

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

This regular meeting of the Ohio Turnpike and Infrastructure Commission was **CALLED TO ORDER** on September 18, 2023, at 11:00 a.m., located at 682 Prospect Street, Berea, Ohio 44017.

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

**ROLL CALL:**

**Members Present:**

- Chairman, Jerry N. Hruby;
- Vice Chair, Sandra K. Barber;
- Secretary-Treasurer, Guy C. Coviello;
- Commission Member, Colleen Shay Murray;
- 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;
- Senator Bill Reineke; and
- Representative Haraz N. Ghanbari.

**Members Excused:**

None

**Ohio Turnpike and Infrastructure Commission Employees Present:**

- Assistant Secretary-Treasurer and Executive Director, Ferzan M. Ahmed, P.E.;
- Chief Engineer, Chris Matta;
- Interim Director of Administration, Lisa Zamiska;
- General Counsel, Jennifer Monty Rieker;
- 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;
- Assistant Comptroller, Jacquelyn Dohoda-Herberger;
- Ohio State Highway Patrol Staff Lieutenant, Richard Reeder;

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- Contracts Administration Administrative Assistant, Lisa Drozdowski;
- Customer Service Center Supervisor, Taylor Birth;
- Director of Toll Plaza Operations, Laurie Davis;
- Paralegal, Suzanne Coleman;
- Director of Administration, Lisa Zamiska;
- Patrol Secretary, Kristin Obermeyer; and
- OEI Contracts Coordinator, Stacey Verespe.

**Others Present:**

- Michael Burgess, Osborn Engineering;
- Hamid Homae, TBD Advising;
- Ed Adamczyk, Arcadis;
- Mark Wimer, AECOM;
- Jacob Siesel, IUOE Local 18;
- Maureen Shildwachter, Huntington National Bank
- Jeff Broadwater, Michael Baker International
- Bethany Pugh, PFM;
- Tony Yacobucci, Civil & Environmental Consultants;
- Al Biehl, Transystems;
- Camille Silvi, AECOM;
- Allan Johnson;
- Tamara Klement Ellis, Huntington National Bank; and
- David Hard, Huntington National Bank.

**MINUTES OF THE AUGUST 21, 2023 REGULAR COMMISSION MEETING:**

Motion: Vice Chair Barber

Seconded: Commission Member Shay Murray

Ayes: Chairman Hruby, 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: 6-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.
    - The official go live date remains sometime in the end of September, though we believe it will slip by a few weeks. On the Roadside implementation of the system, Conduent has informed us that the “go live” date will now be sometime in November.
    - A delay in the implementation of the new Toll Collection System will create delay related costs to some of our construction projects. To mitigate delays, we sequenced some construction activities which resulted in increased mobilization and overhead costs.
  - We held our Labor Day Customer Appreciation and outreach Event at the Commodore Perry Service Plaza on September 1st.
  - Lisa Zamiska was promoted to the position of Director of Administration.
  - Deborah Worman and Robin Carpenter in the Toll Operations Department were both promoted to Assistant Toll Plaza Supervisor.
  - We have ten new Team Members and one Transfer.
    - The Toll Operations Department welcomes four new part-time Toll Collectors: Beth Fait, Jonathan Williams, Jaden Rohfeld, and Donald Lugar.
    - The Maintenance Department welcomes six new hires: Christopher Johnson, Ryan Lashaway, David Hinkle, Jeremiah Gregg, Ethan Siwik and Mark Wright.
    - The CSC Department welcomes Lisa Pagan, who transferred from the radio room.
  - Acknowledged our Retirees for their service and wished them well in their new journey.
    - Theodore Jackson and Judith Shattuck from the Toll Operations Department.
    - Chris Kalis and Richard Guedras from the Maintenance Department.
  - Mr. Chairman, this ends my report, and I am happy to answer any questions.

**CHIEF ENGINEER’S REPORT:**

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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 Franklin Township, Fulton County as Part of Design Project No. 71-20-01 – R Farm and Ranch LLC

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

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**RESOLUTION NO.:** [Resolution No. 75-2023](#)

**RESOLUTION:**

Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Franklin Township, Fulton County as Part of Design Project No. 71-20-01 – Samuel H. Lauber, Trustee

Motion: Vice Chair Barber  
Seconded: Secretary-Treasurer Coviello

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**RESOLUTION NO.:** [Resolution No. 76-2023](#)

**RESOLUTION:**

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Resolution Ratifying the Selection of The Ruhlin Company for Emergency Slope Repair  
Project No. 70-23-02 in the Amount of \$543,500.00

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

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**RESOLUTION NO.:** [Resolution No. 77-2023](#)

Chairman Hruby questioned if slope repairs occurred before. Chief Engineer Matta advised that he did not know if that slope specific to that bridge had failed previously. He will research that issue. Chief Engineer Matta advised a lot of slope issues were out in Sandusky County.

Vice Chair Barber commented that she and other representatives were called out to see the site and saw the failure. Vice Chair Barber advised the Trustees did close the road. Vice Chair Barber conveyed thanks from the County Engineer for the promptness of the Turnpike staff.

**RESOLUTION:**

Resolution Approving Change Orders for Contract with Regent Electric, Inc. for Project  
No. 64-22-01 in the Aggregate Total Amount of \$4,087,723.41

Motion: Vice Chair Barber  
Seconded: Commission Member Shay Murray

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**RESOLUTION NO.:** [Resolution No. 78-2023](#)

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Commission Member Shay Murray asked how old materials are being disposed. Chief Engineer Matta advised the contractor disposes of the materials at a selected site in accordance with Federal EPA guidelines.

