

OHIO TURNPIKE COMMISSION

Resolution Directing the Executive Director to Amend the Contract with Hull & Associates

WHEREAS, in September 2005, the Commission issued a Request for Proposals to select a professional engineering firm to perform design services for the demolition and environmental remediation of the Indian Meadow & Tiffin River Service Plazas, located at Milepost 20.8 in Williams County; and

WHEREAS, the Commission selected **Hull & Associates, Inc.** ("Hull") of Toledo, Ohio to perform said professional design services, and later, via Resolution 24-2006, approved on June 26, 2006, the Commission authorized Hull to perform construction administration and inspection services for said demolition, with such assignment in accordance with the engineering design services Contract between the Ohio Turnpike Commission and Hull; and

WHEREAS, under the engineering design services Contract, as executed on January 6, 2006 and as later modified to establish fees for construction administration and inspection services, total expenses incurred by the Commission with Hull amount to \$165,962.00; and

WHEREAS, in accordance with the directions of the Division of the State Fire Marshall, Bureau of Underground Storage Tank Regulations ("BUSTR"), further environmental activities must now be performed in order to determine the proper remedial action plan at the Service Plaza sites; and

WHEREAS, the original RFP contains provisions for performance of these services; and

WHEREAS, Hull has submitted proposals (two (2) for each Service Plaza site) to perform "Tier 1" Source Investigation and Delineation activities as well as "Tier 2" Evaluation and Remedial Action Plan ("RAP") development activities as required by BUSTR in the total estimated amount of **\$217,681.00**; and

WHEREAS, the Commission's maintenance engineer has reviewed and recommended to the Chief Engineer that the Commission proceed under Hull's proposals; and

WHEREAS, the maintenance engineer has also recommended funding for additional activities that may be required due to unforeseen subsurface conditions in the total approximate amount of **\$50,000.00**; and

WHEREAS, the chief engineer has, therefore, recommended that the Hull engineering design services Contract be amended to authorize that firm to perform the required environmental activities in the estimated amount of **\$267,681.00**; and

WHEREAS, pursuant to the Commission's bylaws, additional expenditures beyond 10% of the original spending authority granted by the Commission to the executive director requires Commission approval unless, among other exceptions, the increase is a result of "circumstances that would create a life, safety or health-threatening situation;" and

WHEREAS, the executive director concurs with the chief engineer's recommendation that the engineering design services Contract be amended to allow for the performance of the required environmental activities; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby authorizes and directs the executive director and the director of contracts administration to amend the Contract with Hull & Associates, Inc. to include the performance of the required environmental activities.

(Resolution No. 4-2007 adopted February 26, 2007)