

**MINUTES OF THE 636th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
JANUARY 23, 2017**

Chairman: Good morning. Will you please stand and join me in reciting the Pledge of Allegiance.

The meeting will come to order. Have all guests signed the sign-in sheet in the Lobby? If not, please do so prior to leaving, so we can maintain an accurate account of attendance.

Mr. Kauffman is unable to attend today's Commission Meeting as he is tending to business in Columbus. Director Wray has designated Deputy Director, Myron Pakush, as our new representative. We are awaiting the appointment of our new State Representative. Our Ohio State Highway Patrol designee, Staff Lieutenant Travis Hughes is ill this morning, but he is being replaced this morning by someone of equal caliber. Lieutenant Reeder will be here on behalf of the Ohio State Highway Patrol. Will the Assistant Secretary-Treasurer please call the roll? We have a quorum.

Will the Assistant Secretary-Treasurer please call the roll?

Assistant Secretary-Treasurer: Chairman Hruby

Chairman Hruby: Here

Assistant Secretary-Treasurer: Vice Chairman Paradiso

Vice Chairman Paradiso: Here

Assistant Secretary-Treasurer: Commissioner Barber

Secretary-Treasurer Barber: Here

Assistant Secretary-Treasurer: Mr. Dixon

Mr. Dixon: Here

Assistant Secretary-Treasurer: Mr. Peterson

Mr. Peterson: Here

Assistant Secretary-Treasurer: Mr. Pakush

Mr. Pakush: Here

Assistant Secretary-Treasurer: Senator LaRose (10:08 a.m.)

Senator LaRose: Here

Chairman: This is the 636th Meeting of the Ohio Turnpike and Infrastructure Commission. We are meeting here at the Commission's headquarters, as provided for in the Commission's Code of Bylaws for a Commission Meeting.

Various reports will be received, and we will act on several resolutions. Draft copies have previously been sent to the Members and updated drafts are in the Members' folders. The Resolutions will be explained during the appropriate reports.

May I have a motion to adopt the Minutes of the December 19, 2016, Commission Meeting? Call the roll, please.

MOTION: A motion to adopt the Minutes of the December 19, 2016, Commission Meeting was made by Mr. Dixon and seconded by Mr. Paradiso. All Commission Members present voted to approve the Minutes.

Chairman: Unanimously, the Minutes are adopted. If there are no questions, we will proceed with the report of the Secretary-Treasurer, Mrs. Barber.

Secretary-Treasurer: The following items have been provided to the Members since the last scheduled meeting of the Commission on December 19, 2016:

1. Seven Resolutions;
2. Draft Minutes of the December 19, 2016, Commission Meeting; and
3. Agenda for today's meeting.

We have included in their folders for today's meeting, the following additional documents:

1. Traffic Crash Summary Report, December 2016;
2. Traffic and Revenue Report, December 2016;
3. Total Revenue by Month and Year, December 2016;
4. Investment Report, December 2016; and
5. Various News Articles.

Chairman: Thank you. Any questions for Mrs. Barber? Please have the Minutes reflect that Senator LaRose (10:08 a.m.) is now in attendance at our meeting. We will now move on to the report of the Executive Director, Mr. Cole.

Director Cole: Thank you, Mr. Chairman. Before I begin I would like to welcome Mr. Pakush back. Myron and I go back quite a few years and I just got to say, especially last year during the RNC and during incidents, and other major events in northern Ohio, by having a presence in District 12, Myron has been a great partner through all of that and he brings that knowledge of our infrastructure and the transportation network of northern Ohio to the board. We have had great representation by the last Chiefs of Staff, but it nice to have someone from ODOT with the northern Ohio perspective because I think it adds something to your deliberations and actions on the Commission, so welcome back.

Mr. Pakush: I appreciate that. Thank you.

Director Cole: Second, I have met with Staff Lieutenant Travis Hughes, who has replaced Bill Weirtz, we talked about the big shoes he has to fill and we got off to a great start talking about the operations of the different posts along the Turnpike. He brings, again, a perspective from across northern Ohio, in different divisions and command posts within northern Ohio, so that's an exciting development and we look forward to working with Travis and anytime he is not here, I am happy to have Lieutenant Reeder, who is the Commander of the Milan Post, because he is a great partner for the Turnpike.

I am going to begin my January report the same way I did last year, we set another record. 54.9 million vehicles traveled the Turnpike in 2016, which beat the previous record from one year ago (2015), which was 53.4 million vehicles.

In 2016, the Turnpike also recorded the second most number of vehicle miles traveled in its history with over 3.037 billion miles traveled. This was only 2.6 million fewer miles traveled than the all-time record set in 2006. Vehicle miles traveled have now topped 3 billion three times (2016, 2015 and 2006).

Shortly, before the end of the year, we announced that the Ohio Turnpike became an approved community partner with Waze, the real-time crowd-sourced navigation app powered by one of the world's largest communities of drivers, over 50 million strong, via the Waze Connected Citizens Program. Designed as a free, two-way data exchange of publicly available traffic information, the Connected Citizens program will promote greater efficiency and safer travel on the Ohio Turnpike. Data shared is in real-time with anonymous, user-generated insights. We are able to directly add information to their system and verify reports from travelers.

In another partnership, we are reviewing a draft Memorandum of Understanding ("MOU") to participate in the Smart Belt Coalition. If you recall, last September, we hosted a meeting of transportation officials and researchers from Ohio, Pennsylvania and Michigan. The participating agencies have now decided to more formally recognize the collaboration through an MOU that I hope to bring to the Commission at the February meeting. Working closely with our colleagues in Ohio and neighboring states will pay dividends for all of us while we continue to leverage our capabilities and infrastructure here on the Turnpike. Articles in your folder explain more details of the collaborative effort.

To give you a quick update on the Fire Department Reimbursement Program that you established last fall. Fourteen of the thirty eligible departments have enrolled, as of last week, one department has requested reimbursement for an incident on the Turnpike. We will keep you updated throughout the year.

While our budget is not approved by the General Assembly, per statute, the Turnpike is required to report to the legislature about our budget. We believe that will happen February 2, 2017. At that time, we also expect to be questioned about the status of our Toll Collection System strategic plan. I am happy to report to you that work on that project continues and we plan to bring the strategic plan to the Commission at the March meeting. We are preparing a summary of the work to date and an explanation of the alternatives being evaluated for final recommendation, which I will provide to members of the Commission as soon as it is ready.

Finally, Mr. Chairman, I would like to wish Mr. Dixon a very Happy 39th Birthday, which may be a statement that involves alternative facts.

Mr. Dixon: Thank you.

Director Cole: That concludes my report, Mr. Chairman.

