

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Modification to Contract with CT Consultants, Inc. for Material Testing and Quality Control Services under Project No. 99-21-04 in the Increased Not-To-Exceed Amount of \$2,815,000.00

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected TTL Associates, Inc. (“TTL”) to perform material testing and quality control services on various Turnpike projects, designated as Project No. 99-21-04, pursuant to the approvals identified below; and

SERVICES/FEES APPROVED TO DATE

CONTRACT	SERVICES	APPROVAL	AMOUNT
Original Contract (“the “Contract”) dated May 30, 2021	Material Testing and Quality Control Services	Resolution No. 28-2021	\$2,500,000.00
First Modification dated April 24, 2022	N/A - To permit mileage reimbursements	N/A	N/A
Second Modification dated May 18, 2022	Additional funds needed for Task 12 (Material Testing and Quality Control Services for Project No. 59-22-02) and Task 13 (Material Testing and Quality Control Services for Project No. 58-22-02)	Executive Director	\$200,000.00
Third Modification dated January 25, 2023	Additional funds needed for Task 12 - Material Testing and Quality Control Services for Project No. 59-22-02	Executive Director	\$40,000.00
		TOTAL AMOUNT TO DATE:	\$2,740,000.00

PROPOSED SERVICES/FEES

CONTRACT	SERVICES	APPROVAL	AMOUNT
<i>Fourth Modification</i>	Additional funds needed for Task 3 - Material Testing and Quality Control Services for Project No. 58-21-01	<i>Proposed</i>	\$75,000.00
		TOTAL AMOUNT WITH MODIFICATION:	\$2,815,000.00

WHEREAS, the Contract term commenced on the date of the first assignment letter, which was June 3, 2021, and ended on December 31, 2022, except the Contract provides that the consultant shall perform all necessary services for any projects assigned during the Contract term if the agreed upon completion date occurs after December 31, 2022; and

WHEREAS, due to the sale of its business, TTL assigned the Contract for Project No. 99-21-04 to CT Consultants, Inc. (“CT”) under an Agreement for Consent to Assignment and Assumption of Contract dated March 7, 2023; and

WHEREAS, CT is still performing material testing and quality control services under Task 3 for Project 58-21-01, New Mainline Toll Plaza Facility, Utility Buildings, Toll Booth & Canopies at Milepost 4 in Williams County, Ohio, along with other continuing Tasks; and

WHEREAS, the Chief Engineer reports that as of March 3, 2023, the assigned services for Tasks 1 through 13 total \$2,724,013.74, leaving a contract balance of \$15,986.26 but additional modifications for services for Task 3 total \$39,909.67, resulting in a shortfall of \$23,923.41; and

WHEREAS, the Chief Engineer recommends that the Contract be modified to increase the not-to-exceed amount by \$75,000.00 to \$2,815,000.00 so funds are available to pay CT for the completion of all pending services under the Contract; and

WHEREAS, the contract modification amount of \$75,000.00, combined with prior modifications, 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; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to modify the Contract to increase the not-to-exceed amount by \$75,000.00 to \$2,815,000.00 to allow the CT to complete the services required under the Contract; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED, the Executive Director is authorized to amend the Contract with CT Consultants, Inc. to increase the not-to-exceed amount to \$2,815,000.00 to ensure funds are available to pay CT Consultants, Inc. for the remaining services to be performed under the Contract.

(Resolution No. 23-2023 adopted March 20, 2023)