

# **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. 39-20-01, Parts A, B and C, and Project No. 39-20-04 in the Total Amount of \$8,199,178.00**

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Guidance and Social Distancing,” dated May 29, 2020, and extended by Interim Director of Health, Lance D. Himes, until rescinded or modified by the Director of Health or the State of Emergency declared by the Governor no longer exists, which permits governmental entities and other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, on October 16, 2020, the Ohio Turnpike and Infrastructure Commission (“Commission”) issued a notice seeking letters of interest for construction administration and inspection services for Project No. 39-20-01, Parts A, B & C, Mainline Pavement Reconstruction at Milepost 0.0 to Milepost 7.26 (Part A), Toll Plaza 4 Site Construction (Part B), and Toll Plaza 4 Wetland Construction at Milepost 3.6 (Part C), all located in Williams County, and Project No. 39-20-04, Mainline Pavement Reconstruction at Milepost 236.34 to Milepost 241.25 and Eastgate Toll Plaza 239 Reconstruction at Milepost 239.1, all located in Mahoning County, Ohio (the “Projects”); and

WHEREAS, on November 13, 2020, Letters of Interest were received from six firms expressing their readiness to serve as the Commission's Engineering Consultant for construction administration and inspection services for the Projects; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that Hill International, Inc. ("Hill"), of Broadview Heights, Ohio, is the most qualified firm to perform the necessary services for the Projects, and conducted a Scope of Services meeting 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 January 13, 2021, to perform the Services in the not-to-exceed amount of \$8,199,178.00 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 the Projects; 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 Office of Equity and Inclusion Manager determined that Hill has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Projects and has committed to meet the SBE participation goal of 25% for the Projects; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Engineer and concurs that the Commission should approve the selection of Hill to perform the Services for the Projects; 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 most qualified firm to perform the construction administration and inspection services necessary for Project No. 39-20-01, Parts A, B and C, and Project No. 39-20-04, and that the Executive Director is authorized to execute a contract with Hill International, Inc. in the not-to-exceed amount of \$8,199,178.00; and

FURTHER RESOLVED 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

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(s) or increase its costs.

**(Resolution No. 3-2021 adopted January 25, 2021)**