

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing a Modification to the Contract with ms consultants, inc. to Perform Phase II Services Under Project No. 71-22-11 for an Aggregate Not-to-Exceed Amount of \$560,712.00

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected ms consultants, inc. (“ms”), to perform engineering design services and engineering support during construction for the Deck Replacement of the Ohio Turnpike Ramp Bridge over Ohio Turnpike Ramp at Milepost 162.0 and the Deck Replacement of the State Route 94 Bridge (State Road) over the Ohio Turnpike Mainline at Milepost 167.3 both in Cuyahoga County, Ohio, designated as Project No. 71-22-11 (the “Project”), for the scope of work identified below:

SERVICES/FEEES APPROVED TO DATE

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract	Phase IA Services – Project No. 71-22-11 – Site Inspection, field survey, base mapping, maintenance of traffic evaluation, utility location, stakeholder outreach/ODOT coordination, load rating and engineering report.	January 9, 2023	Resolution 14-2023	\$173,484.00
First Modification	Indemnification Only	N/A	N/A	\$0.00
Second Modification	Phase IB – Preliminary and Final Design Plans, assistance during the bidding process, and bid review services	September 5, 2023 (Revised)	Resolution 81-2023	\$355,508.00
TOTAL AMOUNT TO DATE:				\$528,992.00

PROPOSED SERVICES/FEEES

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
<i>Third Modification</i>	<i>Phase II Services – Engineering Support During Construction, under Design Project No. 71-22-11/Construction Project No. 43-25-05</i>	October 3, 2024	<i>Proposed</i>	\$31,720.00
TOTAL AMOUNT WITH MODIFICATION:				\$560,712.00

WHEREAS, the parties entered into a Contract for Professional Engineering Services for Project No. 71-22-11 (the “Contract”), dated March 7, 2023; and

WHEREAS, the Commission selected a contractor to make the public improvements that ms designed as part of its Phase I Services, and ms submitted a fee proposal dated October 3, 2024, in the not-to-exceed amount of \$31,720.00, to perform the necessary Phase II Services - Engineering Support During Construction (“Phase II Services”), under Design Project No. 71-22-11 for Construction Project No. 43-25-05, which include, but are not limited to, consulting with the Commission on engineering questions with regard to construction of the Project, reviewing contractor’s fabrication plans, preparing record plans of the completed construction, and updating bridge load rating for the rehabilitated conditions (if required), which the Chief Engineer/Deputy Executive Director deemed reasonable and appropriate; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer/Deputy Executive Director and approves the recommendation to authorize MS to perform the Phase II Services under Design Project No. 71-22-11 for Construction Project No. 43-25-05; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the proposed contract modification, in addition to the previously approved modifications, exceeds the greater of \$150,000 or 10% of the original contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the fee proposal of ms consultants, inc. dated October 3, 2024, to perform the required Phase II Services - Engineering Support During Construction, specifically described in the recitals, under Design Project No. 71-22-11 for Construction Project No. 43-25-05, in the amount of \$31,720.00 is accepted and approved, and the Executive Director is authorized the amend the contract with ms consultants, inc. to perform the Phase II Services in accordance with the terms and conditions of the existing contract and ms consultants, inc.'s fee proposal dated October 3, 2024 resulting in an aggregate not-to-exceed contract amount of \$560,712.00.

(Resolution No. 4-2025 adopted January 21, 2025)