



**REQUEST FOR LETTERS OF INTEREST IN  
ENGINEERING DESIGN AND CONSTRUCTION  
ADMINISTRATION AND INSPECTION SERVICES**

**DESIGN PROJECT NO. 71-16-04**

Ref: Replacing underground storage tank lines and sumps for up to four service plaza fueling stations in Portage County and Lorain County, Ohio

The Ohio Turnpike and Infrastructure Commission (“Commission”) issues this Request for Letters of Interest (“LOIs”) to perform the professional engineering services that are necessary to design plans, develop specifications, and perform construction administration and inspection services for replacing the underground storage tank (“UST”), lines and sumps for up to four service plaza fueling stations. Such services will include preparing an engineering report on key deficiencies, recommending repairs, preparing Construction Documents for the accepted recommendations, and performing subsequent construction administration and inspection services. See the Draft Scope of Services for the required services, attached as Exhibit A.

Firms interested in obtaining a current draft of the RFP may request the draft from the Commission’s Procurement Manager through the means described below. Interested firms may also submit specific questions regarding the RFP and/or the LOI requirements.

Firms interested in responding to the RFP must have a completed “Request For Qualifications” (“RFQ”) package for calendar years 2015-2016 on file with the Commission to be considered as a potential respondent to the RFP. If a firm has not already responded to the RFQ, the RFQ package may be obtained from the Commission’s Procurement Manager and submitted simultaneously with its LOI.

Any firm interested in submitting a LOI concerning the RFP is invited to do so by **5:00 p.m. (Eastern) on March 23, 2016**. LOIs shall serve to provide information for the Commission to evaluate the respondents’ qualifications to perform the services required for a project of this type. (See page 2 for further details on content of the LOI). **One (1) original and three (3) copies of the LOI are required.** Once the Commission has reviewed the LOIs received, it will select several interested and qualified Firms to elicit sufficient responses to the RFP. The Selected Firms will then be invited to submit a response to the RFP. The deadline for responses from those invited to submit proposals based on the final RFP is currently scheduled for **5:00 p.m. (Eastern), on April 29, 2016**.

Any questions **must** be addressed in writing and emailed to the Commission’s Procurement Manager at: [kevin.golick@ohioturnpike.org](mailto:kevin.golick@ohioturnpike.org). Please do not contact the Commission by phone, and do not address questions to anyone other than Mr. Golick. The final Inquiry Deadline is **5:00 p.m. (Eastern), on April 22, 2016**. Answers to all questions will be compiled and copy of each question and the Commission’s response will be posted on the Commission’s Website, [www.ohioturnpike.org](http://www.ohioturnpike.org).

**LOIs must be submitted by 5:00 p.m. (Eastern Time) on March 23, 2016** to the following address (LOIs sent via email are not acceptable):

**Ohio Turnpike and Infrastructure Commission  
Attn.: Kevin Golick, Procurement Manager  
682 Prospect Street  
Berea, Ohio 44017**

**LETTER OF INTEREST FOR PROJECT NO. 71-16-04**

**(Not to exceed ten (10) pages - excluding the cover page/letter and good faith efforts demonstration)**

1. List the types/categories of services for which your firm has a current Qualifications Statement on file with the Commission in response to the 2015-2016 RFQ.
2. List significant subconsultants, their categories of service and the percentage of work to be performed by each proposed subconsultant.
3. List the Project Manager and other key staff members including key subconsultant staff. Address the experience of the key staff members on similar projects. Provide only the résumé of the proposed Project Manager. The proposed Project Manager must be a professional engineer registered in the State of Ohio.
4. Provide references from three (3) organizations other than the Ohio Turnpike and Infrastructure Commission for similar projects for engineering design and construction administration/inspection services completed in the past five (5) years. For each reference/project listed, provide a contact name and phone number.
5. Describe the capacity of your firm's staff and its ability to perform the work in a timely manner relative to present workload and the availability of assigned staff.
6. Provide a description of your Project approach, not to exceed two (2) pages. Confirm the firm's proposed technical approach, cost containment practices, innovative ideas for this type of project and any other relevant information concerning your firm's qualifications to perform the services contemplated.
7. Demonstration of Good Faith Efforts to attain MBE, DBE and EDGE participation on the interested consultant's team. See Exhibit B for the Good Faith Effort commitment requirements and Exhibit C for the means to demonstrate those Good Faith Efforts.

