



**OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION**

ADDENDUM NO. 1
ISSUED: JANUARY 11, 2023

to
LOI NO. 20-2022

**REQUEST FOR LETTERS OF INTEREST (LOIs)
FOR PROFESSIONAL ENGINEERING SERVICES FOR PROJECT NO. 71-23-01
PROGRAM MANAGEMENT SERVICES FOR THE PAVEMENT REPLACEMENT
PROGRAM**

ISSUED: DECEMBER 7, 2022

LETTERS OF INTEREST DUE DATE: 5:00 P.M. (Eastern) JANUARY 18, 2023

ATTENTION OF RESPONDENTS IS DIRECTED TO:

ANSWERS TO QUESTIONS RECEIVED THROUGH 5:00 PM ON JANUARY 6, 2023:

AND

**NEW LOI REQUIREMENT FOR GOOD FAITH EFFORTS TO COMMIT TO SIGNIFICANT
ECONOMIC PRESENCE IN OHIO (See Revised LOI, Part III, "LOI Requirements," Item 10,
attached to this Addendum)**

AND

REVISED APPENDIX H, TABLE 1, CONSULTANT CONTRACT CONFLICT MATRIX

Issued by the Ohio Turnpike and Infrastructure Commission through Aimee W. Lane, Esq., Director of
Contracts Administration

Aimee W. Lane

Aimee W. Lane, Esq.,
Director of Contracts Administration

January 11, 2023
Date

ANSWERS TO QUESTIONS RECEIVED THROUGH 5:00 P.M. ON JANUARY 6, 2023:

Q#1 When will you determine if Construction Oversight by the Construction Manager will be removed from the PMC contract?

*A#1 Appendix H is revised as part of this Addendum to strike “**If Construction oversight is removed from the PMC Contract, the PMC may pursue CA&I Contracts”*

Q#2 If Construction Oversight is removed from the PMC Contract, will it be awarded as a separate contract?

A#2 See Answer to Question No. 1.

Q#3 If Construction Oversight is removed from the PMC Contract, will those scope tasks be included in the Construction Administration & Inspection Contract?

A#3 See Answer to Question No. 1.

Q#4 Is there any perceived conflict for one firm to hold both the Construction Administration and Inspection Contract and the Materials Testing Contract on the same construction project?

A#4 Yes, a firm holding a Construction Administration & Inspection Contract for a project cannot hold a Material Testing Contract for the same project.

Q#5 Page 3 of the RLOI, under point 9 and in Part V.A. state different page limits for the LOI overall. Please clarify if the LOI is limited to 12 or 24 pages. Also, please clarify if the 9 pages allotted for Item 6 - Project Approach are included in that overall page limit or are a separate section exempt from the page limit.

A#5 Part V. Section A shall follow the same guidelines as Part III. The total page limit will be 24 pages, not including new item 10 and items B, C, D, E and F.

Q#6 Page 3, Part V.A. of the RLOI exempts items B, C, D, and E from the page limit. Is F also exempt?

A#6 See Answer to Question No. 5.

Q#7 Page 2, Part III.3 of the RLOI requests a 1-page resume for the Project Manager, a 1-page resume for each of 2 Construction Managers, and 1-page resumes each staff member assigned to the project, not to exceed 12 pages. Are the resumes to be 12 or 15 pages in total? Are the resumes exempt from or included in the overall page limit? Should they be included in the LOI or provided separately in an Appendix?

A#7 One-page resumes shall be provided for the Project Manager and each of the two (2) Construction Managers. Additionally, provide an organizational chart and no more than one-page resumes for each staff member assigned to the Project, which shall not exceed twelve (12) pages. The total pages for this section shall be limited to 15 pages. Resumes are included in the overall page limit for the LOI and shall be included within the LOI, not as an appendix.

Q#8 Does the 11-pt font requirement on page 3 of the RLOI include graphics, charts, tables, headers, and footers?

A#8 Yes, for consistency and ease of review the OTIC requires 11-pt font.

Q#9 Regarding Qualifications Statements: page 1, paragraph 4 of the RFLOI references the firm's 2023-2024 SOQ; page 2, #2 of the RFLOI requests qualification categories from the firm's 2021-2022 SOQ. Which is correct?

