

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Modification of Contract with The Beaver Excavating Company for Project No. 39-20-01 in the Not-to-Exceed Amount of \$215,490.00

WHEREAS, the Commission, under Resolution No. 59-2020 adopted September 21, 2020, approved a construction contract with The Beaver Excavating Company in the amount of \$67,594,181.85 for Mainline Pavement Reconstruction from Milepost 0.00 to Milepost 7.26 (“Part A”), Toll Plaza 4 Site Construction at Milepost 3.5 (“Part B”), and Toll Plaza 4 Wetland Construction at Milepost 3.6 (“Part C”), all in Williams County, Ohio, as part of the Commission’s Toll Collection System Modernization, and designated as Project No. 39-20-01 A, B & C (the “Project”); and

WHEREAS, pursuant to the Executive Director’s authority pursuant to Article V, Section 1.00 of the Code of Bylaws, the Executive Director approved Change Order 1 on March 9, 2021 in the total amount of \$25,019.00 and

WHEREAS, pursuant to the Executive Director’s authority pursuant to Article V, Section 1.00 of the Code of Bylaws, the Executive Director approved Change Order 2 on April 29, 2021 in the total amount of \$1,870.10; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations have determined that it is necessary and reasonable to request The Beaver Excavating Company to install additional emergency parking areas (EPAs) in the eastbound direction on the Ohio Turnpike at Mileposts 4.5 and 6.3, and in the westbound direction on the Ohio Turnpike at Milepost 5.7 in order to greatly improve traffic safety on the Project; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations have determined that EPAs have been deemed necessary to provide a place for which disabled vehicles could be towed to restore the flow of traffic in the event of a crash within the Project limits; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations requested, and The Beaver Excavating Company completed, the EPAs in April 2021; and

WHEREAS, the construction of the EPAs has increased the contract by \$215,490, which amount 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 Change Order 3 for this Project incorporating the fee proposal; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and Deputy Chief Engineer/Director of Field Operations and approves the recommendation to authorize The Beaver Excavating Company to perform the construction of the EPAs on the Project; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Change Order from The Beaver Excavating Company dated July 12, 2021, to construct the EPAs (as set forth in said proposal) on the Project in the not-to-exceed amount of \$215,490.00 is approved, and the Executive Director is authorized to modify the Construction Contract with The Beaver Excavating Company by issuing Change Order 3 to perform such additional services in accordance with the terms and conditions of the existing contract, which together with all amendments, shall be in the total aggregate amount not to exceed \$67,836,560.95.

(Resolution No. 42-2021 adopted July 19, 2021)