

OHIO TURNPIKE COMMISSION

**Resolution Authorizing the Executive
Director to take Immediate Action Concerning
Award of Contract No. 58-95-05**

WHEREAS, the Commission is currently preparing for the advertisement according to law for bids upon a contract for construction of a toll plaza, utility building, toll booths and canopies for Interchange 7A located at Milepost 136.0 in Lorain County, which project has been designated Project No. 58-95-05 and is commonly referred to as the Baumhart Road interchange;

WHEREAS, the Board of Trustees of Brownhelm Township filed suit against the Commission and its prime contractor, E. S. Wagner Company, to enjoin the Commission and the E. S. Wagner Company, from building the Baumhart Road interchange under Contract No. 55-95-03;

WHEREAS, the Commission's general counsel has advised the Commission that the Court shall hear the Commission's case and argument on April 25, 1995;

WHEREAS, it is imperative that action be taken on Contract No. 58-95-05 as soon as the aforesaid litigation has been resolved and before the June 12, 1995, Commission Meeting;

WHEREAS, the Commission desires to delegate to the executive director authority to take action on behalf of the Commission concerning the award of Contract No. 58-95-05, if such action is deemed necessary prior to the next Commission Meeting so that the work called for under said contract can go forward as promptly as possible;

NOW, THEREFORE, BE IT

RESOLVED that the executive director of the Ohio Turnpike Commission is hereby authorized to take any action necessary concerning award of Contract No. 58-95-05, prior to the next meeting of the Commission, including the award of contract for such invitation or the rejection of all bids received in response thereto; and

FURTHER RESOLVED that the executive director may take such action aforesaid provided the deputy executive director and chief engineer recommend the award, and the general counsel issues an opinion that the successful bidder complies with all statutory requirements of the State of Ohio and complies with the policies of the Commission; and

FURTHER RESOLVED that Contract No. 58-95-03 is designated a System Project under the Commission's 1994 Master Trust Agreement.

(Resolution No. 14-1995 adopted April 24, 1995)