

OHIO TURNPIKE COMMISSION

Resolution Authorizing Amendment to Construction Management Services Agreement with dck north america, LLC (Project No. 71-07-04)

WHEREAS, on March 6, 2007, the Commission published notice of its Request for Proposals (“RFP”) for Project No. 71-07-04 seeking Construction Management Services during reconstruction of the Indian Meadow and Tiffin River Service Plazas located at Milepost 20.8 in Williams County, Ohio; and

WHEREAS, in conformance with the requirements set forth in Ohio Revised Code Section 9.331, on July 13, 2007, the Commission advertised its RFP to select a pre-qualified firm to provide the aforementioned Construction Management Services, and on August 14, 2007, the Commission received proposals from three (3) firms.

WHEREAS, the Commission’s Engineering staff reviewed and ranked the proposals and concluded that **Dick Corporation of Cleveland, Ohio** was most qualified to perform the Construction Management Services; and

WHEREAS, an Agreement for Phase 1 pre-construction design development and drawing review services, and Phase 2 pre-award document and bid review services in a not-to-exceed amount of **\$113,982.50** was executed with Dick Corporation based on the Chief Engineer’s recommendation; and

WHEREAS, the Commission has been advised by its Director of Contracts Administration that said RFP selection process and the selection of Dick Corporation conformed with the requirements of Ohio Revised Code Section 9.331, and Sections 153.65 to 153.71, and that proposals were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, On December 15, 2010, the Commission was informed that the assets of Dick Corporation had been acquired by dck worldwide holdings, Inc., and a request was made to assign the Construction Management Services Agreement for Project No. 71-07-04 to **dck north america, LLC of Large, Pennsylvania** (an affiliate of dck worldwide); and

WHEREAS, on February 23, 2010, after having reviewed the request for assignment and received all appropriate documentation, the Executive Director gave his consent, and the Agreement was accordingly assigned to dck north america, LLC; and

WHEREAS, On March 12, 2010, dck north america submitted its fee proposal for Phase 3 construction services in the not-to-exceed amount of **\$1,944,049.53**, which fee proposal has been deemed to be appropriate and reasonable by the Chief Engineer who recommends that the dck north america Agreement be modified to add the construction phase services; and

WHEREAS, the total not-to-exceed amount of the Construction Management Services Agreement will now be in excess of the \$150,000.00 spending authority granted the Executive Director under the Commission’s Bylaws and, therefore, the amendment to the Agreement for performance of the Phase 3 construction services requires Commission approval; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and concurs that the proposed amendment to the Agreement with dck north america, LLC to add performance of Phase 3 construction services should be approved by the Commission; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission authorizes the Executive Director and the Director of Contracts Administration to execute the amendment to the previously awarded Construction Management Services Agreement with **dck north america, LLC** for the performance of construction phase services, all in accordance with the terms and conditions of the Commission’s Request for Proposals and its responses thereto.

(Resolution No. 9-2010 adopted March 22, 2010)