

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Executive Director to Execute an Agreement for Engineering Services with KS Associates, Inc. for a Fee Not-To-Exceed \$382,289.00 **(Project No. 71-19-02)**

WHEREAS, on January 4, 2019, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice seeking letters of interest in responding to its Request for Proposals (“RFP”) for Engineering and Construction Administration and Inspection Services relating to the Deck Replacement of Two Mainline Bridges at Milepost 98.9 over Norfolk Southern Railroad and Milepost 99.1 over State Route 510 in Sandusky County (“Project No. 71-19-02”); and

WHEREAS, on January 18, 2019, Letters of Interest were received from thirteen firms expressing their readiness to serve as the Commission’s Engineering Consultant for Project No. 71-19-02, four of which were deemed most qualified and invited to submit proposals in response to the RFP, which were due on March 19, 2019; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that KS Associates, Inc. (“KS Associates”), of Elyria, Ohio, is the most qualified firm to perform the necessary services for Project No. 71-19-02, and conducted a Scope of Services meeting to confirm a mutual understanding of the Phase I Services for the Project consisting of Site Inspection, Engineering Report, Design and Plan Preparation Services (“Phase I Services”); and

WHEREAS, KS Associates submitted its fee proposal dated July 26, 2019, to perform the Phase I Services in the not-to-exceed amount of \$382,289.00 which fee proposal the Chief Engineer deemed reasonable and appropriate, and recommends that the Commission approve the award of the Contract based on its technical proposal for Project No. 71-19-02 and fee proposal for Phase I Services; and

WHEREAS, the Director of Contracts Administration advises that the RFP process and the selection of KS Associates conformed with the requirements of Ohio Revised Code Sections 153.65 to 153.71, that all legal requirements were performed and that the proposals were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents, and that the recommended firm made a good faith effort to achieve the Business Inclusion Program participation goals; and

WHEREAS, the Executive Director has also reviewed the recommendation submitted by the Chief Engineer and the Director of Contracts Administration, and concurs that the Commission should approve the selection of KS Associates to perform Phase I Services for Project No. 71-19-02; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the selection of KS Associates, Inc. is approved as the most qualified firm to perform the professional engineering design and construction administration and inspection services necessary for Project No. 71-19-02, and that the Executive Director is authorized to execute a Contract with KS Associates, Inc., on the basis of the Commission’s Request for Proposals and KS Associates technical response and fee proposal for Phase I Services in the not-to-exceed amount of \$382,289.00; and

FURTHER RESOLVED, that the Executive Director has the authority under Article V, Section 1.00 of the Commission’s Code of Bylaws to further amend the contract to perform additional Phase I and Phase II services necessary for Project 71-19-02 that does not exceed the greater of the Executive Director’s contracting authority or ten percent of the approved contract amount, and authorize such extra work or change orders under said contract as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the project or increase its costs.

(Resolution No. 36-2019 adopted August 19, 2019)