

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing a Modification to the Contract with Prime AE Group to Perform Additional Task 3 Services Under Project No. 99-18-04 for a Total Contract Amount of \$1,100,000.00

WHEREAS, the Commission issued a Request for Proposals (“RFP”) on April 27, 2018 to firms that had expressed interest in providing general professional engineering services to the Commission on a task order assignment basis for a two (2) year period; and

WHEREAS, Prime AE Group (“Prime”) submitted a proposal dated May 18, 2018 to furnish the necessary general engineering services described in the RFP and the Commission’s Engineering staff determined that the Prime was one of the two most qualified firms among those submitting proposals to perform the necessary services; and

WHEREAS, the Executive Director approved the Chief Engineer’s recommendation to select Prime to perform the necessary general engineering services over a two (2) year period, and the Commission authorized a contract with Prime for those services under Resolution No. 38-2018, adopted June 18, 2018; and

WHEREAS, the Commission and Prime entered into a Contract for Professional Engineering Services under Project No. 99-18-04, dated August 1, 2018 (the “Contract”) and Prime has been assigned three (3) tasks under the Contract, as further described in the table below; and

WHEREAS, the total amount payable to Prime under the Contract is \$600,000.00, including reimbursable expenses, for all task order assignments issued during the course of the two-year period; and

WHEREAS, the Contract provides that Prime “...shall render all necessary services for any task order projects assigned during the two-year period even if the agreed upon completion date occurs after the second anniversary of the first assignment letter;” and

WHEREAS, the Chief Engineer has assigned the following tasks to Prime under the Contract:

CONTRACT/ASSIGNMENT LETTER	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract/Assignment Letter dated April 4, 2019	Task 1-Surface Water Delineation and Waterway Permitting for TP 64 Borrow Pond, Wood County, Ohio	April 3, 2019	Res. 38-2018	\$44,859.00
Original Contract/Assignment Letter dated May 24, 2019	Task 2-Plan Set Review – Berea South, Verizon Site Number CLEV-488	April 26, 2019	Res. 38-2018	\$2,432.00
Original Contract/Assignment Letter dated August 29, 2019	Task 3 – Toll Collection System Modernization – Building and Site/Civil Design	August 26, 2019 (revised)	Res. 38-2018	\$481,394.00
First Modification/Assignment Letter dated January 14, 2021	Additional Task 3 Services - modification of design plans for Toll Plaza 4	December 8, 2020 (revised)	Executive Director approval*	\$211,765.46

*The Commission authorized the Contract in the amount of \$600,000 and the parties added \$150,000 to the total Contract amount for the Additional Task 3 Services

TOTAL AMOUNT OF ASSIGNMENTS TO DATE: \$706,058.90

WHEREAS, through the assignments issued by the Chief Engineer under the Contract, Prime has provided necessary design work for the successful implementation and completion of the Toll Collection System Modernization (the “TCS Project”); and

WHEREAS, Prime submitted a fee proposal dated January 31, 2022, in the not-to-exceed amount of \$332,363.78, to perform Additional Task 3 Services under Project No. 99-18-04,

specifically additional work for the bidding of the Toll Plaza 4 project, additional work for bidding the Toll Plaza 49 and Toll Plaza 211 projects twice, modification of design plans for Toll Plaza 4 and Toll Plaza 211, modifications to accommodate the Toll Collection System (TCS) Integrator's final toll system modifications, and design work to replace a damaged toll booth at Toll Plaza 239, which the Chief Engineer deemed reasonable and appropriate; and

WHEREAS, Commission action is necessary to approve the modification to the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount described in the fee proposal from Prime, dated January 31, 2022, to perform the Additional Task 3 Services will increase the Contract by an amount that exceeds the greater of 10% or \$150,000.00; and

WHEREAS, approval of the Additional Task 3 Services will increase the total contract amount to \$1,100,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and concurs that the Commission should approve and authorize obtaining the Additional Task 3 Services from Prime as described in the Fee Proposal dated January 31, 2022, as the services are in furtherance of and are necessary for the additional work for bidding the Toll Plaza 49 and Toll Plaza 211 projects twice, incorporating design changes made during the construction of Toll Plaza 49 into the plans for Toll Plaza 4 and Toll Plaza 211, modifications to accommodate the Commission's TCS Integrator's final toll system modifications and preparation of plans to replace a damaged toll booth at Toll Plaza 239; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Fee Proposal from Prime AE Group dated January 31, 2022, to perform the Additional Task 3 Services under Project No. 99-18-04, for the not-to-exceed amount of \$332,363,78 is accepted and approved, for a total maximum contract amount of \$1,100,000.00; and

FURTHER RESOLVED, that the Executive Director is authorized to amend the Contract with Prime AE Group to incorporate the proposal dated January 31, 2022, and increase the total not-to-exceed amount payable under the Contract to \$1,100,000.00 in accordance with the terms and conditions of the existing Contract and Prime AE Group's technical responses and accepted fee proposals to perform the professional engineering services identified therein in furtherance of Project No. 99-18-04.

(Resolution No. 17-2022 adopted February 28, 2022)