Items 1 through 7 must be included in the LOI, which should not exceed ten (10) pages - excluding the cover page/letter and demonstration of good faith efforts - on single sided, 8 1/2" x 11" sheets of paper. To be considered, **one (1) original and three (3) copies of the LOI must be delivered before 5:00 p.m. (Eastern), on March 23, 2016.**

## EXHIBIT A

### DRAFT SCOPE OF SERVICES FOR PROJECT NO. 71-16-04

**A. Services Generally.** Generally, this Project includes performing services necessary to design plans, develop specifications, and perform construction inspection and administration for replacing the underground storage tank (UST) lines and sumps (lines and sumps) for up to four service plaza fueling stations; the Portage (westbound) and Brady's Leap (eastbound) Service Plazas in Portage County and the Middle Ridge (westbound) and Vermilion Valley (eastbound) Service Plazas in Lorain County. The existing site and UST drawings are provided in Exhibit B.

**B. Specific Services.** More specifically, the project includes the following tasks:

1. Perform environmental evaluation and assessments, including groundwater sampling and testing, documentation, and reporting, associated with the removal of the existing UST lines and sumps. Upon completion of the removal of the existing UST lines, prepare a UST Closure report as required to receive a No Further Action status from the Bureau of Underground Storage Tank Regulations. Provide environmental oversight during the removal of the existing UST lines and sumps.

2. Evaluate various construction phasing alternatives, schedules and methodologies to provide structured options which minimize customer impact, construction costs and length of construction. It is the Commission's intention that each service station will be closed for the duration of the project, and both sites will be worked on simultaneously during Construction as noted in the Anticipated Schedule of Work appearing below.

3. Design the removal and replacement of the UST lines and sumps, using fiberglass lines and sumps, and prepare final Construction Contract Documents for bidding. UST Closure and soil/water remediation are to be incorporated into the bidding documents.

4. Provide services for Construction Administration and Inspection described in the Commission's Standard Conditions for the Architect/Engineer to perform. Coordinate environmental sampling requirements with construction work.

5. All work, services and deliverables shall be in accordance with current Federal, State, Local, BUSTR and EPA rules and regulations.

**C. Anticipated Schedule.** The Commission anticipates the Selected Firm will perform the necessary services in accordance with the following schedule:

1. June 2016, Perform Phase I – Investigation and Phase II – Design Services for Construction Project 1: Portage & Brady's Leap Service Plazas, for spring 2017 construction.

2. January 2017, Perform Phase I – Investigation and Phase II – Design Services for Construction Project 2: Middle Ridge & Vermilion Valley Service Plazas for fall 2017 or spring 2018 construction.

**D. Phases of Services.** The Selected Consultant must perform the services for each plaza set will proceed in phases appearing below. The complete scope for each phase will be further refined at a “Scope of Services” meeting with the Selected Firm.

1. Review of existing as-built plans, site inspections and engineering surveys shall be performed. Review of a similar project performed at the Erie Islands and Commodore Perry Service Plazas during spring 2014 and Great Lakes and Towpath Service Plazas during spring 2016.

2. Perform a Preliminary Investigation consisting of an assessment of the existing conditions at the Fueling Stations at each Service Plaza and submit a Recommendation Report providing professional advice on the entire project as to its scope, materials, type of construction, and other essentials as appropriate.

3. Prepare reasonably accurate estimates of cost, based on costs of comparable work in this area and sufficient for use in developing budgets for project funding. This cost estimate shall also be broken down according to the major trades and classes of work.

4. Confer as necessary and as required with the Chief Engineer and members of his staff and any other officials of the Commission as the Chief Engineer may direct in order that the intent and requirements of the Commission in regard to the improvement and its scope are met as nearly as practicable.

5. After obtaining approvals of the Preliminary Investigation and Recommendation Report, collect and/or prepare data or documents as may be necessary or required from the Commission.

6. The Commission will not consider the Services to be rendered under Phase I as completed until all approvals required by the Commission at this Phase have been obtained, including that of the Chief Engineer and Executive Director.

