

OHIO TURNPIKE COMMISSION

**Resolution Rejecting the Bids for Contract No. 43-98-01**

WHEREAS, the Commission has duly advertised according to law for bids upon a contract for improvements to Interchange 118 (Exit 7), including replacement of the N & W Railroad Bridge over U.S.R. 250 located in Erie County, which project has been designated Project No. 43-98-01;

WHEREAS, the Commission has received bids from five bidders and each bidder submitted alternate bids for the performance of said contract;

WHEREAS, the Commission's general counsel has advised that on September 3, 1998, the Erie County Court of Common Pleas issued an opinion and Judgment Entry granting injunctive relief to a degree that limits the ability of the Commission to proceed with this project this year;

WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer and he has reported thereon, and he has made a recommendation not to proceed with Contract 43-98-01; and

WHEREAS, the executive director concurs in the chief engineer's recommendation not to award Contract No. 43-98-01 this year since a delay in the commencement date will be costly to the Commission and since litigation is pending on said contract;

WHEREAS, the Commission has been advised by its general counsel that it may lawfully reject all bids for the aforesaid invitation;

NOW, THEREFORE, BE IT

RESOLVED that the above-mentioned bids hereto received pursuant to the advertisement for bids upon Contract No. 43-98-01, for improvements to Interchange 118 (Exit 7), including replacement of the N & W Railroad Bridge over U.S.R. 250 located in Erie County, be and the same hereby are rejected, and the executive director is authorized to notify the bidders in writing of said action, and to return to the bidders the bid security furnished by it.

**(Resolution No. 55-1998 adopted September 14, 1998)**