**RESOLUTION:**

Resolution Approving the Selection of Kokosing Construction Company, Inc. for Project No. 43-24-06 for the Total Amount of \$7,974,694.74

Motion: Secretary-Treasurer Coviello  
Seconded: Commission Member Taylor

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**RESOLUTION NO.:** [Resolution No. 79-2023](#)

**RESOLUTION:**

Resolution Authorizing Modification to the Contract with Crawford, Murphy & Tilly, Inc., to Perform Phase IB Services Under Project No. 71-22-09 for an Aggregate Not-to-Exceed Amount of \$368,162.00

Motion: Commission Member Shay Murray  
Seconded: Vice Chair Barber

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**RESOLUTION NO.:** [Resolution No. 80-2023](#)

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**RESOLUTION:**

Resolution Authorizing Modification to the Contract with ms consultants, inc., to Perform Phase IB Services Under Project No. 71-22-11 for an Aggregate Not-to-Exceed Amount of \$528,992.00

Motion: Secretary-Treasurer Coviello  
Seconded: Vice Chair Barber

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**RESOLUTION NO.:** [Resolution No. 81-2023](#)

**RESOLUTION:**

Resolution Approving the Selection of RKA Petroleum Companies, Inc. and Ports Petroleum Company, Inc. Under Bid Invitation No. 4440 to Supply the Commission's Requirements for Diesel Fuel and Gasoline Blends

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

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**RESOLUTION NO.:** [Resolution No. 82-2023](#)

Chairman Hruby asked how this year's pricing compared with previous contracts. Maintenance Operations Engineer, Bryan Emery, said as far as quantities are concerned, we are identical to our last three-year contract. Emery stated he did not have the previous total value of those contracts.

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**DIRECTOR OF CONTRACTS ADMINISTRATION'S REPORT:**

**RESOLUTION:**

Resolution Authorizing the Ohio Turnpike and Infrastructure Commission's Participation  
in the Ohio Department of Transportation's Cooperative Purchasing Program for Two  
Years

Motion: Vice Chair Barber  
Seconded: Secretary-Treasurer Coviello

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**RESOLUTION NO.: [Resolution No. 83-2023](#)**

**RESOLUTION:**

Resolution Authorizing the Ohio Turnpike and Infrastructure Commission's Participation  
in the State of Ohio, Department of Administrative Services Cooperative Purchasing  
Program

Motion: Chairman Hruby  
Seconded: Commission Member Shay Murray

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**RESOLUTION NO.: [Resolution No. 84-2023](#)**

Secretary-Treasurer Coviello questioned the amount of the fee. Director of Contracts  
Administration Lane provided that the cost was \$100.00 each year, but that DAS suspended fees  
during the pandemic.



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Secretary-Treasurer Coviello asked about the timing of the Resolution. Director of Contracts Administration Lane states that the statute requires a resolution be adopted and filed with the Department of Administrative Services. Executive Director Ahmed advised that it was a housecleaning item.

**RESOLUTION:**

Resolution Ratifying and Approving Renewal of Software Service Agreement with AskReply, Inc. dba B2Gnow in the Aggregate Not-to-Exceed Amount of \$346,249.00

Motion: ODOT Member Ex-Officio, through its director's designee Pakush  
Seconded: Secretary-Treasurer Coviello

Ayes: Chairman Hruby, 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:** 6-AYES, 0-NAYS

**RESOLUTION NO.:** [Resolution No. 85-2023](#)

Vice Chair Barber thanked Director of Contracts Administration for answering the questions she submitted.

Senator Reineke asked Director of Contracts Administration Lane to define "success" and how to quantify success.

Director of Contracts Administration Lane discussed B2GNow and how it assists the Commission with certain requirements and manages its SBE program.

- Report – Update on Ohio Turnpike and Infrastructure Commission's Business Inclusion Program (see attached)

Commission Member Taylor requested a discussion be had in the near future about small business enterprises and the opportunity to shadow Tier 1 and larger firms.

Secretary-Treasurer Coviello asked if the race and gender neutral portion is new. Director of Contracts Administration Lane said it has always been a part of the program.

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Secretary-Treasurer Coviello commented on the shadowing aspect, suggested a procurement event and asked ODOT Member Ex-Officio, through its director's designee Pakush about ODOT's financial impact

ODOT Member Ex-Officio, through its director's designee Pakush discussed the Ohio Department of Transportation's costs and that the costs are just part of doing business.

Continued discussion between Commission Members about the program and possible things to implement.

**CHIEF FINANCIAL OFFICER'S REPORT:**

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

**GENERAL COUNSEL'S REPORT:**

- Report on insurance purchased as a result of last month's resolution.
- Advised the Commission is fully insured.

**OHIO STATE HIGHWAY PATROL'S REPORT**

- Staff Lieutenant Richard Reeder provided an update on Ohio State Highway Patrol operations and the Customer Appreciation events with the OTIC.
- On August 20, 2023, at 1803 hours, Trooper Logan Kirkendall, of the Swanton Post, was dispatched to a crash that was observed by the Ohio Turnpike cameras at the entrance ramp from I-280 to the Ohio Turnpike. When Trooper Kirkendall arrived on the driver immediately exited the vehicle and approached him. The driver explained that a deer had run out in front of her and she swerved to avoid it, went off the road, and struck a sign. While investigating the crash, Trooper Kirkendall went to retrieve the information from the passengers and could smell a strong odor of raw marijuana. After a probable cause search, several tote bags were located in the vehicle and found to contain several marijuana products as well raw marijuana. In total, throughout the car were over two pounds of marijuana gummies as well as other wax, cigarettes, vape cartridges and raw marijuana. The evidence was shipped the OSHP crime lab for analysis. Charges are pending based on lab reports.
- During the week of September 5-8, 2023, Trooper Hann conducted a detail with Ohio Turnpike personnel at each of the eight maintenance facilities across the Turnpike. The detail covered load securement with a practical application at each site. Trooper Hann also touched on Human Trafficking and answered numerous questions regarding commercial operations and safety. Each session took about

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two hours and Trooper Hann was able to talk with approximately 150 Ohio Turnpike employees total.

- On August 30, 2023, at 0857 hours, Trooper Brian Hann, of the Milan Post, was on routine patrol traveling eastbound on the Ohio Turnpike near milepost 101 when he observed a white Mercedes-Benz SUV pass him in the center lane. While passing him he also observed the driver using her cellular device while operating the vehicle. Trooper Hann advised Trooper Cody McCoy, also of the Milan Post, what he had just observed and the vehicle was approaching his location just ahead. A few moments later, the vehicle then also passed Trooper McCoy at a rate speed higher than the posted speed limit. Trooper McCoy made contact with the driver and she admits to using it. She had no idea she was traveling over the posted speed limit.
- Trooper Bryan M. Dail retired on July 1, 2023 from Ohio State Highway Patrol after nearly 24 years of dedicated service. Trooper Dail joined the Division on February 23, 2000 as a member of the 135<sup>th</sup> Academy Class. He began his Patrol service at the Milan Post before transferring to Aviation. Trooper Dail is also a veteran of the Ohio Army National Guard. His dedication to his country, the Ohio State Highway Patrol, The Ohio Turnpike, and to the citizens of the Ohio is greatly appreciated.

