

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Hill International Inc. for Construction Administration and Inspection Services for Project No. 58-21-01 in the Total Amount of \$657,279.00

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, during the State of Emergency, the Commission continued operations as Essential Infrastructure and Essential Governmental Functions under orders issued by the Director of Health, specifically the “Director’s Stay Safe Ohio Order,” dated April 30, 2020, and the “Updated and Revised Order for Business Guidance and Social Distancing,” dated May 29, 2020; and

WHEREAS, on April 5, 2021, the Director of Health rescinded several health orders, including those under which the Commission was continuing its operations, and issued a new order titled “Director’s Order for Social Distancing, Facial Coverings and Non-Congregating” which was amended on April 9, 2021 and April 27, 2021 and contains requirements applicable to all Ohioans to prevent the spread of COVID-19, including requirements for wearing face coverings, social distancing, congregating, sanitation, large gatherings, signage (i.e., requiring masks), ventilation in buildings accessible to the public, procedures for confirmed cases, and more; 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 that the work to be performed under the contract shall comply with the requirements of the “Director’s Amended Order for Social Distancing, Facial Coverings and Non-Congregating,” as may be amended from time to time, unless or until such order is lifted entirely; and

WHEREAS, on March 11, 2021, the Commission issued a notice seeking letters of interest for construction administration and inspection services for Project No. 58-21-01 - Mainline Toll Plaza Facility, Utility Buildings, Toll Booths & Canopies; Milepost 4, located in Williams County, Ohio (“Project No. 58-21-01”); Project No. 58-21-02 - Mainline Toll Plaza Facility; Utility Buildings, Toll Booths & Canopies; Milepost 211, located in Trumbull County, Ohio (“Project No. 58-21-02”); and Project No. 58-22-01 - Mainline Toll Plaza Renovation; Utility Building, Toll Booths & Canopy; Milepost 239, located in Mahoning County, Ohio (“Project No. 58-22-01”) (collectively the “Projects”); and

WHEREAS, on April 8, 2021, Letters of Interest were received from two firms expressing their readiness to serve as the Commission’s Engineering Consultant for construction administration and inspection services for the Projects; and

WHEREAS, due to the low number of responses, Commission staff plans to issue new Requests for Letters of Interest for Project Nos. 58-21-02 and 58-22-01, separately, in hopes of receiving a greater number of responses and, thus, is only recommending an award of a contract for Project No. 58-21-01 through this resolution; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that Hill International, Inc. (“Hill”), of Broadview Heights, Ohio was the most qualified to perform the necessary services for Project No. 58-21-01; and

WHEREAS, Engineering staff conducted a Scope of Services meeting with Hill to confirm a mutual understanding of the services for the Projects consisting of Construction Administration and Inspection Services (the “Services”); and

WHEREAS, Hill submitted its fee proposal dated May 5, 2021, to perform the Services in the not-to-exceed amount of \$657,279.00 which fee proposal the Chief Engineer deemed

reasonable and appropriate, and recommends that the Commission approve the award of the contract based on its technical proposal and fee proposal for Project No. 58-21-01; and

WHEREAS, the Commission's Staff Attorney has determined that the LOI process and the selection of Hill 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 on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Engineer and concurs that the Commission should approve the selection of Hill International, Inc. to perform the Services for Project No. 58-21-01; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the selection of Hill International, Inc. is approved as the firm that is most qualified to perform the construction administration and inspection services necessary for Project No. 58-21-01 and that the Executive Director is authorized to execute a contract with Hill International, Inc. in the total amount of \$657,279.00; and

FURTHER RESOLVED, that the Commission rejects all proposals received for construction administration and inspection services on Project No. 58-21-02 and Project No. 58-22-01 and authorizes Commission staff to issue a new Request for Letters of Interest for construction administration and inspection services for each project; and

FURTHER RESOLVED, that the Commission finds and determines that that the contract approved pursuant to this Resolution is necessary for the Commission to continue its operations and that the work to be performed under the contract shall comply with the requirements of the "Director's Amended Order for Social Distancing, Facial Coverings and Non-Congregating," as may be amended from time to time, unless or until such order is lifted entirely; and

FURTHER RESOLVED, that the Executive Director has the authority under Article V, Section 1.00 of the Code of Bylaws to approve such extra work or change orders under said Contract that does not exceed ten percent of the approved contract amount or the Executive Director's contracting authority and which is a result of an increase in the planned quantities, newly mandated requirements that did not exist at the time of original contract award, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

(Resolution No. 25-2021 adopted May 17, 2021)