

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

This regular meeting of the Ohio Turnpike and Infrastructure Commission was **CALLED TO ORDER** on January 16, 2024, at 10:00 a.m., located at 682 Prospect Street, Berea, Ohio 44017.

Following the **PLEDGE OF ALLEGIANCE**, members of the Ohio Turnpike and Infrastructure Commission answered to **ROLL CALL** as follows:

ROLL CALL:

Members Present:

- Chairman, Jerry N. Hruby;
- Vice Chair, Sandra K. Barber;
- Secretary-Treasurer, Guy C. Coviello;
- Commission Member, Colleen Shay Murray;
- Ohio Department of Transportation (ODOT) Member Ex-Officio, through its director's designee, Gery Noirot; and
- Ohio Office of Budget and Management, Michael Babin.

Members Excused:

- Commission Member, June E. Taylor;
- Representative Haraz N. Ghanbari; and
- Senator Bill Reineke.

Ohio Turnpike and Infrastructure Commission Employees Present:

- Assistant Secretary-Treasurer and Executive Director, Ferzan M. Ahmed, P.E.;
- Chief Engineer, Chris Matta;
- General Counsel, Jennifer Rieker;
- Director of Administration, Lisa Zamiska;
- Chief Financial Officer, Lisa M. Mejac;
- Director of Audit and Internal Control, David Miller;
- Director of Contracts Administration, Aimee W. Lane;
- Chief Information Officer, Chriss Pogorelc;
- Design and Planning Engineer, Daniel Rodriguez;
- Interim Director of Marketing and Communications, Chuck Cyrill;
- Legal Administrative Assistant, Jennifer Diaz;
- Maintenance Operations Engineer, Bryan Emery;
- Ohio State Highway Patrol Staff Lieutenant, Richard Reeder;
- Director of Toll Plaza Operations, Laurie Davis;
- Marketing and Communications Specialist, Zakk Sheehan;
- Patrol Secretary, Kristin Obermeyer;

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

- Construction Engineer, Ann Powell; and
- Customer Service Center Manager, Amanda Ginley.

Others Present:

- Michael Burgess, Osborn Engineering;
- Bethany Pugh, PFM;
- Chris Cummings, Michael Baker International;
- Kevin Westfall, Huntington;
- Al Biehl, TranSystems;
- Ahmed Hamid, DGL; and
- Jeff Yoder, DGL.

MINUTES OF THE DECEMBER 18, 2023 REGULAR COMMISSION MEETING:

Motion: Vice Chair Barber
Seconded: Secretary-Treasurer Coviello

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.

Nays: None

Abstain: None

MINUTES ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

REPORTS:

- Report of the Secretary-Treasurer, Guy C. Coviello.

ADMINISTRATIVE REPORTS:

- Executive Director, Ferzan M. Ahmed, P.E.
 - Recognized the Commission's Finance team for receiving a *Certificate of Achievement for Excellence in Financial Reporting* for the annual comprehensive financial report for the fiscal year ended December 31, 2022.
 - Recognized the Combined Charitable Campaign coordinators and employees for reaching 100% of the 2023 goal in the State of Ohio Combined Charitable Campaign.

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

- Congratulated the employees at the Kunkle Maintenance Building for receiving the *2023 Fourth Quarter Safety Award* for having the lowest number of employee accidents and injuries across the Turnpike.
- Provided a status update on the new Toll Collection System, including extra construction related costs due to the TCS deployment delay.
- Provided a report on the 2023 Final Construction Costs.
- Reported that January is recognized as the National Human Trafficking Prevention Month. On January 8, 2024, several state agencies, and commissions, including the Ohio Turnpike and Infrastructure Commission, participated in a meeting hosted by the Governor’s Ohio Human Trafficking Task Force in Columbus.
- Congratulated Alaina Holmes, who was promoted to Assistant Toll Plaza Supervisor.
- Congratulated Greg Warren on his retirement from the Technology Department.
- Welcomed five new employees:
 - Toll Operations Department: Part-time Toll Collectors Lisa Parker and James Vargo.
 - Engineering and Maintenance Department: Robert Yohe with the Elmore Division, Mark Smith at Kunkle, and Bryan Lilley with the Hiram Division.

CHIEF ENGINEER’S REPORT:

RESOLUTION:

Resolution Approving Change Orders to the Contract with Regent Electric, Inc. for Project No. 64-22-01 for an Aggregate Total Contract Amount of \$4,150,935.59 (Chris Matta, Chief Engineer)

Motion: Commission Member Shay Murray
Seconded: Secretary-Treasurer Coviello

Chairman Hruby requested an explanation about the change orders.

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

In response, Chief Engineer Matta explained that the timing of the change orders; specifically at the September 2023 Commission meeting the Commission approved change orders for the additional mobilization costs. A few outstanding issues remained, which are the three that are being addressed at this meeting.

Chairman Hruby questioned the mobilization sequence.

Chief Engineer Matta advised that the contractor originally provided the schedule indicating that they would complete a plaza and then move on to the following plaza. Instead, the contractor moved from lane to lane.

Director Ahmed added that the scope of services for this project laid out a sequence for the integrator to follow to finish toll plazas and then move on to the next one. Unfortunately, it did not work out that way. We did have Regent move around, as needed.

Chairman Hruby asked if the Commission directed the mobilizations?

Director Ahmed advised that yes, it was. OTIC needed Regent to move around to avoid a delay in implementation.

Secretary-Treasurer Coviello asked if we anticipate three more change orders?

Chief Engineer Matta advised that he is reviewing a few more change orders, but as Director Ahmed noted in his recap of last year's projects, OTIC also receives credit change orders for projects and one of those change orders is a credit change order. Chief Engineer Matta advised that he does not know the final costs at this time.

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.

Nays: None

Abstain: None

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 1-2024](#)

RESOLUTION:

Resolution Approving a Modification to the Contract with LJB, Inc. to Perform Additional Phase II Construction Administration and Inspection Services Under Project No. 43-22-04 for a Total Aggregate Contract Amount of \$648,988.80 (Chris Matta, Chief Engineer)

Motion: Chairman Hruby

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

Seconded: Vice Chair Barber

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noiro.

Nays: None

Abstain: None

Secretary-Treasurer Coviello questioned if this was an OTIC request.

Chief Engineer Matta explained that when a construction project extends beyond the initial season, then the Commission needed additional construction administration and inspection services.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 2-2024](#)

RESOLUTION:

Resolution Approving a Modification to the Contract with Hill International, Inc. to Perform Additional Construction Management Services for Pavement Replacement and Toll Collection System Program Projects for a Total Aggregate Contract Amount of \$26,453,433.20 (Chris Matta, Chief Engineer)

Motion: Vice Chair Barber

Seconded: Commission Member Shay Murray

Commission Member Shay Murray asked if there is a timeline that has been set for replacing pavement on a schedule. She also questioned if this is part of the larger Toll Collection System project.

Chief Engineer Matta advised this is not part of the repavement project, but it is part of the TCS construction program identified in 2013. Additionally, this is separate from the program management project to Hill as we moved forward with our next round of pavement replacement projects.

Director Ahmed added that because of the length of the Turnpike pavement replacement projects are done in sets.

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noiro.

Nays: None

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

Abstain: None

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 3-2024](#)

RESOLUTION:

Resolution Approving a Modification to the Contract with Fishbeck, Thompson, Carr & Huber, Inc. to Perform Additional Phase II Construction Administration and Inspection Services Under Project No. 43-21-02 for an Aggregate Not-to-Exceed Amount of \$1,142,922.00 (Chris Matta, Chief Engineer)

Motion: Commission Member Shay Murray

Seconded: Secretary-Treasurer Coviello

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.

Nays: None

Abstain: None

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 4-2024](#)

RESOLUTION:

Resolution Approving the Selection of ms consultants, inc. to Perform Phase I Design Services for Project No. 71-23-09 in the Not-to-Exceed Amount of \$1,114,217.00 (Daniel Rodriguez, Design and Planning Engineer)

Motion: Chairman Hruby

Seconded: Vice Chair Barber

Vice Chair Barber asked about the exceptions listed by Civil Environmental Consultants?

Design and Planning Engineer Rodriguez said from time to time there are LOI submittals that do have exceptions. Depending on who is selected, the Legal Department and the respective submitter negotiate the terms of the contract.

Vice Chair Barber inquired if these exceptions impact the selection of the consultant.

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

General Counsel Rieker answered that Aimee Lane handled a lot of these contractual issues at the start, but there would need to be a meeting of the minds between both the Turnpike and the submitter prior to any contract acceptance.

Director of Contracts Administration Lane explained that her department does review the proposals when they are submitted, and they do note in the review memo if they have noted exceptions and if something appears to be non-negotiable it would be identified to the Engineering Firm as being something significant. It is not uncommon to get exceptions in the insurance and indemnification areas. The Commission does require professional liability insurance and there are limitations to what a firm can insure in terms of professional liability. Those exceptions are typically not deal breakers.

Commission Member Shay Murray asked about the not-to-exceed amount and if this will be brought back to the Commission for future changes.

Design and Planning Engineer Rodriguez said, yes if additional funds are needed it will be brought back to the Commission.

