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## **NOTICE OF INTENT TO AWARD**

DATE: March 13, 2024  
BID #2024-01  
TITLE: Industrial Park Drive Improvements

APPARENT SUCCESSFUL PROPOSER: Bogatay Construction Incorporated  
BID AMOUNT: \$2,065,432.00 (Base Bid and Alternate #1)

In accordance with university policy section 580-061-0145 and the subject BID, the Oregon Institute of Technology ("Oregon Tech") intends to award a contract to the above-named apparent successful Proposer.

We thank you all for your participation in this procurement process. We hope you will continue to take an interest in projects at Oregon Tech.

This Notice of Intent to Award is subject to execution of a written contract and, as a result, this notice does NOT constitute the formation of a contract between Oregon Tech and the apparent successful Proposer. The above-named apparent successful Proposer shall not acquire any legal or equitable rights relative to the contract services until a contract containing terms and conditions acceptable to Oregon Tech is executed. If the apparent successful Proposer fails to negotiate and execute a contract with Oregon Tech, Oregon Tech may revoke the award and award the contract to the next highest ranked. Oregon Tech further reserves the right to cancel this Notice of Intent to Award at any time prior to the execution of a written contract.

Proposers may review the procurement file by submitting a written public records request to the university's Office of Public Records. More information, including the public records request process and form, may be found: <https://www.oit.edu/public-records>.

This Notice of Intent to Award starts the seven (7) calendar day period during which an unsuccessful Proposer may file a protest in accordance with university policy section 580-061-0145. Any protest to this Notice of Intent to Award must be in writing and delivered by hand, mail, or e-mail to the following address: Oregon Institute of Technology, Office of Procurement & Contracts, 3201 Campus Drive, Klamath Falls, OR 97601-8801, Email: [Purchasing@oit.edu](mailto:Purchasing@oit.edu). Protests may not be submitted verbally or by telephone. Protests must be clearly marked as a protest and include the title and number of the solicitation. Protests must also fully specify the grounds for the protest and include all evidence that the Proposer wishes Oregon Tech to consider. Failure to include any ground for the protest or any evidence in support of the protest will constitute a final, knowing, and voluntary waiver of the right to assert such ground or evidence.