Chairman Hruby advised the next Meeting shall be held on Monday, October 16, 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 711<sup>th</sup> Commission Meeting.

Motion: Vice Chairman Barber

Seconded: Commission Member Shay Murray

Ayes: Chairman Hruby, 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: 6-AYES, 0-NAYS**

**MEETING ADJOURNED: 11:29 a.m.**

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**EXHIBITS**

- Resolution No. 75-2023 – Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Franklin Township, Fulton County as Part of Design Project No. 71-20-01 – R Farm and Ranch LLC
- Resolution No. 76-2023 – Resolution Declaring the Necessity of Appropriating Property and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Property Located in Franklin Township, Fulton County as Part of Design Project No. 71-20-01 and – Samuel H. Lauber, Trustee
- Resolution No. 77-2023 – Resolution Ratifying the Selection of The Ruhlin Company for Emergency Slope Repair Project No. 70-23-02 in the Amount of \$543,500.00
- Resolution No. 78-2023 – Resolution Approving Change Orders for Contract with Regent Electric, Inc. for Project No. 64-22-01 in the Aggregate Total Amount of \$4,087,723.41
- Resolution No. 79-2023 – Resolution Approving the Selection of Kokosing Construction Company, Inc. for Project No. 43-24-06 for the Total Amount of \$7,974,694.74
- Resolution No. 80-2023 – Resolution Authorizing Modification to the Contract with Crawford, Murphy & Tilly, Inc., to Perform Phase IB Services Under Project No. 71-22-09 for an Aggregate Not-to-Exceed Amount of \$368,162.00
- Resolution No. 81-2023 – Resolution Authorizing Modification to the Contract with ms consultants, inc., to Perform Phase IB Services Under Project No. 71-22-11 for an Aggregate Not-to-Exceed Amount of \$528,992.00
- Resolution No. 82-2023 – Resolution Approving the Selection of RKA Petroleum Companies, Inc. and Ports Petroleum Company, Inc. Under Bid Invitation No. 4440 to Supply the Commission’s Requirements for Diesel Fuel and Gasoline Blends
- Resolution No. 83-2023 – Resolution Authorizing the Ohio Turnpike and Infrastructure Commission’s Participation in the Ohio Department of Transportation’s Cooperative Purchasing Program for Two Years

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- Resolution No. 84-2023 – Resolution Authorizing the Ohio Turnpike and Infrastructure Commission’s Participation in the State of Ohio, Department of Administrative Services Cooperative Purchasing Program
- Resolution No. 84-2023 – Resolution Ratifying and Approving Renewal of Software Service Agreement with AskReply, Inc. dba B2Gnow in the Aggregate Not-to-Exceed Amount of \$346,249.00
- August 2023 Traffic and Revenue Report

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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 Franklin Township, Fulton County as Part of Design Project No. 71-20-01 – R Farm and  
Ranch LLC**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) awarded a contract to Glaus, Pyle, Schomer, Burns, DeHaven, Inc. dba GPD Group for Engineering and Construction Administration and Inspection Services for Design Project No. 71-20-01 relating to the beam strengthening of the Township Road 22 Bridge over the Mainline at Milepost 27.3 and the deck replacements of the Township Road 17 Bridge over the Mainline at Milepost 32.2, the Township Road 12-1 Bridge over the Mainline at Milepost 37.1, and the Brailey Road Bridge over the Mainline at Milepost 46.4, all in Fulton County, Ohio (the “Project”) under Resolution 57-2020; and

WHEREAS, in furtherance of the Project as it relates to the Township Road 22 Bridge over the Mainline at Milepost 27.3, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire an easement of an approximately 0.060 acre parcel near the Turnpike bridge in Franklin Township, Fulton County (near Milepost 27.3), which said approximately 0.060 acre parcel (as legally described as Standard Highway Easement 0.060 Acres on Exhibit A attached hereto and incorporated herein, “Parcel 1”) is a portion of the real estate currently designated as Fulton County Auditor’s Permanent Parcel No. 09-019340-02.000, and recorded as instrument 202100004672 in the official Fulton 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 additionally desires to acquire an approximately 0.018 acre parcel for a temporary easement necessary to construct the Project adjacent to Parcel 1 in Franklin Township, Fulton County, which 0.018 acre parcel (as legally described as Temporary Easement 0.018 Acres on Exhibit B attached hereto and incorporated herein, “Parcel 2”) is a portion of the real estate currently designated as Fulton County Auditor’s Permanent Parcel No. 09-019340-02.000, and recorded as instrument 202100004672 in the official Fulton 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 additionally desires to acquire an approximately 0.175 acre parcel for a temporary easement necessary to construct the Project adjacent to the Ohio Turnpike in Franklin Township, Fulton County, which 0.175 acre parcel (as legally described as Temporary Easement 0.175 Acres on Exhibit C attached hereto and incorporated herein, “Parcel 3”) is a portion of the real estate currently designated as Fulton County Auditor’s Permanent Parcel No. 09-019340-02.001, and recorded as instrument 202100004672 in the official Fulton County Records.

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NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby declares that said acquisition of Parcel 1 is necessary to accommodate the grade change in the embankment slope to support Township Road 22 after Bridge MP 27.3 is raised to a minimum vertical clearance of 15'-6" over the Ohio Turnpike Mainline, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-20-01; and

FURTHER RESOLVED, that the Commission hereby declares that said acquisition of Parcel 2 and Parcel 3 are necessary to provide the contractor access to the area for construction and the placement of the embankment/fill for the new embankment slope grade, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-20-01; 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 each of the above referenced Parcels:

R FARM AND RANCH, LLC  
c/o DOUGLAS A. RUPP  
05561 COUNTY ROAD 19-50  
STRYKER OH 43557

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 Parcels 1, 2, and 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 Parcels 1, 2, and 3 described herein may be commenced and completed.