Ayes: Chairman Hruby, Vice Chair Barber, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.
Nays: None
Abstain: Secretary-Treasurer Coviello

RESOLUTION ADOPTED: 4-AYES, 0-NAYS, 1-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 5-2024](#)

RESOLUTION:

Resolution Approving a Modification to the Contract with Michael Baker International Inc. to Perform Phase II Services Under Project No. 43-24-06 for a Total Aggregate Contract Amount of \$490,926.00 (Daniel Rodriguez, Design and Planning Engineer)

Motion: Chairman Hruby
Seconded: Secretary-Treasurer Coviello

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.
Nays: None
Abstain: None

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

RESOLUTION NO.: [Resolution No. 6-2024](#)

RESOLUTION:

Resolution Approving a Modification to the Contract with Carpenter Marty Transportation, Inc., to Perform Phase II Services Under Project No. 43-24-07 for a Total Aggregate Contract Amount of \$474,629.00 (Daniel Rodriguez, Design and Planning Engineer)

Motion: Vice Chair Barber
Seconded: Chairman Hruby

Chairman Hruby asked Design and Planning Engineer Rodriguez to explain the amount of the requested change order.

Design and Planning Engineer Rodriguez explained that the Resolution is not for a change order, but rather for additional services over a two-year project.

Director Ahmed added that when the Commission hires design consultants, the consultants may be kept on a project to assist with ongoing services during construction.

Secretary-Treasurer Coviello requested that Director Ahmed clarify the difference between change orders and modifications.

Director Ahmed explained they are essentially the same thing but when we are dealing with contractors in construction the term, we use is a “change order.” When we are dealing with professional design services such as a consultant or an engineering firm the term we use is “modification.”

Secretary-Treasurer Coviello asked Director Ahmed if the report he prepared for 2023 was a combination of change orders and modifications?

Director Ahmed deferred to Chief Engineer Matta who explained that the report was only for construction projects and a comparison of the original awarded construction contract cost versus the final construction contract cost.

Director Ahmed elaborated that one of the differences between a construction project and a professional design service is that a construction project is based on a low bid, while professional design services are negotiated with the consultant.

Secretary-Treasurer Coviello asked Director Ahmed if there would be a separate list of modifications for 2023?

Director Ahmed said that the Commission had not previously provided this, but one will be prepared and included with next year’s report.

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

Secretary-Treasurer Coviello asked Director Ahmed about the six change orders and modifications before the Commission for approval. He also commented that it appeared to be a lot of change orders and modifications in one meeting.

Director Ahmed agreed and explained the reasons why there are six change orders and modifications. Director Ahmed explained that previously the Engineering Department would wait until the end of a project to see if all the change orders would have an accrued value higher than the Executive Director's authority. Over the past few years, processes have changed where change orders that exceed the Executive Director's authority are brought before the Commission to be more transparent and you need to know.

Vice Chair Barber asked if the report included both change orders and modifications?

Director Ahmed responded that, no this for change orders.

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.

Nays: None

Abstain: None

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 7-2024](#)

RESOLUTION:

Resolution Authorizing the Purchase of Eighteen Snow and Ice Cab and Chassis Trucks from Cleveland Freightliner, Inc., dba Valley Freightliner, Sterling and Western Star Trucks of Cleveland in the Total Amount of \$2,702,612.00 Under the Ohio Department of Transportation Cooperative Purchasing Program (Bryan Emery, Maintenance Operations Engineer)

Motion: Chairman Hruby

Seconded: Secretary-Treasurer Coviello

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.

Nays: None

Abstain: None

Commission Member Shay Murray commented on how the maintenance members provide warranty work.

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 8-2024](#)

RESOLUTION:

Resolution Authorizing the Purchase of Two Portable Salt Conveyor Systems from Kimco USA, Inc. in the Total Amount of \$270,537.40 Under the ODOT Cooperative Purchasing Program (Bryan Emery, Maintenance Operations Engineer)

Motion: Vice Chair Barber

Seconded: Commission Member Shay Murray

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.

Nays: None

Abstain: None

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 9-2024](#)

RESOLUTION:

Resolution Authorizing the Purchase of Eight (8) Trailer Mounted Attenuators and Five (5) Truck Mounted Attenuators from Site-Safe, LLC in the Total Amount of \$386,570.51 Under the Ohio Department of Transportation Cooperative Purchasing Program (Bryan Emery, Maintenance Operations Engineer)

Motion: Chairman Hruby

Seconded: Commission Member Shay Murray

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.

Nays: None

Abstain: None

Vice Chair Barber asked what an attenuator is?

Commission Member Shay Murray explained her understanding of attenuators, and Maintenance Operations Engineer Emery provided a further explanation that an attenuator is used behind any stationary, but mostly mobile operations that are occurring on the

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

Turnpike especially for shoulder operations, they have what is called a “truck mounted attenuator” that is a “crash cushion: on the back end of the that truck that helps protect the workers. We have a total of twenty truck or trailer mounted attenuators.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 10-2024](#)

RESOLUTION:

Resolution Approving the Selection of Perfect Sweep, Inc. for the Furnishing of Pavement Sweeping Services Under Bid Invitation No. 4444 in the Total Estimated Amount of \$160,000.00 (Bryan Emery, Maintenance Operations Engineer)

Motion: Chairman Hruby
Seconded: Vice Chair Barber

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director’s designee Noirot.

Nays: None
Abstain: None

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 11-2024](#)

RESOLUTION:

Resolution Approving the Selection of Corrigan Propane, LLC to Supply the Ohio Turnpike and Infrastructure Commission’s Requirements for Propane-Liquefied Petroleum Gas Fuel Under Bid Invitation No. 4445 in the Estimated Not-To-Exceed Amount of \$525,000.00 (Bryan Emery, Maintenance Operations Engineer)

Motion: Secretary-Treasurer Coviello
Seconded: Commission Member Shay Murray

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director’s designee Noirot.

Nays: None
Abstain: None

Commission Member Shay Murray asked if there was ever any “squaring up” at the end of the contract term due to fluctuations in the price of propane or is that why we do a blanket?

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

Maintenance Operations Engineer Emery answered that is exactly why we do a blanket purpose order.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 12-2024](#)

CHIEF FINANCIAL OFFICER'S REPORT:

- Chief Financial Officer, Lisa Mejac, provided an update on the December 2023 Traffic and Revenue. Reports reviewed and submitted (attached)

GENERAL COUNSEL'S REPORT:

RESOLUTION:

Resolution Authorizing Commission-Based Payments to Diamond Towers V LLC in the Total Not-to-Exceed Amount of \$325,000.00 (Jennifer Monty Rieker, General Counsel)

Motion: Vice Chair Barber

Seconded: Chairman Hruby

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.

Nays: None

Abstain: None

Secretary-Treasurer Coviello asked if all the compensation to Diamond is in the form of a commission?

General Counsel Rieker answered that, yes, it is. On a monthly basis Diamond remits a check to the Commission and from that we send back the commission payments. The Commission does not pay any other form of compensation.

Secretary-Treasurer Coviello inquired that if it is 100% commission based, why do we put a cap on it?

General Counsel Rieker explained that based on past numbers we wanted to have an estimate of the amount that would need to be paid back to Diamond.

Chairman Hruby asked what the anticipated or estimated revenue over this period of time is?

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

General Counsel Rieker advised that the estimated revenue is approximately \$500,000.00 a year for the next two years. So, in total roughly \$1 million in revenue, and the Commission would be paying Diamond roughly \$157,000.00 over those two years.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS.

RESOLUTION NO.: [Resolution No. 13-2024](#)

OHIO STATE HIGHWAY PATROL'S REPORT:

- Staff Lieutenant Richard Reeder provided an update on Ohio State Highway Patrol operations and 2023 OSHP activity on the Ohio Turnpike and number of crashes that occurred in 2023.
- On December 13, 2023, Multiple Ohio State Highway Patrol Units along with the Marshall Service located a suspect vehicle on the Ohio Turnpike near milepost 122 westbound. Trooper Cody McCoy of the Milan Post along with Trooper Justin Lister of the Elyria Post were able to stop the vehicle near milepost 119 westbound. The suspect was then transported to Pennsylvania where he was charged with criminal homicide and robbery.
- On December 13, 2023, several units from the Milan, Cleveland and Elyria Posts worked together to apprehend a vehicle that was traveling at a high rate of speed westbound on the Ohio Turnpike near milepost 161. The vehicle was a blue Tesla bearing the Texas registration. Both occupants were reported to have been involved in the theft of many items from a Best Buy in Pennsylvania. Both occupants were taken into custody and charged with receiving stolen property and failure to comply. The trunk of the Tesla was filled with suspected stolen items including tablets, electronics, and power tools. The value of items totaled approximately \$10,000.00.

OBM representative Babin commented on the fatality statistics and asked what the average fatalities are each year.

Staff Lieutenant Reeder advised that he believes there are on average about 11 or 12 fatal crashes a year.

Director Ahmed added that the Commission tracks the fatalities, as well as severe crashes and would provide those statistics to the Commission members.

Staff Lieutenant Reeder invited the Commission Members to ride along with the Highway Patrol.

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

Chairman Hruby: The next Meeting shall be held on Tuesday, February 20, 2024, at 10:00 a.m., here at the Commission's Administration Building located in Berea, Ohio.

Chairman Hruby asked if there was no further business, he would accept a motion to adjourn the 715th Commission Meeting.

Motion: Vice Chair Barber

Seconded: Commission Member Shay Murray

Ayes: Chairman Hruby, Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, and ODOT Member Ex-Officio, through its director's designee Noirot.