**E. Phase II – Design and Plan Preparation.** Upon approval of Phase I Services, the Commission may issue authorization to proceed with Phase II Services, which an initial scope Phase II Services that is applicable to the fueling stations at both sets of Service Plazas is as follows:

1. Preparation of Construction Drawings and Contract Documents for bidding, including preliminary and final design services. The Construction Drawings and Contract Documents shall address, but not be limited to, those items listed in the above Project Overview.

2. Prepare an environmental preparedness plan providing all details of sampling locations, analytical laboratories, anticipated lead times, interim action, petroleum contaminated soil disposal/manifest controls, etc.

3. Prepare complete Project Specifications, supplemented by the ODOT Construction and Materials Specification and the Ohio Turnpike and Infrastructure Commission’s Special Provisions.

Specifications and Special Provisions submitted shall include reference to any and all required permits to complete the Project.

4. Prepare all required Plans for Temporary Traffic Control and Construction Phasing, as required. The final plans shall incorporate phasing of the work so as to allow continued safe and effective service plaza operations during construction.

5. Prepare an accurate Engineer's Construction Cost Estimate for use in evaluating the bids received.

6. Participate in a pre-bid meeting that will be held to inform prospective bidders of the construction project scope and requirements, and will assist with preparation of meeting minutes.

7. Evaluate the bids received for the Projects and make recommendations of award to the Chief Engineer.

8. Prepare all permit applications and assist the Commission with obtaining all permits that are not to be obtained by the contractor(s).

**F. Phase III – Construction Administration and Inspection Services.** The Selected Firm is to provide services for administering and inspecting construction operations and for executing duties and responsibilities if so designated by the Commission. Construction services are to include, but not be limited to, the following:

1. Provide a professionally qualified field organization satisfactory to the Commission to observe, inspect and assist in the coordination of the various phases of the construction.

2. Provide a professionally qualified field organization satisfactory to the Commission to observe, inspect, and assist in the removal of UST components in compliance with BUSTR requirements, including sampling, analyzing, and reporting of soil and water. Firm shall also provide personnel to operate the Commission's EPA permitted mobile water treatment units as needed during construction.

3. Consult with the Commission on all questions of engineering with regard to construction of the Project.

4. Serve as a liaison and coordinating agency between the Commission, the construction contractors working on the Project, the Testing Laboratory, interested public and private entities and utility owners.

5. Attend and participate in pre-construction and other conferences as requested by the Commission.

6. Observe, coordinate and inspect Project construction at all times when the contractor is on site.

7. Prepare daily inspection reports on forms furnished by the Commission and maintain detailed Resident Inspector's diaries for each person assigned to the Project. The originals of the daily inspection reports shall be transmitted to the Commission weekly. Resident Inspector's diaries shall be furnished to the Commission at the conclusion of the contract.

8. Maintain a file of correspondence, telephone conversations and other written documentation concerning Project construction activities and authorized design revisions.

9. Review Contractor payment requests and compare quantities shown with the summation of quantities noted in the daily inspection reports and with unit prices as included in the contract. Review and comment on construction progress schedule updates included in the payment requests. Recommend Commission action on each payment request.

10. Prepare change orders and other similar items in accordance with Commission regulations to properly document changed conditions or modified construction activities.

11. Provide negotiation assistance on Contractor's claims and recommend action on resolution of claims.

12. Review the Contractor's fabrication Plans, material and products submittals and brochures and shop drawing submittals. Advise the Commission on the acceptability of such submittals.

13. Conduct progress meetings as required to coordinate all parties involved in the Project and maintain scheduled progress.

14. Certify the accuracy of the final payment quantities and estimate.

15. Prepare record Plans of the completed construction from information provided by the Contractor and field records of construction activity. Revisions are to be made in the electronic AutoCAD files and provided as electronic AutoCAD and PDF deliverables upon completion.

**G. Review.** Commission Engineering Staff will be available for ongoing design meetings, as may be required. Two (2) design reviews are anticipated by the Ohio Turnpike Engineering Staff for each of the sets of Service Plazas:

- a. At completion of preliminary design.
- b. At completion of 100% Plans.
- c.

Review time will be one (1) week for each review.

Sample Specifications, OTIC Standard Drawings and original Construction Plans are available for inspection at the Ohio Turnpike Administration Building located at 682 Prospect Street, Berea, Ohio.