Chairman: Thank you. Let's move on to the report of our Chief Engineer, Tony Yacobucci.

Chief Engineer: Good Morning Mr. Chairman and Commission Members. I have seven resolutions for your consideration this morning.

The first Resolution for your consideration seeks the Commission's authorization of continuing expenditures for the Contract with CT Consultants, Inc. ("CT"), of Mentor, Ohio, for the Mainline Pavement Reconstruction Program. Under Resolution No. 37-2013, the Commission awarded a Contract to CT Consultants, Inc. for Engineering Design and Construction Services for the Mainline Pavement Reconstruction Program at various locations on the Ohio Turnpike, with each assignment consisting of a five to six-mile project section, and the Commission having the option to assign up to five project sections. The fourth pavement replacement project section was authorized by the Commission under Resolution No. 57-2016 for Project No. 71-16-14 from Milepost 169.74 to Milepost 176.34 in Cuyahoga County. This project will be designed and bid as a three-year construction project for both Eastbound and Westbound Lanes. CT has submitted a fee proposal dated January 6, 2017, in the not-to-exceed amount of \$580,301.00, for the performance of additional Task 1 Preliminary Engineering Services and Task 2 Final Design and Construction Documentation Services. The Engineering Department staff has reviewed CT's proposal and finds it reasonable for the scope to be performed. Since these additional expenditures will increase the total cost in excess of 10% of the previous Commission authorizations, it is required under Article V, Section 1.00 of the Commission's Code of Bylaws that the Commission must authorize such expenditures. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Authorizing the Completion of the Additional Required Task 1 - Preliminary Engineering Services and Performing Task 2 - Final Design and Construction Document Preparation Services by CT Consultants, Inc. for its Fourth Project Section from Milepost 169.74 to Milepost 176.34 in Cuyahoga and Summit Counties in the Not-to-Exceed Amount of \$580,301.00 (Project No. 71-16-14).

Chairman: Are there any questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt the *Resolution Authorizing the Completion of the Additional Required Task 1 - Preliminary Engineering Services and Performing Task 2 - Final Design and Construction Document Preparation Services by CT Consultants, Inc. for its Fourth Project Section from Milepost 169.74 to Milepost 176.34 in Cuyahoga and Summit Counties in the Not-to-Exceed Amount of \$580,301.00 (Project No. 71-16-14)*, was made by Chairman Hruby, seconded by Mrs. Barber, and approved by all Commission Members present. Resolution No. 1-2017 is attached hereto as an Exhibit.

Chairman: The resolution is adopted unanimously. Please continue, Tony.

Chief Engineer: The next Resolution for your consideration seeks the Commission's authorization of continuing expenditures for the Contract with GPD Group, Inc. ("GPD"), of Akron, Ohio, for the Mainline Pavement Reconstruction Program. Under Resolution No. 38-2013, the Commission awarded a Contract to GPD Group, Inc. for Engineering Design and Construction Services for the Mainline Pavement Reconstruction Program at various locations on the Ohio Turnpike, with each assignment consisting of a five to six-mile project section, and the Commission having the option to assign up to five project sections. The fourth pavement replacement project section was authorized by the Commission under Resolution No. 58-2016 for Project No. 71-16-13 from Milepost 149.24 to Milepost 154.10 in Lorain and Cuyahoga Counties. This project will be designed and bid as a two-year construction project for both Eastbound and Westbound Lanes. GPD has submitted a fee proposal dated January 6, 2017, in the not-to-exceed amount of \$517,843.00, for the performance of additional Task 1 Preliminary Engineering Services and Task 2 Final Design and Construction Documentation Services. The Engineering Department staff has reviewed GPD's proposal and finds it reasonable for the scope to be performed. Since these additional expenditures will increase the total cost in excess of 10% of the previous Commission authorizations, it is required under Article V, Section 1.00 of the Commission's Code of Bylaws that the Commission must authorize such expenditures. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution to Approve the Completion of the Additional Required Task 1 - Preliminary Engineering Services and Performing Task 2 - Final Design and Construction Document Preparation Services by GPD Group for its Fourth Project Section from Milepost 149.24 to Milepost 154.10 in Lorain and Cuyahoga Counties in the Not-to-Exceed Amount of \$517,843.00 (Project No. 71-16-13).

Chairman: Any questions?

Mr. Paradiso: Mr. Chairman and Mr. Yacobucci, this is the second resolution in a row that have come in above estimates. We have enjoyed, as long as I have been here, projects that have come in below estimates. Is that something that you have been worried about? Can you explain that to us?

Chief Engineer: Mr. Chairman and Commission Member Paradiso, the Task 2 services were not authorized under the original resolution that I mentioned in both of these previous resolutions. The additional services is only for Task 1 and if I made it misleading, I apologize. There were some additional Task 1 services for survey, actually getting the final limits of the project put together in the case of CT, there was some MSE walls that were not included in their original Task 1, so the fees are appropriate and in line with all of the other projects.

Mr. Paradiso: We have added services then?

Chief Engineer: For Task 1, but for Task 2 we did not get a proposal from them because we didn't know exactly what those Task 2 services were going to be until we finalized the Task 1 services.

Chairman: So, the claim that it is greater than 10% is just in accordance with our policy. It was anticipated that it would be greater than 10%, is that not correct?

Chief Engineer: Mr. Chairman, you are absolutely correct. The total contract value that's been authorized to date has been less than 10% of what these are, so therefore, Commission authorization would be required.

Chairman: Thank you. Any other questions? Hearing none, please call the roll.

MOTION: A motion to adopt the *Resolution to Approve the Completion of the Additional Required Task 1 - Preliminary Engineering Services and Performing Task 2 - Final Design and Construction Document Preparation Services by GPD Group for its Fourth Project Section from Milepost 149.24 to Milepost 154.10 in Lorain and Cuyahoga Counties in the Not-to-Exceed Amount of \$517,843.00 (Project No. 71-16-13)*, was made by Mrs. Barber, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 2-2017 is attached hereto as an Exhibit.

Chairman: The resolution passes unanimously. Please continue, Tony.