**(Resolution No. 75-2023 adopted September 18, 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 Franklin Township, Fulton County as Part of Design Project No. 71-20-01 – Samuel H.  
Lauber, Trustee**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) awarded a contract to Glaus, Pyle, Schomer, Burns, DeHaven, Inc. dba GPD Group for Engineering and Construction Administration and Inspection Services for Design Project No. 71-20-01 relating to the beam strengthening of the Township Road 22 Bridge over the Mainline at Milepost 27.3 and the deck replacements of the Township Road 17 Bridge over the Mainline at Milepost 32.2, the Township Road 12-1 Bridge over the Mainline at Milepost 37.1, and the Brailey Road Bridge over the Mainline at Milepost 46.4, all in Fulton County, Ohio (the “Project”) under Resolution 57-2020; and

WHEREAS, in furtherance of the Project as it relates to the Township Road 22 Bridge over the Mainline at Milepost 27.3, and for the purpose of maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire an approximately 0.061 acre parcel for a temporary easement necessary to construct the Project adjacent to the Turnpike in Franklin Township, Fulton County, which 0.061 acre parcel (as legally described as Temporary Easement 0.061 Acres on Exhibit A attached hereto and incorporated herein, “Parcel 4”) is a portion of the real estate currently designated as Fulton County Auditor’s Permanent Parcel No. 09-019312-00.000, and recorded in Volume 30 Page 727 in the official Fulton County Records.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby declares that said acquisition of Parcel 4 is necessary to provide the contractor access to the area for construction and the placement of the embankment/fill for the new embankment slope grade, all for the proper operation and maintenance of the Ohio Turnpike, as part of Design Project No. 71-20-01; 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 each of the above referenced Parcels:

SAMUEL H. LAUBER, TRUSTEE  
8730 COUNTY ROAD 22  
ARCHBOLD OH 43502



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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 4 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 4 described herein may be commenced and completed.

**(Resolution No. 76-2023 adopted September 18, 2023)**

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

**EXHIBIT A**

Ver. Date: 05/05/2023

Page 1 of 1

**TEMPORARY EASEMENT  
0.061 ACRES**

Situated in the State of Ohio, County of Fulton, Franklin Township, Section 3, Township 7 North, Range 5 East and being part of a tract conveyed to Samuel H. Lauber, Trustee, as recorded in Official Record 30, Page 727, bounded and described as follows:

**COMMENCING** at the Grantor's southwest corner, being the intersection of the centerline of right of way of Spies-Handy Corners Road (T.R. 22) and the north existing right of way of the Ohio Turnpike;

Thence on the Grantor's south line, and the north existing right of way of the Ohio Turnpike, **South 89 degrees 08 minutes 22 seconds East**, a distance of 75.00 feet to the east existing standard highway easement of Spies-Handy Corners Road (T.R. 22) and the **POINT OF BEGINNING**;

Thence on the east existing standard highway easement of Spies-Handy Corners Road (T.R. 22), **North 03 degrees 42 minutes 11 seconds West**, a distance of 265.98 feet to a point;

Thence through the Grantor's lands, **South 88 degrees 58 minutes 37 seconds East**, a distance of 10.03 feet to a point;

Thence continuing through the Grantor's lands, **South 03 degrees 42 minutes 11 seconds East**, a distance of 265.95 feet to a point on the north existing right of way of the Ohio Turnpike and the Grantor's south line;

Thence on the north existing right of way of the Ohio Turnpike and the Grantor's south line, **North 89 degrees 08 minutes 22 seconds West**, a distance of 10.03 feet to the **Point of Beginning**, containing 0.061 acres, of which the present road occupies 0.000 acres, and being part of Fulton County Auditor's Parcel Number 09-019312-00.000.

The bearings for this description are based on Grid North, of the Ohio State Plane Coordinate System, North Zone, NAD83(2011).

This description was prepared and reviewed under the supervision of Travis D. McCarty, Professional Surveyor No. 8347 from an actual field survey conducted for the Ohio Turnpike Commission, in March, 2021.



Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.  
dba GPD Group

A handwritten signature in blue ink that reads "Travis D. McCarty".

05/05/2023

Travis D. McCarty, P.S.  
Ohio Professional Surveyor No. 8347

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Resolution Ratifying the Selection of The Ruhlin Company for Emergency Slope Repair  
Project No. 70-23-02 in the Amount of \$543,500.00**

WHEREAS, the Chief Engineer identified a slope failure at County Road 25-2 over the Ohio Turnpike at Milepost 23.9 in Fulton County, Ohio resulting in the closure of County Road 25-2; and

WHEREAS, pursuant to Section 5537.07(G)(3) of the Ohio Revised Code, the Commission may contract for the purchase of equipment, materials, and services without public advertisement “[w]hile responding to circumstances created by an extraordinary emergency, as determined by the commission;” and

WHEREAS, based on the circumstances and pursuant to Section 5537.07(G)(3) of the Ohio Revised Code, the Executive Director determined the condition of the slope to be an extraordinary emergency and authorized staff to proceed with obtaining bids to perform the required repair work; and

WHEREAS, given the present emergency, the Commission solicited competitive bids from four (4) contractors for emergency slope repair at CR 25-2 at Milepost 23.9, in Fulton County, Ohio, designated as Project No. 70-23-02; and

WHEREAS, one (1) bid was received, and it was reviewed and analyzed by the Commission’s Chief Engineer, who submitted a report identifying the lowest responsive and responsible bidder as The Ruhlin Company, which bidder submitted a bid in the amount of \$543,500.00 for the Project; and

WHEREAS, due to the emergency nature of these repairs, a contract award was authorized by the Executive Director, and the Chief Engineer authorized The Ruhlin Company to proceed with performing said repairs; and

WHEREAS, The Ruhlin Company has submitted a performance bond with good and sufficient surety and all other documentation required by the Commission in the award of construction contracts; and

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

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
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SEPTEMBER 18, 2023**

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the deterioration of the slope as described in the recitals constitutes circumstances created by an extraordinary emergency under Section 5537.07(G)(3) of the Ohio Revised Code; and

FURTHER RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of The Ruhlin Company for Project No. 70-23-02 in the amount of \$543,500.00 is approved as the lowest responsive and responsible bid received, and the contract previously awarded by the Executive Director for said emergency repairs is hereby ratified by the Commission, and the Executive Director is authorized to take any and all action necessary and proper to carry out the terms of said bid and of said contract.