A#9 Qualifications Statements shall be based on the firm's 2023-2024 SOQ submission to the OTIC.

Q#10 Appendix A, Section D. Construction Oversight and Scheduling, Paragraph 2.a.: Would it be acceptable to provide a Project Scheduler with more than 10 years of industry experience including 9 years performing scheduling for complex construction projects with a minimum of 5 years focused in heavy highway projects?

A#10 The Consultant shall provide a consistent scheduler with a minimum of 10 years of experience in preparing and reviewing heavy highway projects.

Q#11 Part VIII, Evaluations of LOI, last paragraph reads, "Respondent shall submit to the Commission its proposed hourly billing rates and classifications for all permanent employees in accordance with . . . Hourly Billing FY 2022 Summary". Should this read ". . . Hourly Billing FY 2023 Summary"?

A#11 At this time "Hourly Billing FY 2023 Summary" has not been issued. The "Hourly Billing FY 2022 Summary" is the most current version. Future contracts may be negotiated using the most current "Hourly Billing Summary" available at the time of negotiations.



OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
682 Prospect Street
Berea, Ohio 44017
(440) 971-2081

LOI NO. 20-2022

**REQUEST FOR LETTERS OF INTEREST (LOIs) FOR
PROFESSIONAL ENGINEERING SERVICES FOR
PROJECT NO. 71-23-01**

Program Management Services for the Pavement Replacement Program

ISSUE DATE: December 7, 2022

INQUIRY END DATE: 5:00 PM (Eastern) on January 6, 2023

**LETTERS OF INTEREST DUE
DATE: 5:00 P.M. (Eastern) January 18, 2023**

**COMMISSION MEETING: February 27, 2023 (anticipated meeting
for contract award; subject to change)**

The SBE goal for this project is 10%

In lieu of taking exceptions to the Request for Letters of Interests requirements, including but not limited to terms and conditions, scope of work statements, service levels requirements, etc., or providing assumptions that may be unacceptable to the Commission, Respondents are strongly encouraged to use the inquiry process in PART VI of this Request for Letters of Interest.

SUBMITTED BY:

COMPANY NAME _____

CONTACT NAME _____

STREET ADDRESS _____

CITY AND STATE _____

ZIP CODE _____ TELEPHONE NUMBER _____

EMAIL ADDRESS _____

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LOI NO. 20-2022

REQUEST FOR LETTERS OF INTEREST (LOIs) FOR
PROJECT MANAGEMENT SERVICES
FOR THE
PAVEMENT REPLACEMENT PROGRAM

PART I. BACKGROUND INFORMATION

The Ohio Turnpike and Infrastructure Commission (“Commission”), a body corporate and politic constituting an instrumentality of the State of Ohio, is responsible for operating and maintaining the Ohio Turnpike, a toll road officially known as the James W. Shocknessy Ohio Turnpike. The Ohio Turnpike is a limited access highway extending 241 miles across northern Ohio. Additional information regarding the Commission and the Ohio Turnpike can be found at <https://www.ohioturnpike.org/home>.

The Commission issues this Request for Letters of Interest seeking to select a qualified consultant (“Consultant”) to provide program management services, as further described in Appendix A, for Project No. 71-23-01, Program Management Services for the Pavement Replacement Program along the entire length of the Ohio Turnpike (the “Project”). These individual projects involve the reconstruction of the Mainline Pavement at various locations along the Ohio Turnpike. Each project under the Program will encompass multi-lane sections of pavement that are approximately five (5) miles long in both the eastbound and westbound directions. The Commission’s objective under the Program is to continuously design, bid, and commence construction on at least two (2) pavement replacement projects per year, resulting in four (4) projects being under construction at any given time. Any resulting contract shall become effective upon execution and shall have a term of approximately eight (8) years, terminating on December 31, 2030, except that the Selected Consultant shall be required to complete any Program Management Services on any pavement replacement construction project that may have a completion date after December 31, 2030.

Letters of Interest shall serve to provide information for the Commission to evaluate the Respondent’s qualifications to perform the services required for the Project. The Commission intends to select one consultant to enter into an agreement for the Project based on the LOI submittals.