## **COMMITMENT TO GOOD FAITH EFFORTS IN ATTAINING PARTICIPATION OF MINORITY OR DISADVANTAGED BUSINESS ENTERPRISES (“MBE/DBE”)**

On March 24, 2014 the Commission directed that, to the fullest extent permitted by law, a program to facilitate the participation of minority owned firms and economically and socially disadvantaged businesses in the Commission’s contracts. The Commission’s objective is to provide the fullest possible opportunity for all firms, including firms owned and controlled by minorities and females and otherwise socially and economically disadvantaged individuals, to obtain and perform its contracts.

The Commission does not have established goals for the participation of Minority, Disadvantaged Business Enterprises and EDGE certified firms (“MBE/DBEs”) on the Project. However, the Commission expects respondents to agree to utilize and demonstrate Good Faith Efforts to engage qualified and willing MBE/DBEs in the opportunities available for performing Work on the Project. The respondents must commit to use its Good Faith Efforts to utilize MBE/DBEs, and demonstrate those efforts. The final determination of Good Faith Effort shall be made by the Commission based upon the respondents actions as documented in the required forms.

In addition to submitting a detailed Demonstration of Good Faith Efforts, the respondent agrees that if selected for award of the Contract, it shall provide to the Commission the Statements of Intent to Contract and Perform for each MBE/DBE participating on the Project as a condition precedent for execution of the Contract.

Responding to the Commission's solicitation constitutes a commitment to utilize good faith efforts to engage MBE/DBE entities on this Project, and to fully substantiate those efforts. The Commission will utilize the following guidelines in evaluating whether the respondent has demonstrated its use of Good Faith Efforts:

### **GOOD FAITH EFFORTS DETERMINATION GUIDELINES**

#### **A. INTRODUCTION**

In accordance with Resolution No. 18-2014, adopted March 24, 2014, the Commission instituted a requirement that each bidder on a public improvement project and each respondent to a request for proposals (“RFP”) to perform services utilize Good Faith Efforts to ensure the fullest possible opportunity for firms owned and controlled by minorities and females or otherwise disadvantaged individuals (“MBE/DBEs”) to participate in the opportunities available under the prospective contract. As part of the evaluation of the bids or proposals received, the Commission evaluates the Good Faith Efforts as part of the responsibility of the bidder or respondent and responsiveness bid or proposal. The bidder or respondent must satisfactorily demonstrate its Good Faith Efforts to attain MBE/DBE participation.

Pending the results of the forthcoming disparity study, the Commission has yet to establish specific MBE/DBE participation goals on its contracts. However, the use and demonstration of Good Faith Efforts are required. The level of MBE/DBE participation should correspond with the Availability of such firms in the marketplace to perform Commercially Useful Functions under the Opportunities each

contract presents. These guidelines are intended for use in making the determination whether a particular bidder or respondent demonstrated its Good Faith Efforts when submitting its bid or proposal.

## **B. DEFINITIONS**

“Good Faith Efforts” means performing necessary and reasonable actions that, by their scope, intensity, and appropriateness, would reasonably be expected to attain MBE/DBE participation. The determination of Good Faith Efforts is based on consideration of the quality, quantity, and intensity of the different kinds of actions taken. The activities or efforts undertaken to when making a Good Faith Effort must be those that one could reasonably expect to deploy when seriously, actively and aggressively attempting to obtain MBE/DBE participation in relative proportion to those that are Available to capably perform Commercially Useful Functions under the Opportunities presented in given contract.

“Commercially Useful Function” means responsibility to perform a component of the contract obligations by actually performing, managing and supervising the work involved. An MBE/DBE does not perform a commercially useful function if its role is limited to that of an extra participant in a transaction, contract, or project through which funds are passed in order to obtain the appearance of MBE/DBE participation. If a MBE/DBE Subcontractor (as distinguished from a Material Supplier) does not perform or exercise responsibility for at least thirty percent of the total cost of its subcontract with its own workforce, there is a rebuttable presumption that it is not performing a commercially useful function.

