

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Arcadis U.S. Inc. to Perform Additional Task 2 Services Under Project No. 71-19-07 in the Aggregate Not-To-Exceed Amount of \$731,215.89

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, the 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and Social Distancing,” dated May 29, 2020, and extended by current Interim Director of Health, Lance D. Himes, until rescinded or modified by Interim Director Himes or the State of Emergency declared by the Governor no longer exists, which permits governmental entities and other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 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, the Commission selected Arcadis U.S. Inc. (“Arcadis”) to perform professional services for the Toll Collection System Modernization (the “TCS Project”) pursuant to the adopted resolution (as applicable), on the date noted and for the scope of work identified below:

RESOLUTION	DATE ADOPTED	SCOPE OF SERVICES	AMOUNT AUTHORIZED
Approved by Deputy Executive Director	August 13, 2019	Task 1 services under Project No. 71-19-07, including plan review, field verification and as-built drawing plan development for 20 toll plazas	\$119,232.74
58-2019	November 18, 2019	Task 2 services under Project No. 71-19-07, including environmental support and permitting, field survey, geotechnical investigation, design, and plan preparation for the addition of a lane at Toll Plaza 64 and Toll Plaza 152.	\$441,727.15
TOTAL:			\$560,959.89

WHEREAS, during the review and preliminary design for Toll Plaza 152, Arcadis noted issues regarding the conditions of the HVAC system and its inability to perform as originally installed without substantial costs; and

WHEREAS, the Commission provided additional recommendations to Arcadis, including 1) to provide in their plans the process to be followed for draining down an adjacent borrow-pit pond at Toll Plaza 64, and 2) upgrades at Toll Plaza 64 and Toll Plaza 152 consistent with the Commission’s contract with a Toll Collection System integrator; and

WHEREAS, Arcadis submitted a fee modification proposal dated October 6, 2020 for additional Task 2 services which include upgrading the HVAC system at Toll Plaza 152, draining of the adjacent borrow-pit pond at Toll Plaza 64, and incorporation of system modifications required for TCS upgrades to Toll Plaza 64 and Toll Plaza 152 in the not-to-exceed amount of \$170,256.00, which amount the Chief Engineer has deemed to be reasonable and necessary; and

WHEREAS, the amount set forth in the fee proposal from Arcadis, dated October 6, 2020, to perform the additional Task 2 services will increase the contract by an amount that exceeds the Executive Director’s contracting authority under Article V, Section 1.00 of the Commission’s Code of Bylaws, and Commission approval is necessary to authorize the amendment of the Agreement incorporating the fee proposal; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize Arcadis to perform the additional Task 2 services under Project No. 71-19-07; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the proposal from Arcadis dated October 6, 2020 to perform additional Task 2 services at Toll Plazas 64 and 152, specifically described in the recitals, under Project No. 71-19-07 in the not-to-exceed amount of \$170,256.00 is approved, and the Executive Director is authorized to amend the Agreement with Arcadis to perform such additional work in accordance with the terms and conditions of the existing Agreement and Arcadis’s fee proposal dated October 6, 2020, in the aggregate not-to-exceed amount of \$731,215.89; and

FURTHER RESOLVED that the Commission finds and determines that the contract amendment 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.

(Resolution No. 66-2020 adopted October 19, 2020)