Chief Engineer: The third Resolution for your consideration seeks authorization to grant withdrawal of the apparent low bid and to award Contract No. 43-17-03 for the repairs and rehabilitation of four (4) bridges at Mileposts 122.3, 128.5, 132.4 and 145.8 in Erie and Lorain Counties. This work is included in the 2017 Capital Improvement Budget. On January 4, 2017, Procurement received three (3) bids in response to this Project. The apparent low bid was submitted by J. D. Williamson Construction Company, Inc. ("J. D. Williamson"), of Tallmadge, Ohio, in the amount of \$3,799,476.25. Although the total amount bid was below the Engineer's Estimate for this project, after the bid opening, the bidder requested to withdraw its bid due to substantial omissions in the concrete and falsework bid items. Engineering staff reviewed the bid

tabulations and has considerable reason to believe the substantial costs were omitted in their bid for these items. The Director of Contracts Administration has advised that the request by the apparent low bidder, J. D. Williamson, to withdraw its bid has met the requirements of the bidding documents, as well as Ohio Revised Code Section 9.31, and further advises that the Commission may lawfully accept the request by J. D. Williamson to withdraw their bid. The apparent second low bid was submitted by Kokosing Construction Company (“Kokosing”), of Columbus, Ohio, in the amount of \$4,770,825.00, which is about 3.7% more than the Engineer’s Estimate of \$4,600,000.00. This bid was evaluated by both the design consultant, Osborn Engineering, of Cleveland, Ohio, as well as Commission staff and was found to contain no errors or anomalies. Kokosing has satisfactorily performed projects of similar scope for the Commission in the past, and based on previous years’ work volume and work presently under contract, it appears Kokosing has sufficient capacity to perform this project. Therefore, it is recommended that the Commission accept J. D. Williamson’s request to withdraw its bid, and award Contract No. 43-17-03 to Kokosing Construction Company, of Columbus, Ohio, in the amount of \$4,770,825.00. This Resolution also contains provisions to assign Osborn Engineering, of Cleveland, Ohio, to perform construction administration and inspection services, and CTL Engineering, Inc., of Brunswick, Ohio, a Commission certified SBE/MBE, to perform material testing services. With your permission, may the General Counsel please read the title of the Resolution.

General Counsel: Resolution Granting Request of J. D. Williamson Construction Company to Withdraw its Bid and Approving the Selection of Kokosing Construction Company to Perform the Repairs and Rehabilitation of Four Bridges in Erie and Lorain Counties (Project No. 43-17-03) for the Total Amount of \$4,770,825.00 and Approving the Assignments of Osborn Engineering and CTL Engineering to Perform the Professional Services for Constructing the Project.

Chairman: Any questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt the *Resolution Granting Request of J. D. Williamson Construction Company to Withdraw its Bid and Approving the Selection of Kokosing Construction Company to Perform the Repairs and Rehabilitation of Four Bridges in Erie and Lorain Counties (Project No. 43-17-03) for the Total Amount of \$4,770,825.00 and Approving the Assignments of Osborn Engineering and CTL Engineering to Perform the Professional Services for Constructing the Project*, was made by Chairman Hruby, seconded by Mr. Paradiso, and approved by all Commission Members present. Resolution No. 3-2017 is attached hereto as an Exhibit.

Chairman: The Resolution passes unanimously. Please continue, Tony.

Chief Engineer: The fourth Resolution for your consideration seeks authorization to award Contract Nos. 53-17-02 and 53-17-03 for the removal and replacement of underground fuel piping and containment at the Portage and Brady’s Leap Service Plazas at Milepost 197.0 in Portage County, Ohio. This work is included in the 2017 Capital Improvement Budget. On December 28, 2016, Procurement received two bids for the Project. The apparent low bid was submitted by Lawrence Building Corp. (“Lawrence”), of Fort Wayne, Indiana, in the amount of \$2,364,774.00, which is less than two (2%) percent below the Engineer’s Estimate. This bid was evaluated by both the design consultant, Wellert Corporation, of Medina, Ohio, as well as

Commission staff and was found to contain no errors or anomalies. Lawrence has satisfactorily performed projects of similar scope for the Commission in the past. Therefore, it is recommended that Contract Nos. 53-17-02 and 53-17-03 be awarded to Lawrence Building Corp., of Fort Wayne, Indiana, in the amount of \$2,364,774.00. This resolution also contains provisions to assign Wellert Corporation, of Medina, Ohio, to perform construction administration, inspection, environmental, and material testing services. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Approving the Selection of Lawrence Building Corporation to Perform the Fuel Piping & Containment Replacement Project at the Portage & Brady's Leap Service Plazas in Portage County (Project No. 53-17-02 & 53-17-03) for the Total Amount of \$2,364,774.00 and Approving the Assignment of Wellert Corporation to Perform the Professional Services for Constructing the Project.

Chairman: Any questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt the *Resolution Approving the Selection of Lawrence Building Corporation to Perform the Fuel Piping & Containment Replacement Project at the Portage & Brady's Leap Service Plazas in Portage County (Project No. 53-17-02 & 53-17-03) for the Total Amount of \$2,364,774.00 and Approving the Assignment of Wellert Corporation to Perform the Professional Services for Constructing the Project*, was made by Chairman Hruby, seconded by Mr. Peterson, and approved by all Commission Members present. Resolution No. 4-2017 is attached hereto as an Exhibit.

Chairman: The resolution passes unanimously. Please continue, Tony.

Chief Engineer: The fifth Resolution for your consideration seeks authorization for the purchase of eight (8) replacement joint sealers under the Ohio Department of Administrative Services Cooperative Purchasing Program. The purchase of these joint sealers is included in the 2017 Capital Improvement Budget to replace our existing 2006 and 2007 model year joint sealers. Maintenance staff has compared three similar joint sealer manufacturer's models, of which two are available on the ODAS Cooperative Purchasing Program, against our existing joint sealers, and determined that the Crafcro Super Shot Model 250D joint sealer is the best joint sealer to replace our existing equipment. The Crafcro Super Shot joint sealers are superior compared to the other models in terms of price and meet or exceed primary requirements, such as material melting capacity, melt rate, wand controls, and safety features. The Procurement Manager has determined that the lowest cost of obtaining the Crafcro Super Shot joint sealers is under State Term Contract Index No. STS515, Schedule No. 800173. DJL Material and Supply, Inc., of Akron, Ohio, is an authorized dealer listed in the State Term Contract and with whom the purchase will be made through. The total cost for the eight joint sealers will be \$336,252.96. In addition, the existing 2006 and 2007 model year joint sealers shall be disposed of in accordance with the Commission's Property Disposal Policy after the new joint sealers are placed in to service. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Authorizing the Purchase of Eight Joint Sealers Under DAS Cooperative Purchasing Program from DJL Material & Supply, Inc. in the Total Amount of \$336,252.96.

Chairman: Any questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt the *Resolution Authorizing the Purchase of Eight Joint Sealers Under DAS Cooperative Purchasing Program from DJL Material & Supply, Inc. in the Total Amount of \$336,252.96*, was made by Mr. Pakush, seconded by Mrs. Barber, and approved by all Commission Members present. Resolution No. 5-2017 is attached hereto as an Exhibit.