Nays: None

Abstain: None

RESOLUTION ADOPTED: 5-AYES, 0-NAYS, 0-ABSTENTIONS

MEETING ADJOURNED: 11:23 a.m.

Approved as a correct record of the January 16, 2024
Meeting of the Ohio Turnpike and Infrastructure
Commission

Guy C. Coviello, Secretary-Treasurer

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

EXHIBITS

- Resolution No. 1-2024 – Resolution Approving Change Orders to the Contract with Regent Electric, Inc. for Project No. 64-22-01 for an Aggregate Total Contract Amount of \$4,150,935.59 (Chris Matta, Chief Engineer)
- Resolution No. 2-2024 – Resolution Approving a Modification to the Contract with LJB, Inc. to Perform Additional Phase II Construction Administration and Inspection Services Under Project No. 43-22-04 for a Total Aggregate Contract Amount of \$648,988.80 (Chris Matta, Chief Engineer)
- Resolution No. 3-2024 – Resolution Approving a Modification to the Contract with Hill International, Inc. to Perform Additional Construction Management Services for Pavement Replacement and Toll Collection System Program Projects for a Total Aggregate Contract Amount of \$26,453,433.20 (Chris Matta, Chief Engineer)
- Resolution No. 4-2024 – Resolution Approving a Modification to the Contract with Fishbeck, Thompson, Carr & Huber, Inc. to Perform Additional Phase II Construction Administration and Inspection Services Under Project No. 43-21-02 for an Aggregate Not-to-Exceed Amount of \$1,142,922.00 (Chris Matta, Chief Engineer)
- Resolution No. 5-2024 – Resolution Approving the Selection of ms consultants, inc. to Perform Phase I Design Services for Project No. 71-23-09 in the Not-to-Exceed Amount of \$1,114,217.00 (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 6-2024 – Resolution Approving a Modification to the Contract with Michael Baker International Inc. to Perform Phase II Services Under Project No. 43-24-06 for a Total Aggregate Contract Amount of \$490,926.00 (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 7-2024 – Resolution Approving a Modification to the Contract with Carpenter Marty Transportation, Inc., to Perform Phase II Services Under Project No. 43-24-07 for a Total Aggregate Contract Amount of \$474,629.00 (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 8-2024 – Resolution Authorizing the Purchase of Eighteen Snow and Ice Cab and Chassis Trucks from Cleveland Freightliner, Inc., dba Valley Freightliner, Sterling and Western Star Trucks of Cleveland in the Total Amount

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

of \$2,702,612.00 Under the Ohio Department of Transportation Cooperative Purchasing Program (Bryan Emery, Maintenance Operations Engineer)

- Resolution No. 9-2024 – Resolution Authorizing the Purchase of Two Portable Salt Conveyor Systems from Kimco USA, Inc. in the Total Amount of \$270,537.40 Under the ODOT Cooperative Purchasing Program (Bryan Emery, Maintenance Operations Engineer)
- Resolution No. 10-2024 – Resolution Authorizing the Purchase of Eight (8) Trailer Mounted Attenuators and Five (5) Truck Mounted Attenuators from Site-Safe, LLC in the Total Amount of \$386,570.51 Under the Ohio Department of Transportation Cooperative Purchasing Program (Bryan Emery, Maintenance Operations Engineer)
- Resolution No. 11-2024 – Resolution Approving the Selection of Perfect Sweep, Inc. for the Furnishing of Pavement Sweeping Services Under Bid Invitation No. 4444 in the Total Estimated Amount of \$160,000.00 (Bryan Emery, Maintenance Operations Engineer)
- Resolution No. 12-2024 – Resolution Approving the Selection of Corrigan Propane, LLC to Supply the Ohio Turnpike and Infrastructure Commission’s Requirements for Propane-Liquefied Petroleum Gas Fuel Under Bid Invitation No. 4445 in the Estimated Not-To-Exceed Amount of \$525,000.00 (Bryan Emery, Maintenance Operations Engineer)
- Resolution No. 13-2024 – Resolution Authorizing Commission-Based Payments to Diamond Towers V LLC in the Total Not-to-Exceed Amount of \$325,000.00 (Jennifer Monty Rieker, General Counsel)
- December 2023 Traffic and Revenue Report

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving Change Orders to the Contract with Regent Electric, Inc. for Project No. 64-22-01 for an Aggregate
Total Contract Amount of \$4,150,935.59**

WHEREAS, pursuant to Resolution No. 73-2021, approved on December 20, 2021, the Ohio Turnpike and Infrastructure Commission (the “Commission”) approved a construction contract with Regent Electric, Inc. in the amount of \$3,457,000.49 to provide services related to the Toll Collection System infrastructure, specifically at Western Toll Plazas at Toll Plaza 52, Toll Plaza 59, Toll Plaza 64, Toll Plaza 71, Toll Plaza 81, Toll Plaza 91, Toll Plaza 110, Toll Plaza 118, Toll Plaza 135, Toll Plaza 140 and Toll Plaza 142, in Lucas, Wood, Sandusky, Erie, and Lorain Counties, as part of the Commission’s Toll Collection System Modernization, and designated as Project No. 64-22-01 (the “Project”); and

WHEREAS, change orders were previously issued on the Project in the amount of \$231,963.16, each of which were separately approved by the Executive Director or Chief Engineer under the authority of Article V, Section 1.00 of the Code of Bylaws, bringing the total contract value to \$3,688,963.65; and

WHEREAS, pursuant to Resolution No. 78-2023, approved on September 18, 2023, the Commission approved change orders issued on the Project to date in the amount of \$398,759.76, bringing the total contract value to \$4,087,723.41; and

WHEREAS, the Commission’s Engineering staff reports there are three (3) pending change orders that have yet to be approved on the Project with an estimated net value of \$63,212.18; and

WHEREAS, Commission approval is necessary because the pending change orders in the estimated amount of \$63,212.18, in combination with the previously approved change orders in the amount of \$630,722.92, result in a total change order value on the Project of \$693,935.10 which exceeds the greater of \$150,000 or 10% of the original contract amount; and

WHEREAS, the Chief Engineer recommends that the Commission approve the change orders described above and his report is currently before the Commission; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and concurs with the recommendation to approve the change orders as described above; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the pending change orders in the amount of \$63,212.18 as set forth in the recitals above on the Project are approved, and the Executive Director is authorized to modify the construction contract with Regent Electric, Inc. by issuing such change orders, subject to the terms and conditions of the existing contract, which together with all amendments, shall be in the total aggregate contract amount not to exceed \$4,150,935.59.

(Resolution No. 1-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving a Modification to the Contract with LJB, Inc. to Perform Additional
Phase II Construction Administration and Inspection Services Under Project No. 43-22-04
for a Total Aggregate Contract Amount of \$648,988.80**

WHEREAS, the Commission selected LJB, Inc. (“LJB”) to perform professional engineering services for Bridge Deck Replacement and Rehabilitation Ohio Turnpike Ramp over French Creek Milepost 151.3; Ohio Turnpike Ramp over Lorain Road Milepost 152.3 and Jennings Road over Ohio Turnpike Milepost 153.9, Lorain and Cuyahoga Counties, Ohio (“Project 71-19-03”) pursuant to the adopted resolutions, on the dates noted and for the scope of work identified below:

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
Original Contract	Phase I Services – Site Inspection, Engineering Report, Design and Plan Preparation Services	September 3, 2019	43-2019	\$193,216.00
First Modification	Phase IB Services - design and preparation of plans for the replacement of the Ramp Bridge over French Creek at Milepost 151.3	April 1, 2020	Executive Director approval	\$52,499.00
Second Modification	Additional Phase IB Services to prepare and submit a Preconstruction Notice to the Army Corp of Engineers	June 3, 2021	Acting Chief Engineer approval	\$4,702.92
Third Modification	Phase II Services - Construction Administration and Inspection Services under Project No. 43-22-04	March 3, 2022	22-2022	\$301,911.32
Fourth Modification	Additional Phase II Services	January 25, 2023	Executive Director Approval	\$69,387.17

TOTAL CONTRACT AMOUNT: \$621,716.41

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
<i>Fifth Modification</i>	<i>Additional Phase II Services - Construction Administration and Inspection Services under</i>	August 29, 2023	<i>proposed</i>	\$27,272.39

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
	<i>Project No. 43-22-04</i>			

TOTAL CONTRACT AMOUNT (incl. First Modification): \$648,988.80

WHEREAS, additional Phase II Construction Administration and Inspection Services were necessary because the Construction Project’s Substantial Completion date was extended from October 1, 2022 to May 1, 2023, and LJB submitted a fee proposal dated August 29, 2023, in the not-to-exceed amount of \$27,272.39, to perform the necessary additional Phase II Construction Administration and Inspection Services (“Additional Phase II Services”) under Design Project No. 71-19-03 for Construction Project No. 43-22-04, which the Chief Engineer deemed reasonable and appropriate; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize LJB to perform the Additional Phase II Services, as the services are in furtherance of and are necessary for implementing the bridge work required under Project No. 43-22-04; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the proposed contract modification, in addition to the previously approved modifications, exceeds the greater of \$150,000 or 10% of the original contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the fee proposal of LJB, Inc. dated August 29, 2023, to perform the required Additional Phase II Construction Administration and Inspection Services, specifically described in the recitals, under Project No. 43-22-04, in the not-to-exceed amount of \$27,272.39 is accepted and approved, and the Executive Director is authorized to amend the contract with LJB, Inc. to perform the Additional Phase II Services in accordance with the terms and conditions of the existing contract and LJB, Inc.’s fee proposal dated August 29, 2023, resulting in an aggregate not-to-exceed contract amount of \$648,988.80.