**(Resolution No. 77-2023 adopted September 18, 2023)**

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

**TCS MODERNIZATION PROJECT**

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Resolution Approving Change Orders for Contract with Regent Electric, Inc. for Project  
No. 64-22-01 in the Aggregate Total Amount of \$4,087,723.41**

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

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

WHEREAS, the Commission’s Engineering staff reports there are two change orders yet to be approved on the Project with an estimated net value of \$398,759.76;

WHEREAS, Commission approval is necessary because the pending change orders in the amount of \$398,759.76, in combination with the previously approved change orders in the amount of \$231,963.16, result in a total change order value on the Project which exceeds the greater of \$150,000 or 10% of the original contract amount; and

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

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

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the pending change orders in the amount of \$398,759.76 as set forth in the recitals above on the Project are approved, and the Executive Director is authorized to modify the construction contract with Regent

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
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SEPTEMBER 18, 2023**

Electric, Inc. by issuing such change orders, subject to the terms and conditions of the existing contract, which together with all amendments, shall be in the total aggregate contract amount not to exceed \$4,087,723.41.

**(Resolution No. 78-2023 adopted September 18, 2023)**

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Resolution Approving the Selection of Kokosing Construction Company, Inc.  
for Project No. 43-24-06 for the Total Amount of \$7,974,694.74**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice in accordance with law advertising its invitation to bid upon a contract for Bridge Deck Replacement and Rehabilitation, on the Ohio Turnpike over State Route 99 M.P. 111.2 and State Route 13 over Ohio Turnpike M.P. 119.3, in Erie County, Ohio, designated as Project No. 43-24-06 (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, the Chief Engineer reports that Kokosing Construction Company (“Kokosing”), Inc. submitted the apparent low bid on the Project in the total bid amount of \$7,974,694.74, which he recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration has 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 Kokosing conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and Kokosing submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion has found that Kokosing has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment to meet 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 Kokosing 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 Kokosing as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendations.

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of Kokosing Construction Company for Project No. 43-24-06 in the amount of \$7,974,694.74 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. 79-2023 adopted September 18, 2023)**



**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Resolution Authorizing Modification to the Contract with Crawford, Murphy & Tilly, Inc.,  
to Perform Phase IB Services Under Project No. 71-22-09 for an Aggregate Not-to-Exceed  
Amount of \$368,162.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected Crawford, Murphy & Tilly, Inc. (“CMT”) to perform engineering design services and engineering support during construction for the Deck Replacement of the Pyle South Amherst Road Bridge (County Route 16) over the Ohio Turnpike Mainline at Milepost 138.7 and the Deck Replacement of the West Ridge Road Bridge over the Ohio Turnpike Mainline at Milepost 142.6, Lorain County, Ohio, designated as Project No. 71-22-09 (the “Project”), pursuant to the Resolution No. 13-2023 and for the scope of work identified below:

**SERVICES/FEEES APPROVED TO DATE**

<b>CONTRACT</b>	<b>SERVICES</b>	<b>FEE PROPOSAL</b>	<b>APPROVAL</b>	<b>AMOUNT</b>
Original Contract	Phase IA Services – Project No. 71-22-09 –bridge inspection, field survey, base mapping, maintenance of traffic evaluation, utility location, stakeholder outreach/ODOT coordination, load rating and engineering report.	February 1, 2023	Resolution 13-2023	\$146,936.00

**TOTAL AMOUNT TO DATE: \$146,936.00**

**PROPOSED SERVICES/FEEES**

<b>CONTRACT</b>	<b>SERVICES</b>	<b>FEE PROPOSAL</b>	<b>APPROVAL</b>	<b>AMOUNT</b>
<i>First Modification</i>	Phase IB Services – Project No. 71-22-09 – preliminary and final design and plans and assistance during the bidding process, including bid review services	August 31, 2023 (Revised)	<i>Proposed</i>	\$221,226.00

**TOTAL AMOUNT WITH MODIFICATION: \$368,162.00**

WHEREAS, the parties entered into a Contract for Professional Engineering Services (the “Contract”), dated March 13, 2023; and

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

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, CMT submitted a revised fee proposal dated August 31, 2023, in the not-to-exceed amount of \$221,226.00, 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 CMT to perform the Phase IB Design Services under Project No. 71-22-09; 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 Crawford, Murphy & Tilly, Inc. (“CMT”), dated August 31, 2023 to perform the Phase IB Services, specifically described in the recitals, under Project No. 71-22-09 in the not-to-exceed amount of \$221,226.00 is accepted and approved, and the Executive Director is authorized to amend the contract with CMT, to perform such additional services in accordance with the terms and conditions of the existing contract and CMT’s revised fee proposal dated August 31, 2023, in the aggregate not-to-exceed amount of \$368,162.00.

**(Resolution No. 80-2023 adopted September 18, 2023)**

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Resolution Authorizing Modification to the Contract with ms consultants, inc., to Perform  
Phase IB Services Under Project No. 71-22-11 for an Aggregate Not-to-Exceed Amount of  
\$528,992.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected ms consultants, inc. (“MS”), to perform engineering design services and engineering support during construction for the Deck Replacement of the Ohio Turnpike Ramp Bridge over Ohio Turnpike Ramp at Milepost 162.0 and the Deck Replacement of the State Route 94 Bridge (State Road) over the Ohio Turnpike Mainline at Milepost 167.3 both in Cuyahoga County, Ohio, designated as Project No. 71-22-11 (the “Project”), pursuant to the Resolution No. 14-2023 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. 71-22-11 –bridge inspection, field survey, base mapping, maintenance of traffic evaluation, utility location, stakeholder outreach/ODOT coordination, load rating and engineering report.	January 9, 2023	Resolution 14-2023	\$173,484.00

**TOTAL AMOUNT TO DATE: \$173,484.00**

**PROPOSED SERVICES/FEEES**

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
<i>First Modification</i>	Phase IB Services – Project No. 71-22-11 – preliminary and final design and plans, and assistance during the bidding process, including bid review services	September 5, 2023 (Revised)	<i>Proposed</i>	\$355,508.00

**TOTAL AMOUNT WITH MODIFICATION: \$528,992.00**

WHEREAS, the parties entered into a Contract for Professional Engineering Services (the “Contract”), dated March 7, 2023; and

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

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, MS submitted a revised fee proposal dated September 5, 2023, in the not-to-exceed amount of \$355,508.00, 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 MS to perform the Phase IB Design Services under Project No. 71-22-11; 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 ms consultants, inc., dated September 5, 2023 to perform the Phase IB Services, specifically described in the recitals, under Project No. 71-22-11 in the not-to-exceed amount of \$355,508.00 is accepted and approved, and the Executive Director is authorized to amend the Contract with ms consultants, inc. to perform such additional services in accordance with the terms and conditions of the existing Contract and ms consultants, inc.’s revised fee proposal dated September 5, 2023, in the aggregate not-to-exceed amount of \$528,992.00.