Chairman: The Resolution passes unanimously. Please continue, Tony.

Chief Engineer: The sixth Resolution for your consideration is for the award of Contract No. 4285 for the furnishing of approximately 560,000 pounds of hot-pour, ready mixed joint sealant material. On December 15, 2016, Procurement received four bids for this material under Bid Invitation No. 4285. The apparent low bid was submitted by McAsphalt Industries Limited, of Toronto, Ontario, at a unit price of \$0.2529 per pound. P & T Products, Inc., of Sandusky, Ohio, submitted the second low bid at a unit price of \$0.2580 per pound. The Commission adopted a Buy Ohio Policy through Resolution No. 26-2008 and revised under Resolution No. 30-2012 to give preference to an Ohio bidder offering a bid price that does not exceed the lowest non-Ohio bidder by more than 5% percent. McAsphalt does not produce its joint sealant in Ohio, does not have any Ohio employees or otherwise have a significant economic presence in Ohio, while P & T Products manufactures the joint sealant in Sandusky, Ohio, and offers a bid price that is only 2% higher than the apparent low bid of McAsphalt. Consequently, P & T Products is eligible to receive the preference under the Commission's Buy Ohio Policy over McAsphalt. P & T Products proposes to furnish the joint sealant material and services in accordance with the Specifications. Additionally, P & T Products has furnished similar material to the Commission in the past and has performed satisfactorily. Therefore, I am recommending that an award be made to P & T Products, Inc., of Sandusky, Ohio, in the amount of \$151,704.00, which includes the 5% delivery variance required by the Bid Invitation. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Awarding a Contract for Joint Sealant Under Invitation No. 4285 to P & T Products in the Total Contract Price of \$151,704.00.

Chairman: Any questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt the *Resolution Awarding a Contract for Joint Sealant Under Invitation No. 4285 to P & T Products in the Total Contract Price of \$151,704.00*, was made by Mr. Paradiso, seconded by Chairman Hruby, and approved by all Commission Members present. Resolution No. 6-2017 is attached hereto as an Exhibit.

Chairman: The Resolution passes unanimously. Please continue, Tony.

Chief Engineer: The final Resolution for your consideration seeks authorization for the purchase of thirteen (13) single-axle snow and ice trucks, with the cab and chassis of the trucks purchased under the Ohio Department of Transportation's ("ODOT's") Cooperative Purchasing Program Contract Number 023-16 and the dump bodies, plows, hydraulics, and lighting systems purchased under the Ohio Department of Administrative Services' Cooperative Purchasing Program, State Term Contract Index No. STS515, Schedule No. 800507. The purchase of the snow and ice trucks is included in the 2017 Capital Budget and is required to replace existing 2000 through 2005 model year snow and ice trucks. The Procurement Manager has determined that the lowest cost of obtaining the thirteen (13) snow and ice trucks is to purchase the cab and chassis under ODOT's Cooperative Purchasing Program from Cleveland Freightliner, Inc., dba Valley Freightliner, of Parma, Ohio, in the amount of \$1,262,768.00, and to purchase the snow and ice truck bodies under the Ohio Department of Administrative Services Cooperative Purchasing Program from Concord Road Equipment Manufacturing, Inc., of Painesville, Ohio, in the amount of \$1,444,749.80. The total combined cost for the thirteen (13) snow and ice trucks will be \$2,707,517.80. In addition, the existing 2000 through 2005 model year snow and ice trucks shall be disposed of in accordance with the Commission's Property Disposal Policy after the new snow and ice trucks are placed into service. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Authorizing the Purchase of Thirteen Truck Cab and Chassis from Cleveland Freightliner, Inc. in the Amount of \$1,262,768.00 and Thirteen Snow and Ice Truck Bodies with Plow, Light and Hydraulic Systems from Concord Road Equipment Mfg., Inc. in the Amount of \$1,444,749.80 Under the ODOT and DAS Cooperative Purchasing Programs.

Chairman: Tony, if I understand you correctly, all of the trucks that we are getting rid of, however you are disposing of them, are between eleven and sixteen years old, is that correct?

Chief Engineer: That is correct, Mr. Chairman.

Chairman: What percentage of the fleet are we replacing right now?

Chief Engineer: Mr. Chairman, we have approximately one hundred snow and ice trucks, so about thirteen percent of the fleet.

Chairman: Any other questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt the *Resolution Authorizing the Purchase of Thirteen Truck Cab and Chassis from Cleveland Freightliner, Inc. in the Amount of \$1,262,768.00 and Thirteen Snow and Ice Truck Bodies with Plow, Light and Hydraulic Systems from Concord Road Equipment Mfg., Inc. in the Amount of \$1,444,749.80 Under the ODOT and DAS Cooperative Purchasing Programs*, was made by Chairman Hruby, seconded by Mr. Peterson, and approved by all Commission Members present. Resolution No. 7-2017 is attached hereto as an Exhibit.

Chairman: The resolution passes unanimously. Anything further, Tony.

Chief Engineer: That completes my report, Mr. Chairman.

Chairman: Thank you. We will move one to the report of our CFO/Comptroller/DED, Marty Seekely.

CFO/Comptroller/DED: Thank you, Mr. Chairman. I have an update on our traffic and revenue for the month of December and our preliminary operating results for last year.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past two years. Passenger car vehicle miles traveled were 5.1% lower than last year in December. We had several snow days in December this year while December last year was very mild.

Commercial traffic was 0.3% higher than last year in December. This chart shows the total vehicle miles traveled during each year over the past decade. Total vehicle miles traveled this year were 1.2% higher than the amount from last year. The three billion thirty-eight million in vehicle miles traveled was the second highest in turnpike history and was just .09 percent below the record set in 2006. If you subtract February 29th from this year's total, total vehicle miles traveled are up 1.0% over last year.

The decrease in traffic combined with the toll rate increase on January 1 of this year caused passenger car toll revenue to decrease 2.4% in December from the corresponding month last year.

The slight increase in commercial traffic combined with the toll rate increase resulted in commercial vehicle toll revenues increasing 2.9% in December.

This chart shows the toll revenues during each year over the past decade. Toll revenues through December were \$8.3 million or 2.9% above the amount from last year. If you subtract February 29th from this year's total, total toll revenues are up \$7.6 million or 2.7% over last year.

This report shows the actual and budgeted revenues, expenditures and transfers for the General Fund for 2016 compared to the budget and last year. Total revenues for the year are \$3.8 million or 1.2% below budget and \$9.6 million or 3.2% above last year. Toll revenues were \$6.0 million lower than budget and \$8.3 million higher than last year. Concession revenues were 7.2% higher than budget and 1.3% higher than last year. Other revenues are higher due to increased E-ZPass transponder fee revenues and higher gains on the sale of equipment.