(Resolution No. 2-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving a Modification to the Contract with Hill International, Inc. to
Perform Additional Construction Management Services for Pavement Replacement and
Toll Collection System Program Projects
for a Total Aggregate Contract Amount of \$26,453,433.20**

WHEREAS, pursuant to Resolution No. 52-2013, the Ohio Turnpike and Infrastructure Commission (“Commission”) approved an agreement with Hill International, Inc. to serve as the Commission’s Construction Manager for the Pavement Replacement Program, which consists of Projects encompassing approximate five to six-mile sections located along the mainline of the Ohio Turnpike (“Program Projects”) that were issued Notices to Proceed between 2013 and December 31, 2017 and retained the option to extend the services to include additional Program Projects; and

WHEREAS, based on the foregoing, the Commission and Hill International, Inc. entered into a Construction Management Services Master Agreement for Mainline Pavement Replacement Program Projects with the Consulting Engineer on or about December 10, 2013 (the “Contract”); and

WHEREAS, pursuant to Resolution No. 5-2019, the Commission exercised its option under the Contract to extend the services of Hill International, Inc. through the completion of the Pavement Replacement -TCS Program Projects (“PR-TCS Program Projects”) in a not to exceed amount of \$1,818,225.00; and

WHEREAS, pursuant to Resolution No. 17-2020, the Commission approved Hill to perform Construction Management Services for the Pavement Replacement and Toll Collection System Program Projects for the 2020/2021 Construction Season in the total not-to exceed amount of \$3,612,333.00; and

WHEREAS, the Commission authorized Hill International, Inc. to perform Construction Management Services for the PR-TCS Program Projects (“Construction Management”), and Hill International’s Construction Management Services are listed as follows:

<u>Resolution</u>	<u>Project</u>	<u>Services</u>	<u>Not to Exceed Amount</u>
52-2013	NA	Pre-Construction Services	\$145,519.07
13-2014	NA	General Program Management	\$247,950.00
13-2014	39-14-01	Construction Management	\$1,615,211.00
13-2014	39-14-02	Construction Management	\$1,607,959.00
9-2015	NA	General Program Management	\$279,348.00
9-2015	39-15-01	Construction Management	\$1,754,839.00
9-2015	39-15-02	Construction Management	\$1,666,242.00
3-2016	NA	General Program Management	\$309,372.00
3-2016	39-16-01	Construction Management	\$1,970,601.00

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

3-2016	39-16-02	Construction Management	\$1,734,923.00
Exec. Dir.	NA	General Program Management	\$71,741.13
75-2016	NA	General Program Management	\$280,281.00
75-2016	39-17-01	Construction Management	\$999,993.00
4-2018	NA	General Program Management	\$763,796.00
4-2018	39-18-01	Construction Management	\$1,822,190.00
4-2018	39-18-02	Construction Management	\$2,909,995.00
5-2019	NA	General Program Management	\$823,749.00
5-2019	43-19-07	Construction Management	\$994,476.00
17-2020	N/A	General Program Management	\$696,747.00
17-2020	39-20-02	Construction Management	\$1,348,370.00
17-2020	39-20-02	Construction Management	\$1,567,216.00
60-2020	39-20-03	Construction Management	\$2,793,531.00
	A&B		
		TOTAL CONTRACT AMOUNT:	\$26,404,049.20
	29-20-03	<i>Construction Management</i>	<i>\$49,384.00</i>
<i>Fee Proposal</i>	<i>A&B</i>		
		TOTAL CONTRACT AMOUNT	\$26,453,433.20

WHEREAS, additional Construction Management Services through February 2024 are necessary for Project No. 39-20-03, Parts A&B, for project closeout activities, delays with the completion of the septic system, the required pavement markings for Toll Plaza 211, and for Toll Plaza 209 Ramp Bridge Joint Repair, and Hill International, Inc. submitted a fee proposal dated December 20, 2023, in the not-to-exceed amount of \$49,384.00, to perform the additional Construction Management Services, which fee proposal the Chief Engineer deemed reasonable and appropriate; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize Hill International, Inc. to perform the additional Construction Management Services for Project No. 39-20-03, Parts A&B; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the proposed contract modification, in addition to the previously approved modifications, exceeds the greater of \$150,000 or 10% of the original contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the fee proposal from Hill International, Inc. dated December 20, 2023, to perform the additional Construction Management Services, specifically described in the recitals, for Project No. 39-20-03, Parts A&B, in the amount of \$49,384.00 is accepted and approved, and the Executive Director is authorized to amend the contract with Hill International, Inc. to perform the additional Construction Management Services in accordance with the terms and conditions of the existing contract and

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

Hill International, Inc.'s fee proposal dated December 20, 2023, resulting in an aggregate not-to-exceed contract amount of \$26,453,433.20.

(Resolution No. 3-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving a Modification to the Contract with Fishbeck, Thompson, Carr & Huber, Inc. to Perform Additional Phase II Construction Administration and Inspection Services Under Project No. 43-21-02 for an Aggregate Not-to-Exceed Amount of \$1,142,922.00

WHEREAS, the Commission selected Northwest Consultants, Inc nka Fishbeck, Thompson, Carr & Huber, Inc. (“Fishbeck”), to perform the professional engineering services for the Deck Replacements for Fangboner Road Bridge over the Ohio Turnpike at Milepost 91.1 and the Ohio Turnpike Ramp Bridge over the Ohio Turnpike at MP 91.6 and the removal of the Ohio Turnpike Ramp Bridge over State Route 53 at MP 92.0, Sandusky County, Ohio, designated as Project 71-18-07 (the “Project”), on the date noted and for the scope of work identified below:

SERVICES/FEEES APPROVED TO DATE

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract dated September 11, 2018	Phase IA Services – Project No. 71-18-07 – site inspection, engineering report, design and plan preparation services	August 3, 2018	Resolution 46-2018	\$193,231.00
First Modification	Phase IB Services – Project No. 71-18-07 – preparation of plans for preferred alternative of bridge removal and replacement with a roundabout at Milepost 92.0	October 30, 2019	Resolution 57-2019	\$166,913.00
Second Modification	Phase II Services – Project No. 43-21-02 – Construction Administration and Inspection Services	April 6, 2021	Resolution 22-2021	\$552,649.00
Third Modification	Additional design services – Project No. 43-21-02 - Professional Survey Services for transfer of portion of right-of-way to ODOT	May 21, 2021	Chief Engineer	\$21,165.00
Fourth Modification	Additional Phase II Services due to the contractor taking longer than originally planned on the Project because of a delay caused by utility relocations not being complete when the contractor was ready to begin work – Project No. 43-21-02	January 22, 2022	Executive Director	\$123,684.00

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Fifth Modification	Additional Phase II Services – Project No. 43-21-02 – Additional work hours for August and September 2022 due to contractor taking longer than originally planned on the Project because of delay in utility relocation described above	August 31, 2022	Resolution 70-2022	\$48,025.00

TOTAL AMOUNT TO DATE: \$1,105,667.00

**PROPOSED
SERVICES/FEEES**

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
<i>Sixth Modification</i>	Additional Phase II Services – Project No. 43-21-02 – performance of construction administration and inspection services due to the extension of the Construction Project’s Substantial Completion date.	September 20, 2023	<i>Proposed</i>	\$37,255.00

TOTAL AMOUNT WITH MODIFICATION: \$1,142,922.00

WHEREAS, Fishbeck submitted a fee proposal dated September 20, 2023, in the not-to-exceed amount of \$37,255.00, to perform additional Phase II Construction Administration and Inspection Services on Project No. 43-21-02 due to the extension of the Construction Project’s Substantial Completion date, which fee proposal the Chief Engineer deemed reasonable and necessary; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize the modification to the Contract with Fishbeck to perform additional Phase II Services, as the services are in furtherance of and are necessary for implementing the bridge work required under Project No. 43-21-02; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the proposed contract modification, in addition to the previously approved modifications, exceeds the greater of \$150,000 or 10% of the original contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the fee proposal from Fishbeck, Thompson, Carr & Huber, Inc. dated September 20, 2023 to perform the additional Phase II Construction Administration and Inspection Services, specifically described in the recitals, under Project No. 71-18-07 for Construction Project No. 43-21-02, in the not-to-exceed amount of \$37,255.00, is approved, and the Executive Director is authorized to amend the contract with Fishbeck, Thompson, Carr & Huber, Inc. to perform the additional Phase II Construction Administration and Inspection Services in accordance with the terms and conditions of the existing contract and Fishbeck, Thompson, Carr & Huber, Inc.'s fee proposal dated September 20, 2023, resulting in an aggregate not-to-exceed contract amount of \$1,142,922.00.

