

**MINUTES OF THE 712th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
OCTOBER 16, 2023**

This regular meeting of the Ohio Turnpike and Infrastructure Commission was **CALLED TO ORDER** on October 16, 2023, 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:

- Vice Chair, Sandra K. Barber;
- Secretary-Treasurer, Guy C. Coviello;
- Commission Member, Colleen Shay Murray;
- Commission Member, June E. Taylor;
- Ohio Department of Transportation (ODOT) Member Ex-Officio, through its director's designee, Myron Pakush;
- Ohio Office of Budget and Management, Michael Babin; and
- Representative Haraz N. Ghanbari.

Members Excused:

- Chairman Jerry N. Hruby
- Senator Bill Reineke

Ohio Turnpike and Infrastructure Commission Employees Present:

- Assistant Secretary-Treasurer and Executive Director, Ferzan M. Ahmed, P.E.;
- Director of Administration, Lisa Zamiska;
- Chief Financial Officer, Lisa M. Mejac;
- Director of Audit and Internal Control, David Miller;
- Deputy General Counsel, Heather A. Veljkovic;
- Director of Contracts Administration, Aimee W. Lane;
- Comptroller, Joseph Gardner;
- 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;
- Contracts Administration Administrative Assistant, Lisa Drozdowski;
- Customer Service Representative - Lead, Jennifer Reck;
- Director of Toll Plaza Operations, Laurie Davis;

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- Paralegal, Suzanne Coleman;
- Marketing and Communications Specialist, Zakk Sheehan;
- Patrol Secretary, Kristin Obermeyer;
- Construction Engineer, Ann Powell;
- Chief Inspector, Joseph Mannion;
- Systems Administrator, David Cousins; and
- Staff Engineer, Kelly Marton.

Others Present:

- Michael Burgess, Osborn Engineering;
- Hamid Homae, TBD Advising;
- Mark Wimer, AECOM;
- Jacob Siesel, IUOE Local 18;
- Maureen Shildwachter, Huntington National Bank
- Bethany Pugh, PFM;
- Tony Yacobucci, Civil & Environmental Consultants;
- Al Biehl, Transystems;
- Camille Silvi, AECOM; and
- David Hard, Huntington National Bank.

MINUTES OF THE SEPTEMBER 18, 2023 REGULAR COMMISSION MEETING:

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

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

Nays: None

Abstain: None

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

REPORTS:

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

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ADMINISTRATIVE REPORTS:

- Executive Director, Ferzan M. Ahmed, P.E.
 - Provided update on Toll Collection System implementation.
 - We are currently in the testing phase of the back-office system which is scheduled to be ready for deployment at the end of October.
 - The Toll Collection System is currently scheduled for deployment in the third week of November.
 - The physical construction in the lanes is almost complete, but there is still some configuration work to be done that may impact the November target.
 - Our goal is not to stick to a hard date, but to be sure of the proper configuration and successful testing before going live.
 - Following up on the recent discussion on noise barriers, the Chief Engineer, the Planning and Design Engineer and I had a conference call with the ODOT Noise Wall specialists.
 - Thank you to Mr. Pakush for arranging that. Mr. Coviello, Representative Ghanbari and Representative Al Cutrona of Canfield also attended the call. We learned a lot from the ODOT experts about feasibility and current standards.
 - There are two main issues for the Ohio Turnpike: standards and funding. Both Representatives had ideas that we will further explore with them, and with ODOT. As far as standards are concerned, I believe it is logical to just look at the established Federal guidelines. In the coming months I will report back as we learn more.
 - Last week I had the honor of representing the Commission at the inaugural Mahoning Valley Logistics Conference.
 - Congratulations to the team at the Canfield Maintenance Section for their dedication to safety by winning the 2023 Third Quarter Safety Award for having the lowest number of employee accidents and injuries across the Turnpike.

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- We recently completed the fourth cohort of the Tri-C/Corporate College Frontline Supervisor Program. We started this program through a partnership with Corporate College, a division of Cuyahoga Community College. The program develops leadership and management skills to assist our front-line supervisors to achieve success in the workplace while supporting the strategic objectives of the organization. Another important objective of this training program is to assist with our organization's succession planning. The six-month program included 70 hours of training through in-person and virtual sessions and a curriculum covering topics such as change and conflict management, coaching and talent development, professionalism, team building, and time management. The eight graduates of this cohort are:
 - Laura Cornwell, Robyn Fox, and Robert Moore from Toll Operations
 - Robert Foster, Scott Myler, and Gary Norris from Maintenance
 - David Cousins from Technology
 - Jennifer Reck from Customer Service Center
- On September 19, 2023, the IT team celebrated National IT Professionals Day! This dedicated team of professionals does everything from keeping our computers to our toll systems in excellent working condition.
- On September 27, 2023, the Finance Department held an appreciation event to celebrate National Payroll Week and Finance and Accounting Appreciation Week and Customer Service Week. The Finance and Accounting team manages an annual budget of almost \$400 million and investments and debt of more than \$2.7 billion. Our Customer Service Department provides a professional and caring service to almost 650,000 customers and all 870 employees of the Ohio Turnpike greatly appreciate the payroll team.
- The IBTTA annual meeting was held in Seattle from October 7, 2023 to October 10, 2023. Congratulations to Training and Development Manager Lauren Hakos on being selected as the 2023 IBTTA Leadership Academy Alum of the Year.
- Congratulations to Richard Rich for being promoted to Foreman at Canfield and Donald Burrows for being promoted to Assistant Foreman at Hiram.
- Since the last meeting we have four new Team Members.
 - The Toll Operations Department welcomes Shameka Payton as a part-time Toll Collector. The Service Plaza Operations Department welcomes Janet Tarpley as an Assistant Service Plaza Manager at

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Portage and Brady’s Leap Service Plazas. The Engineering and Maintenance Department welcomes Thomas Miller at Castalia, and Kelly Marton as a Staff Engineer in Berea.

- I would like to acknowledge a few Retirees for their service and wish them well in their new journey. They are Arthur Boulton and Courtney Stoner from the Maintenance Department, and Judith Estel, Michele Funk and Lisa Donnell from the Toll Operations Department.
- Vice Chair, I will end my report by looking ahead to 2024. Cleveland will be the host city, and Ohio Turnpike the host agency for the 92nd Annual IBTTA Conference. A few Turnpike employees came together and created a video that was shared during the annual meeting earlier this month in Seattle, WA. It is an IBTTA tradition for the host agency to formally invite attendees. With your permission we would like to play the video we used to formally invite next year’s conference attendees.
- Madame Vice Chair, this ends my report, and I am happy to answer any questions.

DESIGN AND PLANNING ENGINEER’S REPORT:

RESOLUTION:

Resolution Approving the Selection of Vernon Nagel, Inc. for Project No. 43-23-05 for the Total Amount of \$5,642,081.75 (Daniel Rodriguez, Design and Planning Engineer)

Motion: Secretary-Treasurer Coviello
Seconded: Commission Member Taylor

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

Nayes: None
Abstain: None

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

RESOLUTION NO.: [Resolution No. 86-2023](#)

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RESOLUTION:

Resolution Approving the Selection of E.S. Wagner Company for Project No. 43-23-06 for the Total Amount of \$5,638,227.41 (Daniel Rodriguez, Design and Planning Engineer)

Motion: Commission Member Shay Murray

Seconded: ODOT Member Ex-Officio, through its director's designee Pakush

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

Nays: None

Abstain: None

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

RESOLUTION NO.: [Resolution No. 87-2023](#)

Commission Member Shay Murray comments on how it is uncommon to receive two resolutions that are 14% below the estimates and asked if there was thinking that materials were going to be a different cost or is it because we have very conscientious contractors?

Design and Planning Engineer Rodriguez says he thinks the contractors were hungry for work and that this work was put out early in the season and he believes that reflects in the bid.

RESOLUTION:

Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. for Project No. 99-22-07 for the Total Amount of \$247,630.00 (Daniel Rodriguez, Design and Planning Engineer)

Motion: ODOT Member Ex-Officio, through its director's designee Pakush

Seconded: Commission Member Taylor

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

Nays: None

Abstain: None

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

RESOLUTION NO.: [Resolution No. 88-2023](#)

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Secretary-Treasurer Coviello asked that since this was an accident will there be an insurance claim involved?

Design and Planning Engineer Rodriguez advises that there will be insurance claim and the Commission will be reimbursed.

DIRECTOR OF AUDIT AND INTERNAL CONTROL REPORT:

David Miller, Director of Audit and Internal Control provides background information pertaining to the modification of the contract with Stantec.

RESOLUTION:

Resolution Authorizing Modification to Task 5 Under Contract with Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services in the Increased Not-To-Exceed Amount of \$5,420,455.00 (David Miller, Director of Audit and Internal Control)

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

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

Nays: None
Abstain: None

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

RESOLUTION NO.: [Resolution No. 89-2023](#)

Secretary-Treasurer Coviello inquires about new target date for “going live.”

Director Ahmed states the current “go live” date is this third week of November 2023, and says that is a target, and is subject to testing since it will be collecting our toll revenue. Director Ahmed advises that once it is live, it will need to be monitored for performance for six months and that is where we need Stantec as well.

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Secretary-Treasurer Coviello comments that back in 2019 when we originally contracted with Stantec there was an estimated total amount that by the end and we broke it up into phases, correct?

Director Ahmed advises that is correct.

Secretary-Treasurer Coviello asks how close we are to that original estimate.

Director Ahmed comments that we have been working on that with the intention of presenting that to the Commission because we are so close to the end, we thought we would wait until November to bring all of the numbers. The estimated cost going back to 2019 of the toll collection system, the back office system, the construction, as well as the management which is what is being provided by Stantec and then compare that to the final numbers and we will present that to the Commission at the November meeting. Director Ahmed comments that if we stay within 2-3% in change orders it is fairly good. It is almost impossible to have a large project with absolutely no change orders.

DESIGN AND PLANNING ENGINEER'S REPORT:

RESOLUTION:

Resolution Authorizing a Modification to the Contract with Civil & Environmental Consultants, Inc., to Perform Phase IB Services Under Project No. 71-22-08 for an Aggregate Not-to-Exceed Amount of \$872,198.00 (Daniel Rodriguez, Design and Planning Engineer)

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

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

Nays: None
Abstain: None

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

RESOLUTION NO.: [Resolution No. 90-2023](#)

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RESOLUTION:

Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Parcel “A” (Daniel Rodriguez, Design and Planning Engineer);

Motion: Vice Chair Barber
Seconded: ODOT Member Ex-Officio, through its director’s designee Pakush

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

Nays: None
Abstain: None

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

RESOLUTION NO.: [Resolution No. 91-2023](#)

Commission Member Shay Murray asks is the North Coast Inland Trail will be temporarily closed and/or will it be moved.

Design and Planning Engineer Rodriguez says that we do not have the construction drawn out, but will assume that there will be a temporary closure and it will be redirected away from this and then be reconnected.

