

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Michael Baker International, Inc. to Perform Consulting Engineering Services for a Five-Year Period in an Estimated Not-to-Exceed Amount of \$1,553,469.00

WHEREAS, pursuant to Section 5.04 of the Master Trust Agreement dated April 8, 2013, and subsequently appended most recently through the Twenty Second Supplemental Trust Agreement, dated February 2, 2018 between the Ohio Turnpike and Infrastructure Commission (the “Commission”) and Trustee, Huntington National Bank, the Commission covenants that it will employ an independent engineer for the purpose of performing and carrying out the duties imposed on the “Consulting Engineer” by the Master Trust Agreement, and that such Consulting Engineer shall have a “nationwide and favorable reput[e]” for skill and experience in such work; and

WHEREAS, on September 14, 2023, the Commission issued notice of its Request for Proposals (“RFP”) No. 14-2023 seeking proposals to serve as the Commission’s Consulting Engineer for a period of five years (2024-2028), designated as Project No. 99-23-13 (the “Project”); and

WHEREAS, on October 13, 2023, the Commission received four (4) proposals from firms expressing their readiness to serve as the Commission’s Consulting Engineering for the Project; and

WHEREAS, an Evaluation Team consisting of the Commission’s Chief Engineer, Design and Planning Engineer, Maintenance Operations Engineer, and Bridge and Structures Engineer convened to independently review, evaluate, and score the proposals in accordance with the Evaluation Process and the Commission’s Contracts Policy in order to rank the submissions; and

WHEREAS, on the basis of the proposals received, in accordance with the Commission’s Standard Operating Procedure for Professional Design Consultant Selection Process, the Evaluation Team concluded that Michael Baker International, Inc. is the most qualified to perform the necessary services for the Project; and

WHEREAS, Michael Baker International, Inc. submitted a fee a revised fee proposal dated December 5, 2023, in the total lump sum amount of \$953,469.00 for the required 2024 inspections and reporting of the Turnpike System; and.

WHEREAS, additional assignments for miscellaneous services of approximately \$600,000.00 per contract year for task order services is included under the Contract for miscellaneous or emergency services; and

WHEREAS, the Chief Engineer deems the fee proposal from Michael Baker International, Inc. as necessary and reasonable and recommends that the Commission approve the selection of Michael Baker International, Inc. as its Consulting Engineer commencing January 1, 2024, and continuing through December 31, 2028, with a fee for services in 2024 in the estimated not-to-exceed amount of \$1,553,469.00; and

WHEREAS, the Commission’s Director of Contracts Administration determined that the RFP process and the selection of Michael Baker International, Inc. conform with the requirements of Ohio Revised Code Sections 153.65 to 153.71, that all legal requirements were performed and that the Proposals were solicited based on the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Office of Equity and Inclusion determined that Michael Baker International, Inc. has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 15% which meets the SBE participation goal of 15% for the Project; and

WHEREAS, the Executive Director has reviewed the recommendations submitted by the Evaluation Team and Chief Engineer, and concurs that the Commission should approve the

selection of Michael Baker International, Inc. to serve as the Consulting Engineer for Project No. 99-23-13; and

WHEREAS, Commission action is necessary to award the contract in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws because the estimated expenditures will exceed \$150,000.00; and

WHEREAS, this Resolution seeks authorization of 2024 Services in the not-to-exceed amount of \$1,553,469.00, but the contract includes similar services for 2025 through 2028 and the Chief Engineer will obtain subsequent fee proposals from Michael Baker International, Inc. and present a resolution to the Commission requesting approval of the subsequent fee proposals; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that Michael Baker International, Inc. is the most qualified firm to serve as its Consulting Engineer, for a five (5) year period, commencing January 1, 2024 and extending through December 31, 2028, and the Commission authorizes the Executive Director to execute a contract with Michael Baker International, Inc. in the estimated not-to-exceed amount of \$1,553,469.00 for the required 2024 services, in accordance with the terms and conditions of the Commission's Request for Proposals and Michael Baker International, Inc.'s response thereto.

(Resolution No. 114-2023 adopted December 18, 2023)