

OHIO TURNPIKE COMMISSION

Resolution Authorizing Award of Contract for Internet Service Provider

WHEREAS, on March 11, 2009, the Commission issued its Request for Proposals ("RFP") to select an Internet Service Provider for an initial Contract term of three (3) years, which may be extended for three (3) additional two-year terms; and

WHEREAS, the new Contract includes expanded internet services that will be necessary to support the implementation of electronic toll collection; and

WHEREAS, on April 15, 2009, three (3) firms submitted Proposals to serve as the Commission's Internet Service Provider; and

WHEREAS, the Director of Contracts Administration reviewed each Proposal for compliance with the legal requirements of the RFP, and the Accounting Manager reviewed the financial condition of each respondent; and

WHEREAS, an Evaluation Team comprised of the Director of Information Systems, the Telecommunications Manager and the Network Administrator conducted the technical review of the Proposals submitted and awarded the highest technical score to **Level 3 Communications, LLC ("Level 3")** of **Broomfield, Colorado**, which firm the Team also noted has performed satisfactorily as the Commission's current Internet Service Provider; and

WHEREAS, Level 3's Price Proposal of **\$4,266.80 per month** plus one-time start-up costs of **\$4,966** for a total cost of **\$158,570.80** over the three-year term was the lowest of the three (3) Price Proposals submitted, and, therefore, the Evaluation Team has concluded, as a result of this competitive process, that the best Proposal was submitted by **Level 3** and recommends that a Contract be entered into with that firm; and

WHEREAS, the Commission has been advised by the Director of Contracts Administration that all legal requirements have been performed and that the aforesaid Proposals were solicited on the basis of the same terms, conditions and specifications with respect to all respondents; that **Level 3** has provided evidence of its ability to provide the required insurance and performance bond as set forth in the RFP; and that the Commission may legally enter into a Contract with **Level 3**; and

WHEREAS, the Executive Director has made his recommendation to the Commission predicated on the Evaluation Team's and the Director of Contracts Administration's recommendations; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Proposal submitted by **Level 3 Communications, LLC** of **Broomfield, Colorado** is, and is by the Commission determined to be, the best of all Proposals received in response to the Commission's RFP for an Internet Service Provider and is accepted; and

FURTHER RESOLVED that the Executive Director and Director of Contracts Administration hereby are authorized to: 1) execute a Contract with Level 3 to serve as the Commission's Internet Service Provider, which shall provide for an initial term of three (3) years commencing on or around July 15, 2009, 2) to direct the return to all respondents of their proposal guaranties at such time as the Level 3 has entered into a Contract in the form heretofore prescribed by the Commission pursuant to the aforesaid RFP, 3) to take any and all action necessary or proper to carry out the terms of said RFP and said Contract, and 4) determine whether to renew the Contract for any or all of the three (3) additional two-year periods pending satisfactory performance evaluations by the Director of Information Systems.

(Resolution No. 15-2009 adopted May 18, 2009)