RESOLUTION:

Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Parcel “B” and Temporary Easements 2 and 3 (Daniel Rodriguez, Design and Planning Engineer)

Motion: Commission Member Shay Murray
Seconded: Commission Member Taylor

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

Nays: None
Abstain: None

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

RESOLUTION NO.: [Resolution No. 92-2023](#)

RESOLUTION:

Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Easement “C” (Daniel Rodriguez, Design and Planning Engineer)

Motion: ODOT Member Ex-Officio, through its director’s designee Pakush

Seconded: Secretary-Treasurer Coviello

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

Nays: None

Abstain: None

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

RESOLUTION NO.: [Resolution No. 93-2023](#)

RESOLUTION:

Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Temporary Easement #1 (Daniel Rodriguez, Design and Planning Engineer)

Motion: Commission Member Shay Murray

Seconded: Secretary-Treasurer Coviello

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

Nays: None

Abstain: None

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

RESOLUTION NO.: [Resolution No. 94-2023](#)

DIRECTOR OF CONTRACTS ADMINISTRATION'S REPORT:

RESOLUTION:

Resolution Reauthorizing the Ohio Turnpike and Infrastructure Commission's Business Inclusion Program for a Six Year Period (Aimee Lane, Director of Contracts Administration)

Motion: Commission Member Taylor
Seconded: Commission Member Shay Murray

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

Nays: None

Abstain: None

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

RESOLUTION NO.: [Resolution No. 95-2023](#)

DIRECTOR OF ADMINISTRATION'S REPORT:

RESOLUTION:

Resolution Ratifying and Approving Renewal of Employee Benefit Consulting Services Agreement with Gallagher Benefit Services, Inc. in the Aggregate Not-to-Exceed Amount of \$229,843.75 (Lisa Zamiska, Director of Administration)

Motion: ODOT Member Ex-Officio, through its director's designee Pakush
Seconded: Commission Member Taylor

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

Nays: None

Abstain: None

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

RESOLUTION NO.: [Resolution No. 96-2023](#)

Commission Member Shay Murray asks why it was not brought before the Commission prior.

Director of Administration Zamiska states that due to the way it was being processed that it was not tracked.

RESOLUTION:

Resolution Authorizing the Award of Self-Insured Employee Benefit Group Health Benefits Plan Administration with Stop Loss Insurance to Medical Mutual of Ohio, Inc. (Lisa Zamiska, Director of Administration)

Motion: Commission Member Shay Murray

Seconded: ODOT Member Ex-Officio, through its director's designee Pakush

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

Nays: None

Abstain: None

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

RESOLUTION NO.: [Resolution No. 97-2023](#)

CHIEF FINANCIAL OFFICER'S REPORT:

- August 2023 Traffic and Revenue. Reports reviewed and submitted (attached)

OHIO STATE HIGHWAY PATROL'S REPORT:

- Staff Lieutenant Richard Reeder provided an update on Ohio State Highway Patrol operations.
- On October 4, 2023, at approximately 3:07 p.m., Trooper Jacob Dickerson stopped a gray minivan for a speed violation on the Ohio Turnpike near milepost 77 westbound in Sandusky County. After making contact with the driver, he observed

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multiple suitcases, duffel bags and totes in the cargo area along with a strong odor of raw marijuana emitting from the vehicle. U.S. Customs and Border Patrol Agent Moen and Kane arrived on scene to assist. A probable cause search of the vehicle revealed four large duffel bags and 2 large totes containing approximately 338 pounds of suspected marijuana. The evidence was packaged and relayed to the OSHP Crime Lab for testing for pending charges.

- On September 15, 2023, the Cleveland Dispatch Center alerted Post 90 units of reports of multiple vehicles traveling westbound at a high rate of speed from mile post 187. One of the calls came from a witness, who stated that 4 vehicles, traveling together stopped at the Middle Ridge Service Plaza at mile post 139 westbound on the Turnpike. Several units got into position to apprehend the suspect vehicles. In this video, the suspect vehicles pass Trooper Eddie Lopez U-1248, of the Milan Post, at a very high rate of speed. One of the vehicles even passes on the right shoulder going around a commercial vehicle. Two of the vehicles were apprehended.
- Staff Lieutenant discusses Ohio's Distracted Driving law which began being enforced on October 5, 2023.

State Representative Ghanbari comments on the street racing cars.

Commission Member Taylor comments on vehicles with excessive noise and whether OSHP has any solutions on how to stop it.

Staff Lieutenant Reeder discusses what they look for and whether the vehicle has been modified to create loud mufflers (Ohio Revised Code §4513.22).

Discussion about seizing vehicles, revoking licenses and how those things may occur.

ADJOURN INTO EXECUTIVE SESSION:

Vice Chair Barber moves to hold an Executive Session to discuss the collective bargaining negotiations with the Teamsters Local 436 under the provisions of Ohio Revised Code Section 121.22(G)(4) and litigation matters under the provisions of Ohio Revised Code Section 121.22(G)(3). At the end of such Executive Session, the Commission shall resume its open meeting.

Motion: Vice Chair Barber
Seconded: Secretary-Treasurer Coviello

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

Motion to Adjourn into Executive Session: 5-AYES, 0-NAYS, 0-ABSTENTIONS

Time: 11:16 a.m.

CONCLUDE EXECUTIVE SESSION:

Vice Chair Barber moves to conclude the Executive Session pursuant to the provisions of Ohio Revised Code Sections 121.22(G)(4) and 121.22(G)(3) and resume the open meeting of the Commission.

Motion: Vice Chair Barber
Seconded: Secretary-Treasurer Coviello

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

Motion to Conclude Executive Session: 5-AYES, 0-NAYS, 0-ABSTENTIONS

Time: 12:08 p.m.

DEPUTY GENERAL COUNSEL'S REPORT:

RESOLUTION:

Resolution Authorizing Expenditures for the Settlement of Litigation Related to the Reginella Construction Company's Contract No. 53-11-01 and 53-11-02

Motion: Commission Member Shay Murray
Seconded: ODOT Member Ex-Officio, through its director's designee Pakush

Ayes: Vice Chair Barber, Secretary-Treasurer Coviello, Commission Member Shay Murray, Commission Member Taylor, and ODOT Member Ex-Officio, through its director's designee Pakush
Nays: None

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Abstain: None

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

RESOLUTION NO.: [Resolution No. 98-2023](#)

Vice Chair Barber: The next Meeting shall be held on Monday, November 20, 2023, at 10:00 a.m., here at the Commission’s Administration Building located in Berea, Ohio.

If there is no further business, I will accept a motion to adjourn the 712th Commission Meeting.

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

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

Nays: None
Abstain: None

MOTION CARRIED: 5-AYES, 0-NAYS, 0-ABSTENTIONS

MEETING ADJOURNED: 12:10 p.m.

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EXHIBITS

- Resolution No. 86-2023 – Resolution Approving the Selection of Vernon Nagel, Inc. for Project No. 43-23-05 for the Total Amount of \$5,642,081.75 (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 87-2023 – Resolution Approving the Selection of E.S. Wagner Company for Project No. 43-23-06 for the Total Amount of \$5,638,227.41 (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 88-2023 – Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. for Project No. 99-22-07 for the Total Amount of \$247,630.00 (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 89-2023 – Resolution Authorizing Modification to Task 5 Under Contract with Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services in the Increased Not-To-Exceed Amount of \$5,420,455.00 (David Miller, Director of Audit and Internal Control)
- Resolution No. 90-2023 – Resolution Authorizing a Modification to the Contract with Civil & Environmental Consultants, Inc., to Perform Phase IB Services Under Project No. 71-22-08 for an Aggregate Not-to-Exceed Amount of \$872,198.00 (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 91-2023 – Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Parcel “A” (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 92-2023 – Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Parcel “B” and Temporary Easements 2 and 3 (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 93-2023 – Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Washington Township, Sandusky County as

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Part of Project No. 71-21-04 – Easement “C” (Daniel Rodriguez, Design and Planning Engineer)

- Resolution No. 94-2023 – Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Temporary Easement #1 (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 95-2023 – Resolution Reauthorizing the Ohio Turnpike and Infrastructure Commission’s Business Inclusion Program for a Six Year Period (Aimee Lane, Director of Contracts Administration)
- Resolution No. 96-2023 – Resolution Ratifying and Approving Renewal of Employee Benefit Consulting Services Agreement with Gallagher Benefit Services, Inc. in the Aggregate Not-to-Exceed Amount of \$229,843.75 (Lisa Zamiska, Director of Administration)
- Resolution No. 97-2023 – Resolution Authorizing the Award of Self-Insured Employee Benefit Group Health Benefits Plan Administration with Stop Loss Insurance to Medical Mutual of Ohio, Inc. (Lisa Zamiska, Director of Administration)
- Resolution No. 98-2023 – Resolution Authorizing Expenditures for the Settlement of Litigation Related to the Reginella Construction Company’s Contract No. 53-11-01 and 53-11-02
- September 2023 Traffic and Revenue Report

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OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving the Selection of Vernon Nagel, Inc. for
Project No. 43-23-05 for the Total Amount of \$5,642,081.75**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published a notice in accordance with law to advertise an invitation to bid on a contract for the Bridge Deck Replacement and Rehabilitation at Spies-Handy Corners Road (TR 22) over the Ohio Turnpike at Milepost 27.3, and Hartman-Inlet Road (TR 17) over the Ohio Turnpike at Milepost 32.2, in Fulton County, Ohio, and designated as Project No. 43-23-05; and

WHEREAS, the Commission received three (3) bids to perform the Contractor’s obligations on the Project, and the report of the Commission’s Chief Engineer concerning the review and analysis of the bids is before the Commission; and

WHEREAS, the Chief Engineer reports that Vernon Nagel, Inc. submitted the apparent low bid on the Project in the total bid amount of \$5,642,081.75 which he recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration determined that bids for the Project were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of Vernon Nagel, Inc. conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Vernon Nagel, Inc. submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion has found that Vernon Nagel, 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 20% which exceeds the SBE participation goal of 11% for the Project; 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 the bids received will require expenditures under the Project that will exceed \$150,000.00; and

WHEREAS, the Chief Engineer recommends the Commission select Vernon Nagel, Inc. as the lowest responsive and responsible bidder for the Project; and

WHEREAS, the Commission’s Executive Director concurs with the Chief Engineer’s recommendation that the Commission approve the award of the Project to Vernon Nagel, Inc. as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendations.

**MINUTES OF THE 712th OHIO TURNPIKE AND
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NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of Vernon Nagel, Inc. for Project No. 43-23-05 in the amount of \$5,642,081.75 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid.

(Resolution No. 86-2023 adopted October 16, 2023)

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OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving the Selection of E.S. Wagner Company for
Project No. 43-23-06 for the Total Amount of \$5,638,227.41**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published a notice in accordance with law to advertise an invitation to bid on a contract for the Bridge Deck Replacement and Rehabilitation, at Biddle-Scott Road (TR 12-1) over the Ohio Turnpike at Milepost 37.1, and Brailey Road (TR-3) over the Ohio Turnpike at Milepost 46.4 in Fulton County, Ohio, and designated as Project No. 43-23-06 (the “Project”); and

WHEREAS, the Commission received three (3) bids to perform the Contractor’s obligations on the Project, and the report of the Commission’s Chief Engineer concerning the review and analysis of the bids is before the Commission; and

WHEREAS, the Chief Engineer reports that E.S. Wagner Company (hereinafter “Wagner”), submitted the apparent low bid on the Project in the total bid amount of \$5,638,227.41 which he recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration determined that bids for the Project were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of Wagner conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Wagner submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion found that Wagner made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 11% which meets the SBE participation goal of 11% for the Project; 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 the bids received will require expenditures under the Project that will exceed \$150,000.00; and

WHEREAS, the Chief Engineer recommends the Commission select Wagner as the lowest responsive and responsible bidder for the Project; and

WHEREAS, the Commission Executive Director concurs with the Chief Engineer’s recommendation that the Commission approve the award of the Project to Wagner as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendations.