Expenditures for operation, maintenance and administration for the year were \$1.1 million or 0.9% lower than budgeted and \$9.8 million or 8.8% higher than last year. Most of these savings from budget were related to lower snow and ice removal costs due to the lack of snow in the beginning of this year, as well as lower toll collector salary expense, lower compensated absence costs and lower than budgeted charges from the Ohio Highway Patrol. These savings from budget were partially offset by higher health insurance costs and higher pension expense. The increase in costs from last year are primarily due to higher pension expense, higher health insurance costs, higher contamination remediation costs and higher salt costs due to the increase in the price of salt. Debt service payments were slightly lower than budget due to higher than expected earnings on

our investments in the debt service funds and the infrastructure fund. The increase in debt service payments from last year was due to lower earnings on our investments in the infrastructure fund.

After paying our operating expenses and debt service, the balance of the revenue is used to fund our 2016 capital expenditures.

Since our revenues were below budget, only \$100.1 million of the \$101.9 million that was budgeted was transferred to our capital funds in 2016, which is \$16.6 million more than in 2015. Since our net revenue was below budget, nothing was transferred into our General Reserve Fund this year.

That completes my report, Mr. Chairman. I would be happy to answer any questions.

Chairman: Thank you, Marty. As always, good report. Is there a report from our General Counsel, Jennifer Stueber?

General Counsel: No report, Mr. Chairman.

Chairman: We will move to the report of the Ohio State Highway Patrol, Lieutenant Reeder.

Lieutenant Reeder: Good morning, Mr. Chairman and Commission Members. I wanted to express that Staff Lieutenant Hughes called me this morning and he is a little under the weather, so I am here in his place, so I will do my best.

Unfortunately, we do have one fatal crash during the reporting period. My Post investigated the crash. There were four occupants in a vehicle traveling well in excess of the posted speed limit. The vehicle lost control and three of the four occupants were ejected from the vehicle and it just so happens that those were the three that didn't wear their seatbelts. The driver, who was buckled in, suffered very minor injuries and was released from the hospital that day. Unfortunately, the life lost was a young teenager from Toledo, Ohio, so it is very tragic. The good news is that this is the only fatal crash we had during that reporting period.

We did have some significant drug seizures during this time. In early December, a vehicle was stopped for a traffic violation. A K-9 was used to do a free-air sniff and a probable cause search revealed seven clear bags, and seven black bags, all suspected marijuana. The total amount came to be approximately one pound. On December 21, 2016, a Dodge Ram 3500 pick-up truck was stopped for a traffic violation. Again, a K-9 was used for a free-air sniff around the vehicle and eleven packages of marijuana, weighing approximately two pounds was seized there. On December 27, 2016, there was a vehicle that was called into our Post that had drove through the gate at Toll Plaza 118. The vehicle had stopped and reported to the toll collector that he didn't have sufficient funds, so rather instead of following the procedures, he simply drove his vehicle through the gate, which broke away. He then proceeded to travel northbound on U.S. 250 in Erie County. We were fortunate enough to locate the vehicle. We got a really good description from the toll collector. We found the vehicle and the vehicle was determined to be stolen. The vehicle owner had his credit cards and other personal effects taken from him, so it turned out to be a very

good arrest. The stolen vehicle was recovered and returned to its owner. The credit cards and other personal items were also recovered.

On January 13, 2017, a Dodge Journey was stopped for a traffic violation for what we call criminal indicators were present. A probable cause search of the vehicle located a hidden compartment. Within that hidden compartment there was four kilograms of cocaine. The information was relayed to the Chicago DEA and the suspect was cooperative and they were able to search a vehicle in the City of Chicago and found additional controlled substances, and also made an arrest with the assistance of the DEA. The street value of that cocaine was valued in excess of \$300,000.00. All great examples of us stopping vehicles before they can get to communities with these substances that are changing people's lives.

On the fatal crash that I reported on, we were able to collect the toll ticket taken by the driver from Toll Plaza 161. From the time he took that ticket, which was time-stamped, to the first 911 call received by the Erie County 911 department, we did a time over distance average and it is a very generic average, but that average was right at 90 miles-per-hour. It does demonstrate some very excessive speed on the driver's part. Again, unsafe speed, not wearing seat belts, all stuff the Director and I try to communicate through our public safety messages and get the word out to slow down and wear belts.

Director Cole: Mr. Chairman, along those lines, at one point last year, citations enforcement action against drivers who were clocked in excess of 100 miles-per-hour on the Turnpike were up about nineteen percent. It is a phenomenon that we have to stop and Lieutenant Reeder, the Highway Patrol, our staff and I will be working to explain the dangers in the enforcement, the high cost when you have that kind of citation, but it is a danger to our drivers, to the other travelers, our workers, and our contactors. It is something that we take very seriously and unfortunately, of course, as this incident points out, it can quickly lead to a fatality. So, we will be working on that especially as we get ready and prepare for work zone awareness and our crews working their way back out into the traffic or along traffic as the construction season commences this year.

Chairman: Any other comments or questions?

Mr. Peterson: Is there a time when you exceed a certain speed that they are charged with a M1? When you are 90 miles-per-hour, are you still just given a citation or does it reach the level of criminal?

Lieutenant Reeder: Mr. Chairman and Commission Member Peterson, that is a good question. We get asked that quite a bit. Unfortunately, it is a totality of the circumstances. I have spoken to prosecutors on this and there is not like what many people refer to as a "reckless operation" citation because of that speed. There really isn't a standard for that. What we have been asked to do is consider everything else as far as what we observe when the vehicle was traveling that fast, if there is what we call unnecessary lanes changes or any other driving that would be deemed reckless in addition to someone traveling at such a high rate of speed. So, typically, it is just a minor misdemeanor citation for speed.

Mr. Peterson: Thank you.

Mr. Dixon: Something that I am sure doesn't happen often. Do we have a policy if someone honestly pulls to the toll booth and they don't have the money, what do we do?

Director Cole: Mr. Chairman and Commission Member Dixon, if somebody doesn't have the money there is an unpaid toll process, a separate ticket and form they fill out. What I would say is that is very rare on the Turnpike.

Mr. Dixon: I am sure it is.

