

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing TranSystems Corporation to Perform Phase IB Services for Project No. 71-19-04 in the Amount of \$216,607.00

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, 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, Director Acton issued the “Director’s Stay Safe Ohio Order,” in effect through May 29, 2020, which permits governmental entities 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 Director’s Stay Safe Ohio Order 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 Commission finds that the contract modification approved pursuant to this Resolution is necessary for the Commission to continue its operations and complies with the Director’s Stay Safe Ohio Order and that the work to be performed under the contract modification shall comply with the requirements of the Director’s Stay Safe Ohio Order and the Commission’s work site memorandum, as may be amended from time to time, unless or until the order is lifted entirely; and

WHEREAS, the Commission, under Resolution No. 44-2019 adopted September 16, 2019, selected TranSystems Corporation of Ohio, of Cleveland, Ohio, to perform the professional engineering services for the Bridge Deck Repair and Rehabilitation at Edgerton Road over the Ohio Turnpike, Milepost 169.6 and at State Route 21 over the Ohio Turnpike, Milepost 172.9, in Cuyahoga and Summit Counties, Ohio (“Project 71-19-04”) and authorized Phase I Services – Site Inspection, Engineering Report, Design and Plan Preparation Services (“Phase I Services”) in the not-to-exceed amount of \$198,169.00 under an Agreement dated October 28, 2019; and

WHEREAS, the original scope of services called for TranSystems Corporation of Ohio to investigate whether to redeck or replace the bridge at Milepost 172.9 that carries State Route 21 over the mainline and TranSystems Corporation of Ohio’s investigation found that the most economical option is to replace the bridge; and

WHEREAS, based on the findings of TranSystems Corporation of Ohio, the Chief Engineer determined it was necessary to modify the Phase I services for Project 71-19-04 to include the final design and preparation of plans for the bridge replacement at Milepost 172.9 (“Phase 1B Design Services”); and

WHEREAS, TranSystems Corporation of Ohio has submitted a fee proposal dated April 9, 2020, in the not-to-exceed amount of \$216,607.00, to perform the Phase IB Design Services which fee proposal the Chief Engineer deemed reasonable and necessary; and

WHEREAS, the amount set forth in the fee proposal to perform the required Phase IB Design 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 modification to 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 TranSystems Corporation of Ohio to perform the Phase IB Design Services under Project No. 71-19-04; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the proposal from TranSystems Corporation of Ohio, dated April 9, 2020, to perform the Phase IB Design Services, specifically to complete the final design and plans for the bridge replacement at Milepost 172.9, under Project No. 71-19-04 in Summit County, in the not-to-exceed amount of \$216,607.00 is approved, and the Executive Director is authorized to modify the Agreement with TranSystems Corporation of Ohio, to perform such additional services in accordance with the terms and conditions of the existing Agreement and TranSystems Corporation of Ohio's fee proposal dated April 9, 2020.

FURTHER RESOLVED that the approval of this contract modification for Project No. 71-19-04 is necessary to continue the operations of the Ohio Turnpike and complies with the Director's Stay Safe Ohio Order and the work to be performed under the contract modification shall comply with the requirements of the Director's Stay Safe Ohio Order 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. 36-2020 adopted May 18, 2020)