**MINUTES OF THE 712th OHIO TURNPIKE AND
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NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of E.S. Wagner Company for Project No. 43-23-06 in the amount of \$5,638,227.41 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid.

(Resolution No. 87-2023 adopted October 16, 2023)

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OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. for
Project No. 99-22-07 for the Total Amount of \$247,630.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published a notice in accordance with law to advertise an invitation to bid on a contract for Bridge Repairs of the mainline bridge over State Route 163 at Milepost 73.0 in Wood County, Ohio, and designated as Project No. 99-22-07 (hereinafter the “Project”); and

WHEREAS, the Commission received two (2) bids to perform the Contractor’s obligations on the Project, and the report of the Commission’s Chief Engineer concerning the review and analysis of the bids is before the Commission; and

WHEREAS, both bids were in excess of ten percent (10%) above the Engineer’s estimate and, pursuant to Article V of the Instructions to Bidders, the Commission may convene a Construction Contracts Award Committee (“CCAC”) to determine if the bid prices are within reasonable conformance with the Engineer’s estimate and a bid price may be accepted by the Commission upon a recommendation by the Committee; and

WHEREAS, the CCAC met on September 12, 2023, and after considering the Commission’s consultant’s evaluation memorandum and information provided by the Commission’s Engineering staff, the CCAC determined that the apparent low bid submitted by Suburban Maintenance & Construction, Inc. should be accepted for the reasons set forth in the CCAC memo dated September 12, 2023, which is before the Commission and summarized below:

- The Commission advertised the Project on August 15, 2023, and August 22, 2023, and the Commission received two bids; it does not appear that rebidding the project will attract more bidders due to the small size of the project and the type of work required;
- There is only an 8.4% difference between the bid submissions, which indicates the contractors’ bid more accurately reflect the true costs of the work;
- The costs submitted by the low bidder were analyzed and appear to be reasonable and a few bid items pertaining to Structure Members, Level 1 or Level UF, As Per Plan, and Heat Straightening of Damages Members have the largest disparities with the engineer’s estimate (\$93,000 vs. \$40,000), but the Commission’s consultant acknowledged it underestimated the bid amount for these items;
- Delaying the Project would negatively impact the completion time frame of the Project;
- A rebid would result in the project not being awarded until the January 16, 2024, Commission Meeting, which would make contract execution in the early-February timeframe. This would affect the ability to complete the Project during the 2024

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construction season and the Commission would incur accelerated construction costs in 2024 and/or increased costs for any 2024 work;

- The pricing and availability of construction labor and materials is not expected to decrease in the foreseeable future;
- No items can be removed from the Project scope and still accomplish the requirements of the Project;
- The cost of the Project is expected to be reimbursed by the responsible parties that caused the damage;
- The SBE goal applicable to this Project was waived due to the specialty nature of the work, low project cost, and availability of contractors; and
- The apparent low bid received appears balanced; and
- The bidder appears to have the capacity to perform the Project.

WHEREAS, the CCAC reports that Suburban Maintenance & Construction, Inc. submitted the apparent low bid on the Project in the total bid amount of \$247,630.00 which it recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration determined that bids for the Project were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of Suburban Maintenance & Construction, Inc. conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Suburban Maintenance & Construction, Inc. submitted a performance bond with good and sufficient surety; and

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

WHEREAS, the CCAC recommends the Commission select Suburban Maintenance & Construction, Inc. as the lowest responsive and responsible bidder for the Project; and

WHEREAS, the Commission's Executive Director concurs with the CCAC's recommendation that the Commission approve the award of the Project to Suburban Maintenance & Construction, Inc. as the lowest responsive and responsible bidder; 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 Suburban Maintenance & Construction, Inc. for Project No. 99-22-07 in the amount of \$247,630.00 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid.

(Resolution No. 88-2023 adopted October 16, 2023)

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TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Modification to Task 5 Under Contract with Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services in the Increased Not-To-Exceed Amount of \$5,420,455.00

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected Stantec Consulting Services, Inc. (“Stantec”) to perform project management services for the Toll Collection System Modernization (the “TCS Project”), designated as Project No. 71-19-10, pursuant to the adopted resolutions, on the dates noted and for the scope of work identified below, and pursuant to an Amended and Restated Contract to Perform Project Management Services dated June 4, 2020 (the “Contract”):

SERVICES/FEEES APPROVED TO DATE

RESOLUTION	DATE ADOPTED	SCOPE OF SERVICES	AMOUNT
48-2019	October 21, 2019	Task 1 and Task 2 services, including Task 2 Modification for legal research/tasks on various TCS/CSC topics	\$500,000.00
38-2020	May 18, 2020	Task 3 services, including oversight of the development, implementation, testing, installation and integration of the TCS Project over a 3 year period	\$1,955,000.00
65-2020	October 19, 2020	Task 4 – Year 2 Onsite Services	\$322,500.00
36-2021	June 21, 2021	Task 5 – support services for integration of the TCS with the Customer Service Center (“CSC”) and Unpaid Toll Processing system	\$749,000.00
60-2021	October 5, 2021	Task 6 – on-site project management services for the TCS Project	\$280,000.00
77-2022	October 17, 2022	Task 7 – extension of on-site project management services for TCS Project	\$315,000.00
2-2023	January 17, 2023	Task 5 Modification – additional support services for integration of the TCS with the Customer Service Center (“CSC”) and Unpaid Toll Processing system	\$499,455.00
Not applicable	July 10, 2023	Reallocation of funds from Task 1 through 4 to Task 5	No additional funds added
		TOTAL AMOUNT TO DATE:	\$4,620,955.00

PROPOSED SERVICES/FEEES

RESOLUTION	DATE ADOPTED	SCOPE OF SERVICES	AMOUNT
<i>Proposed</i>	<i>Proposed</i>	Task 5 Modification – additional support services for integration and testing of the	\$799,500.00

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		TCS and the CSC, including the Unpaid Toll Processing system	
		TOTAL AMOUNT WITH TASK 5 MODIFICATION:	\$5,420,455.00

WHEREAS, pursuant to Resolution No. 36-2021, adopted June 21, 2021, the Commission approved Task 5, Support Services for Integration of the TCS with the Customer Service Center (“CSC”) and Unpaid Toll Processing System, in the amount of \$749,000.00 for services to be provided through June 30, 2023, and the assignment letter for Task 5 was issued to Stantec on June 29, 2021; and

WHEREAS, pursuant to Resolution No. 2-2023, adopted January 23, 2023, the Commission approved a modification for Additional Task 5 Services due to the TCS Go-Live date being extended and for the period of February 1, 2023 through December 31, 2023, in the amount of \$499,455.00, resulting in a new Task 5 not-to-exceed amount of \$1,248,455.00, and the parties executed a modification to the Task 5 assignment letter, dated January 24, 2023, adding the Additional Task 5 Services; and

WHEREAS, the parties entered into a First Modification of the Contract dated June 20, 2023, to close Task 1 through 4 and 6 and reallocate the unused funds from those tasks to Task 5 to ensure that Stantec’s Task 5 services continue uninterrupted through the TCS Go-Live date, and the Commission issued a modification to the Task 5 assignment letter, dated July 10, 2023, approving the reallocation of funds to Task 5, and the reallocation resulted in a new not-to-exceed amount for Task 5 of \$1,403,472.33; and

WHEREAS, under the modification to the Task 5 assignment letter, date July 10, 2023, the parties also amended the scope of Task 5 by combining Task 3, Oversight of the Development, Implementation, Testing, Installation and Integration of the Toll Collection System with the Customer Service Center and Unpaid Toll Processing System, which deems Task 3 completed and requires future services to be assigned under and billed to Task 5; and

WHEREAS, Stantec has submitted a fee proposal dated September 26, 2023, to provide the Additional Task 5 Services as described therein through May 31, 2024, in the amount of \$799,500.00, resulting in a new Task 5 not-to-exceed amount of \$2,202,972.33, which amount the Chief Engineer and Director of Audit and Internal Control have deemed to be reasonable and necessary; and

WHEREAS, the amount set forth in the fee proposal from Stantec, dated September 26, 2023, to perform the Additional Task 5 Services will increase the contract by an amount that exceeds the Executive Director’s contracting authority under Article V, Section 1.00 of the Commission’s Code of Bylaws, and Commission approval is necessary; and

WHEREAS, the Chief Engineer and Director of Audit and Internal Control recommend, and the Executive Director has reviewed the recommendation submitted by the Chief Engineer

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and Director of Audit and Internal Control and approves the recommendation to authorize Stantec to perform Additional Task 5 Services under Project No. 71-19-10; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the proposal from Stantec dated September 26, 2023 to perform Additional Task 5 Services under Project No. 71-19-10, through May 31, 2024, in the additional amount of \$799,500.00, is approved, and the Executive Director is authorized to issue a modification to the Task 5 assignment letter to Stantec to perform such additional project management services in accordance with the terms and conditions of the existing Agreement and Stantec's fee proposal dated September 26, 2023, resulting in the aggregate not-to-exceed contract amount of \$5,420,455.00.

(Resolution No. 89-2023 adopted October 16, 2023)

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OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Authorizing a Modification to the Contract with Civil & Environmental
Consultants, Inc., to Perform Phase IB Services Under Project No. 71-22-08 for an
Aggregate Not-to-Exceed Amount of \$872,198.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected Civil & Environmental Consultants, Inc. (“CEC”) to perform engineering design services and engineering support during construction for the Deck Replacement of the Gore-Orphanage Road Bridge (County Route 34) over the Ohio Turnpike Mainline at Milepost 133.1, Deck Replacement of the Vermilion Road Bridge (County Route 70) over the Ohio Turnpike Mainline at Milepost 135.0, and Deck Replacement of the Ohio Turnpike Mainline Bridge over Baumhart Road (County Route 51) at Milepost 136.2, all in Lorain County, Ohio, designated as Project No. 71-22-08 (the “Project”), pursuant to Resolution No. 12-2023 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. 71-22-08 – bridge inspection, structure analysis, field survey, base mapping, maintenance of traffic evaluation, utility location, stakeholder outreach/ODOT coordination, load rating and engineering report	February 1, 2023	Resolution 12-2023	\$207,010.00

TOTAL AMOUNT TO DATE: \$207,010.00

**PROPOSED
SERVICES/FEEES**

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
<i>First Modification</i>	Phase IB Services – Project No. 71-22-08 – preliminary and final design and plans, and assistance during the bidding process, including bid review services	September 1, 2023 (Revised)	<i>Proposed</i>	\$665,188.00

TOTAL AMOUNT WITH MODIFICATION: \$872,198.00

WHEREAS, the parties entered into a Contract for Professional Engineering Services (the “Contract”), dated March 11, 2023; and

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WHEREAS, the parties contemplated modifying the Contract after the completion of the Phase IA Services to incorporate additional design services based on the findings of the work performed under Phase IA and to be separately designated as Phase IB; and

WHEREAS, the Phase IA Services are complete, and the parties prepared a final design scope for the Project which includes, but is not limited to, preliminary and final design and plans, and assistance during the bidding process, including bid review services (“Phase IB Services”); and

WHEREAS, CEC submitted a revised fee proposal dated September 1, 2023, in the not-to-exceed amount of \$665,188.00, to perform the Phase IB Services 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 CEC to perform the Phase IB Services under Project No. 71-22-08; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the proposed Contract modification 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 revised proposal from Civil & Environmental Consultants, Inc. (“CEC”), dated September 1, 2023, to perform the Phase IB Services, specifically described in the recitals, under Project No. 71-22-08 in the not-to-exceed amount of \$665,188.00 is accepted and approved, and the Executive Director is authorized to amend the Contract with CEC to perform such additional services in accordance with the terms and conditions of the existing Contract and CEC’s revised fee proposal dated September 1, 2023, in the aggregate not-to-exceed amount of \$872,198.00.

