

# **TCS MODERNIZATION PROJECT**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Authorizing Hill International to Perform Construction Management Services for 2020/2021/2022 Pavement Replacement and Toll Collection System Program Projects in the Not-to-Exceed Amount of \$2,793,531**

WHEREAS, on March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D declaring a State of Emergency for the entire State of Ohio in response to the COVID-19 pandemic; and

WHEREAS, on March 22, 2020, Amy Acton, MD, MPH, former Director of Health, issued a “Stay at Home Order” which expired on May 1, 2020, requiring individuals to stay home unless engaged in Essential Activities, Essential Governmental Functions or to operate Essential Businesses and Operations; and

WHEREAS, under the Stay at Home Order, the Ohio Turnpike and Infrastructure Commission (“Commission”) continued operations as Essential Infrastructure and Essential Governmental Functions and further determined that its contractors and service providers must continue to perform services and supply goods and materials to the Commission as Essential Infrastructure, Critical Trades, Supplies for Essential Business and Operators and/or Essential Critical Infrastructure Workers; and

WHEREAS, on April 30, 2020, former Director Acton issued the “Director’s Stay Safe Ohio Order,” which was in effect through May 29, 2020 and subsequently revised by former Director Acton’s “Updated and Revised Order for Business Guidance and Social Distancing,” dated May 29, 2020, and extended by current Interim Director of Health, Lance D. Himes, until rescinded or modified by Interim Director Himes or the State of Emergency declared by the Governor no longer exists, which permits governmental entities and other businesses to continue operations subject to Sector Specific COVID-19 Information and Checklist for Businesses/Employees requiring measures such as, ensuring 6 feet between employees, daily symptom assessments of employees, wearing face coverings, regular handwashing, disinfecting work stations and common areas, changing shift patterns, working from home when possible, among others; and

WHEREAS, the Chief Engineer has issued a memorandum to the Commission’s contractors regarding required work site measures that comply with the Updated and Revised Order for Business Guidance and Social Distancing and this memorandum is available on the Commission’s website at <https://www.ohioturnpike.org/business/doing-business-with-us/construction-projects>; and

WHEREAS, the Chief Engineer recommends that the Commission finds and determines that the contract modification approved pursuant to this Resolution is necessary for the Commission to continue its operations and complies with the Updated and Revised Order for Business Guidance and Social Distancing and that the work to be performed under the contract shall comply with the Sector Specific COVID-19 Information and Checklist for Businesses/Employees set forth in the Updated and Revised Order for Business Guidance and Social Distancing and the Commission’s work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely; and

WHEREAS, under Resolution No. 52-2013, the Ohio Turnpike and Infrastructure Commission (“Commission”) approved an agreement with Hill International, Inc. (“Hill International”), of Broadview Heights, Ohio, to serve as the Commission’s Construction Manager for the Pavement Replacement Program, which consists of Projects encompassing approximate five to six-mile sections located along the mainline of the Ohio Turnpike (“Program Projects”) that were issued Notices to Proceed prior to December 31, 2017 and retained the option to extend the services to include additional Program Projects; and

WHEREAS, the Commission approved a Strategic Plan for Modernizing the Toll Collection System (“TCS”) under Resolution No. 57-2017 that entails making public improvements including pavement replacement, road widening, bridge widening, detailed

maintenance of traffic coordination, integration of new facilities and tolling equipment, which all require efficient and consistent coordination from design through construction; and

WHEREAS, under Resolution 5-2019, the Commission exercised its option to extend the services of Hill International through the completion of the Pavement Replacement -TCS Program Projects (“PR-TCS Program Projects”); and

WHEREAS, the Commission authorized Hill International to perform Construction Management Services for the PR-TCS Program Projects (“Construction Management”), which construction totals approximately \$359 million for all PR-TCS Program Projects previously awarded, and Hill International’s Construction Management Services are listed as follows:

<u>Resolution</u>	<u>Project</u>	<u>Services</u>	<u>Not to Exceed Amount</u>
52-2013	NA	Pre-Construction Services	\$145,519.07
13-2014	NA	General Program Management	\$247,950.00
13-2014	39-14-01	Construction Management	\$1,615,211.00
13-2014	39-14-02	Construction Management	\$1,607,959.00
9-2015	NA	General Program Management	\$279,348.00
9-2015	39-15-01	Construction Management	\$1,754,839.00
9-2015	39-15-02	Construction Management	\$1,666,242.00
3-2016	NA	General Program Management	\$309,372.00
3-2016	39-16-01	Construction Management	\$1,970,601.00
3-2016	39-16-02	Construction Management	\$1,734,923.00
75-2016	NA	General Program Management	\$352,022.13
75-2016	39-17-01	Construction Management	\$999,993.00
4-2018	NA	General Program Management	\$763,796.00
4-2018	39-18-01	Construction Management	\$1,822,190.00
4-2018	39-18-02	Construction Management	\$2,909,995.00
5-2019	NA	General Program Management	\$823,749.00
5-2019	43-19-07	Construction Management	\$994,476.00
4-2020	N/A	General Program Management	\$696,747.00
5-2020	39-20-02	Construction Management	\$1,348,370.00
5-2020	39-20-02	Construction Management	\$1,567,216.00
<b>Total</b>			<b>\$23,610,518.20</b>

WHEREAS, in addition to the above listed projects, Hill International has submitted a fee proposal dated July 27, 2020 (revised September 16, 2020) to perform Construction Management and Inspection Services during 2020/2021/2022 in the total not-to-exceed amount of \$2,793,531, which is comprised of Construction Administration/Inspection Services for PR-TCS Program Project No. 39-20-03 A&B for the following not-to-exceed amounts in each respective construction season: (a) \$407,519 in 2020; (b) \$1,222,875 in 2021; and (c) \$1,163,137 in 2022; and

WHEREAS, expenditures under the Agreement to be awarded for the contract for Construction Management and Inspection Services will exceed \$150,000.00 and, therefore, in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws, Commission action is necessary for said award; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations have reviewed the fee proposal of Hill International, and report that the proposal is both reasonable and necessary, and recommends the Commission authorize Hill International to perform the required Construction Management and Inspection Services for the aforementioned PR-TCS Program Projects, and the Executive Director concurs with such recommendation; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that Ohio Turnpike and Infrastructure Commission approves authorization for the Executive Director to amend the Contract with Hill International, Inc. to perform Construction Management and Inspection Services for the Pavement Replacement and Toll Collection System Program Projects for the 2020/2021/2022 Construction Seasons in the total not-

to-exceed amount of \$2,793,531, which, based on its accepted fee proposal dated July 27, 2020, revised September 16, 2020, includes performing the necessary Construction Management and Inspection Services on PR-TCS Program Project No. 39-20-03 A&B for the following not-to-exceed amounts in each respective construction season: (a) \$407,519 in 2020; (b) \$1,222,875 in 2021; and (c) \$1,163,137 in 2022, all in accordance with the terms and conditions of the agreement, as modified, between the Commission and Hill International for Pavement Replacement Program Construction Management Services and Hill International's technical response and fee proposal; and

FURTHER RESOLVED that the Commission finds and determines that the contract modification approved pursuant to this Resolution is necessary for the Commission to continue its operations and complies with the Updated and Revised Order for Business Guidance and Social Distancing and that the work to be performed under the contract shall comply with the Sector Specific COVID-19 Information and Checklist for Businesses/Employees set forth in the Updated and Revised Order for Business Guidance and Social Distancing and the Commission's work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely; and

FURTHER RESOLVED that the Executive Director has the authority under Article V, Section 1.00 of the Code of Bylaws to further amend the Contract to perform additional services necessary that does not exceed the Executive Director's contracting authority or ten percent of the total not-to-exceed amount approved to date for the Contract, and approve such extra work or change orders under said contracts 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. 60-2020 adopted September 21, 2020)**