Director Cole: Between cash, the ability to use credit cards and we continue to look at advanced payment options and eventually, we will be able to do tap and pay through telephones and other devices. We are on the forefront of payment options and convenience to our motorists, so it is very rare. The one thing I will let you know that we have suspended taking personal checks in the lanes. We stopped that because basically we think people kept fraudulent checks in their car, and write us a check instead of filling out the unpaid toll form. This meant we didn't get their home information and everything else to track them down and then they drove on and we were never able to recover a lot of those funds. So, we stopped taking personal checks in the lanes, but, again, we have so many other payment options and methods that are very convenient, so it is a very few number of people that actually have an unpaid toll. But then, we do pursue those to get that paid.

Chairman: Any other questions? Thank you, Lieutenant Reeder. Nice job and pass it on to the Troopers that we appreciate the fine work that they do every day.

Lieutenant Reeder: Thank you. I will pass that on.

Chairman: Any other questions or comments? Hearing none, we will have our next meeting on Monday, February 27, 2017, at 10:00 a.m. If there is no further business, I will make a motion to adjourn.

MOTION: A motion to adjourn the Commission Meeting is made by Chairman Hruby, seconded by Mrs. Barber and unanimously approved by all Commission Members present.

Time of adjournment: 10:41 a.m.

Attendees for Record Keeping Purposes:

Bethany Pugh, PFM; Brian Quinn, PFM; Brian Regueiro, PFM; Preston Yuzma, IUOE 18; Scott Buchanan, AECOM; Todd Majidzadeh, Resource International; Zoltan Szabo, Mott MacDonald; Al Biehl, TranSystems; Jason Watson, Mannik & Smith; Jake Siesel, IUOE 18; Dave Ray, JMT; Stefan Holmes, First Merit; Maureen Shildwachter, HNB; Tim Reidy, Fifth Third; Ginger Christ, The Cleveland Plain Dealer; Hamid Homae, KS Associates; Jennifer Stueber, Ohio Turnpike; Anthony Yacobucci, Ohio Turnpike; Martin Seekely, Ohio Turnpike; Sharon Isaac, Ohio Turnpike; Helen Guggenbiller, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Mark Musson, Ohio Turnpike; Diana Anthony, Ohio Turnpike; Chris Matta, Ohio Turnpike; Dennis Albrecht,

Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Adam Greenslade, Ohio Turnpike; and Brian Newbacher, Ohio Turnpike.

Approved as a correct transcript of the proceedings of
the Ohio Turnpike and Infrastructure Commission

Sandra K. Barber, Secretary-Treasurer

EXHIBITS

1. Resolution Authorizing the Completion of the Additional Required Task 1 - Preliminary Engineering Services and Performing Task 2 - Final Design and Construction Document Preparation Services by CT Consultants, Inc. for its Fourth Project Section from Milepost 169.74 to Milepost 176.34 in Cuyahoga and Summit Counties in the Not-to-Exceed Amount of \$580,301.00 (Project No. 71-16-14);
2. Resolution to Approve the Completion of the Additional Required Task 1 - Preliminary Engineering Services and Performing Task 2 - Final Design and Construction Document Preparation Services by GPD Group for its Fourth Project Section from Milepost 149.24 to Milepost 154.10 in Lorain and Cuyahoga Counties in the Not-to-Exceed Amount of \$517,843.00 (Project No. 71-16-13);
3. Resolution Granting Request of J. D. Williamson Construction Company to Withdraw its Bid and Approving the Selection of Kokosing Construction Company to Perform the Repairs and Rehabilitation of Four Bridges in Erie and Lorain Counties (Project No. 43-17-03) for the Total Amount of \$4,770,825.00 and Approving the Assignment of Osborn Engineering and CTL Engineering to Perform the Professional Services for Constructing the Project;
4. Resolution Approving the Selection of Lawrence Building Corporation to Perform the Fuel Piping & Containment Replacement Project at the Portage & Brady's Leap Service Plazas in Portage County (Project No. 53-17-02 & 53-17-03) for the Total Amount of \$2,364,774.00 and Approving the Assignment of Wellert Corporation to Perform the Professional Services for Constructing the Project;
5. Resolution Authorizing the Purchase of Eight Joint Sealers Under DAS Cooperative Purchasing Program from DJL Material & Supply, Inc., of Akron, Ohio, in the total amount of \$336,252.96;
6. Resolution Awarding a Contract for Joint Sealant Under Invitation No. 4285 to P&T Products in the Total Contract Price of \$151,704.00; and
7. Resolution Authorizing the Purchase of Thirteen Truck Cab and Chassis from Cleveland Freightliner, Inc. in the Amount of \$1,262,768.00 and Thirteen Snow and Ice Truck Bodies with Plow, Light and Hydraulic Systems from Concord Road Equipment Mfg., Inc. in the Amount of \$1,444,749.80 Under the ODOT and DAS Cooperative Purchasing Programs.

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Completion of the Additional Required Task 1 - Preliminary Engineering Services and Performing Task 2 - Final Design and Construction Document Preparation Services by CT Consultants, Inc. for its Fourth Project Section from Milepost 169.74 to Milepost 176.34 in Cuyahoga and Summit Counties in the Not-to-Exceed Amount of \$580,301.00 (Project No. 71-16-14)

WHEREAS, the Commission selected CT Consultants, Inc., of Mentor, Ohio (“CT Consultants”), through Resolution No. 37-2013 to perform Engineering Design and Construction Services for up to five Mainline Pavement Reconstruction Program sections at various locations on the Ohio Turnpike, with the Ohio Turnpike and Infrastructure Commission (the “Commission”) having the option to assign up to five projects that each consist of a five to six-mile section of roadway; and

WHEREAS, the Commission assigned CT Consultants its fourth pavement replacement project section as Project No. 71-16-14 from Milepost 169.74 to Milepost 176.34 in Cuyahoga County through Resolution No. 57-2016, under which the Commission accepted CT Consultants’ fee proposal in the not-to-exceed amount of \$185,221.00 to perform Task 1 - Preliminary Engineering Services; and

WHEREAS, CT Consultants has submitted a fee proposal dated January 6, 2017, in the not-to-exceed amount of \$580,301.00 to perform additional Task 1 – Preliminary Engineering Services and complete Task 2 – Final Design and Construction Document Preparation Services, which amount the Chief Engineer and Assistant Chief Engineer have deemed to be reasonable and necessary; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and Assistant Chief Engineer, and approves the recommendation to authorize CT Consultants to perform additional Task 1 Services and complete Task 2 Services under Project No. 71-16-14.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the completion of the additional required Task 1 - Preliminary Engineering Services and performing Task 2 - Final Design and Construction Document Preparation Services by CT Consultants, Inc. under Project No. 71-16-14 for its fourth project section from Milepost 169.74 to Milepost 176.34 in Cuyahoga and Summit Counties in the not-to-exceed amount of \$580,301.00 is approved, and the Executive Director is authorized to amend the Contract with CT Consultants to perform such services in accordance with the terms and conditions of the Commission’s RFP for Pavement Replacement Design Services, CT Consultants’ response thereto and its fee proposals therefor; and