(Resolution No. 90-2023 adopted October 16, 2023)

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OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Parcel “A”

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) awarded a contract to DGL Consultant Engineers, LLC for design services and engineering support during construction for Project No. 71-21-04, Bridge Deck Overlay of the Mainline Bridge over Waggoner Road (County Route 82) at Milepost 83.3 in Sandusky County, and Removal of the Mainline Bridge over the North Coast Inland Trail at Milepost 83.3 in Sandusky County (“the Project”) under Resolution 7-2022; and

WHEREAS, in furtherance of the Project as it relates to the Removal of the Mainline Bridge over the North Coast Inland Trail, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire an approximately 1.607 acre parcel near the Turnpike bridge in Washington Township, Sandusky County (near Milepost 83.3), which said approximate 1.607 acre parcel (as legally described as Parcel “A” on Exhibit A attached hereto and incorporated herein, “Parcel “A””) is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-29-00-0004-00, and recorded by Official Record 113, Page 2672 in the Sandusky County Records.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby declares that said acquisition of Parcel “A” is necessary for the removal of the existing structure, placement of the embankment/fill to support the mainline roadway of the Ohio Turnpike, provide a new alignment for the North Coast Inland Trail, and to provide access to Permanent Parcel No. 21-29-00-0013-00, as well as for the maintenance of the public roadway improvements therefor, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-21-04; and

FURTHER RESOLVED, that in compliance with Ohio Revised Code Chapters 5537 and 163, the General Counsel is authorized and directed to negotiate for a reasonable time, and if possible, enter into an agreement for the purchase of the Properties with the following entity identified to be the current owner of both Properties:

Netcher Family Rentals, LLC,
c/o David F. Netcher
2640 S. Linker Portage Road
Elmore, Ohio 43416

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and such other persons or entities that have or may have an interest in said Properties, or are otherwise required to be named in the proceedings for appropriation under Ohio Revised Code Chapter 163; and

FURTHER RESOLVED, that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title, or any such lesser real estate interest as recommended by both Chief Engineer and General Counsel, to Parcel “A” and any necessary easements on and over the properties described herein or neighboring parcels; and

FURTHER RESOLVED, that the Executive Director or the General Counsel be, and he/she is hereby instructed to do or cause to be done all things that may be reasonably necessary so that proceedings for the appropriation of Parcel “A” described herein may be commenced and completed.

(Resolution No. 91-2023 adopted October 16, 2023)

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EXHIBIT A



**LEGAL DESCRIPTION
For: North Coast Island Trail**

Parcel "A" – 1.607 acres

A parcel of land located in the Southeast Quarter of Section 29, Town 6 North, Range 14 East, Washington Township, Sandusky County, Ohio and being further bounded and described as follows:

Commencing from a spike found marking the Northeast Corner of the Southeast Quarter of said Section 29;

Thence Southerly along the East line of the Southeast Quarter of said Section 29, also being the centerline of County Road 82 (right of way varies), South 00 degrees 08 minutes 37 seconds East, a distance of 500.05 feet to a mag nail set and the **True Point of Beginning** of the Parcel herein described;

1. Thence continuing Southerly along the East line of the Southeast Quarter of said Section 29, also being the centerline of said County Road 82, South 00 degrees 08 minutes 37 seconds East, a distance of 100.00 feet to a mag nail set;
2. Thence Westerly along a line perpendicular to the East line of the Southeast Quarter of said Section 29, South 89 degrees 51 minutes 23 seconds West, a distance of 426.19 feet to an iron pin set on the Northerly limited access right of way line of the Ohio Turnpike, passing over an iron pin set at a distance of 30.00 feet;
3. Thence Northwesterly along Northerly limited access right of way line of the Ohio Turnpike, North 63 degrees 06 minutes 45 seconds West, a distance of 145.97 feet to an iron pin set on the Easterly line of lands now or formerly owned by Sandusky County Park District R/T through Official Record 399, Page 001 of the Sandusky County Records;
4. Thence Northwesterly along the Easterly line of said Park District lands, North 44 degrees 54 minutes 11 seconds West, a distance of 320.01 feet to an iron pin set;
5. Thence Southeasterly along a line parallel with the Northerly limited access right of way line of the Ohio Turnpike (right of way varies), South 63 degrees 06 minutes 45 seconds East, a distance of 425.91 feet to an iron pin set;
6. Thence Easterly along a line perpendicular to the East line of the Southeast Quarter of said Section 29, North 89 degrees 51 minutes 23 seconds East, a distance of 402.16 feet to the **True Point of Beginning**, passing over an iron pin set at a distance of 372.16, containing in

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North Coast Island Trail
Parcel "A" – 1.607 acres
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all 1.607 acres of land more or less, of which 0.069 acres lie within County Road 82 right of way, subject however to all legal highways and prior easements of record.

Netcher Family Rentals, LLC claims title by Official Record 113, Page 2672 of the Sandusky County Records.

All 1.607 acres lie within Sandusky County Parcel No. 21-29-00-0004-00.

The above legal description is based on a Survey prepared for The Ohio Turnpike as shown on a survey plat titled "71-21-04" performed during June of 2022, by DGL Consulting Engineers, LLC. and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.

All references to "an iron pin set" are 5/8" diameter x 30" long iron pins with cap "DGL – RJL 8029"



Date: October 3, 2023

Ronald J. Lumbrezer, P.S.
Ohio Professional Surveyor #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd, Suite E
Maumee, Ohio 43537
Phone: (419)535-1015, Ext 232
Parcel "A"



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OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Declaring the Necessity of Appropriating Property and Directing That
Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located
in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Parcel “B”
and Temporary Easements 2 and 3**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) awarded a contract to DGL Consultant Engineers, LLC for design services and engineering support during construction for Project No. 71-21-04, Bridge Deck Overlay of the Mainline Bridge over Waggoner Road (County Route 82) at Milepost 83.3 in Sandusky County, and Removal of the Mainline Bridge over the North Coast Inland Trail at Milepost 83.3 in Sandusky County (“the Project”) under Resolution 7-2022; and

WHEREAS, in furtherance of the Project as it relates to the Removal of the Mainline Bridge over the North Coast Inland Trail, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire an approximately 2.508 acre parcel near the Turnpike bridge in Washington Township, Sandusky County (near Milepost 83.3), which said approximate 2.508 acre parcel (as legally described as Parcel “B” on Exhibit A attached hereto and incorporated herein, “Parcel “B”) is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-29-00-0019-00, and recorded by Official Record 399, Page 001 of the Sandusky County Records; and

WHEREAS, in furtherance of the Project, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire an approximately 0.101 acre parcel for a temporary easement necessary to construct the Project adjacent to Parcel C and the Ohio Turnpike in Washington Township, Sandusky County, which 0.101 acre parcel (as legally described on Exhibit B attached hereto and incorporated herein, “Temporary Easement #2”) is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-29-00-0019-00, and recorded by Official Record 399, Page 001 of the Sandusky County Records in the official Sandusky County Records; and

WHEREAS, in furtherance of the Project, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire an approximately 0.114 acre parcel for a temporary easement necessary to construct the Project adjacent to Parcel B and the Ohio Turnpike in Washington Township, Sandusky County, which 0.114 acre parcel (as legally described on Exhibit C attached hereto and incorporated herein, “Temporary Easement #3”) (Parcel “B”, Temporary Easement #2, and Temporary Easement #3 are collectively referred to herein as the “Properties”) of which .006 acres is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-29-00-0019-00, and .108 acres is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-28-00-0016-00, and recorded Official Record 399, Page 001 of the Sandusky County Records in the official Sandusky County Records.

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NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby declares that said acquisition of Parcel “B” is necessary for the removal of the existing structure, placement of the embankment/fill to support the mainline roadway of the Ohio Turnpike, provide a new alignment for the North Coast Inland Trail, and to provide access to Permanent Parcel No. 21-29-00-0013-00, as well as for the maintenance of the public roadway improvements therefor, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-21-04; and

FURTHER RESOLVED, that the Commission hereby declares that said acquisition of Temporary Easement #2 and Temporary Easement #3 is necessary to provide access during construction, and for the maintenance of the public roadway improvements therefor, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-21-04; and

FURTHER RESOLVED, that in compliance with Ohio Revised Code Chapters 5537 and 163, the General Counsel is authorized and directed to negotiate for a reasonable time, and if possible, enter into an agreement for the purchase of the Properties with the following entity identified to be the current owner of both Properties:

Sandusky County Park District
c/o Director Andrew Brown
1329 Tiffin Street
Fremont, Ohio 43420

and such other persons or entities that have or may have an interest in said Properties, or are otherwise required to be named in the proceedings for appropriation under Ohio Revised Code Chapter 163; and

FURTHER RESOLVED, that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title, or any such lesser real estate interest as recommended by both Chief Engineer and General Counsel, to Parcel “B”, Temporary Easement #2, and Temporary Easement #3, and any necessary easements on and over the properties described herein or neighboring parcels; and

FURTHER RESOLVED, that the Executive Director or the General Counsel be, and he/she is hereby instructed to do or cause to be done all things that may be reasonably necessary so that proceedings for the appropriation of Parcel “B”, Temporary Easement #2, and Temporary Easement #3 described herein may be commenced and completed.