Those firms interested in responding to the Request for Letters of Interest must have a completed “Request for Qualifications” (“RFQ”) package for calendar years 2023-2024 on file with the Commission to be considered as a potential Respondent. If a firm has not already responded to the RFQ, the RFQ package may be obtained through the inquiry process and its response submitted simultaneously with the LOI.

Any person responding (a “Respondent”) must clearly demonstrate depth of experience in providing professional engineering services, including familiarity with the various methodologies and industry best practices for performing the required tasks. Demonstrated experience in providing the necessary services is required.

The Commission’s Pavement Replacement Program will result in several contracts being awarded to engineering firms to perform different roles and services. This may result in a consultant selected for one contract being conflicted with respect to another contract. To assist potential respondents in identifying and evaluating potential organizational conflicts, the Commission created a Consultant Conflict Matrix,

attached hereto as Appendix A - Table 1 and the PR Program Management Organization Chart as Appendix H.

PART II. ASSISTANCE FROM COMMISSION PERSONNEL

Commission personnel will be assigned to assist, as needed, with the coordination of the various aspects of any assignments. Commission personnel will also make available all documents in the Commission's possession to the Consultant required for completion of its duties. Generally, the Commission's Chief Engineer will administer and manage the contract for the Consultant's services.

PART III. LOI REQUIREMENTS

The general nature and scope of work for the Project are set forth in Appendix A ("Scope of Services"). The Commission expects that Respondents will have experience in providing the services of this nature and should understand the general scope of the services necessary to successfully fulfill the Commission's requirements. Respondents should prepare Letters of Interest that are concise and that include an explicit response to the items listed below:

1. Plainly identify the Consultant's legal name, contact person(s) and their email, phone number and physical address. Describe your organizational structure, staffing of the project, and specify the number of professional personnel by discipline based in the Ohio office(s) in which the bulk of the services will be performed.
2. List the types/categories of services for which the Consultant has a current Qualifications Statement on file with the Commission in response to the 2021-2022 RFQ and all ODOT Prequalifications, including Protective Coatings Inspection.
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 a one (1) page résumé of the proposed Project Manager and two (2) Construction Managers. The proposed Project and Construction Managers must be a professional engineer registered in the State of Ohio. Additionally, provide an organizational chart and no more than one-page resumes for each staff member assigned to the Project, which shall not exceed twelve (12) pages. Resumes should include the qualifications of the key staff and descriptions of work performed on similar projects.
4. Describe your firm's approach to quality control and any programs for providing technical direction and administrative control to assure conformance with industry-accepted standards of quality for the Project.
5. List significant subconsultants, their categories of service, qualifications, and the percentage of work to be performed by each proposed subconsultant.
6. Provide a description of your Project approach, not to exceed nine (9) pages. Confirm the firm's understanding of the project, 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 under the project.
7. 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.

8. Provide references from three (3) organizations other than the Ohio Turnpike and Infrastructure Commission for similar projects and services completed in the past three (3) years. For each reference, provide a contact name and phone number.
9. List all services performed for the Ohio Turnpike and Infrastructure Commission over the last five (5) years.
10. The Respondent's good faith efforts to commit to a significant economic presence in Ohio shown by:
 - a. A statement that Respondent is registered and licensed to do business in the State of Ohio with the offices of the Secretary of State and include with the proposal a copy of its certificate or other similar document(s) confirming Respondent is registered and licensed to do business in the State of Ohio;
 - b. A statement of whether Respondent pays taxes to the State of Ohio and if so, a statement that Respondent is not in arrears in the payment of required taxes;
 - c. A statement of whether Respondent has offices or facilities in Ohio (i.e., sales offices, divisions, sales outlets or manufacturing facilities) or identify facilities that demonstrate Respondent's capital investment to Ohio (including commitments to make such capital investment as part of its proposal, as applicable); and
 - a-d. A statement of Respondent's actions that would reasonably be expected to employ Ohio residents, increase tax revenues in the area, provide opportunities to support local businesses and/or support community and social initiatives (i.e., local government, health and wellness, education, diversity and inclusion, philanthropic or other).

Items 1 through 109 must be included in the LOI on single sided 8 1/2" x 11" sheets of paper. Items 1 through 9 shall not exceed twenty-four (24) pages and Item 6 shall not exceed nine (9) pages and shall be in no smaller than size 11 font. The Letter of Interest shall not exceed twenty-four (24) pages. Item 10 above and Items B, C, D and E listed in PART V below are excluded from the page limit. A one (1) page cover letter and a Table of Contents may be included and will not be considered as part of the twenty-four (24) page limit.