FURTHER RESOLVED, that the Executive Director has the authority under Article V, Section 1.00 of the Code of Bylaws to further amend the Contract with CT Consultants to perform

additional services necessary for Project 71-16-14 and its fifth and final pavement replacement project section that does not exceed ten percent of the total not-to-exceed amount approved to date, and approve such extra work or change orders under said contracts as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

(Resolution No. 1-2017 adopted January 23, 2017)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution to Approve the Completion of the Additional Required Task 1 - Preliminary Engineering Services and Performing Task 2 - Final Design and Construction Document Preparation Services by GPD Group for its Fourth Project Section from Milepost 149.24 to Milepost 154.10 in Lorain and Cuyahoga Counties in the Not-to-Exceed Amount of \$517,843.00 (Project No. 71-16-13)

WHEREAS, the Commission selected Glaus, Pyle, Schomer, Burns & Dehaven, Inc., dba GPD Group, of Akron, Ohio (“GPD Group”) through Resolution No. 38-2013 to perform Engineering Design and Construction Services for up to five Mainline Pavement Reconstruction Projects at various locations on the Ohio Turnpike, with the Ohio Turnpike and Infrastructure Commission (the “Commission”) having the option to assign up to five projects that each consist of a five to six-mile section of roadway; and

WHEREAS, the Commission assigned GPD Group its fourth pavement replacement project section as Project No. 71-16-13 from Milepost 149.24 to Milepost 154.10 in Lorain and Cuyahoga Counties through Resolution No. 58-2016, under which the Commission accepted GPD Group’s fee proposal in the not-to-exceed amount of \$146,147.00 to perform Task 1 - Preliminary Engineering Services; and

WHEREAS, GPD Group has submitted a fee proposal dated January 6, 2017, in the not-to-exceed amount of \$517,843.00 to perform additional Task 1 – Preliminary Engineering Services and complete Task 2 – Final Design and Construction Document Preparation Services, which amount the Chief Engineer and Assistant Chief Engineer have deemed to be reasonable and necessary; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and Assistant Chief Engineer, and approves the recommendation to authorize GPD Group to perform additional Task 1 Services and complete Task 2 Services under Project No. 71-16-13.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the completion of the additional required Task 1 - Preliminary Engineering Services and performing Task 2 - Final Design and Construction Document Preparation Services by GPD Group under Project No. 71-16-13 for its fourth project section from Milepost 149.24 to Milepost 154.10 in Lorain and Cuyahoga Counties in the not-to-exceed amount of \$517,843.00 is approved, and the Executive Director is authorized to amend the Contract with GPD Group to perform such services in accordance with the terms and conditions of the Commission’s RFP for Pavement Replacement Design Services, GPD Group’s response thereto and its fee proposals therefor; and

FURTHER RESOLVED, that the Executive Director has the authority under Article V, Section 1.00 of the Code of Bylaws to further amend the Contract with GPD Group to perform additional services necessary for Project 71-16-13 and its fifth and final pavement replacement

project section that does not exceed ten percent of the total not-to-exceed amount approved to date, and approve such extra work or change orders under said contracts as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

(Resolution No. 2-2017 adopted January 23, 2017)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Granting Request of J. D. Williamson Construction Company to Withdraw its Bid and Approving the Selection of Kokosing Construction Company to Perform the Repairs and Rehabilitation of Four Bridges in Erie and Lorain Counties (Project No. 43-17-03) for the Total Amount of \$4,770,825.00 and Approving the Assignments of Osborn Engineering and CTL Engineering to Perform the Professional Services for Constructing the Project

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Bridge Deck Repair and Rehabilitation of Arlington Road over the Ohio Turnpike at Milepost 122.3, Joppa Road over the Ohio Turnpike at Milepost 128.5, Dean Road over the Ohio Turnpike at Milepost 132.4, and West River Road over the Ohio Turnpike at Milepost 145.8, located in Erie and Lorain Counties, Ohio, herein designated Contract No. 43-17-03; and

WHEREAS, expenditures for the award to be made under Contract No. 43-17-03 will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for award of the Contract or the rejection of bids; and

WHEREAS, the Commission received three bids via Bid Express for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission's Chief Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer reports that the apparent low bid for the performance of Contract No. 43-17-03 was submitted by J. D. Williamson Construction Company of Tallmadge, Ohio ("J. D. Williamson"), in the amount of \$3,799,476.25, however, the bidder requests to withdraw its bid due to a substantial omission in the concrete and falsework bid items; and

WHEREAS, the Director of Contracts Administration advises that the request of J. D. Williamson Construction to withdraw its bid meets the requirements of the Bidding Documents by demonstrating that it unintentionally omitted a substantial quantity of work through a clerical mistake and, therefore, the Commission may lawfully accept the request to withdraw its bid; and

WHEREAS, the Chief Engineer and Director of Contracts Administration advise that it is in the best interest of the Commission to grant the request of J. D. Williamson Construction to withdraw its bid, and the Chief Engineer and Assistant Chief Engineer report that Kokosing Construction Company of Columbus, Ohio submitted the lowest responsive and responsible bid to perform the Contractor's obligations for the Project in the total bid amount of \$4,770,825.00, which they recommend the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration advises that bids for Project No. 43-17-03 were solicited from all bidders on the basis of the same terms, conditions and specifications, that the bid of Kokosing Construction Company for Project No. 43-17-03 conforms to the

requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that Kokosing Construction Company submitted a performance bond with good and sufficient surety and made a good faith effort to attain the participation of disadvantaged businesses in the Project; and

WHEREAS, the Commission's Executive Director has reviewed the reports of the Chief Engineer, Assistant Chief Engineer and the Director of Contract Administration and concurs in the recommendation to select Kokosing Construction Company as the lowest responsive and responsible bidder for Project No. 43-17-03; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the request by J.D. Williamson to withdraw its bid is granted, and that the bid of Kokosing Construction Company in the amount of \$4,770,825.00 for Project No. 43-17-03 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a Contract based on said bid; and

FURTHER RESOLVED that the Executive Director and the Chief Engineer are authorized to assign Osborn Engineering, of Cleveland, Ohio, to perform all necessary construction administration and inspection services in accordance with its contract previously authorized under Resolution No. 1-2016, and to assign CTL Engineering, Inc. to perform the materials testing services in accordance with the 2017-2018 Miscellaneous Engineering Services Agreement; and

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under said contracts as a result of an increase in the planned quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