(Resolution No. 92-2023 adopted October 16, 2023)

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EXHIBIT A



LEGAL DESCRIPTION

For: North Coast Island Trail

Parcel "B"– 2.508 acres

A parcel of land located in the Southeast Quarter of Section 29 and the Southwest Quarter of Section 28, Town 6 North, Range 14 East, Washington Township, Sandusky County, Ohio and being further bounded and described as follows:

Commencing from a spike found marking the Northeast Corner of the Southeast Quarter of said Section 29 and the Northwest Corner of the Southwest Quarter of said Section 28;

Thence Southerly along the East line of the Southeast Quarter of said Section 29, also being the centerline of County Road 82 (right of way varies), South 00 degrees 08 minutes 37 seconds East, a distance of 1094.62 feet to a mag nail set on the Northerly limited access Right of Way line of the Ohio Turnpike (Parcel No. 21-28-00-0015-00) and the **True Point of Beginning** of the Parcel herein described;

1. Thence Southeasterly along the Southerly limited access right of way line of said Ohio Turnpike, South 44 degrees 54 minutes 57 seconds East, a distance of 74.08 feet to an iron pin set marking on the Southerly limited access right of way line of said Ohio Turnpike;
2. Thence Northwesterly along the Northerly line of lands now or formerly owned by Sandusky County Park District R/T through Deed Book 399, Page 001 of the Sandusky County Records, North 63 degrees 06 minutes 45 seconds West, a distance of 58.57 feet to a mag nail set marking a Northwesterly corner of said Sandusky County Park District lands, also being on the East line of the Southeast Quarter of said Section 29;
3. Thence Southerly along the East line of the Southeast Quarter of said Section 29, also being the centerline of said County Road 82, South 00 degrees 08 minutes 37 seconds East, a distance of 45.02 feet to a mag nail set;
4. Thence Northwesterly along a line, North 44 degrees 54 minutes 11 seconds West, a distance of 32.32 feet to an iron pin set;
5. Thence Northwesterly along a line, North 63 degrees 06 minutes 45 seconds West, a distance of 160.00 feet to an iron pin set on the Southerly limited access Right of Way line of the Ohio Turnpike (Parcel No. 21-29-00-0009-00);
6. Thence Northwesterly along the Easterly limited access Right of Way line of said State of Ohio Turnpike lands and the Easterly line of lands now or formerly owned by Tavacska, LLC

**MINUTES OF THE 712th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
OCTOBER 16, 2023**

North Coast Island Trail
Parcel "B" – 2.508 acres
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through Official Record 249, Page 076 of the Sandusky County Records, North 44 degrees 54 minutes 11 seconds West, a distance of 1120.03 feet to an iron pin set;

7. Thence Southeasterly along a line parallel with the Northerly limited access right of way line of the Ohio Turnpike, South 63 degrees 06 minutes 45 seconds East, a distance of 320.01 feet to an iron pin set on the Westerly line of lands now or formerly owned by Netcher Family Rentals, LLC through Official Record 113, Page 2672 of the Sandusky County Records;
8. Thence Southeasterly along the Westerly line of said Netcher Family Rentals, LLC lands and the Westerly limited access Right of Way line of said Ohio Turnpike (Parcel No. 21-28-00-0015-00), South 44 degrees 54 minutes 11 seconds East, a distance of 949.94 feet to the **True Point of Beginning**, containing in all 2.508 acres of land more or less, subject however to all legal highways and prior easements of record.

Sandusky County Park District R/T claims title by Official Record 399, Page 001 of the Sandusky County Records.

All 2.508 acres lie within Sandusky County Parcel No. 21-29-00-0019-00.

2.493 acres in Section 29

0.015 acres in Section 28

The above legal description is based on a Survey prepared for The Ohio Turnpike as shown on a survey plat titled "71-21-04" performed during June of 2022, by DGL Consulting Engineers, LLC. and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.

All references to "an iron pin set" are 5/8" diameter x 30" long iron pins with cap "DGL – RJL 8029"



Ronald J. Lumbrezer, P.S.
Ohio Professional Surveyor #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd, Suite E
Maumee, Ohio 43537
Phone: (419)535-1015, Ext 232
Parcel "B"

Date: October 4, 2023



**MINUTES OF THE 712th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
OCTOBER 16, 2023**

EXHIBIT B



LEGAL DESCRIPTION

For: North Coast Island Trail

Temporary Easement #2 – 0.101 acres

A parcel of land located in the Southeast Quarter of Section 29, Town 6 North, Range 14 East, Washington Township, Sandusky County, Ohio and being further bounded and described as follows:

Commencing from a spike found marking the Northeast Corner of the Southeast Quarter of said Section 29;

Thence Southerly along the East line of the Southeast Quarter of said Section 29, also being the centerline of County Road 82 (right of way varies), South 00 degrees 08 minutes 37 seconds East, a distance of 1236.64 feet to the intersection of the Southerly line of lands now or formerly owned by Sandusky County Park District R/T through Deed Book 399, Page 001 of the Sandusky County Records (Station 76+84.89 feet 233.35 feet right centerline turnpike);

Thence Northwesterly along the Southerly line of said Park District lands, North 44 degrees 54 minutes 11 seconds West, a distance of 28.40 feet to a point of the Westerly right of way of said County Road 82 and the **True Point of Beginning** of the Easement herein described (Station 76+57.91 feet 224.48 feet right centerline turnpike);

1. Thence continuing Northwesterly along the Southerly line of said Park District lands, North 44 degrees 54 minutes 11 seconds West, a distance of 206.33 feet to a point on the Southerly limited access right of way line of the Ohio Turnpike (Station 74+61.92 feet 160.00 feet right centerline turnpike);
2. Thence Southeasterly along the Southerly limited access right of way line of the Ohio Turnpike, South 63 degrees 06 minutes 45 seconds East, a distance of 163.10 feet to a point on the Westerly right of way line of said County Road 82 (Station 76+25.02 feet 160.00 feet right centerline turnpike);
3. Thence Southerly along Westerly right of way line of said County Road 82, South 00 degrees 08 minutes 37 seconds East, a distance of 72.38 feet to the **True Point of Beginning**, containing in all 0.101 acres of land more or less, subject however to all legal highways and prior easements of record.

**MINUTES OF THE 712th OHIO TURNPIKE AND
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OCTOBER 16, 2023**

North Coast Island Trail
Temporary Easement #2 – 0.101 acres
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The above legal description is based on a Survey prepared for The Ohio Turnpike as shown on a survey plat titled "71-21-04" performed during June of 2022, by DGL Consulting Engineers, LLC. and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.



Date: October 3, 2023

Ronald J. Lumbrezer, P.S.
Ohio Professional Surveyor #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd, Suite E
Maumee, Ohio 43537
Phone: (419)535-1015, Ext 232
Temporary Easement #2



**MINUTES OF THE 712th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
OCTOBER 16, 2023**

EXHIBIT C



LEGAL DESCRIPTION

For: North Coast Island Trail

Temporary Easement #3 – 0.114 acres

A parcel of land located in the Southwest Quarter of Section 28, Town 6 North, Range 14 East, Washington Township, Sandusky County, Ohio and being further bounded and described as follows:

Commencing from a spike found marking the Northwest Corner of the Southwest Quarter of said Section 28;

Thence Southerly along the West line of the Southwest Quarter of said Section 28, also being the centerline of County Road 82 (right of way varies), South 00 degrees 08 minutes 37 seconds East, a distance of 1236.64 feet to the intersection of the Southerly line of lands now or formerly owned by Sandusky County Park District R/T through Deed Book 399, Page 001 of the Sandusky County Records (Station 76+84.89 feet 233.35 feet right centerline turnpike);

Thence Southeasterly along the Southerly line of said Park District lands, South 44 degrees 54 minutes 11 seconds East, a distance of 28.40 feet to a point of the Easterly right of way line of said County Road 82 and the **True Point of Beginning** of the Easement herein described (Station 77+11.87, 242.23 feet right centerline turnpike);

1. Thence Northerly along the Easterly right of way line of said County Road 82, North 00 degrees 08 minutes 37 seconds West, a distance of 142.02 feet to the intersection of the Southerly limited right of way line of the Ohio Turnpike (Parcel No. 21-28-00-0015-00) (Station 76+47.33, 115.72 feet right centerline turnpike);
2. Thence Southeasterly along the Southerly limited right of way line of said Ohio Turnpike, South 63 degrees 01 minutes 19 seconds East, a distance of 49.71 feet to a point (Station 76+94.55, 131.26 feet right centerline turnpike);
3. Thence Southerly along a line parallel with the Easterly right of way line of said County Road 82, South 00 degrees 08 minutes 37 seconds East, a distance of 142.02 feet to a point on the Southerly line of said Park District lands (Station 77+59.09, 257.76 feet right centerline turnpike);
4. Thence Northwesterly along the Southerly line of said Park District lands, North 44 degrees 54 minutes 11 seconds West, a distance of 49.71 feet to the **True Point of Beginning**, containing in all 0.114 acres of land more or less, subject however to all legal highways and prior easements of record.

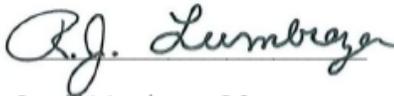
**MINUTES OF THE 712th OHIO TURNPIKE AND
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North Coast Island Trail
Temporary Easement #3 – 0.114 acres
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0.006 acres in Parcel Number 21-29-00-0019-00
0.108 acres in Parcel Number 21-28-00-0016-00

The above legal description is based on a Survey prepared for The Ohio Turnpike as shown on a survey plat titled "71-21-04" performed during June of 2022, by DGL Consulting Engineers, LLC. and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.



Date: October 4, 2023

Ronald J. Lumbrezer, P.S.
Ohio Professional Surveyor #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd, Suite E
Maumee, Ohio 43537
Phone: (419)535-1015, Ext 232
Temporary Easement #3



**MINUTES OF THE 712th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
OCTOBER 16, 2023**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Declaring the Necessity of Appropriating Property and Directing That
Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located
in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Easement
“C”**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) awarded a contract to DGL Consultant Engineers, LLC for design services and engineering support during construction for Project No. 71-21-04, Bridge Deck Overlay of the Mainline Bridge over Waggoner Road (County Route 82) at Milepost 83.3 in Sandusky County, and Removal of the Mainline Bridge over the North Coast Inland Trail at Milepost 83.3 in Sandusky County (“the Project”) under Resolution 7-2022; and

WHEREAS, in furtherance of the Project as it relates to the Removal of the Mainline Bridge over the North Coast Inland Trail, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire an approximately 0.134 acre parcel near the Turnpike bridge in Washington Township, Sandusky County (near Milepost 83.3), which said approximate 0.134 acre parcel (as legally described as Easement “C” on Exhibit A attached hereto and incorporated herein, “Easement “C”) is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-28-00-0004-00, and recorded by Official Record 220, Page 1297 in the Sandusky County Records.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby declares that said acquisition of Easement “C” is necessary for the removal of the existing structure, placement of the embankment/fill to support the mainline roadway of the Ohio Turnpike, provide a new alignment for the North Coast Inland Trail, and to provide access to Permanent Parcel No. 21-29-00-0013-00, as well as for the maintenance of the public roadway improvements therefor, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-21-04; and

FURTHER RESOLVED, that in compliance with Ohio Revised Code Chapters 5537 and 163, the General Counsel is authorized and directed to negotiate for a reasonable time, and if possible, enter into an agreement for the purchase of the Property with the following entity identified to be the current owner of both Properties:

Haar Farms, LLC
c/o Jeffrey Haar
209 W. Rice Street
Elmore, OH 43416

**MINUTES OF THE 712th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
OCTOBER 16, 2023**

and such other persons or entities that have or may have an interest in said Property, or are otherwise required to be named in the proceedings for appropriation under Ohio Revised Code Chapter 163; and

FURTHER RESOLVED, that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title, or any such lesser real estate interest as recommended by both Chief Engineer and General Counsel, to Easement “C” and any necessary easements on and over the properties described herein or neighboring parcels; and

FURTHER RESOLVED, that the Executive Director or the General Counsel be, and he/she is hereby instructed to do or cause to be done all things that may be reasonably necessary so that proceedings for the appropriation of Easement “C” described herein may be commenced and completed.