PART IV. FORM CONTRACT FOR PROGRAM MANAGEMENT SERVICES REQUIREMENTS

In submitting a Letter of Interest, the Respondent agrees to sign the Contract for Program Management Services attached as Appendix B, incorporating the Scope of Services, within ten (10) days of the Commission's delivering of a notice of award.

PART V. SUBMISSION REQUIREMENTS

For Respondent's Letter of Interest to be responsive, Respondent must submit the following:

- A. A Letter of Interest addressing the items listed in PART III, and limited to 12-pages, not including items B, C, D and E listed below.

- B. An explanation of any concerns, requested information or exceptions related to the Request for LOIs, Scope of Services or the Contract for Program Management Services (attached as Appendix B).
- C. A completed, signed, and notarized Non-interest/Non-collusion Affidavit (see Appendix C attached hereto; see also, Ethics Policy attached as Appendix D which is referenced in the affidavit).
- D. Completed and Signed Affirmation and Disclosure Form (Executive Order 2019-12D) Governing the Expenditure of Public Funds on Offshore Services (see Appendix E attached hereto).
- F. Completed and Signed Affirmation and Disclosure Form (Executive Order 2022-02D) State of Ohio’s Response to Russia’s Unjust War on the Country of Ukraine (see Appendix E).
- E. Completed Small Business Enterprise (“SBE”) Utilization Certification and Plan demonstrating the commitment and means for achieving SBE participation on the Respondent’s team (see Appendix G attached hereto). If the Certification and Plan fails to meet or exceed the **10% goal**, the Respondent is required to demonstrate that it used Good Faith Efforts to attain SBE participation that meets or exceeds the Goal. As described in Appendix F, the Commission recognizes SBEs that are certified with the Commission or ODOT as SBE and considers DBEs certified with ODOT and firms certified as EDGE through DAS as eligible for SBE certification. Contact the Commission’s Office of Equity and Inclusion with any questions concerning the SBE Program.

PART VI. INQUIRY SUBMISSION INSTRUCTIONS

All interested parties are welcome to submit specific questions or requests for clarifications of the LOI requirements. Respondents are expected to raise any questions, exceptions, or additions they have concerning the LOI prior to the end of the Inquiry Period indicated on the cover page. These questions shall be addressed in writing and **emailed to purchasing@ohioturnpike.org**. **Do not contact the Commission by phone. Do not direct questions regarding the Request for LOIs to anyone other than through the email address provided.** At the completion of the Inquiry Period, a summary of all questions and answers will be compiled, posted on the Commission’s website (<https://www.ohioturnpike.org/business/doing-business-with-us/rfps>), and provided via email to the interested parties on file. In the event that it becomes necessary to provide additional clarifying data or information or to revise any part of this Request for Letters of Interest, addenda will be posted publicly (at the same link as answers) and provided directly to all recipients of this Request for Letters of Interest.

PART VII. LOI SUBMISSION INSTRUCTIONS

Respondents must timely submit its Letters of Interest electronically to purchasing@ohioturnpike.org in pdf format by the deadline specified on the cover page of this Request for Letters of Interest. Paper copies received will be considered non-responsive.

PART VIII. EVALUATION OF LOIs

The Commission will form an Evaluation Team consisting of members of the Commission Engineering staff to review the Letters of Interest. Respondents may be required to make a presentation to the Evaluation Team. A Contract for Program Management Services will be awarded, if any award be made, to the Respondent determined to be the most qualified to perform the required services. In determining whether a Respondent is responsive, the Commission will consider the Respondent's experience, conduct and performance on previous contracts (if any) and ability to execute the Contract properly. Factors that may be considered by the Commission are:

- A. Competence to perform the required professional design services as indicated by the technical training, education, and experience of the firm's personnel, especially the technical training, education, and experience of the employees within the firm who would be assigned to perform the services;

20 raw points (27.5 weighted points)

Project Manager – 5 points (given a 2.00 weighted factor)

Key Staff Assignments – 5 points (given a 1.50 weighted factor)