The analysis for determining whether the bidder or respondent fulfilled its obligation to use Good Faith Efforts, the Commission will consider the demonstration of the following:

1. **“Opportunities”** means the subcomponents of the project that are identifiable as economically viable scopes of work that may interest subcontractors in responding to the respondent’s solicitations to participate in the Project. The unique opportunities each project presents is determined based on the nature of the project using in-house expertise and the aggregation of those that the bidders or respondents may identify in their bids or proposals.
2. **“Availability”** means the degree of ready, willing and able MBE/DBEs available to capitalize on the opportunities presented under each project. The availability consideration examines the amount of MBE/DBEs in the relevant marketplace using (1) the Commission’s list of certified MBE/DBEs (available at <http://www.ohioturnpike.org/business/doing-business-with-us/mbe-fbe>); (2) the Unified Certification Program’s DBE Directory (<http://www.dot.state.oh.us/DBE/pages/DBE-Directory.aspx>); (3) Ohio Department of Administrative Services’ search results for MBE (<http://eodreporting.oit.ohio.gov/searchMBE.aspx>) and Edge Certified Service Providers <http://eodreporting.oit.ohio.gov/searchEDGE.aspx>); (4) the City of Cleveland’s MBE and FBE Registry <https://cleveland.diversitycompliance.com/FrontEnd/ VendorSearchPublic.asp?TN=clevel and&XID=1290>); (5) the Northeast Ohio Regional Sewer District’s Certification Directory for MBEs and WBEs: <https://neorsd.sbcompliance.com/FrontEnd VendorSearch Public.asp?TN=neorsd&XID= 9328>) and (5) any other Ohio-centric



database that the Commission recognizes as using standards that are substantially similar to the requirements for certification with the Commission, UCP or DAS as an MBE, DBE or EDGE program participant.

3. **“Efforts”** means the documented attempt to meaningfully and earnestly solicit the interest of available MBE/DBE to fulfill the opportunities presented to perform on the Project, including making a sufficient number of contacts to follow up with any available but non-responsive MBE/DBEs and negotiating in good faith with available MBE/DBEs to reach reasonably agreeable terms for their participation.
4. **“Commitments”** means the bidder or respondent represents to have successfully achieved commitment(s) to utilize verified MBE/DBEs to perform a Commercially Useful Function on the project.

The determination that a given respondent or bidder satisfactorily used and demonstrated its Good Faith Efforts is based on the holistic review of the Opportunities, Availability, Effort and Commitment documented in the bid or proposal documents.

## **C. PROCEDURE**

Each bidder on a public improvement contract and respondent submitting a proposal on a professional services contract are required to submit a form titled, “Demonstration of Good Faith Efforts.” The form is designed to elicit responses documenting the Good Faith Efforts that each bidder or respondent utilized when formulating its bid or proposal to perform work for the Commission. A blank Demonstration of Good Faith form provided to interested parties follows these guidelines.

### **1. Opportunity and Availability**

Upon the opening of the bids or proposals, the MBE/DBE Program Manager reviews the completed Demonstration of Good Faith Efforts to identify the opportunities and availability presented under the particular procurement. This assessment of opportunities and availability compiles those the bidders or respondents may identify in their completed Demonstration of Good Faith Efforts forms, but also goes outside the form to consult with in-house subject matter experts to identify additional possible opportunities and recognized certification registries for possible untapped available firms.

The MBE/DBE Program Manager then examines the response from the apparent low bidder or top-ranked respondent to examine whether the materials document that the respondent or bidder used Good Faith Efforts.

A bidder or respondent can demonstrate fulfilling the Opportunity component is documenting that the bidder or respondent performed actions that include the following:

- a. Selected and packaged portions of the work in order to increase the likelihood that the MBE/DBEs will respond to solicitations and express interest in participating on the project. This includes, where appropriate, breaking out contract work into economically feasible units to facilitate participation through subcontracting.
- b. Soliciting the interest of all MBE/DBE entities available to perform on the project through reasonable, meaningful and available means and providing a reasonable and meaningful time to respond.

The means for a bidder or respondent to fulfill the Availability component of demonstrating good faith efforts includes the following:

- a. Searching recognized registries identifying certified MBE/DBEs that potentially could fulfill the opportunities under the project.
- b. Identifying other possible ready, willing and able MBE/DBEs through the effective use of the services of available from plan rooms, community organizations, contractors' groups, local, state, and Federal minority/women business assistance offices, and other organizations as allowed on a case-by-case basis to provide assistance in the recruitment and utilization of MBE/DBE entities.