(Resolution No. 93-2023 adopted October 16, 2023)

**MINUTES OF THE 712th OHIO TURNPIKE AND
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OCTOBER 16, 2023**

EXHIBIT A



LEGAL DESCRIPTION
For: North Coast Island Trail

Easement "C" – 0.134 acres

A parcel of land located in the Southwest Quarter of Section 28, Town 6 North, Range 14 East, Washington Township, Sandusky County, Ohio and being further bounded and described as follows:

Commencing from a spike found marking the Northwest Corner of the Southwest Quarter of said Section 28;

Thence Southerly along the West line of the Southwest Quarter of said Section 28, also being the centerline of County Road 82 (right of way varies), South 00 degrees 08 minutes 37 seconds East, a distance of 500.05 feet to a point (Station 73+50.13, 422.77 feet left centerline turnpike);

Thence Easterly along a line perpendicular to the West line of the Southwest Quarter of said Section 28, South 89 degrees 51 minutes 23 seconds West, a distance of 30.00 feet to a point on the Easterly right of way line of said County Road 82 and the **True Point of Beginning** of the Easement herein described (Station 73+76.85, 436.40 feet left centerline turnpike);

1. Thence continuing Easterly along a line perpendicular to the West line of the Southwest Quarter of said Section 28, North 89 degrees 51 minutes 23 seconds East, a distance of 20.00 feet to a point (Station 73+94.67, 445.49 feet left centerline turnpike);
2. Thence Southerly along the a line parallel with the West line of the Southwest Quarter of said Section 28, South 00 degrees 08 minutes 37 seconds East, a distance of 298.05 feet to a point on the Northerly right of way line of County Road 149 (40' right of way) (Station 75+30.13, 180.00 feet left centerline turnpike);
3. Thence Northwesterly along the Northerly right of way line of said County Road 149, North 63 degrees 06 minutes 45 seconds West, a distance of 22.45 feet to the intersection with the Easterly right of way line of said County Road 82 (Station 75+07.68, 180.00 feet left centerline turnpike);
4. Thence Northerly along the Easterly line of right of way line of said County Road 82, North 00 degrees 08 minutes 37 seconds West, a distance of 287.85 feet to the **True Point of Beginning**, containing in all 0.134 acres of land more or less, subject however to all legal highways and prior easements of record.

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OCTOBER 16, 2023**

North Coast Island Trail
Easement "C" – 0.134 acres

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The above legal description is based on a Survey prepared for The Ohio Turnpike as shown on a survey plat titled "71-21-04" performed during June of 2022, by DGL Consulting Engineers, LLC. and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.



Date: October 3, 2023

Ronald J. Lumbrezer, P.S.
Ohio Professional Surveyor #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd, Suite E
Maumee, Ohio 43537
Phone: (419)535-1015, Ext 232
Easement "C"



**MINUTES OF THE 712th OHIO TURNPIKE AND
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OCTOBER 16, 2023**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Declaring the Necessity of Appropriating Property and Directing That
Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located
in Washington Township, Sandusky County as Part of Project No. 71-21-04 – Temporary
Easement #1**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) awarded a contract to DGL Consultant Engineers, LLC for design services and engineering support during construction for Project No. 71-21-04, Bridge Deck Overlay of the Mainline Bridge over Waggoner Road (County Route 82) at Milepost 83.3 in Sandusky County, and Removal of the Mainline Bridge over the North Coast Inland Trail at Milepost 83.3 in Sandusky County (“the Project”) under Resolution 7-2022; and

WHEREAS, in furtherance of the Project as it relates to the Removal of the Mainline Bridge over the North Coast Inland Trail, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire an approximately 0.120 acre parcel near the Turnpike bridge in Washington Township, Sandusky County (near Milepost 83.3), which said approximate 0.120 acre parcel (as legally described as Temporary Easement #1 on Exhibit A attached hereto and incorporated herein, “Temporary Easement #1”) is a portion of the real estate currently designated as Sandusky County Auditor’s Permanent Parcel No. 21-29-00-0013-00, and recorded by Official Record 249, Page 076 of the Sandusky County Records; and

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby declares that said acquisition of Temporary Easement #1 is necessary to provide access during construction, and for the maintenance of the public roadway improvements therefor, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-21-04; and

FURTHER RESOLVED, that in compliance with Ohio Revised Code Chapters 5537 and 163, the General Counsel is authorized and directed to negotiate for a reasonable time, and if possible, enter into an agreement for the purchase of the Properties with the following entity identified to be the current owner of both Properties:

Tavacska, LLC
J. Douglas Ruck
427 W. College Ave.
Pemberville, Ohio 43450

**MINUTES OF THE 712th OHIO TURNPIKE AND
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OCTOBER 16, 2023**

and such other persons or entities that have or may have an interest in said Properties, or are otherwise required to be named in the proceedings for appropriation under Ohio Revised Code Chapter 163; and

FURTHER RESOLVED, that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of a temporary easement to Temporary Easement #1 and any necessary easements on and over the properties described herein or neighboring parcels; and

FURTHER RESOLVED, that the Executive Director or the General Counsel be, and he/she is hereby instructed to do or cause to be done all things that may be reasonably necessary so that proceedings for the appropriation of Temporary Easement #1 described herein may be commenced and completed.

(Resolution No. 94-2023 adopted October 16, 2023)

**MINUTES OF THE 712th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
OCTOBER 16, 2023**

EXHIBIT A



LEGAL DESCRIPTION

For: North Coast Island Trail

Temporary Easement #1 – 0.120 acres

A parcel of land located in the Southeast Quarter of Section 29, Town 6 North, Range 14 East, Washington Township, Sandusky County, Ohio and being further bounded and described as follows:

Commencing from a spike found marking the Northeast Corner of the Southeast Quarter of said Section 29;

Thence Southerly along the East line of the Southeast Quarter of said Section 29, also being the centerline of County Road 82 (right of way varies), South 00 degrees 08 minutes 37 seconds East, a distance of 817.45 feet to the intersection of the Northerly limited access right of way line of the Ohio Turnpike (Station 74+94.40 feet 140.00 feet left centerline turnpike);

Thence Northwesterly along the Northerly limited access right of way line of the Ohio Turnpike, North 63 degrees 06 minutes 45 seconds West, a distance of 944.44 feet to the Southeasterly corner of land now or formerly owned by TAVACSKA, LLC through Official Record 249, Page 076 of the Sandusky County Records and the **True Point of Beginning** of the Easement herein described (Station 65+49.97 feet 140.00 feet left centerline turnpike);

1. Thence continuing Northwesterly along the Northerly limited access right of way line of the Ohio Turnpike, North 63 degrees 06 minutes 45 seconds West, a distance of 187.55 feet to a point (Station 63+62.42 feet 140.00 feet left centerline turnpike);
2. Thence Northeasterly along a line, North 26 degrees 53 minutes 15 seconds East, a distance of 30.00 feet to a point (Station 63+62.42 feet 170.00 feet left centerline turnpike);
3. Thence Northeasterly along a line, North 87 degrees 31 minutes 46 seconds East, a distance of 40.79 feet to a point on the Easterly line of said TAVACSKA lands (Station 63+97.98 feet 190.00 feet left centerline turnpike);
4. Thence Southeasterly along the Easterly line of said TAVACSKA lands, South 44 degrees 54 minutes 11 seconds East, a distance of 160.00 feet to the **True Point of Beginning**, containing in all 0.120 acres of land more or less, subject however to all legal highways and prior easements of record.

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OCTOBER 16, 2023**

North Coast Island Trail
Temporary Easement #1 – 0.120 acres
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The above legal description is based on a Survey prepared for The Ohio Turnpike as shown on a survey plat titled "71-21-04" performed during June of 2022, by DGL Consulting Engineers, LLC. and was prepared by Ronald J. Lumbrezer, Ohio Professional Surveyor #8029.

NOTE: The bearings in this legal description are based upon an assumed meridian and are used only for the purpose of describing angular measurements.

Stations taken from survey plat for The Ohio Turnpike as shown on a survey plat made in March 2023, for the Ohio Turnpike titled "71-21-04".



Date: October 3, 2023

Ronald J. Lumbrezer, P.S.
Ohio Professional Surveyor #8029
DGL Consulting Engineers, LLC
3455 Briarfield Blvd, Suite E
Maumee, Ohio 43537
Phone: (419)535-1015, Ext 232
Temporary Easement #1



**MINUTES OF THE 712th OHIO TURNPIKE AND
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OCTOBER 16, 2023**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Reauthorizing the Ohio Turnpike and Infrastructure Commission's
Business Inclusion Program for a Six Year Period**

WHEREAS, the policy of the Ohio Turnpike and Infrastructure Commission (“Commission”) is to ensure that all disadvantaged businesses, including those owned and controlled by minorities and women, have the fullest possible opportunity to participate in contracts involving the expenditure of Commission funds, including leases, purchase orders and all forms of agreement where work, labor, services, supplies, equipment and materials, or any combination of the foregoing; and

WHEREAS, in furtherance of its policy, the Commission adopted Resolution No. 18-2014 on March 24, 2014, authorizing the Executive Director to retain a consultant to conduct a study (“Disparity Study”) to determine whether any disparity exists between the availability of minority- and woman-owned businesses to perform on its contracts and the Commission’s utilization of such businesses; and

WHEREAS, in April 2016, BBC Research & Consulting reported to the Commission the results from the Disparity Study. The Disparity Study found that a disparity existed between the availability of minority- and woman-owned businesses ready, willing and able to perform the Commission’s contracts for construction, professional services and goods and support services and the actual participation of those businesses in the Commission’s contracting opportunities. Based on evidence from the Disparity Study, the Commission determined that it has a legitimate governmental interest to remedy the effects of societal discrimination; and

WHEREAS, to remedy the underutilization of minority- and woman-owned businesses on the Commission’s contracts, the 2016 Disparity Study recommended: (i) improved monitoring of minority- and woman-owned business and other disadvantaged business enterprises on the Commission’s contracts; (2) establishing a race- and gender-neutral small business enterprise (“SBE”) program; and (3) implementing narrowly tailored race- and gender-conscious remedial actions to address the inference of discriminatory conduct against minority- and woman-owned businesses if such neutral measures fail to eliminate the disparity between availability and utilization of those businesses; and

WHEREAS, pursuant to Resolution No. 43-2016, adopted on June 20, 2016, the Commission established a Small, Minority and Disadvantaged Business Inclusion Program (the “Program”) with the purpose of “...ensuring there are equal opportunities for small, minority and otherwise disadvantaged businesses [*i.e.*, veteran owned businesses] to participate in the Commission’s business transactions, preventing its contracting dollars from disparately affecting disadvantaged businesses, and eliminating the effects of discrimination on competition for its contracting opportunities;” and

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OCTOBER 16, 2023**

WHEREAS, the Program was authorized for an initial period of six (6) years, subject to review and reauthorization by the Commission, and that initial six (6) year period expired as of June 19, 2022; and

WHEREAS, pursuant to Resolution No. 35-2022, adopted May 16, 2022, the Commission extended the Program for an interim period of one (1) year until June 19, 2023, to allow time for the Commission to complete an Availability Study and present to the Commission a formal request to reauthorize the Program with necessary improvements and changes to ensure the Program continues to serve its intended purpose; and

WHEREAS, at the meeting held on May 15, 2023, the Director of Contracts Administration presented a resolution to the Commission to reauthorize the Program for a new 6-year period with changes based on the Availability Study and best practices and the resolution was tabled, and later died due to lack of action taken, because members had questions about the Program changes, mostly regarding the addition of sheltered market opportunities; and

WHEREAS, at the meeting held on June 19, 2023, the Director of Contracts Administration provided Commission members with written responses to questions submitted by the members and pursuant to Resolution No. 50-2023, adopted June 19, 2023, the Commission extended the Program for 6-months, through December 19, 2023, to provide additional time for staff to address remaining questions; and

WHEREAS, at the meeting held on September 18, 2023, the Director of Contracts Administration provided an update on the Program changes and has since finalized the Standards and Practices Manual based on feedback from the Commission that the sheltered market opportunities process mirror that of the Ohio Department of Transportation as part of its SBE program; and

WHEREAS, the final, updated Standards and Practices Manual (the “Manual”), a copy of which is attached, includes the following main changes, among others:

- A. SBE Certification. The Manual currently provides for certification of SBEs, MBEs and DBEs. Since the Program is race- and gender-neutral, it should only provide for the certification of SBEs. It is important to note that minority- and woman-owned businesses as well as other disadvantaged businesses, including veteran-owned businesses, may still meet the criteria to be certified as SBEs. The Manual has been updated to include this change.