Qualifications of Subconsultants – 5 points (given a 1.00 weighted factor)

Subcontracted Amount – 5 points (given a 1.00 weighted factor)

- B. Ability of the responding firm in terms of its workload and the availability of qualified personnel, equipment, and facilities to perform the required professional design services or design-build services competently and expeditiously;

15 raw points (20 weighted points)

Organization – 5 points (given a 2.00 weighted factor)

Proposed Schedule – 5 points (given a 1.00 weighted factor)

Backlog with OTIC – 5 points (given a 1.00 weighted factor)

- C. Past performance of the responding firm as reflected by the evaluations of previous clients with respect to such factors as control of costs, quality of work, and meeting of deadlines;

15 raw points (15 weighted points)

Past Performance with OTIC (given a 1.00 weighted factor)

Past Performance with other Public/Govt. (given a 1.00 weighted factor)

Quality Control (given a 1.00 weighted factor)

- D. Any other relevant factors as determined by the Commission, including but not limited to completion and submission of all items required under this Request for Letters of Interest, and any exceptions or requested deviations;

20 raw points (37.5 weighted points)

Understanding of Project – 5 points (given a 2.50 weighted factor)

Complete Tasks Defined in Scope of Services – 5 points (given a 2.00 weighted factor)

Innovative Approach – 5 points (given a 2.00 weighted factor)

Completion and Submission of All Items Required under the LOI – 5 points (given a 1.00 weighted factor)

- E. Committing to a plan for meeting or exceeding the SBE Goal or satisfactorily demonstrating use of Good Faith Efforts to attain SBE certified firms' participation on the Project – [pass/fail]
- F. Disclosure of any conflict of interest – [pass/fail]
- G. Fostering competition and economic development – [pass/fail]
- G-H. Respondent's good faith efforts to commit to a significant economic presence in Ohio. The determination of good faith efforts, which is graded as a "pass/fail", is based on consideration of the quality, quantity and intensity of the actions taken. "Significant Ohio economic presence" means "business organizations that (1) have sales offices, divisions, sales outlets or manufacturing facilities in Ohio or which facilities demonstrate capital investment to Ohio; and (2) pay required taxes to the State of Ohio; and (3) for corporations, are registered and licenses to do business in the State of Ohio with the offices of the Secretary of State – [pass-fail]

Following the ranking of the Letters of Interest submitted, a "Scope of Services" meeting will be held with the top-ranked Respondent to ensure the Respondent's understanding of the contract requirements and fee negotiations may commence. Following this meeting, the Respondent shall submit to the Commission its proposed hourly billing rates and classifications for all permanent employees in accordance with the Ohio Turnpike and Infrastructure Commission Professional Services Method of Compensation – Hourly Billing FY 2022 Summary, and a fee proposal for all tasks defined at the Scope of Services meeting. The top-ranked Respondent's fee will be compared to the Commission's estimates. If necessary, the Commission will attempt to negotiate a mutually acceptable fee. If those negotiations are unsuccessful, the process will be repeated with the Respondent that submitted the next ranked Letter of Interest. Following successful negotiations, a contract (see Appendix B for form of Contract) will be entered into based on the Scope of Services.

PART IX. OFFICE OF EQUITY AND INCLUSION

The Commission adopted its Small, Minority Business Inclusion Program in 2016 to ensure that businesses certified as a Small Business Enterprise (SBE), Minority Business Enterprise (MBE), and/or Disadvantaged Business Enterprise (LDBEs) have the fullest possible opportunity to participate in contracts involving the expenditure of Commission funds. The program is administered by the Commission's Office of Equity and Inclusion (OEI), which reviews each proposed contract and determines if opportunities exist and if so, applies a goal to the proposed contract. In some cases, no goal is applied to a proposed contract due to a lack of opportunity and availability of certified businesses.

The Commission's Office of Equity and Inclusion Standards and Practice Manual for the Small, Minority and Disadvantaged Business Inclusion Program is available on the Commission's website at <https://www.ohioturnpike.org/business/oei>.

When a goal is identified in an LOI, the respondent must submit the documentation provided by the Commission to show how the respondent will meet the goal. When the goal is waived, respondents are strongly encouraged to use "good faith efforts" or necessary and reasonable actions that would reasonably be expected to attain SBE or MBE or LDBE participation in the respondent's performance of the scope of work.

