



**REQUEST FOR LETTERS OF INTEREST IN  
PROFESSIONAL ENGINEERING SERVICES**

**PROJECT NO. 99-16-04/05**

Ref: General Engineering Services

The Ohio Turnpike and Infrastructure Commission (“Commission”) issues this Request for Letters of Interest (“LOIs”) to perform professional engineering services on a task order basis for a period of two years commencing upon contract execution. The Commission anticipates selecting at least two (2) consultants to perform the general engineering services. See the Draft Scope of Services for a more detailed description of the required services, attached as Exhibit A.

Firms interested in obtaining a current draft of the RFP may request the draft through the means described below for making inquiries. Interested firms may also submit specific questions regarding the RFP and/or the LOI requirements through the process described below.

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 through the inquiry process 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 April 18, 2016**. LOIs shall serve to provide information for the Commission to evaluate the respondents’ qualifications to perform the services required for the general tasks. (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 Consultants 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 May 23, 2016**.

Any questions **must** be addressed in writing and emailed to the Commission at: [purchasing@ohioturnpike.org](mailto:purchasing@ohioturnpike.org). Please do not contact the Commission by phone, and do not address questions to anyone other than through the email address provided. The final Inquiry Deadline is **5:00 p.m. (Eastern), on May 16, 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).

**The original and three (3) copies of the LOIs must be received by 5:00 p.m. (Eastern) on April 18, 2016** at the following address (LOIs sent via email are not acceptable):

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

**LETTER OF INTEREST FOR PROJECT NO. 99-16-04/05**

**(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 services completed in the past five (5) years. For each reference, 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 or EDGE participation on the interested consultant's team for the different scopes of services described in Exhibit A, with the understanding that fulfilling the commitments with MBE/DBE/EDGE subconsultants are contingent on the assignment of the respective subconsultants' scopes of services. 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 April 18, 2016.**

**EXHIBIT A**  
**DRAFT SCOPE OF SERVICES**  
**PROJECT NO. 99-16-04/05**

**INTRODUCTION**

The Commission seeks to maximize the efficient use of its resources through selection and retention of consultants to perform General Engineering Services on a task order basis. The Selected Consultant(s) must be able to address the Commission's engineering assignments by responding timely to requests to perform task based professional engineering services, and promptly initiating work on the requested tasks upon authorization, performing the services using necessary and appropriate quality controls, and completing the task or project within the time allotted in an approved schedule.

**SCOPE OF SERVICES**

The Commission may require the Selected Consultant(s) to perform various assignments on a task order type basis. The professional and personal services may include, but are not limited to, the following types and general scopes:

- Engineering/Architectural Design
- Construction Schedule Review (Primavera P6 and Microsoft Project)
- Plan Review
- Surveying
- Right of Way Engineering Services
- Preparation of Right of Way Descriptions
- Traffic Studies
- Environmental/Ecological Investigations
- Wetland Mitigation
- Noise Analysis and Design
- Geotechnical Services
- Major Investment Studies

- Retaining Wall Design and Review Services
- Public Involvement Coordination

### **TERM AND PAYMENT**

The Commission currently anticipates retaining at least two (2) respondents based on the qualifications to perform these services. All services shall be performed on an actual cost basis with the exception of analytical tests. The consultant(s) shall maintain a project cost accounting system that will segregate costs for individual task orders. The term of each Selected Consultant(s) agreement shall be a two (2) year period, commencing on the date of contract execution. The total amount payable to each Consultant(s) under their respective agreements shall not exceed \$400,000.00.

### **TASK ORDER ADMINISTRATION PROCEDURES**

- The Commission will identify a task order, develop a general Scope of Services and transmit it to the Selected Consultant.
- The Consultant will develop a Fee Proposal within a timeframe specified in the Commission's transmittal and submit it to Commission staff for review and approval.
- Upon Commission staff approval, the Chief Engineer will authorize the Consultant to perform the task by a standard authorization letter that incorporates the following into the terms and conditions of the Agreement:
  - The agreed upon Scope of Services and approved Fee Proposal.
  - The completion time from authorization.
  - The maximum compensation.

## **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 \_\_\_\_\_

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

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 \_\_\_\_\_