

OHIO TURNPIKE COMMISSION

Resolution Authorizing Additional Expenditures under Contract No. 64-08-03A to Allow for Emergency Toll Plaza Repairs (Toll Plaza 2, Williams County Ohio)

WHEREAS, on May 10, 2009, a commercial vehicle crash occurred at Toll Plaza 2 (Westgate), causing extensive damage to two toll booths, the plaza canopy and the crash impact attenuator; and

WHEREAS, the above-described damages forced the extended closing of two toll lanes and created a potentially dangerous and unsafe condition that required repair as soon as possible; and

WHEREAS, the Commission's Director of Contracts Administration has advised that the formal competitive bidding requirements set forth in Ohio Revised Code Section 5537.07 do not apply in emergency situations in which it is essential to remedy hazardous situations or potentially unsafe conditions with as little delay as possible; and

WHEREAS, **The Spieker Company of Perrysburg, Ohio**, a company currently under contract to perform general trades/sitework renovations required for the installation of the new Toll Collection System at Toll Plaza 2, was able to perform the work necessary to effectuate the necessary structural repairs via a change order to Contract No. 64-08-03A, on a time and materials basis, and the Chief Engineer reports that said repairs will total approximately \$160,000; and

WHEREAS, expenditures with The Spieker Company under the Emergency Repair Change Order will exceed the \$812,693.60 previously authorized by the Commission for Contract No. 64-08-03A under Resolution 51-2008 by more than ten percent (10%), and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary to ratify the additional expenditures incurred under the Contract; and

WHEREAS, the Executive Director hereby recommends to the Commission that, with the adoption of this Resolution, the additional expenditures with The Spieker Company under Contract No. 64-08-03A be ratified; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby ratifies the additional expenditures incurred under Contract No. 64-08-03A with The Spieker Company in the amount of approximately \$160,000 in order to effectuate the emergency repairs at Toll Plaza 2, and the Executive Director and Chief Engineer, or either of them, hereby are authorized to take any and all action necessary or proper to carry out the terms of the Changer Order to said Contract.

[FURTHER RESOLVED that the Emergency Toll Plaza Repair Project is designated a System Project under the Commission's 1994 Master Trust Agreement.]

(Resolution No. 20-2009 adopted July 20, 2009)