Additionally, whether the Commission applies a goal to a proposed contract or not, the program standards provide that the Commission may apply an evaluation credit of five percent (10%) to the total points awarded for responses received from SBEs, or MBEs and LDBEs consultants to perform the personal or professional services set forth in the Scope of Services. The Commission may apply this credit in the evaluation process for responses submitted in response to this Request for LOIs.

For questions about the Commission's Small, Minority and Disadvantaged Business Inclusion Program, please visit the Commission's website at <https://www.ohioturnpike.org/business/oei>.

PART X. DEVIATIONS, EXCEPTIONS AND ADDENDA TO REQUEST FOR LOIs

Respondents should raise any questions, exceptions or requested changes they have concerning the Request for LOIs during the Inquiry Period. If a Respondent discovers any ambiguity, error, conflict, discrepancy, omission or other deficiency in this Request for LOIs, that Respondent should immediately notify the Commission of such error and request modification or clarification of the Request for LOIs in accordance with the procedures outlined in PART VI. In the event that it becomes necessary to provide additional clarifying data or information or to revise any part of this Request for LOIs, addenda will be issued and posted on the Commission's website (<https://www.ohioturnpike.org/business/doing-business-with-us/rfps>) to modify the necessary provisions of the Request for LOIs.

Respondents should specify in the Proposals whether they take exception to any of the Scope of Services or the Contract for Program Management Services. If a Respondent fails to notify the Commission of a known error in the Request for LOIs, and a Contract for Program Management Services is awarded to that Respondent, that Consultant shall not be entitled to additional compensation or time by reason of the error or its later correction.

The Commission reserves the right to make changes to the scope of this Request for LOIs and to clarify any of the requirements, information and/or provisions of this Request for LOIs as it deems necessary. Any changes to the Request for LOIs will be made via addenda issued prior to the submission deadline. The Commission further reserves the right, if necessary, to extend the submission deadline.

PART XI. LEGAL REQUIREMENTS

The Respondent is required to adhere to the rules and regulations promulgated by the Commission and the State of Ohio, and all terms and conditions set forth in this Request for LOIs. Additionally, the Respondent agrees to the following:

- A. A Respondent may withdraw or modify its proposal only if notice of such withdrawal or modification is prior to the Letter of Interest due date as identified on the front cover of this Request for LOIs.
- B. Once opened, the Respondent agrees that its Letter of Interest cannot be altered, modified, or withdrawn.
- C. By submitting a Letter of Interest, the Respondent acknowledges it has read this Request for LOIs, understands it, and agrees to be bound by the terms and conditions set forth herein.

- D. The Commission is not responsible for the accuracy of any information regarding this Request for LOIs that was gathered through a source other than the Commission's website or the inquiry process described above.

The Commission reserves the right to:

- A. Reject any and all Letters of Interest in whole or in part;
- B. Require any Respondent to submit additional written or oral clarification of their Letter of Interest and to meet with any, but not necessarily all, of the Respondents to obtain additional information and/or clarification and/or to negotiate terms of any Letter of Interest submitted;
- C. May consider financial information other than any financial information required by this Request for Letters of Interest (if any) as part of the evaluation process, including but not limited to credit reports from third-party reporting agencies.
- D. Enter into a Contract with the Consultant on the basis of the Letter of Interest submitted, without written or oral modifications thereto; and
- E. Waive minor irregularities noted in a Letter of Interest when in the best interest of the Commission.

Under no circumstances will the Commission be responsible for any costs incurred by any Respondent in submitting a Letter of Interest.

Executive Order 2019-12D - Governing the Expenditure of Public Funds for Offshore Services - PROHIBITION OF THE EXPENDITURE OF PUBLIC FUNDS FOR OFFSHORE SERVICES. This Executive Order was signed on March 4, 2019, and will automatically expire ten (10) calendar days after Governor DeWine's last day as Governor of Ohio unless rescinded before then.

