

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Contracts with LJB, Inc. and ms consultants, inc. to Perform General Engineering Services on a Task Order Assignment Basis for a Two-Year Period Each in an Amount Not-to-Exceed \$600,000.00

WHEREAS, on March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D declaring a State of Emergency for the entire State of Ohio in response to the COVID-19 pandemic; and

WHEREAS, on March 22, 2020, Amy Acton, MD, MPH, the former Director of Health, issued a “Stay at Home Order” which expired on May 1, 2020, requiring individuals to stay home unless engaged in Essential Activities, Essential Governmental Functions or to operate Essential Businesses and Operations; and

WHEREAS, under the Stay at Home Order, the Ohio Turnpike and Infrastructure Commission (“Commission”) continued operations as Essential Infrastructure and Essential Governmental Functions and further determined that its contractors and service providers must continue to perform services and supply goods and materials to the Commission as Essential Infrastructure, Critical Trades, Supplies for Essential Business and Operators and/or Essential Critical Infrastructure Workers; and

WHEREAS, on April 30, 2020, former Director Acton issued the “Director’s Stay Safe Ohio Order,” which was in effect through May 29, 2020 and subsequently revised by former Director Acton’s “Updated and Revised Order for Business Guidance and Social Distancing,” dated May 29, 2020, and extended by current Interim Director of Health, Lance D. Himes, until rescinded or modified by Interim Director Himes or the State of Emergency declared by the Governor no longer exists, which permits governmental entities and other businesses to continue operations subject to Sector Specific COVID-19 Information and Checklist for Businesses/Employees requiring measures such as, ensuring 6 feet between employees, daily symptom assessments of employees, wearing face coverings, regular handwashing, disinfecting work stations and common areas, changing shift patterns, working from home when possible, among others; and

WHEREAS, the Chief Engineer has issued a memorandum to the Commission’s contractors regarding required work site measures that comply with the Updated and Revised Order for Business Guidance and Social Distancing and this memorandum is available on the Commission’s website at <https://www.ohioturnpike.org/business/doing-business-with-us/construction-projects>; and

WHEREAS, the Chief Engineer recommends that the Commission finds and determines that the contract approved pursuant to this Resolution is necessary for the Commission to continue its operations and complies with the Updated and Revised Order for Business Guidance and Social Distancing and that the work to be performed under the contract shall comply with the Sector Specific COVID-19 Information and Checklist for Businesses/Employees set forth in the Updated and Revised Order for Business Guidance and Social Distancing and the Commission’s work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely; and

WHEREAS, the Commission issued a request for Letters of Interest in receiving an invitation to respond to a Request for Proposals (“RFP”) on June 8, 2020 to select up to two engineering firms to perform General Engineering Services on task order projects based on assignments from the Chief Engineer; and

WHEREAS, Letters of Interest were received from eleven firms expressing their interest in performing the General Engineering Services on June 24, 2020, and five were deemed most qualified and invited to submit proposals in response to the RFP, with responses due on September 4, 2020; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that LJB, Inc., of Fairview Park, Ohio, and ms consultants, inc., of Cleveland, Ohio, are the two most qualified firms to perform the general engineering services; and

WHEREAS, the contracts to perform the general engineering services shall continue for a two-year period and the total amount payable for all task orders shall not exceed \$600,000.00 each in accordance with the Commission's RFP and their proposals of September 4, 2020; and

WHEREAS, Commission action is necessary to award the contracts 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, the Commission's Staff Attorney advises that the selection of both LJB, Inc. and ms consultants, inc. conforms with the requirements of Ohio Revised Code Sections 153.65 to 153.71, proposals were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Commission's Office of Equity and Inclusion Manager determined that LJB, Inc. and ms consultants, inc. have made good faith efforts to attain the participation of small or otherwise disadvantaged businesses on the Projects and LJB, Inc. has made a commitment of 25% which meets the SBE participation goal of 25% and ms consultants, inc. has made a commitment of 25% which meets the SBE participation goal of 25%; and

WHEREAS, the Executive Director has reviewed the recommendations submitted by the Chief Engineer, and concurs that the Commission should approve awarding contracts to both LJB, Inc. and ms consultants, inc. to perform General Engineering Services; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that LJB, Inc. and ms consultants, inc. are the two most qualified firms to perform the General Engineering Services as required under the RFP for a two year period, and authorizes the Executive Director to execute contracts with LJB Inc. and ms consultants, inc. each in the not-to-exceed amount of \$600,000.00 in accordance with the terms and conditions of the Commission's RFP and their respective responses thereto; and

FURTHER RESOLVED that the Commission finds and determines that the contracts approved pursuant to this Resolution are necessary for the Commission to continue its operations and complies with the Updated and Revised Order for Business Guidance and Social Distancing and that the work to be performed under the contract shall comply with the Sector Specific COVID-19 Information and Checklist for Businesses/Employees set forth in the Updated and Revised Order for Business Guidance and Social Distancing and the Commission's work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely; and

(Resolution No. 63-2020 adopted October 19, 2020)