(Resolution No. 4-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving the Selection of ms consultants, inc. to Perform Phase I Design Services
for Project No. 71-23-09 in the Not-to-Exceed Amount of \$1,114,217.00**

WHEREAS, on August 25, 2023, the Ohio Turnpike and Infrastructure Commission (“Commission”) issued notice of its Request for Letters of Interest (“LOI”) No. 13-2023 seeking letters of interest for design services and engineering support during construction for Project No. 71-23-09, Deck Replacement of the Ohio Turnpike Mainline Bridge over the Maumee River at Milepost 63.0 in Lucas County, Ohio (the “Project”); and

WHEREAS, on September 15, 2023, the Commission received five (5) Letters of Interest from firms expressing their readiness to serve as the Commission’s engineering consultant for the Project; and

WHEREAS, an Evaluation Team consisting of Engineering staff convened to independently review, evaluate, and score the submissions in accordance with the LOI Evaluation Process and the Commission’s Contracts Policy in order to rank the submissions; and

WHEREAS, on the basis of the proposals received, in accordance with the Commission’s Standard Operating Procedure for Professional Design Consultant Selection Process, the LOI Evaluation Team concluded that ms consultants, inc. is the most qualified to perform the necessary services for the Project and conducted a Scope of Services meeting to confirm a mutual understanding of the Phase I services for the project consisting of bridge site inspection, preliminary rehabilitation investigations, preliminary engineering report, field survey, preliminary and final design plans, and assistance during the bidding process, including bid review services (“Phase I Services”); and

WHEREAS, ms consultants, inc. submitted its fee proposal dated December 20, 2023, to perform the Phase I Services in the not-to-exceed amount of \$1,114,217.00 which fee proposal the Chief Engineer deemed reasonable and appropriate, and recommends that the Commission approve the award of the contract to ms consultants, inc. based on its technical proposal and fee proposal for the Project; and

WHEREAS, the Commission’s Director of Contracts Administration has determined that the LOI process and the selection of ms consultants, inc. conform with the requirements of Ohio Revised Code Sections 153.65 to 153.71, that all legal requirements were performed and that the Letters of Interest were solicited based on the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Office of Equity and Inclusion determined that ms consultants, inc. has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 27% which exceeds the SBE participation goal of 25% for the Project; and

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

WHEREAS, the Executive Director has reviewed the recommendations submitted by the Evaluation Team and Chief Engineer, and concurs that the Commission should approve the selection of ms consultants, inc. to perform the professional engineering services for Project No. 71-23-09; and

WHEREAS, Commission action is necessary to approve the contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount of ms consultants, inc.'s fee proposal to perform the Phase I Services exceeds \$150,000.00; and

WHEREAS, this Resolution seeks authorization of Phase I Services in the not-to-exceed amount of \$1,114,217.00, but the contract includes additional Phase II Services and Commission staff will modify the contract in accordance with the Commission's contracts policy to include those additional services at the time they are necessary for successful completion of the Project, including presenting a resolution to the Commission if required; 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 ms consultants, inc. is approved as the most qualified firm to perform the design services and engineering support during construction for Project No. 71-23-09 and that the Executive Director is authorized to execute a contract with ms consultants, inc. for Phase I Services in the not-to-exceed amount of \$1,114,217.00.

(Resolution No. 5-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving a Modification to the Contract with Michael Baker International Inc. to Perform Phase II Services Under Project No. 43-24-06 for a Total Aggregate Contract Amount of \$490,926.00

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected Michael Baker International Inc. (“Michael Baker”) to perform engineering design services and engineering support during construction for the Bridge Deck Replacement and Bridge Deck Rehabilitation of the Ohio Turnpike mainline bridge over State Route 99, Milepost 111.2, and the State Route 13 bridge over the Ohio Turnpike, Milepost 119.3, Erie County, Ohio (“Project 71-21-07”) pursuant to the adopted resolutions, on the dates noted and for the scope of work identified below:

SERVICES/FEES APPROVED TO DATE

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract	Phase IA Services – Project No. 71-21-07 - field work, survey and base mapping, bridge inspection report with load rating, and preliminary roadway/maintenance of traffic	January 11, 2022	Resolution 9-2022	\$169,194.00
First Modification	Phase IB Services - Project No. 71-21-07 - preliminary and final design and plans, and assistance during the bidding process, including bid review services	August 3, 2022 (Revised)	Resolution 69-2022	\$260,753.00
Second Modification	Modification to allow for mileage reimbursement for travel to and from the work site due to the increased overhead costs under Project No. 71-21-07	N/A	Executive Director Approval	N/A

TOTAL AMOUNT TO DATE: \$429,947.00

PROPOSED SERVICES/FEES

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
<i>Third Modification</i>	<i>Phase II Services – Engineering Support During Construction Services under Design Project No. 71-21-07/Construction Project No. 43-24-06</i>	December 12, 2023	<i>proposed</i>	<i>\$60,979.00</i>

TOTAL AMOUNT WITH MODIFICATION: \$490,926.00

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

WHEREAS, the Commission selected a contractor to make the public improvements that Michael Baker designed as part of its Phase I Services, and Michael Baker submitted a fee proposal dated December 12, 2023, in the not-to-exceed amount of \$60,979.00, to perform the necessary Phase II Engineering Support During Construction Services (“Phase II Services”) under Design Project No. 71-21-07 for Construction Project No. 43-24-06, which include, but are not limited to, consulting with the Commission on engineering questions with regard to construction of the Project, reviewing contractor’s fabrication plans, preparing record plans of the completed construction, and updating bridge load rating for the rehabilitated conditions (if required), which the Chief Engineer deemed reasonable and appropriate; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize Michael Baker to perform the Phase II Services under Design Project No. 71-21-07 for Construction Project No. 43-24-06; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the proposed contract modification, in addition to the previously approved modifications, exceeds the greater of \$150,000 or 10% of the original contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the fee proposal of Michael Baker International Inc. dated December 12, 2023, to perform the required Phase II Engineering Support During Construction Services, specifically described in the recitals, under Design Project No. 71-21-07 for Construction Project No. 43-24-06, in the amount of \$60,979.00 is accepted and approved, and the Executive Director is authorized the amend the contract with Michael Baker International Inc. to perform the Phase II Services in accordance with the terms and conditions of the existing contract and Michael Baker International Inc.’s fee proposal dated December 12, 2023, resulting in an aggregate not-to-exceed contract amount of \$490,926.00.

(Resolution No. 6-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving a Modification to the Contract with Carpenter Marty
Transportation, Inc., to Perform Phase II Services Under Project No. 43-24-07 for a Total
Aggregate Contract Amount of \$474,629.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected Carpenter Marty Transportation, Inc. (“Carpenter Marty”) to perform engineering design services and engineering support during construction for the Bridge Deck Replacement and Bridge Deck Rehabilitation on the Ohio Turnpike over Lorain Road at Milepost 152.3 and Bagley Road over the Ohio Turnpike at Milepost 152.9 in Lorain and Cuyahoga County, Ohio, designated as Project No. 71-22-01 (the “Project”), pursuant to the adopted resolutions, on the dates noted and for the scope of work identified below:

SERVICES/FEEES APPROVED TO DATE

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract	Phase IA Services – Project No. 71-22-01 – bridge inspection, bridge inspection report, load rating, field survey, maintenance of traffic, deck cores, exaggerated profiles, and Toll Plaza 152 ramp analysis report.	August 4, 2022	Resolution 57-2022	\$144,015.00
First Modification	N/A – contract modification to permit mileage reimbursements	N/A	Executive Director	N/A
Second Modification	Phase IB Services – Project No. 71-22-01 – preliminary and final design plans, and assistance during the bidding process, including bid review services	January 31, 2023 (Revised)	Resolution 10-2023	\$245,670.00
Third Modification	Additional Phase IB Services – Project No. 71-22-01 – Consultant requested a modification to the Contract due to the OTIC Engineering Department requiring significant MOT changes late in the design process.	October 2, 2023	Resolution 103-2023	\$14,372.00

TOTAL AMOUNT TO DATE: \$404,057.00

**PROPOSED
SERVICES/FEEES**

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
<i>Fourth Modification</i>	<i>Phase II Services – Engineering Support During Construction under Design</i>	December 13, 2023	<i>Proposed</i>	\$70,572.00

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
	<i>Project No. 71-22-01/Construction Project No. 43-24-07</i>			

TOTAL AMOUNT WITH MODIFICATION: \$474,629.00

WHEREAS, the Commission selected a contractor to make the public improvements that Carpenter Marty designed as part of its Phase I Services, and Carpenter Marty submitted a fee proposal dated December 13, 2023, in the amount of \$70,572.00, to perform the necessary Phase II Engineering Support During Construction Services (“Phase II Services”) under Design Project No. 71-22-01 for Construction Project No. 43-24-07, which include but are not limited to, consulting with the Commission on engineering questions with regard to construction of the Project, reviewing contractor’s fabrication plans, preparing record plans of the completed construction, and updating bridge load rating for the rehabilitated condition (if required), which fee proposal the Chief Engineer deemed reasonable and appropriate; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize Carpenter Marty to perform the Phase II Services under Design Project No. 71-22-01 for Construction Project No. 43-24-07; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the proposed contract modification, in addition to the previously approved modifications, exceeds the greater of \$150,000 or 10% of the original contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the fee proposal from Carpenter Marty Transportation, Inc. dated December 13, 2023, to perform the required Phase II Services, specifically described in the recitals, under Design Project No. 71-22-01 for Construction Project No. 43-24-07, in the amount of \$70,572.00 is accepted and approved, and the Executive Director is authorized to amend the contract with Carpenter Marty Transportation Inc. to perform the Phase II Services in accordance with the terms and conditions of the existing contract and Carpenter Marty Transportation, Inc.’s fee proposal dated December 13, 2023, resulting in an aggregate not-to-exceed contract amount of \$474,629.00.