- A. The Commission shall not enter into any contract which uses any funds within its control to purchase services which will be provided outside the United States.
- B. Contractors and Consultants must complete the Affirmation and Disclosure Form, attached hereto as Appendix E, affirming the Contractor/Consultant understands and will meet the requirements of the above prohibition. During the performance of the Contract, if any award is made, if the Contractor/Consultant changes the location(s) disclosed on the Affirmation and Disclosure Form, the Contractor/Consultant must complete and submit a revised Affirmation and Disclosure Form reflecting such changes.

Executive Order 2022-02D - State of Ohio's Response to Russia's Unjust War on the Country of Ukraine - PROHIBITION OF THE EXPENDITURE OF PUBLIC FUNDS FOR OFFSHORE SERVICES. This Executive Order was issued on March 3, 2022, and will remain in effect unless rescinded or modified by a future Executive Order of the Governor.

- A. The Commission will not enter into any contract to purchase services provided outside of the United States or that allows Commission data to be sent, taken, accessed, tested,

maintained, backed-up, stored, or made available remotely outside (located) of the United States, unless a duly signed waiver from the State has been attained. Notwithstanding any other terms of a Contract, the Commission reserves the right to recover any funds paid for services the Contractor/Consultant performs outside of the United States for which it did not receive a waiver. The Commission will not waive any other rights and remedies provided to the Commission in a Contract.

- B. The Commission will not make any purchase from or investment in any Russian institution or company. Notwithstanding any other terms of a Contract, the Commission reserves the right to recover any funds paid to Contractor/Consultant for purchases or investments in a Russian institution or company. These provisions will expire when the applicable Executive Order is no longer effective.
- C. The Contractor/Consultant must complete the Contractor/Subcontractor Affirmation and Disclosure Form, attached hereto as Appendix F, affirming the Contractor/Consultant understands and will meet the requirements of the above prohibition. During the performance of the Contract, if any award is made, if the Contractor/Consultant changes the location(s) disclosed on the Affirmation and Disclosure Form, Contractor/Consultant must complete and submit a revised Affirmation and Disclosure Form reflecting such changes.

PART XII. INQUIRY AND LOI SUBMISSION INSTRUCTIONS

Respondents must timely submit one electronic version of its Letter of Interest electronically to purchasing@ohioturnpike.org in pdf format before the deadline specified on the cover page of this RFP.

PART XIII. ONLINE NOTARY PUBLIC SERVICES

The Commission has the capability to provide online notary public services which are available to any respondent without access to a notary public for documents that must be notarized and submitted with a bid. Please allow at least 3 business days to process any request for online notary public services. Requesting party must have computer internet access and a webcam. Please contact the Commission at purchasing@ohioturnpike.org for online notary public information and services.

PART XIV. APPEAL PROCESS

Any aggrieved Respondent desiring to challenge the award of a contract as a result of this Request for Letters of Interest must state its complaint in writing, through electronic submission in pdf format to purchasing@ohioturnpike.org within five (5) calendar days of notification of the contract award. Upon receipt of a timely challenge, one or more representative(s) of the Commission shall meet with the protesting party to hear its objections. ORC Chapter 119 shall not be applicable to such meeting. No final award shall be made until the Commission either affirms or reverses its earlier determination for such contract award.

APPENDIX H - TABLE 1 - CONSULTANT CONTRACT CONFLICT MATRIX ***

Consultant Contract Conflict Matrix Allowed to perform both roles? Yes (Y) or No (N)	OTHER OTIC CONTRACT					
	Program Management Consultant (PMC)	Design Consultant (DC)	Construction Administration and Inspection (CA&I)	Material Testing Consultant (MT)	Aerial Mapping	Non-Pavement Replacement Contracts
PMC CONTRACT						
Program Management Consultant (PMC)		N	N**	N	Y	Y
PMC Subconsultant - Construction Oversight	Y	Y*	N**	Y*	Y	Y
PMC Subconsultant - Scheduler	Y	Y	Y	Y	Y	Y
PMC Subconsultant - Design Review Consultant	Y	N	N	Y#	Y	Y
PMC Subconsultant - Geotechnical Consultant	Y	Y	N	N	Y	Y

* Consultant cannot work on the same individual Design/Construction Project.

**If Construction oversight is removed from the PMC Contract, the PMC may pursue CA&I Contracts. #

***This matrix is provided for general guidance only; some situations may require a fact specific review to determine if a conflict exists.

Addendum No 1