## **2. Efforts and Commitment**

Once the MBE/DBE Program Manager has identified the possible opportunities and availability for project, and those Opportunities and Availability that the apparent low bidder or top ranked respondent has documented in its completed Demonstration of Good Faith Efforts form, the low bidder or top ranked respondent's efforts and commitments will examine the documented level of exertion used to engage the Availability pool on the Opportunities presented under the project.

The Efforts component considers the active attempts to successfully reach terms with interested MBE/DBE firms, which may include the following:

- a. Negotiating in good faith with interested MBE/DBE entities so as to facilitate their participation on the Project.
- b. Not rejecting DBE entities without sound reasons based on a thorough investigation of their capabilities.
- c. Assisting DBE entities in obtaining bonding, lines of credit, or insurance as required by the Bidder.

The Commitment component provides a cross-check on the accumulation of the identification of Opportunities, Availability and Efforts. Unless the analyses under the Opportunities, Availability and Efforts prongs demonstrate otherwise, the utilization of Good Faith Efforts is expected to result in the bidder or respondent successfully representing Commitments of MBE/DBE participation on the project. The bidder or respondent must provide justification for any lack of Commitment by showing that the failure occurred despite its Good Faith Efforts through the demonstration under the Opportunity, Availability and Efforts prongs of the test.

**DEMONSTRATION OF GOOD FAITH EFFORTS**

Project Name _____	Project Number _____
Consultant Name _____	Federal Tax I.D. _____

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**This document must be completed and received by the Commission with the LOI.**

**1. List all subconsultants a certified as DBE, EDGE or MBE that the consultant intends to use for this Project, the Work to be performed, and the approximate percentage of the overall contract to be paid to each.**

**2. Indicate how the consultant subdivided portions of the work or services to increase the likelihood of participation by firms certified as DBEs, EDGEs and MBEs in the Project. (Attach additional pages if needed, and all supporting documentation.)**

**3. Indicate the services or organizations that provided assistance to you in identifying and recruiting firms certified as DBEs, EDGEs and MBEs in preparing the team. (Attach additional pages if needed, and notes of each contact listed.)**

Organization _____	Date of Contact _____
Contact _____	Phone Number _____

Organization _____	Date of Contact _____
Contact _____	Phone Number _____

**4. List all DBE, EDGE and MBE entities to which you supplied adequate and timely information about the requirements of the scope of services. (Attach additional pages if needed, and copies of all transmittals, any shipping receipts or documentation of providing info. etc.)**

Business _____	Contact Name _____	Date _____
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Business _____	Contact Name _____	Date _____
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Business \_\_\_\_\_ Contact Name \_\_\_\_\_ Date \_\_\_\_\_

Business \_\_\_\_\_ Contact Name \_\_\_\_\_ Date \_\_\_\_\_

Business \_\_\_\_\_ Contact Name \_\_\_\_\_ Date \_\_\_\_\_

**5. List the names, addresses, dates and telephone numbers of all DBE, EDGE and MBE entities with which you negotiated relative to the prospective contract and general scope of services negotiated.** (Attach additional pages if needed, and the reason negotiations or bids were not successful.)

Business	_____	Business	_____
Address	_____	Address	_____
City, State, Zip	_____	City, State, Zip	_____
Contact	_____	Contact	_____
Phone	_____	Phone	_____
Date of contact	_____	Date of contact	_____
Scope of Work	_____	Scope of Work	_____

Business	_____	Business	_____
Address	_____	Address	_____
City, State, Zip	_____	City, State, Zip	_____
Contact	_____	Contact	_____
Phone	_____	Phone	_____
Date of contact	_____	Date of contact	_____
Scope of Work	_____	Scope of Work	_____

**6. List all interested DBE, EDGE and MBE entities which you rejected to perform the service on the prospective contract. Please provide the specific reason(s) for the determination to reject.** (Attach additional pages if needed.)

Business \_\_\_\_\_  
Reason(s) for rejection \_\_\_\_\_

Business \_\_\_\_\_  
Reason(s) for rejection \_\_\_\_\_

Business \_\_\_\_\_  
Reason(s) for rejection \_\_\_\_\_

Business \_\_\_\_\_  
Reason(s) for rejection \_\_\_\_\_