

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Resolution Authorizing Modification to the Contract with ms consultants, inc., to Perform Phase IB Services Under Project No. 71-22-11 for an Aggregate Not-to-Exceed Amount of \$528,992.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected ms consultants, inc. (“MS”), to perform engineering design services and engineering support during construction for the Deck Replacement of the Ohio Turnpike Ramp Bridge over Ohio Turnpike Ramp at Milepost 162.0 and the Deck Replacement of the State Route 94 Bridge (State Road) over the Ohio Turnpike Mainline at Milepost 167.3 both in Cuyahoga County, Ohio, designated as Project No. 71-22-11 (the “Project”), pursuant to the Resolution No. 14-2023 and for the scope of work identified below:

**SERVICES/FEEES APPROVED TO DATE**

<b>CONTRACT</b>	<b>SERVICES</b>	<b>FEE PROPOSAL</b>	<b>APPROVAL</b>	<b>AMOUNT</b>
Original Contract	Phase IA Services – Project No. 71-22-11 –bridge inspection, field survey, base mapping, maintenance of traffic evaluation, utility location, stakeholder outreach/ODOT coordination, load rating and engineering report.	January 9, 2023	Resolution 14-2023	\$173,484.00

**TOTAL AMOUNT TO DATE: \$173,484.00**

**PROPOSED SERVICES/FEEES**

<b>CONTRACT</b>	<b>SERVICES</b>	<b>FEE PROPOSAL</b>	<b>APPROVAL</b>	<b>AMOUNT</b>
<i>First Modification</i>	Phase IB Services – Project No. 71-22-11 – preliminary and final design and plans, and assistance during the bidding process, including bid review services	September 5, 2023 (Revised)	<i>Proposed</i>	\$355,508.00

**TOTAL AMOUNT WITH MODIFICATION: \$528,992.00**

WHEREAS, the parties entered into a Contract for Professional Engineering Services (the “Contract”), dated March 7, 2023; and

WHEREAS, the parties contemplated modifying the Contract after the completion of the Phase IA Services to incorporate additional design services based on the findings of the work performed under Phase IA and to be separately designated as Phase IB; and

WHEREAS, the Phase IA Services are complete, and the parties prepared a final design scope for the Project which includes, but is not limited to, preliminary and final design and plans, and assistance during the bidding process, including bid review services (“Phase IB Services”); and

WHEREAS, MS submitted a revised fee proposal dated September 5, 2023, in the not-to-exceed amount of \$355,508.00, to perform the Phase IB Services which fee proposal the Chief Engineer deemed reasonable and necessary; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize MS to perform the Phase IB Design Services under Project No. 71-22-11; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the proposed Contract modification exceeds the greater of \$150,000 or 10% of the original contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the revised proposal from ms consultants, inc., dated September 5, 2023 to perform the Phase IB Services, specifically described in the recitals, under Project No. 71-22-11 in the not-to-exceed amount of \$355,508.00 is accepted and approved, and the Executive Director is authorized to amend the Contract with ms consultants, inc. to perform such additional services in accordance with the terms and conditions of the existing Contract and ms consultants, inc.'s revised fee proposal dated September 5, 2023, in the aggregate not-to-exceed amount of \$528,992.00.

**(Resolution No. 81-2023 adopted September 18, 2023)**