasing Department that they wished to withdraw their bid; and

WHEREAS, N.C.G.S. 143-129.1 authorizes the City Council to allow a withdrawal provided that the bid was submitted in good faith and that an unintentional and substantial arithmetic error or an unintentional omission of a substantial quantity of work, labor, material or service made directly in the compilation of the bid; and

WHEREAS, upon review of the documentation provided by Creative Design & Construction, Inc. by the Purchasing Director, Engineering Director, City Attorney, Assistant City Manager, and City Manager, all of whom are in complete agreement that the error was an unintentional omission, recommends that Creative Design & Construction, Inc. be allowed to withdraw their bid without penalty.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Winston-Salem, that the Council hereby determines and rules, that an error made by Creative Design & Construction, Inc. was an unintentional omission and that Creative Design & Construction, Inc. is allowed to withdraw its bid without penalty for construction of Easton Park Restroom.