Ohio Department of Administrative Services
Ted Strickland, *Governor*
Hugh Quill, *Director*

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OhioDAS

[Date]

[name]
[records management company]
[address]
[city, state zip]

Bid Information Escrow

Dear [name]:

The following are instructions for the handling and storage of the Contractor's Bid information, which [records management company] (the "Escrow Agent") will receive direct from the Contractor and place into escrow for the [contracting authority] (the "Department"). These instructions are in addition to the provisions of the Records Storage Agreement dated [date], by and between the Escrow Agent and the Department.

1. The Escrow Agent will establish a separate account and billings for the Bid Information Escrow. The Department's Fiscal Officer or Assistant Fiscal Officer are authorized to take action on the account for billing and payment purposes.

2. The Escrow Agent understands that the following Department's staff members are authorized to take action and to issue instructions regarding the Bid Information Escrow: [staff member titles].

3. The Department will send the Escrow Agent a copy of each Notice of Intent to Award for Contracts of $2,000,000 or more, which will identify the Contractor and Contract number. Within three business days of the date of the notice, the Escrow Agent should receive the Bid Information to be placed into escrow from the Contractor. The Escrow Agent should send an e-mail to the Department's Project Coordinator, identified in the notice the same business day that the Bid Information is received, confirming the receipt of the Contractor's Bid Information.

4. The Escrow Agent will deposit the Bid Information in its High Security Storage area in a padlocked plastic storage container furnished by the Escrow Agent. The Escrow Agent will track the Bid Information in its computer and will include the Contractor's name and Contract number as a part of the tracking information. The computer record should also include information related to the dates of receipt, release, storage and transmittal of the Bid Information.

   The Escrow Agent will hold the escrowed Bid Information until receiving a written notice from one of the Department's staff members authorized under Item 2 above, directing that the Bid Information be released. Upon receipt of such notice, the Escrow Agent will, within one (1) business day, send the Bid Information to the party designated and in the manner requested, which may include but is not limited to the following:

   a. The Bid Information will be returned to the Contractor via Airborne Express or similar carrier and will require and obtain a written acknowledgement of receipt from the Contractor. The Escrow Agent will be paid the actual cost of shipping, plus reasonable

labor at the hourly rate including in the Records Storage Agreement for other projects.

b. The Bid Information may be hand delivered to the Department by the Escrow Agent, for which the Escrow Agent will be paid a lump sum fee as provided by the Department's agreement referenced herein. The Escrow Agent will maintain a computer record of this method of sending. A written acknowledgement of receipt from the Department is required.

5. The Escrow Agent will have no duties, obligations or liabilities other than to hold and protect the Bid Information in accordance with the provisions of the Department's Record Storage Agreement, and sending the Bid Information in accordance with the provisions of this instruction letter.

If the Escrow Agent has any general questions regarding Bid Information escrow, please contact [name] at [phone number].

Sincerely,

[name]
[title]

c: [Department's staff members]