**(Resolution No. 81-2023 adopted September 18, 2023)**

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Resolution Approving the Selection of RKA Petroleum Companies, Inc. and Ports  
Petroleum Company, Inc. Under Bid Invitation No. 4440 to Supply the Commission's  
Requirements for Diesel Fuel and Gasoline Blends**

WHEREAS, the Commission advertised an Invitation to Bid No. 4440 to furnish its requirements for approximately 184,000 gallons of ultra-low sulfur diesel fuel for Group I, approximately 206,000 gallons of ultra-low sulfur diesel fuel for Group II, approximately 200,000 gallons of unleaded gasoline/ethanol blend for Group III, and approximately 215,000 gallons of unleaded gasoline/ethanol blend for Group IV to the Commission's maintenance facilities for a one-year term, with two options to renew for one-year periods each; and

WHEREAS, bidders were asked to submit bids for four Groups that are based on the geographical location of the Commission's maintenance buildings and, for each Group, to state the price differential per gallon they would charge from the weekly reports published by the Oil Price Information Service ("OPIS") Cleveland, Ohio; and

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

WHEREAS, the Maintenance Operations Engineer reports that the lowest responsive and responsible bid received for Group I under Invitation No. 4440 was submitted by RKA Petroleum Companies, Inc., of Romulus, Michigan; and

WHEREAS, the Maintenance Operations Engineer reports that the lowest responsive and responsible bid received for Groups II, III and IV under Invitation No. 4440 was submitted by Ports Petroleum Company, Inc., of Wooster, Ohio; and

WHEREAS, the Maintenance Operations Engineer reports that RKA Petroleum Companies, Inc. proposes to furnish materials and services for Group I in accordance with the Specifications, and recommends that the Commission award a contract to RKA Petroleum Companies, Inc. for Group I on the basis of its bid to furnish the Commission's requirements for the materials throughout the term of the contract; and

WHEREAS, the Maintenance Operations Engineer reports that Ports Petroleum Corporation, Inc. proposes to furnish materials and services for Groups II, III and IV in accordance with the Specifications, and recommends that the Commission award a contract to Ports Petroleum Company, Inc. for Groups II, III and IV on the basis of its bid to furnish the Commission's requirements for the materials throughout the term of the Contract; and

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

WHEREAS, the Commission's Director of Contracts Administration has determined that the bids for Invitation No. 4440 were solicited on the basis of the same terms and conditions and the same specifications, and that the bids from RKA Petroleum Companies, Inc. and Ports Petroleum Company, Inc. for Invitation No. 4440 conform to the requirements of Ohio Revised Code Sections 5537.07 and 9.312; and

WHEREAS, the Office of Equity and Inclusion waived the program requirements due to lack of subcontracting opportunities and the availability of certified firms; and

WHEREAS, the Executive Director and the Chief Engineer reviewed the report of the Maintenance Operations Engineer and concur with the recommendation to award RKA Petroleum Companies, Inc. the contract for Invitation No. 4440 as the lowest responsive and responsible bidder for Group I and to award Ports Petroleum Company, Inc. the contract for Invitation No. 4440 as the lowest responsive and responsible bidder for Groups II, III and IV; and

WHEREAS, Commission action is requested to approve the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount of the bids received will require expenditures under Invitation No. 4440 that will exceed \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of RKA Petroleum Companies, Inc. for Group I under Invitation No. 4440 to furnish the Commission's requirements for ultra-low sulfur diesel fuel for four (4) maintenance buildings for a period of one year in the annual estimated amount of \$730,000 is approved as the lowest responsive and responsible bid received, and the Executive Director is authorized to execute a contract on the basis of said bid and to exercise up to two, one-year options to renew the contract, each in the estimated annual amount of \$730,000, for an aggregate not-to-exceed contract amount of \$2,190,000.00; and

FURTHER RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of Ports Petroleum Company, Inc. for Groups II, III and IV under Invitation No. 4440 to furnish the Commission's requirements for ultra-low sulfur diesel fuel for four (4) maintenance buildings and unleaded gasoline/ethanol blend for all eight (8) maintenance buildings for a period of one year in the annual estimated amount of \$2,030,000.00 is approved as the lowest responsive and responsible bid received, and the Executive Director is authorized to execute a contract on the basis of said bid and to exercise up to two, one-year options to renew the contract, each in the estimated annual amount of \$2,030,000, for an aggregate not-to-exceed contract amount of \$6,090,000.00.

**(Resolution No. 82-2023 adopted September 18, 2023)**

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

# Ohio Turnpike and Infrastructure Commission

## BUSINESS INCLUSION PROGRAM UPDATE

September 18, 2023

## Business Inclusion Program

### ▪ **TIMELINE**

- **June 2016**
  - Resolution No. 43 -2016: Established Business Inclusion Program for period of 6 years
- **May 2022**
  - Resolution No. 35 -2022: Extended Business Inclusion Program for 1 -year, through June 19, 2023
  - 2022 Availability Study/Best Practices
- **May 2023**
  - Resolution presented to reauthorize Program for 6 -year period with changes
  - Sheltered market opportunities
- **June 2023**
  - Resolution 50 -2023: Extended Business Inclusion Program through December 19, 2023

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

## Business Inclusion Program

- ▶ **2023 Program Changes**
  - ▶ SBE Certification
  - ▶ 100% Self-Performance Credit
  - ▶ Annual Aspirational Goal
  - ▶ Contract Goals
  - ▶ Sheltered Market Opportunities
  - ▶ New 6 Year Term

## Business Inclusion Program

- ▶ **Sheltered Market Opportunities (SMO)**
  - ▶ **What does this mean?**
    - ▶ Contracting opportunities made available only to SBEs
    - ▶ Best practice - next step beyond subcontracting opportunities
  - ▶ **OTIC SMO Process (as proposed in May)**
    - ▶ Permit sheltering any contract awarded through a competitive process
    - ▶ OEI and User Departments to meet annually to establish target percentage of contract dollars SMO for next 12 months
    - ▶ Contracts recommended for SMO must be approved by OEI
    - ▶ Executive Director may establish additional conditions for contract selection based on contract value, work type, or other factors.