- B. 100% Self-Performance Credit. The Program currently limits the credit SBEs

**MINUTES OF THE 712th OHIO TURNPIKE AND
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performing as prime contractors can apply towards contract goals to 20% of the work self-performed by the prime contractor. If the SBE prime contractor cannot meet the contract goal through its own self performance, then it must hire another SBE to meet the contract goal. This has caused confusion during the procurement process and can be seen as a deterrent to encouraging SBEs to perform as prime contractors. The Manual has been updated to allow an SBE performing as a prime contractor to receive 100% credit for its self-performance toward the contract goal which is consistent with other race- and gender-neutral programs.

- C. Annual Aspirational Goal. As suggested by the Availability Study, the Commission will establish an Annual Aspirational Goal for the participation of SBEs in its contracts and will measure the annual participation of SBEs and its progress toward meeting the Annual Goal. The Manual has been updated to include this process.
- D. Contract Goals. The Manual has been updated to clearly articulate factors to be used in setting contract goals that may be higher or lower than the Annual Aspirational Goals.
- E. Sheltered Market Opportunities. The Manual has been updated to establish a Sheltered Market Opportunities process which will identify a portion of Commission contracts for competition only by SBEs in the areas of construction and consulting services and for contracts amounts that do not exceed \$2 million. OEI will meet with user departments annually to identify projects or contracts that are appropriate for sheltered market procurements in the next 12 months. If no responsive and responsible bids or proposals are received in response to a sheltered market opportunity, or if pricing is determined to be unfair or unreasonable, the contract will be re-bid using typical open competition procedures to all businesses.
- F. Bid Discounts. The Manual has been updated to set new limits on bid discounts which may be given to SBEs. The existing bid discount maximum is \$7,500. This has been changed to a % based on contract amount – 5% for contracts under \$500,000; 3% for contracts from \$500,000 to under \$1 million and 2% for contracts over \$1 million.
- G. Modifications. The Manual permits the Executive Director to make modifications to the Program to address legal, financial, operational or other managerial issues that may arise (for example, changes in applicable legal or regulatory requirements,

**MINUTES OF THE 712th OHIO TURNPIKE AND
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OCTOBER 16, 2023**

changes in staffing, position or title, etc.).

- H. Term/Reauthorization. If the Program is reauthorized, it will continue for another term of six (6) years. At the end of six (6) years, the Commission will be tasked with reviewing the Program and determining whether to continue, revise or suspend the Program.

WHEREAS, the Director of Contracts Administration recommends that the Program be reauthorized for a period of six (6) years in the form provided in the updated Manual; and

WHEREAS, the Executive Director has reviewed the recommendation of the Director of Contracts Administration and recommends that the Commission reauthorize the Program for a period of six (6) years in the form provided in the updated Manual; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission finds it has a legitimate governmental interest in continuing the Business Inclusion Program to increase opportunities for small and disadvantaged businesses to compete for and perform on Commission projects and contracts; and

FURTHER RESOLVED, that the Commission reauthorizes the Business Inclusion Program and approves the updated Standards and Practice Manual for a period of six (6) years, commencing on the date of passage of this Resolution.

(Resolution No. 95-2023 adopted October 16, 2023)

**MINUTES OF THE 712th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
OCTOBER 16, 2023**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Ratifying and Approving Renewal of Employee Benefit Consulting Services
Agreement with Gallagher Benefit Services, Inc. in the Aggregate Not-to-Exceed Amount
of \$229,843.75**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published a Request for Qualifications on August 15, 2019 for Employee Benefit Consulting Services related to its employee benefit insurance programs; and

WHEREAS, the Commission staff reviewed the proposals received and determined that Gallagher Benefit Services, Inc. (“Gallagher”) was the most qualified firm to perform the services among those submitting proposals; and

WHEREAS, the Executive Director approved the recommendation to select Gallagher to perform the necessary services for the Project in the amount of \$45,000.00 per year (\$3,750 per month); and

WHEREAS, the Commission and Gallagher executed a contract, effective November 1, 2019 for a term of three (3) years, and two-two (2) year renewal terms;

WHEREAS, due to an inadvertent payment tracking error, the Commission has paid Gallagher \$31,093.75 above \$150,000.00 under the existing agreement and the Director of Administration respectfully recommends that the Commission ratify this expenditure and authorize the first of the two 2 year renewal terms; and

WHEREAS, Gallagher provides satisfactory benefit consulting services, assisting the Commission in realizing cost-savings for its employee benefits programs; and

WHEREAS, the Executive Director has reviewed the recommendation of the Director of Administration and concurs that the Commission should ratify the amount of \$31,093.75 paid to Gallagher and authorize the renewal of the of the contract for the first of two, two (2) year renewal terms in the estimated additional amount of \$48,750.00, for an aggregate not-to-exceed total contract amount of \$229,843.75; and

WHEREAS, Commission action is necessary to approve the renewal of the agreement in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the renewal exceeds the greater of \$150,000.00 or 10% of the original contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

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RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the amount of \$31,093.75 paid to Gallagher Benefit Services, Inc. as described in the recitals is hereby ratified; and

FURTHER RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the renewal of the agreement with Gallagher Benefit Services, Inc, effective November 1, 2022 for the first of two, two (2) year renewal terms is ratified in the estimated additional amount of \$48,750.00, for an aggregate not-to-exceed total contract amount of \$229,843.75.

(Resolution No. 96-2023 adopted October 16, 2023)

**MINUTES OF THE 712th OHIO TURNPIKE AND
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OCTOBER 16, 2023**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Authorizing the Award of Self-Insured Employee Benefit Group Health Benefits
Plan Administration with Stop Loss Insurance to Medical Mutual of Ohio, Inc.**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) authorized the award of self-insured employee benefit group health benefits plan administration with stop loss insurance pursuant to Resolution 85-2022; and

WHEREAS, through Resolution 85-2022, the Commission approved a one-year contract for Stop Loss Insurance to Medical Mutual for one year, in the amount of \$737,290.00, for 2023; and

WHEREAS, the Commission’s Evaluation Team and its independent and disinterested consultant recommend that the Commission authorize the award of a one-year contract for Stop Loss Insurance to Medical Mutual on the basis of its Proposal dated September 22, 2023, and its best and final offer dated October 4, 2023 with premium of \$1,006,242; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws for the award of the contract for the Employee Group Health Benefits Plans because required expenditures over the term of the agreement will exceed \$150,000.00; and

WHEREAS, the Executive Director has also reviewed the recommendation submitted by the Evaluation Team and concurs with the recommendation to award the contract to Medical Mutual for the administration of the self-insured Group Health Benefits Plans with stop loss insurance; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Proposal from Medical Mutual offering to provide the Commission’s self-insured Group Health Benefits Plans with stop loss insurance is selected as the best proposal submitted, and that the Executive Director is authorized and directed to award a contract for the Commission’s self-insured Group Health Benefits Plans with \$250,000.00 stop loss insurance to Medical Mutual commencing January 1, 2024 for Stop Loss Insurance to Medical Mutual with a premium for 2024 of \$1,006,242 for Stop Loss Insurance; and

FURTHER RESOLVED, that the Executive Director is authorized to take any and all action necessary to properly carry out the terms of the contract with Medical Mutual, and make any modifications thereto during the term thereof that are necessary to fulfill any newly mandated

**MINUTES OF THE 712th OHIO TURNPIKE AND
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requirements, address circumstances that would create a threat to life, safety, or health or wellbeing of Commission employees or otherwise interfere with the purpose and intent of the Group Health Benefits Plans or stop loss insurance, including the approval of claims made during the term of the agreement.

(Resolution No. 97-2023 adopted October 16, 2023)

**MINUTES OF THE 712th OHIO TURNPIKE AND
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OCTOBER 16, 2023**

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Authorizing Expenditures for the Settlement of Litigation Related to
the Reginella Construction Company's Contract No. 53-11-01 and 53-11-02**

WHEREAS, on January 24, 2011, by Resolution No. 1-2011, the Ohio Turnpike and Infrastructure Commission ("Commission") awarded multiple trade contracts, designated as Contract No. 53-11-01 and 53-11-02, for the reconstruction of the Mahoning Valley and Glacier Hills Service Plazas located at Milepost 237.2 in Mahoning County; and

WHEREAS, on May 21, 2012, the Commission terminated the Contract of Reginella Construction Company ("Reginella") due to its default under the terms and conditions of the General Trades Contract for Contract No. 53-11-01 and 53-11-02; and

WHEREAS, the terms and conditions of Contract No. 53-11-01 and 53-11-02 and the Contract Bond provided by Reginella required Travelers Casualty and Surety Company of America ("Travelers"), as Surety for the Project, to undertake completion of the Project, and effective June 3, 2012, Travelers entered into a "Takeover Agreement" with the Commission; and

WHEREAS, pursuant to Resolution No. 39-2012, the Commission authorized the General Counsel, "to do or cause to be done all things that may be appropriate or necessary, whether by agreement or through legal proceedings, to defend the Commission when necessary and to assert any claims the Commission may have against others as a result of Reginella's default under Contract No. 53-11-01 and 53-11-02; and to pursue the recovery of all costs or expenses incurred by the Commission in undertaking its legal defense with respect to any claims against the Commission, and similarly with respect to any claims asserted by the Commission;" and

WHEREAS, Resolution No. 39-2012 further authorized the continued retention of Calfee, Halter and Griswold, of Cleveland, Ohio, under the supervision of the General Counsel, to provide "legal services required in connection with the aforementioned claims associated with Contract No. 53-11-01 and 53-11-02[;]" and

WHEREAS, Reginella initiated litigation against the Commission in the Cuyahoga County Court of Common Pleas, case number CV20-927962, refiled as case number CV22-964019; and

WHEREAS, in addition to the authority previously granted to the General Counsel under Resolution No. 39-2012, this Resolution grants full settlement authority to the General Counsel for purposes of the aforementioned mediation and/or any litigation that has resulted or will result from the claims of the prime contractors under Contract No. 53-11-01 and 53-11-02; and

WHEREAS, the Commission has duly considered the General Counsel's recommendations.

