**§ 359. Construction, reconstruction and improvement.** 1. On assuming jurisdiction of a thruway section or connection or any part thereof, or of a highway connection, the authority shall proceed with the construction, reconstruction or improvement thereof. All such work shall be done pursuant to a contract or contracts which shall be let to the lowest responsible bidder, by sealed proposals publicly opened, after public advertisement and upon such terms and conditions as the authority shall require; provided, however, that the authority may reject any and all proposals and may advertise for new proposals, as herein provided, if in its opinion, the best interests of the authority will thereby be promoted; provided further, however, that at the request of the authority, all or any portion of such work, together with any engineering required by the authority in connection therewith, shall be performed by the commissioner and his subordinates in the department of transportation as agents for, and at the expense of, the authority. A sealed proposal may be accepted through an electronic platform established or used by the authority, provided that any sealed proposal received electronically shall be made public at the same time as any competing paper proposal, and provided further that the authority shall, at minimum, provide the same opportunity and time for submitting sealed proposals physically as for sealed proposals submitted electronically, and shall provide the opportunity for bidders to submit sealed proposals physically any time that it provides the opportunity to submit sealed electronic proposals. In addition, the authority shall establish a process for accommodating force majeure events that prevent the submission of a sealed electronic proposal, including but not limited to internet and power outage events, and for automatically confirming receipt of any sealed electronic proposal received. All bidders shall be notified of the time and place of any such adjournment or rejection.

2. All construction, reconstruction and improvements and any engineering work required in connection therewith which are performed on behalf of the authority by the commissioner shall be carried on, generally, in the same manner and subject to the same provisions of law as apply to the construction and improvement of state highways.

3. Highway and railroad grade crossings shall in general be separated

by structures to be determined by the authority, and the authority is hereby authorized to combine or relocate intersecting highways, to adjust traffic to such grade separation structures, except that the grade crossing elimination structures involved in public service commission cases number fifty-four hundred seventy-two and nine thousand fifty-eight shall remain under the jurisdiction of such commission. The cost of all such structures, except such part as is otherwise payable, shall be borne by the authority. Telephone and telegraph wires, power transmission and gas, oil and water lines, conduits, cables of every kind and nature, which may be affected by thruway construction, reconstruction or improvement, may, in the discretion of the authority, be relocated in suitable facilities and the expense of such relocation and of installing such facilities shall be borne by the authority. The work of such relocation may be done by the owner of such wires, lines, conduits and cables, and the authority is hereby empowered to enter into an agreement with such owner for the performance of all or any part of the work of such relocations at the expense of the authority.

4. In the case of a separation of a grade crossing pursuant to the preceding subdivision, the structure shall be maintained and repaired by the authority. Whenever the authority determines that a separation structure carrying a highway under the jurisdiction of a municipality requires major repair or reconstruction, the authority, with the approval of the commissioner of transportation and after consultation with such municipality, may close the bridge and provide adequate alternative detour routing and signing. In the case of municipal highways, the responsibility for rehabilitation and reconstruction of the wearing surface, sidewalks, curbs and railings shall be the responsibility of the authority. Highways combined, relocated or carried over or under a thruway section or connection, or a highway connection, under the provisions of the preceding subdivision, shall, upon completion of the work, revert to and become the responsibility, with regard to maintenance and repair, of the state or municipality, as the case may be, formerly having jurisdiction there over.