(Resolution No. 7-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Authorizing the Purchase of Eighteen Snow and Ice Cab and Chassis Trucks
from Cleveland Freightliner, Inc., dba Valley Freightliner, Sterling and Western Star
Trucks of Cleveland in the Total Amount of \$2,702,612.00
Under the Ohio Department of Transportation Cooperative Purchasing Program**

WHEREAS, pursuant to Resolution 83-2023, adopted September 18, 2023, the Ohio Turnpike and Infrastructure Commission (“Commission”) is authorized to participate in contracts awarded by the Ohio Department of Transportation (“ODOT”) under its Cooperative Purchasing Program for the purchase of machinery, materials, supplies, or other articles in accordance with Section 5513.01(B) of the Ohio Revised Code; and

WHEREAS, the Maintenance Operations Engineer and Fleet and Equipment Manager have determined that the purchase of ten (10) 2024 Single Axle Snow and Ice Truck Cab and Chassis and eight (8) 2024 Tandem Axle Snow and Ice Truck Cab and Chassis is necessary to replace fifteen (15) similar trucks used for operating and maintaining the Ohio Turnpike, that have reached the end of their viable economic life and are recommended for disposal under the Commission’s Property Disposal Policy, and for the necessary snow and ice maintenance of the three (3) new mainline toll plaza interchanges constructed as part of the modernized Toll Collection System; and

WHEREAS, the Maintenance Operations Engineer and the Fleet and Equipment Manager recommend that the best equipment available to perform its operations is the 2024 Western Star 47X Single Axle Cab and Chassis Truck and the 2024 Western Star 47X Tandem Axle Cab and Chassis Truck; and

WHEREAS, the 2024 Western Star 47X Single Axle Cab and Chassis Trucks and the 2024 Western Star 47X Tandem Axle Cab and Chassis Trucks are available for acquisition through the ODOT Cooperative Purchasing Program, under ODOT Contract 023-24, from Cleveland Freightliner, Inc., dba Valley Freightliner, Sterling and Western Star Trucks of Cleveland, of Parma, Ohio, in the total amount of \$2,702,612.00; and

WHEREAS, the Executive Director and the Chief Engineer reviewed the recommendation of the Fleet and Equipment Manager and the Maintenance Operations Engineer and concur with the recommendation that the Commission approve the purchase of ten (10) 2024 Western Star 47X Single Axle Cab and Chassis Trucks and eight (8) 2024 Western Star 47X Tandem Axle Cab and Chassis Trucks from Cleveland Freightliner, Inc. (dba Valley Freightliner, Sterling & Western Star Trucks of Cleveland) under the ODOT Cooperative Purchasing Program; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the expenditure required to purchase ten (10) 2024 Western Star 47X Single Axle Cab and Chassis Trucks and eight (8) 2024 Western Star 47X Tandem Axle Cab and Chassis Trucks exceeds \$150,000.00; and

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of ten (10) 2024 Western Star 47X Single Axle Cab and Chassis Trucks and eight (8) 2024 Western Star 47X Tandem Axle Cab and Chassis Trucks under ODOT Contract 023-24 from Cleveland Freightliner, Inc., dba Valley Freightliner, Sterling and Western Star Trucks of Cleveland in the total amount of \$2,702,612.00, is approved; and

FURTHER RESOLVED, that Commission staff may disposal of the fifteen (15) similar trucks being replaced in accordance with the Commission's Property Disposal Policy.

(Resolution No. 8-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Authorizing the Purchase of Two Portable Salt Conveyor Systems from
Kimco USA, Inc. in the Total Amount of \$270,537.40 Under the ODOT Cooperative
Purchasing Program**

WHEREAS, pursuant to Resolution 83-2023, adopted September 18, 2023, the Ohio Turnpike and Infrastructure Commission (“Commission”) is authorized to participate in contracts awarded by the Ohio Department of Transportation (“ODOT”) under its Cooperative Purchasing Program for the purchase of machinery, materials, supplies, or other articles in accordance with Section 5513.01(B) of the Ohio Revised Code; and

WHEREAS, the Maintenance Operations Engineer has determined that the purchase of two (2) Salt Conveyors is necessary for efficient salt stockpiling operations and recommends that the best equipment available to perform its operations is the Kimco KC2477SSD Salt Conveyor System; and

WHEREAS, two (2) Kimco KC2477SSD Salt Conveyor Systems are available for acquisition through the Ohio Department of Transportation (“ODOT”) Cooperative Purchasing Program, under ODOT Contract No. 135-23, from Kimco USA, Inc. in the total amount of \$270,537.40; and

WHEREAS, the Executive Director and the Chief Engineer reviewed the recommendation of the Maintenance Operations Engineer and concur with the recommendation that the Commission approve the purchase the two (2) Kimco KC2477SSD Salt Conveyor Systems from Kimco USA, Inc. under the ODOT Cooperative Purchasing Program; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the expenditure required to purchase the two (2) Kimco KC2477SSD Salt Conveyor Systems exceeds \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of two (2) Kimco KC2477SSD Salt Conveyor Systems, under the ODOT Contract No. 135-23, from Kimco USA, Inc., in the total amount of \$270,537.40, is approved.

(Resolution No. 9-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of Eight (8) Trailer Mounted Attenuators and Five (5) Truck Mounted Attenuators from Site-Safe, LLC in the Total Amount of \$386,570.51 Under the Ohio Department of Transportation Cooperative Purchasing Program

WHEREAS, pursuant to Resolution 83-2023, adopted September 18, 2023, the Ohio Turnpike and Infrastructure Commission (“Commission”) is authorized to participate in contracts awarded by the Ohio Department of Transportation (“ODOT”) under its Cooperative Purchasing Program for the purchase of machinery, materials, supplies, or other articles in accordance with Section 5513.01(B) of the Ohio Revised Code; and

WHEREAS, the Maintenance Operations Engineer and Fleet and Equipment Manager have determined that the purchase of Trailer and Truck Mounted Attenuators are necessary to replace old equipment that has reached the end of its viable economic life and is recommended for disposal under the Commission’s Property Disposal Policy; and

WHEREAS, the Maintenance Operations Engineer and Fleet and Equipment Manager recommends that the best equipment available to perform its operations is eight (8) Valtir SMT Trailer Mounted Attenuator Systems and five (5) Valtir SS180M Truck Mounted Folding Crash Attenuator; and

WHEREAS, eight (8) Valtir SMT Trailer Mounted Attenuator Systems and five (5) Valtir SS180M Truck Mounted Folding Crash Attenuators are available for acquisition through the Ohio Department of Transportation (“ODOT”) Cooperative Purchasing Program, under ODOT Contract No. 060-24, from Site-Safe LLC, in the total amount of \$386,570.51; and

WHEREAS, the Executive Director and the Chief Engineer reviewed the recommendation of the Maintenance and Operations Engineer and Fleet and Equipment Manager and concur with the recommendation that the Commission approve the purchase eight (8) Valtir SMT Trailer Mounted Attenuator Systems and five (5) Valtir SS180M Truck Mounted Folding Crash Attenuators from Site Safe LLC under the ODOT Cooperative Purchasing Program, and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the expenditure required to purchase eight (8) Valtir SMT Trailer Mounted Attenuator Systems and five (5) Valtir SS180M Truck Mounted Folding Crash Attenuators exceeds \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of eight (8) Valtir SMT Trailer Mounted Attenuator Systems and five (5) Valtir SS180M Truck

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

Mounted Folding Crash Attenuators, under the ODOT Contract No. 060-24, from Safe-Site, LLC in the total amount of \$386,570.51, is approved; and

FURTHER RESOLVED, that Commission staff may disposal of the old equipment being replaced in accordance with the Commission's Property Disposal Policy.

(Resolution No. 10-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving the Selection of Perfect Sweep, Inc. for the Furnishing of Pavement
Sweeping Services Under Bid Invitation No. 4444 in the Total Estimated
Amount of \$160,000.00**

WHEREAS, the Commission advertised an Invitation for Bids to perform its requirements for pavement sweeping services during a period commencing upon contract execution and continuing through the 2024 pavement sweeping season; and

WHEREAS, Invitation No. 4444 was divided into the following Groups: Group I (Item 1, Kunkle Section, M.P. 0.0 to M.P. 31.0; Item 2, Swanton Section, M.P. 31.0 to M.P. 60.3; Item 3, Elmore Section, M.P. 60.3 to 93.1; Item 4, Castalia Section, M.P. 93.1 to 126.4) and Group II (Item 1, Amherst Section, M.P. 126.4 to 161.5; Item 2, Boston Section, M.P. 161.5 to 187.5; Item 3, Hiram Section, M.P. 187.5 to M.P. 217.2; Item 4, Canfield Section, M.P. 217.2 to 241.3), and the bidders were given the option to submit bids for any or all Groups; and

WHEREAS, the Commission received three bids for Group I and four bids for Group II, in response to the Invitation, and the Commission's Maintenance Operations Engineer reviewed and analyzed the bids timely submitted, whose report concerning such analysis is before the Commission; and

WHEREAS, the Maintenance Operations Engineer reports that the lowest responsive and responsible bid for the performance of Group I and Group II under Invitation No. 4444 was submitted by Perfect Sweep, Inc., of Toledo, Ohio, in the total estimated amount of \$160,000.00 based on the anticipated quantities of pavement sweeping services that the Commission will require throughout the term of the contract and the pricing offered under the bid; and

