

OHIO TURNPIKE COMMISSION

Resolution Rescinding Contract Award under Resolution No. 53-2008, and Awarding a New Contract for Consulting Engineering Services

WHEREAS, pursuant to Section 5.04 of the Master Trust Agreement dated February 15, 1994, between 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 repute" for skill and experience in such work; and

WHEREAS, on October 28, 2008, the Commission published Notice of its Request for Proposals ("RFP") for Consulting Engineering Services in a newspaper of statewide circulation, posted the Notice on the Commission's website and the website of the International Bridge Tunnel and Turnpike Association ("IBTTA"), and also sent the Notice to engineering firms known to have an interest in performing these types of services; and

WHEREAS, on November 20, 2008, proposals were received from three firms expressing an interest in serving as the Consulting Engineer to the Commission; and

WHEREAS, an Evaluation Team comprised of the Commission's Chief Engineer, the former Assistant Chief Engineer and Staff Construction Engineer evaluated the technical proposals received from the three firms; and

WHEREAS, the Commission's Evaluation Team previously recommended to the Commission that, on the basis of the technical proposals, **HNTB Ohio, Inc. of Cleveland Ohio** ("**HNTB**") was the firm most qualified to perform the services required; and

WHEREAS, the Commission duly considered said recommendation and, by Resolution No. 53-2008, authorized the Executive Director and the Director of Contracts Administration to enter into a Contract with HNTB to provide Consulting Engineering Services to the Commission; and

WHEREAS, the Chief Engineer has reported to the Commission that a Contract has not yet been executed with HNTB, and furthermore that, on February 23, 2009, HNTB notified the Commission that revised personnel assignments to this Contract would be required due to staffing reductions; and

WHEREAS, on February 27, 2009, HNTB provided a supplemental proposal detailing the requested personnel substitutions; and

WHEREAS, an Evaluation Team comprised of the Chief Engineer, Assistant Chief Engineer, and the Traffic Engineer has re-evaluated HNTB's qualifications to serve as the Commission's Consulting Engineer based upon its amended staffing proposal; and

WHEREAS, based upon the second technical scoring of the HNTB proposal, the Evaluation Team has modified its ranking of the proposals received for the Consulting Engineer Contract, and **URS Corporation, Inc. of Ohio, Akron, Ohio**, ("**URS**") now has the highest technical rating; and

WHEREAS, the Chief Engineer has reviewed URS' fee proposal dated March 4, 2009 to perform the Consulting Engineering Services, and has recommended that a Contract be awarded to URS for a five-year period commencing upon execution of a Contract, in accordance with the following fee schedule, exclusive of major bridge inspection services:

<u>Year</u>	<u>Lump Sum Amount</u>	<u>Payment Schedule</u>
2009	\$248,838.00	12 @ \$20,736.50
2010	\$287,316.00*	12 @ \$23,943.00
2011	\$263,988.00	12 @ \$21,999.00
2012	\$304,812.00*	12 @ \$25,401.00
2013	\$280,068.00	12 @ \$23,339.00
Total	\$1,385,022.00	

*Includes overhead truss and cantilever sign structure inspections

WHEREAS, the Commission has been advised by its Director of Contracts Administration that, based upon HNTB's changes to its staffing proposal and the corresponding change to its technical score, the Commission may legally rescind the authority previously granted by Resolution No. 53-2008 to the Executive Director and the Director of Contracts Administration to execute a Contract with HNTB Ohio, Inc.; and

WHEREAS, the Executive Director has reviewed the recommendations submitted by the Chief Engineer and the Director of Contracts Administration, and concurs that Resolution No. 53-2008 should be rescinded and that the five-year Contract for Consulting Engineering Services should instead be awarded by the Commission to URS Corporation, Inc. of Ohio based upon the higher technical score given to its proposal as well as its favorable fee proposal; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 53-2008 is hereby rescinded; and

FURTHER RESOLVED that the Executive Director and Director of Contracts Administration are authorized to execute a five (5) year Contract with URS Corporation, Inc. of Ohio to provide Consulting Engineering Services, all in accordance with the terms and conditions of the Commission's Request for Proposals, URS' response thereto, and its fee proposal dated March 4, 2009.

(Resolution No. 7-2009 adopted March 11, 2009)