

OHIO TURNPIKE COMMISSION

Resolution Authorizing Additional Expenditures with S&ME, Inc.
Under Existing Contract for Geotechnical Investigation, Engineering Design and
Construction Administration and Inspection Services,
(Project No. 71-10-02)

WHEREAS, on July 2011, 2011, via Resolution No. 34-2011, the Commission ratified a Contract that was previously awarded to **BBC&M Engineering, Inc., (“BBC&M”)** of **Valley View, Ohio**, which firm was engaged to perform Project No. 71-10-02 consisting of Geotechnical Investigation, Engineering Design and Construction Administration and Inspection Services pertaining to failing embankments at the Jacobs Road overpass and potentially other failing embankments located at Turnpike overpasses in Sandusky County, Ohio; and

WHEREAS, the Contract was initially awarded pursuant to a Request for Proposals for Project No. 71-10-02 in the amount of **\$69,880.01** for the performance of Phase I, Site Investigation services for the Jacobs Road overpass, and was amended in October 2010 to add **\$42,636.84** to complete Phase I of the Project, which included Final Design and Plan Preparation Services for the repair of the Jacobs Road overpass embankments; and

WHEREAS, as previously indicated to the Commission, Am. Sub. H.B. 114, of the 129th General Assembly, requires the Commission, on or before December 31, 2014, to repair ten additional sites in Sandusky County where embankment failures have occurred, and **\$530,064.45** was, therefore, amended into the Contract via Resolution No. 34-2011 to add the performance of site investigation services for ten additional sites located in Sandusky County; and

WHEREAS, **S&ME, Inc., of Valley View, Ohio** has since acquired BBC&M, and the Commission has assigned the Contract for Project No. 71-10-02 to S&ME, Inc.; and

WHEREAS, S&ME, Inc. has submitted a fee proposal dated January 5, 2012, in the “not-to-exceed” amount of **\$140,916.63** for the Final Design and Plan Preparation Services for the repair of the Four Mile House Road, Carley Road, Karbler Road and Yorktown Road overpass embankments; and

WHEREAS, the Chief Engineer has reviewed the S&ME, Inc. fee proposal for the services delineated in the January 5, 2012 proposal, and has deemed it to be reasonable and acceptable, and he therefore, recommends that the Commission proceed with said additional Services; and

WHEREAS, the continued expenditures by the Commission under the Contract will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, the Commission must authorize the amendment of the Contract for Project No. 71-10-02; and

WHEREAS, the Commission will be presented with additional resolution(s) to authorize additional expenditures with S&ME, Inc. in order to comply with Am. Sub. H.B. 114; and

WHEREAS, the Commission has reviewed the recommendation submitted by the Chief Engineer, and concurs that the Contract for Project No. 71-10-02 should be amended to allow for performance of the required additional Final Design and Plan Preparation Services; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED that the Commission concurs that **S&ME, Inc. of Valley View, Ohio** should perform the additional Services contemplated under Project No. 71-10-02, and authorizes the Chairman and the General Counsel to amend the Contract with S&ME, Inc. to perform said services, all in accordance with the terms and conditions of the Commission's RFP for Project No. 71-10-02, S&ME, Inc.'s response thereto and its fee proposals therefor.

(Resolution No. 2-2012 adopted January 17, 2012)