WHEREAS, the Maintenance Operations Engineer reports that Perfect Sweep, Inc. has performed the Commission's pavement sweeping services in the past and has performed satisfactorily; and, therefore, the Maintenance Operations Engineer recommends that the Commission award a contract for pavement sweeping services to Perfect Sweep, Inc. for Group I and Group II as the lowest responsible and responsive bidder; and

WHEREAS, the Director of Contracts Administration determined that the bids for Invitation No. 4444 were solicited on the basis of the same terms and conditions and the same specifications, and that the bid from Perfect Sweep, Inc. for Invitation No. 4444 conforms to the requirements of Ohio Revised Code Sections 5537.07 and 9.312; and

WHEREAS, the Office of Equity and Inclusion (OEI) Contracts Coordinator determined to waive the program requirements due to lack of subcontracting opportunities and availability of certified firms; and

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

WHEREAS, Commission action is requested to approve the contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount of the bid received may require expenditures that will exceed \$150,000.00 if the Commission's requirements for pavement sweeping services surpass the estimated quantities; and

WHEREAS, the Commission's Chief Engineer and Executive Director recommend that the Commission award Perfect Sweep, Inc. the contract for Invitation No. 4444 as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of Perfect Sweep, Inc. in the estimated amount of \$160,000.00 to perform the Commission's requirements for pavement sweeping services is approved as the lowest responsive and responsible bid received, and that the Executive Director is authorized to execute a contract on the basis of said bid, and the Contractor shall furnish the Commission's requirements for pavement sweeping services throughout the contract term, whether more or less than the estimated quantities, as may be ordered by the Commission under the contract.

(Resolution No. 11-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving the Selection of Corrigan Propane, LLC to Supply the Ohio
Turnpike and Infrastructure Commission's Requirements for Propane-Liquefied
Petroleum Gas Fuel Under Bid Invitation No. 4445 in the Estimated Not-To-Exceed
Amount of \$525,000.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission ("Commission") advertised an Invitation to Bid No. 4445 to provide its requirements for propane-liquefied petroleum gas fuel in the estimated amount of 168,750 gallons at twelve (12) Commission locations for an initial term of eighteen months, with two available one-year options to renew; and

WHEREAS, bidders were asked to state the price differential per gallon that they would charge from the Oil Price Information Service ("OPIS") Coshocton, Ohio, for delivery at each of the Commission's specified locations and for providing the required onsite storage facilities; and

WHEREAS, the Commission received one bid in response to the Invitation, and the Commission's Maintenance Operations Engineer reviewed and analyzed the bid timely submitted, whose report concerning such analysis is before the Commission; and

WHEREAS, the Maintenance Operations Engineer reports that the sole bid was a responsive and responsible bid for both Group I and Group II under Invitation No. 4445 was submitted by Corrigan Propane, LLC, of Brighton, Michigan; and

WHEREAS, the Maintenance Operations Engineer reports that Corrigan Propane, LLC proposes to furnish materials and services in accordance with the Specifications and has satisfactorily provided this service for the Commission in the past, and recommends that the Commission award a Contract to Corrigan Propane, LLC on the basis of its bid to furnish the Commission's requirements for the materials throughout the duration of the contract; and

WHEREAS, the Director of Contracts Administration has determined that the bid for Invitation No. 4445 were solicited on the basis of the same terms and conditions and the same specifications, and that the bid from Corrigan Propane, LLC for Invitation No. 4445 conforms to the requirements of Ohio Revised Code Sections 5537.07 and 9.312; and

WHEREAS, the Office of Equity and Inclusion (OEI) Manager determined to waive the program requirements due to lack of opportunity and availability of certified firms; and

WHEREAS, the Executive Director and Chief Engineer have reviewed the report of the Maintenance Operations Engineer and concur with the recommendation to award Corrigan Propane, LLC the contract for Invitation No. 4445 as a responsive and responsible bidder for both Group I and Group II; and

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

WHEREAS, Commission action is requested to approve the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount of the bid received will require expenditures that will exceed \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of Corrigan Propane, LLC for both Group I and Group II under Invitation No. 4445 to supply the Commission's requirements for commercial propane-liquefied petroleum gas fuel and storage equipment for twelve (12) locations for an initial eighteen (18) month term in the amount of \$225,000.00 is approved as a responsive and responsible bid received, and the Executive Director is authorized to execute a contract on the basis of said bid and to exercise up to two, one-year options to renew the contract (estimated at \$300,000.00 or \$150,000.00 per year), in the estimated total not-to-exceed amount of \$525,000.00.

(Resolution No. 12-2024 adopted January 16, 2024)

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Authorizing Commission-Based Payments to Diamond Towers V LLC in the
Total Not-to-Exceed Amount of \$325,000.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) owns thirty-four (34) communications, with one located at each Toll Plaza and Maintenance Building; and

WHEREAS, the Commission additionally has seven (7) ground agreements, whereby third parties build and maintain their own communications towers; and

WHEREAS, to maximize its revenue and provide its customers with communications service along the Turnpike, the Commission allows third parties to install and operate communications equipment on these towers; and

WHEREAS, the Commission issued Request for Proposal 3-2020 to Select a Firm to Perform Cell Tower Lease Brokerage and Property Management Services with the Option to Use the Commission’s Right of Way for Fiber Optic Cable Installation; and

WHEREAS, the Commission selected Diamond Towers V LLC (“Diamond”) and entered into a Reinstatement and Second Amendment to Tower License Brokerage and Management Agreement (“Agreement”); and

WHEREAS, under the terms of the Agreement Diamond receives the following compensation for its Management Services the following amounts: 1) thirty-five percent of the Gross License Fees generated from any New License during the Term of the Agreement, and 2) twenty-four percent of the Gross License Fees generated under an Existing License and any amendment, revenue share increase, escalation, renewal, or replacement executed and/or occurring the term of the Agreement; and

WHEREAS, in the case of existing fiber licenses, Diamond’s compensation is set at the greater of either the total hourly fees, or thirty-five percent of the net increase to the then current fees generated by such Existing Fiber Licenses attributable to Diamond’s involvement in negotiating such net increase; and

WHEREAS, since the execution of the Agreement, the Commission has paid Diamond a total of \$144,851.10; and

WHEREAS, the Reinstatement is set to expire by its own terms on December 31, 2025; and

WHEREAS, it is anticipated that Diamond will continue to manage existing licenses, and also to bring new business to the Commission prior to the expiration of the Agreement; and

**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

WHEREAS, it is anticipated that such amounts will result in commission-based payments owed to Diamond in a total amount not to exceed \$325,000.00 under the Agreement; and

WHEREAS, the Executive Director has reviewed the recommendation of the General Counsel and concurs that the Commission should authorize commission payments to Diamond as described above; and

WHEREAS, in accordance with Article V, Section 1.00 of the Commission's Bylaws, Commission action is necessary because there will be an expenditure of more than \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

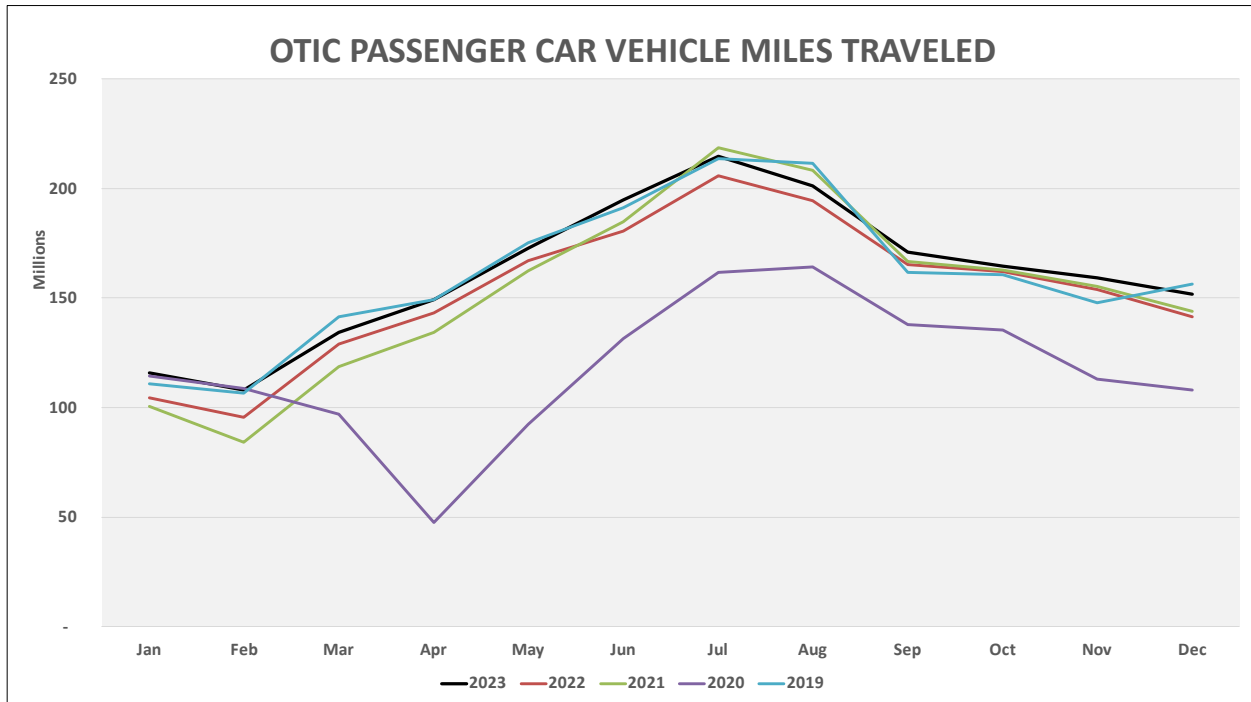
RESOLVED, by the Ohio Turnpike and Infrastructure Commission authorizes commission-based payments to Diamond Towers V LLC as described in the Agreement in the total not-to-exceed amount of \$325,000.00; and

FURTHER RESOLVED, that the Commission instructs the General Counsel or her designee to issue a report back to the Commission annually indicating the expenditures made to Diamond Towers V LLC each year.

