

TARANTO BUS COMPANY, :

PETITIONER, :

V. : COMMISSIONER OF EDUCATION

BOARD OF EDUCATION OF THE : DECISION

TOWNSHIP OF SADDLE BROOK, :

BERGEN COUNTY, AND BOARD :

OF EDUCATION OF THE SOUTH :

BERGEN JOINTURE COMMISSION, :

BERGEN COUNTY, :

RESPONDENTS. :

SYNOPSIS

Petitioning bus company alleged respondents failed to comply with public bidding laws and regulations and wrongfully awarded contract to another bus company.

ALJ found that the Board initially decided not to renew its existing contract with Laidlaw and decided to publicly bid the route. Board subsequently determined that it would be less expensive to renew the existing contract. Thus, the Board rejected all bids, including petitioner's, and renewed Laidlaw's contract. ALJ concluded that the Board rejected the lowest bid because it was attempting to comply with recently enacted N.J.S.A. 18A:39-11.1 and save the taxpayers money. ALJ further concluded that the Board acted within its authority and that the Board did not violate the bidding laws when it decided to renew the existing contract, after it had already taken bids. ALJ granted summary decision to respondent Jointure Commission; petition was dismissed.

Commissioner adopted findings and determination in initial decision as his own.

OAL DKT. NO. EDU 11244-97
AGENCY DKT. NO. 378-10/97

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The record of this matter and the initial decision of the Office of Administrative Law have been reviewed. Petitioner's exceptions and the Jointure Commission's reply thereto are duly noted as submitted in accordance with *N.J.A.C.* 1:1-18.4, and were considered by the Commissioner in rendering the within decision.

Upon careful and independent review of the record in this matter, the Commissioner concurs with the findings and conclusions of the Administrative Law Judge.

Accordingly, the initial decision is adopted for the reasons expressed therein.*

IT IS SO ORDERED.

COMMISSIONER OF EDUCATION

February 24, 1999

* This decision, as the Commissioner's final determination in the instant matter, may be appealed to the State Board of Education pursuant to *N.J.S.A.* 18A:6-27 *et seq.* and *N.J.A.C.* 6:2-1.1 *et seq.*, within 30 days of its filing. Commissioner decisions are deemed filed three days after the date of mailing to the parties.