

OHIO TURNPIKE COMMISSION

Resolution Authorizing the Executive Director to Take Further Action Concerning Award of Contract No. 38-98-03 (Part A and B)

WHEREAS, the Commission's general counsel, has advised the Commission to reject the bids received on August 5, 1998, in response to the Commission's advertisement for bids upon Contract No. 38-98-03 because of defective bid guaranties;

WHEREAS, the Commission is re-advertising for bids for Contract No. 38-98-03 for the furnishing of fiber optic cable and construction of approximately 37.9 miles of underground communication line and connections in Williams and Fulton Counties (Part A), and the furnishing of fiber optic cable and construction of approximately 5.4 miles of underground communication line and connections in Mahoning County (Part B);

WHEREAS, it is anticipated that the expenditures of the Commission for the fiber optic installation and construction of underground communication lines under Contract No. 38-98-03 shall exceed \$500,000 and in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of such contract;

WHEREAS, the Purchasing Agent advises that the bid opening date is scheduled for August 28, 1998, and the next regularly scheduled meeting of the Commission is tentatively scheduled for the latter part of September, 1998;

WHEREAS, the Commission's Toll Information System Upgrade and the Business Applications projects require a high-speed network to realize the full benefits of these systems, which projects are progressing towards completion by December 31, 1998;

WHEREAS, the Commission's chief engineer advises that awarding the subject contract at the September Commission Meeting would put this contract into the winter weather season, thereby impeding construction progress;

WHEREAS, the Commission desires to delegate to the executive director authority to take action on behalf of the Commission concerning the award of a contract for the furnishing of fiber-optic cable and construction of underground communication lines in Williams and Fulton Counties (Part A) and Mahoning County (Part B), if such action is deemed necessary prior to the next Commission meeting so that the fiber-optic project will be accomplished prior to the onset of inclement weather;

NOW, THEREFORE, BE IT

RESOLVED that the authority hereby granted to the executive director and general counsel shall include authority, if deemed appropriate, to execute a contract with the lowest responsive and responsible bidder;

FURTHER RESOLVED that the executive director may take such action aforesaid, provided that the chief engineer concurs in the recommendation of award and that 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 the executive director of the Ohio Turnpike Commission is hereby authorized to take any action necessary concerning award and execution of Contract No. 38-98-03 for the furnishing of fiber optic cable and construction of approximately 37.9 miles of underground communication line and connections in Williams and Fulton Counties (Part A), and the furnishing of fiber optic cable and construction of approximately 5.4 miles of underground communication line and connections in Mahoning County (Part B); prior to the next meeting of the Commission, including the award of contract for such invitation or the rejection of the bids received in response thereto.

(Resolution No. 46-1998 adopted August 17, 1998)