(Resolution No. 13-2024 adopted January 16, 2024)

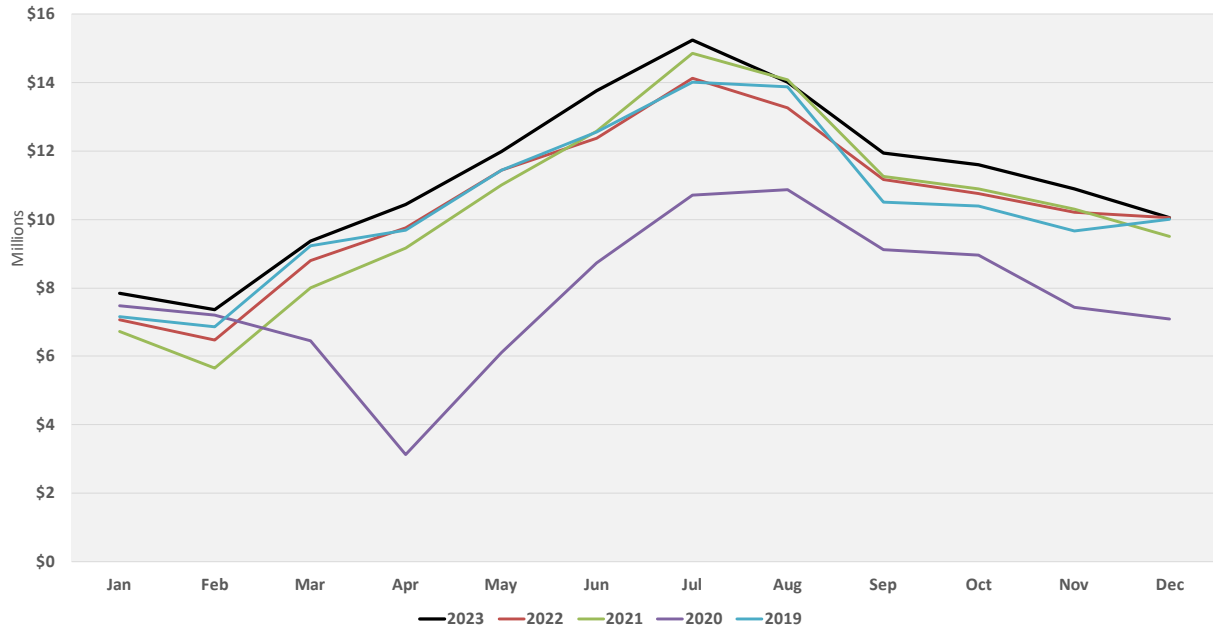
**MINUTES OF THE 715th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
JANUARY 16, 2024**

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
TRAFFIC AND REVENUE REPORT
AS OF DECEMBER 31, 2023**

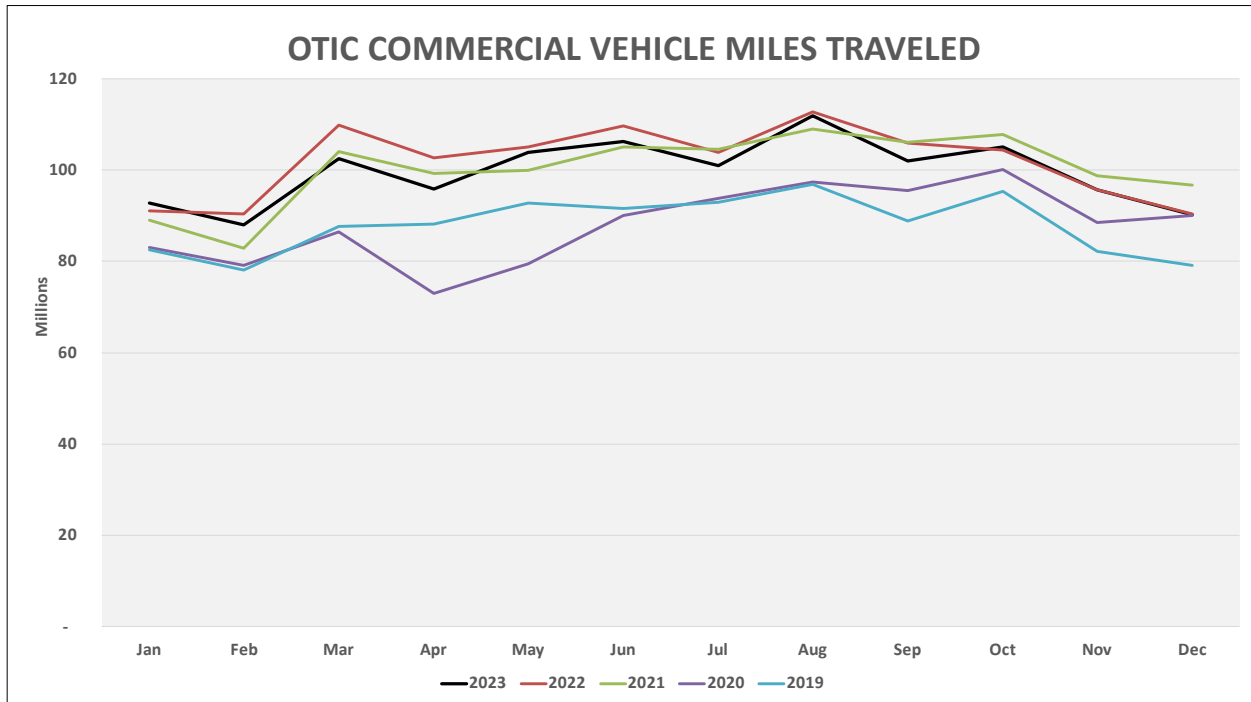


MINUTES OF THE 715th OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION JANUARY 16, 2024

OTIC PASSENGER CAR TOLL REVENUES

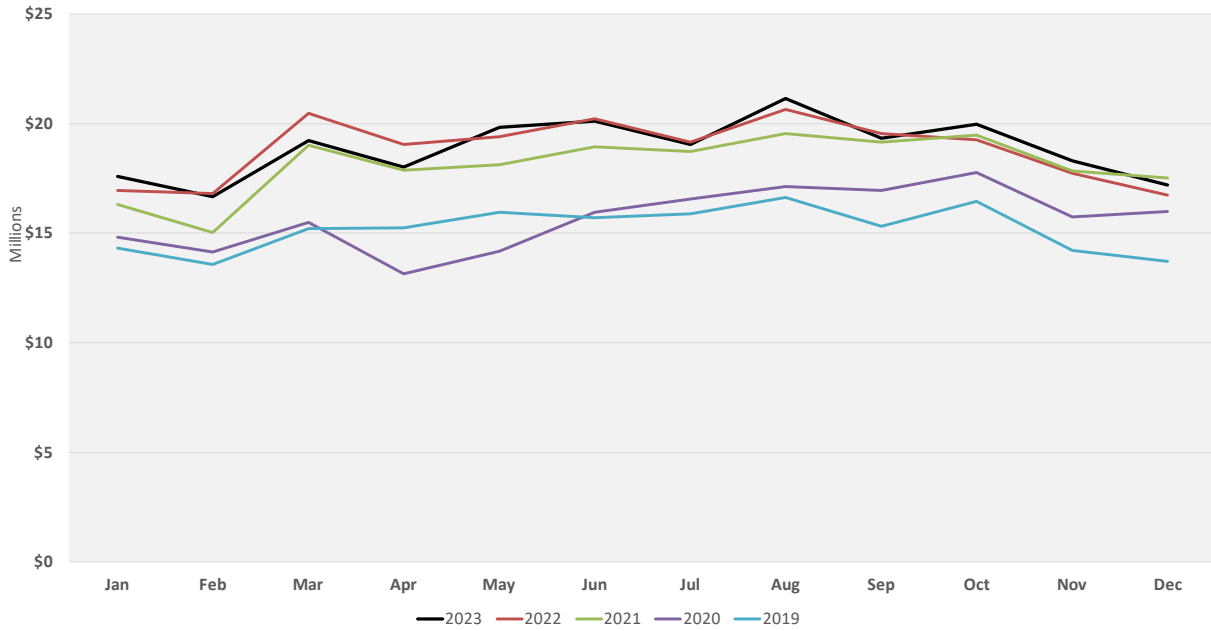


OTIC COMMERCIAL VEHICLE MILES TRAVELED



MINUTES OF THE 715th OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION JANUARY 16, 2024

OTIC COMMERCIAL VEHICLE TOLL REVENUES



OTIC YEAR-TO-DATE TOLL REVENUES AS OF DECEMBER 31, 2023