**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

## Business Inclusion Program

### ▶ Sheltered Market Opportunities

- ▶ Ohio Department of Transportation (ODOT)
  - ▶ Shelters construction and consulting contracts with estimated value not to exceed \$2,000,000
  - ▶ ODOT's Office of Opportunity, Diversity and Inclusion meets with each District to establish annual targets for sheltered market opportunities
  - ▶ 20 contracts per year

## Business Inclusion Program

### ▶ Sheltered Market Opportunities

- ▶ OTIC can adopt SMO process like ODOT's process
- ▶ OTIC staff proposed including goods and services over \$50,000
  - ▶ Traffic guides, truck mounted message boards, guardrail terminal parts
- ▶ ODOT does not include goods and services over \$50,000

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

## Business Inclusion Program

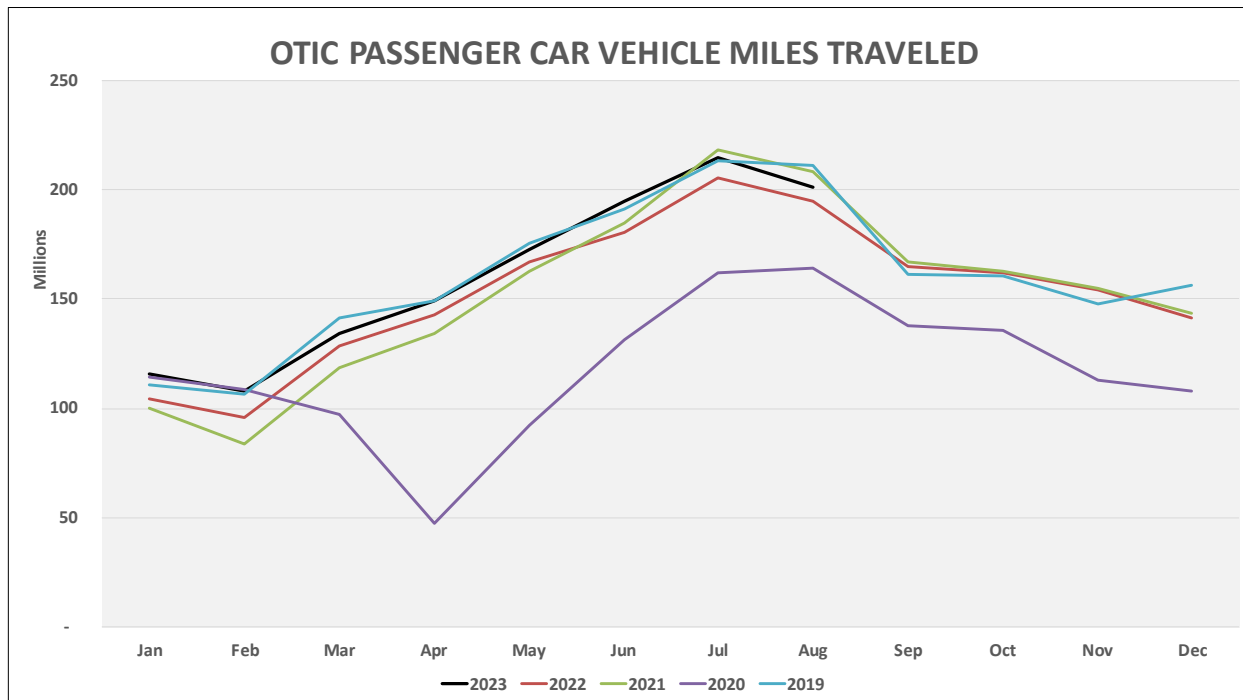
### ▶ NEXT STEPS

- ▶ Update Program Manual based on feedback
- ▶ Present new resolution to reauthorize Program in October

**MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE  
COMMISSION  
SEPTEMBER 18, 2023**

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

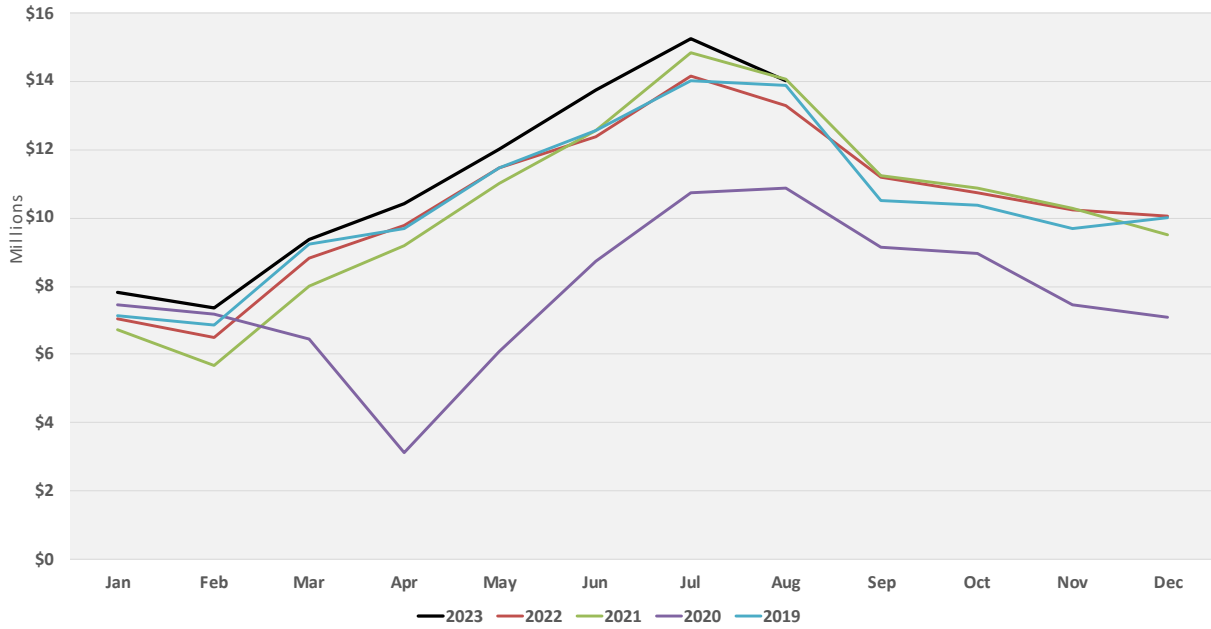
**AS OF AUGUST 31, 2023**



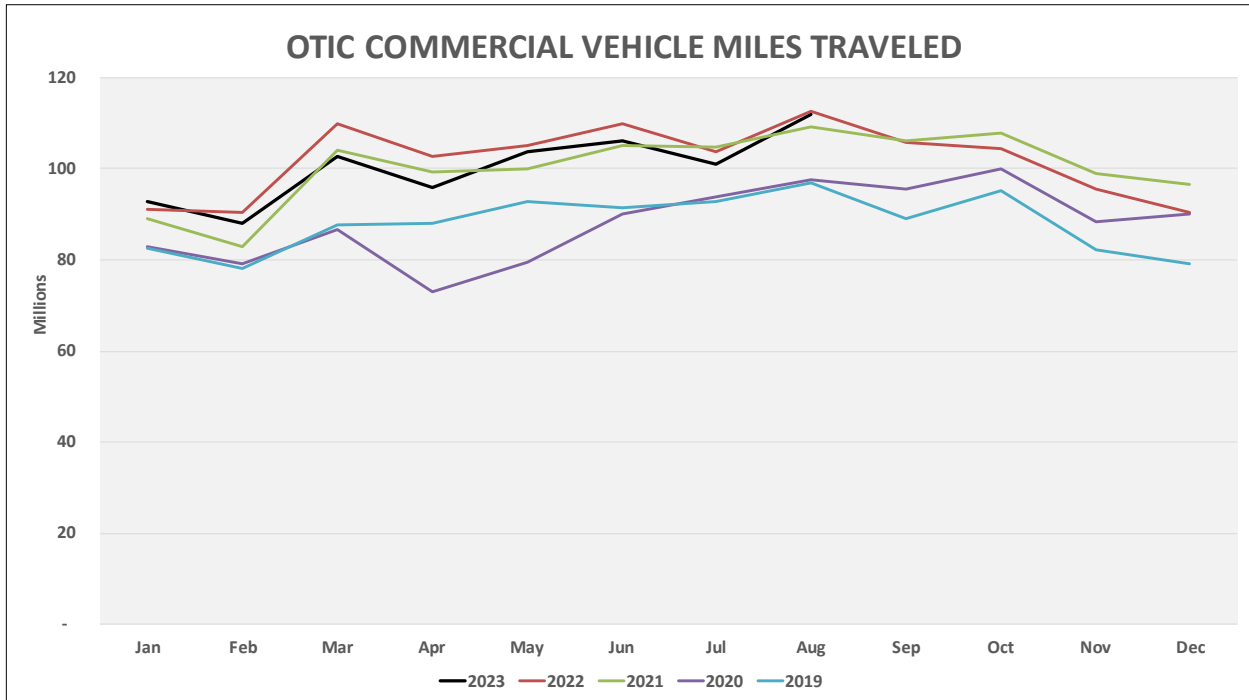
# MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

## SEPTEMBER 18, 2023

### OTIC PASSENGER CAR TOLL REVENUES



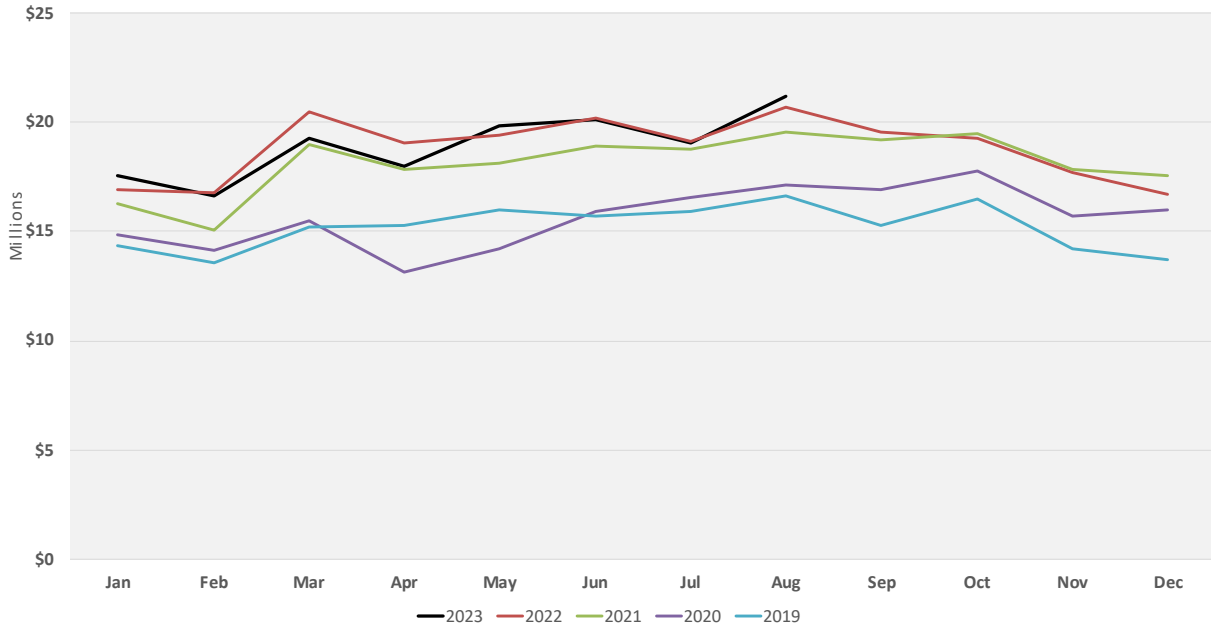
### OTIC COMMERCIAL VEHICLE MILES TRAVELED



# MINUTES OF THE 711<sup>th</sup> OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

## SEPTEMBER 18, 2023

### OTIC COMMERCIAL VEHICLE TOLL REVENUES



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