**MINUTES OF THE 712th OHIO TURNPIKE AND
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NOW, THEREFORE, BE IT

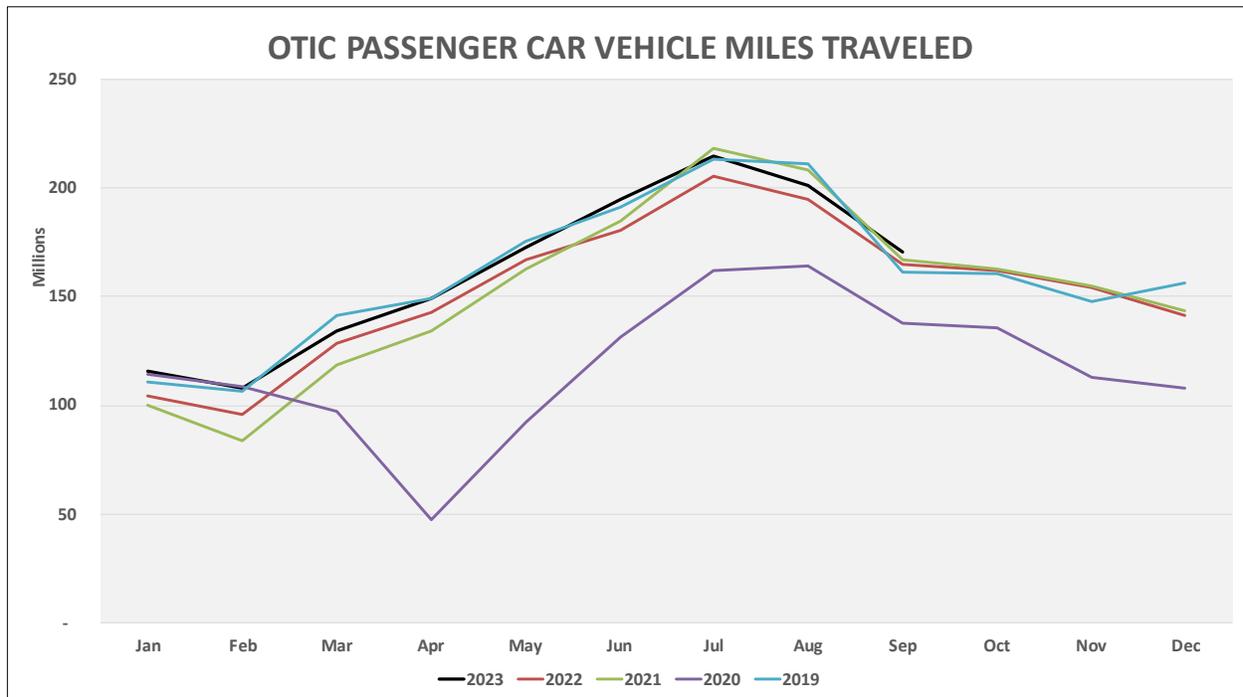
RESOLVED, that in addition to the instructions of the Commission and authority previously granted to the General Counsel under Resolution No. 39-2012 and 56-2014, the General Counsel is hereby fully authorized to pursue and engage in any settlement and payment of agreed settlement amounts, as she deems appropriate, of any or all claims asserted against the Commission by Reginella under Contract No. 53-11-01 and 53-11-02 in the course of litigation that has been filed or will be filed by Reginella against the Commission.

(Resolution No. 98-2023 adopted October 16, 2023)

**MINUTES OF THE 712th OHIO TURNPIKE AND
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OCTOBER 16, 2023**

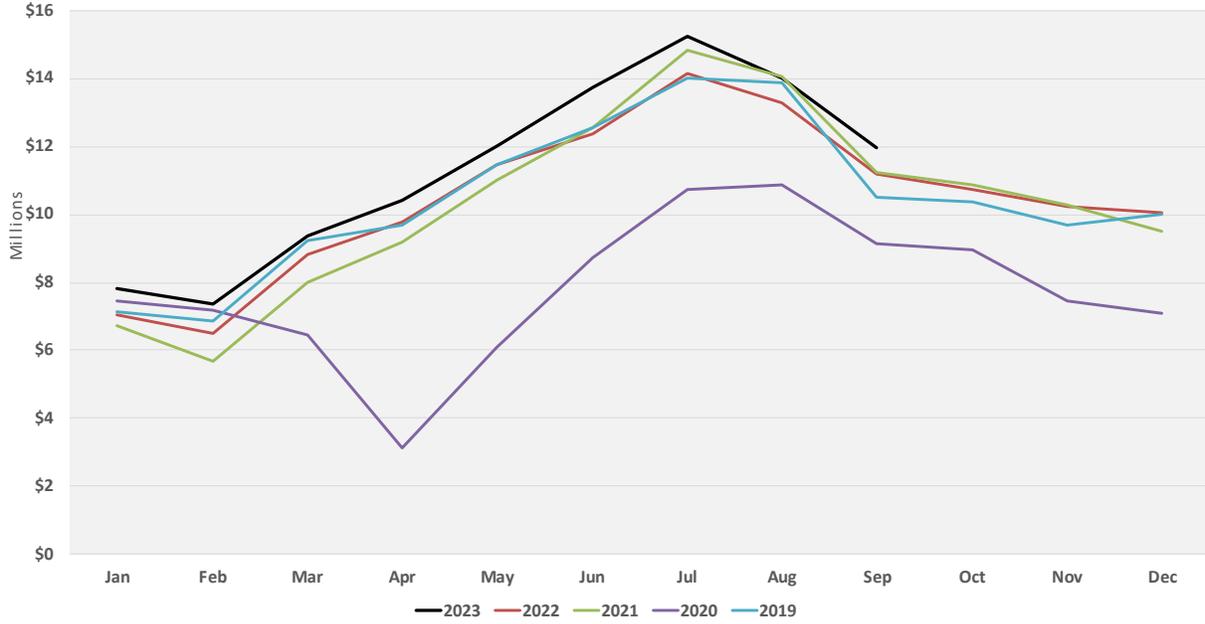
**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
TRAFFIC AND REVENUE REPORT**

AS OF SEPTEMBER 30, 2023

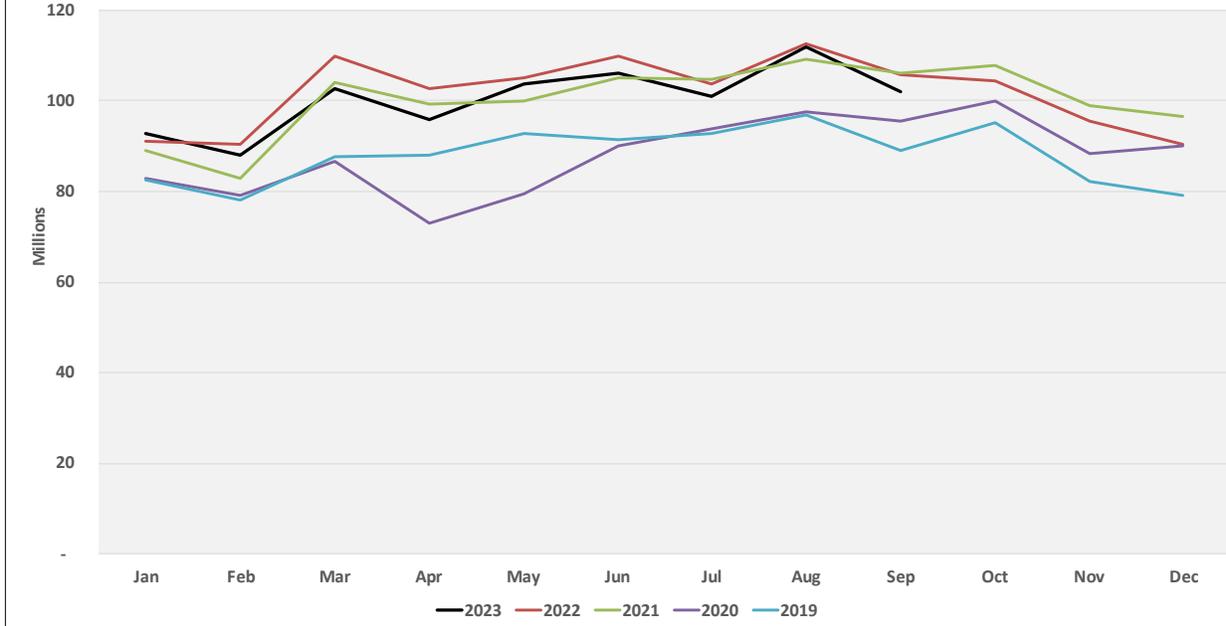


MINUTES OF THE 712th OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION OCTOBER 16, 2023

OTIC PASSENGER CAR TOLL REVENUES

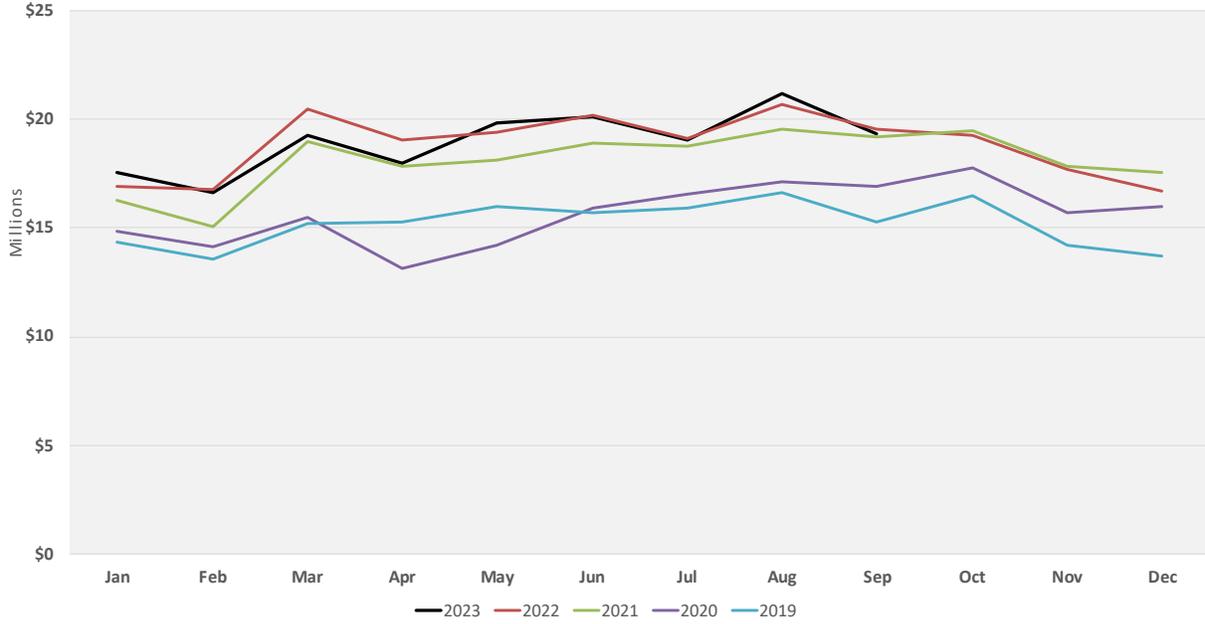


OTIC COMMERCIAL VEHICLE MILES TRAVELED



MINUTES OF THE 712th OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION OCTOBER 16, 2023

OTIC COMMERCIAL VEHICLE TOLL REVENUES



OTIC YEAR-TO-DATE TOLL REVENUES AS OF SEPTEMBER 30, 2023