(Resolution No. 3-2017 adopted January 23, 2017)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Lawrence Building Corporation to Perform the Fuel Piping & Containment Replacement Project at the Portage & Brady's Leap Service Plazas in Portage County (Project No. 53-17-02 & 53-17-03) for the Total Amount of \$2,364,774.00 and Approving the Assignment of Wellert Corporation to Perform the Professional Services for Constructing the Project

WHEREAS, the Commission published notice in accordance with law that advertised its invitation to bid upon a Contract for the Fuel Piping & Containment Replacement Project at Portage & Brady's Leap Service Plazas at Milepost 197.0 in Portage County, Ohio, designated as Project No. 53-17-02 & 53-17-03 (REBID) (the "Project"); and

WHEREAS, the Commission received two bids via Bid Express to perform the Contractor's obligations on the Project, and the Maintenance Engineer and the Chief Engineer reviewed and evaluated the bids received, and whose report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer and Maintenance Engineer report that Lawrence Building Corporation of Fort Wayne, Indiana, submitted the lowest responsive and responsible bid to perform the Contractor's obligations on the Project for the total amount of \$2,364,774.00, which they recommend the Commission accept and approve; and

WHEREAS, the Director of Contracts Administration advises that bids for Project No. 53-17-02 & 53-17-03 (REBID) were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Lawrence Building Corporation for Project No. 53-17-02 & 53-17-03 (REBID) conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and Lawrence Building Corporation submitted a performance bond with good and sufficient surety and made a good faith effort to attain the participation of disadvantaged businesses in the Project; and

WHEREAS, the amount of the bid received will require expenditures under Contract No. 53-17-02 & 53-17-03 (REBID) that will exceed \$150,000.00, and Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws; and

WHEREAS, the Commission's Executive Director has reviewed the reports of the Chief Engineer and the Director of Contracts Administration and concurs with the recommendation that the Commission approve the award of Project No. 53-17-02 & 53-17-03 (REBID) to Lawrence Building Corporation as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of Lawrence Building Corporation in the total amount of \$2,364,774.00 for Project No. 53-17-02 & 53-17-03 (REBID) 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

FURTHER RESOLVED that the Commission approves the Executive Director and the Chief Engineer assigning Wellert Corporation to perform the necessary construction administration, inspection and testing services in accordance with the contract previously authorized under the authority of Article V., Sec. 1.00 of its Code of By-Laws to design the project; and

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under said contracts as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

(Resolution No. 4-2017 adopted January 23, 2017)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of Eight Joint Sealers Under DAS Cooperative Purchasing Program from DJL Material & Supply, Inc. in the Total Amount of \$336,252.96

WHEREAS, pursuant to Resolution No. 32-2003, adopted on July 21, 2003, the Executive Director is authorized to participate in state contracts under the Ohio Department of Administrative Services (“DAS”) Cooperative Purchasing Program, through which members may purchase supplies, services, equipment and other materials in accordance with Ohio Revised Code Section 125.04; and

WHEREAS, the Maintenance Engineer has determined that the purchase of eight joint sealers are necessary to replace eight joint sealers used for operating and maintaining the Ohio Turnpike that have reached the end of their viable economic life and suitable for disposal under the Commission’s Property Disposal Policy; and

WHEREAS, the Maintenance Department staff has recommended that the best equipment available to perform its operations is the Crafcro SuperShot 250D Diesel Melter with heated hose and wand with a 3” pintle hitch and associated training; and

WHEREAS, the joint sealers are available for acquisition through the DAS Cooperative Purchasing Program, and the Procurement Manager has determined that the lowest cost of obtaining the eight Joint Sealers is under DAS Contract Schedule No. 800173, Index No. STS 515, from DJL Material & Supply, Inc., of Akron, Ohio, in the total amount of \$336,252.96 (or \$42,031.62 per unit); and

WHEREAS, the Executive Director and Chief Engineer have reviewed the evaluation and report of the Maintenance Engineer and concur with the recommendation that the Commission approve the purchase of the eight joint sealers from DJL Material & Supply, Inc. through the DAS Cooperative Purchasing Program; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Bylaws because the expenditure required to purchase the eight joint sealers exceeds \$150,000.00.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the purchase of eight joint sealers from DJL Material & Supply, Inc. through the DAS Cooperative Purchasing Program under DAS Contract Schedule No. 800173, Index No. STS 515, in the total amount of \$336,252.96, is approved.

(Resolution No. 5-2017 adopted January 23, 2017)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Awarding a Contract for Joint Sealant Under Invitation No. 4285 to P & T Products in the Total Contract Price of \$151,704.00

WHEREAS, the Commission advertised an Invitation for Bids to furnish the approximate quantity of 560,000 pounds of hot-pour, ready-mixed joint sealant under Invitation No. 4285; and

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

WHEREAS, the Maintenance Engineer reports that McAsphalt Industries Limited of Toronto, Ontario ("McAsphalt"), submitted the apparent low bid at a unit price of \$0.2529 per pound and P & T Products, Inc. of Sandusky, Ohio ("P & T Products"), submitted the second low bid in the amount of \$0.2580 per pound; and

WHEREAS, the Commission established a Buy Ohio Policy under the authority of Section 125.11(E) of the Ohio Revised Code through Resolution No. 26-2008, adopted June 16, 2008, as revised under Resolution No. 30-2012, adopted June 18, 2012, which emulates the model system of preferences set forth in Section 123:5-1-11 of the Ohio Administrative Code to give a preference to an Ohio bidder offering a bid price that does not exceed the lowest non-Ohio bidder by more than five percent; and

WHEREAS, McAsphalt does not produce its joint sealant in Ohio, does not have any Ohio employees or otherwise have a significant economic presence in Ohio, while P & T Products proposes to furnish joint sealant material in accordance with the specifications and offers a bid price that is only two percent higher than the apparent low bid of McAsphalt; and, consequently, P & T Products is eligible to receive the preference under the Buy Ohio Policy over McAsphalt; and

WHEREAS, the Director of Contract Administration advises that P & T Products qualifies for consideration as the lowest responsive and responsible bidder under the application of the Commission's Buy Ohio Policy, that all bids were solicited on the basis of the same terms, conditions and specifications, and that the bid of P & T Products was accompanied by a bid guaranty with good and sufficient surety and complies with the requirements of Sections 5537.07 and 9.312 of the Ohio Revised Code; and

WHEREAS, the Maintenance Engineer reports that the bid of P & T Products conforms with the bid specifications in all material respects, observed that P & T Products has satisfactorily furnished similar material previously to the Commission, and recommends that the Commission select the bid of P & T Products, Inc. as the lowest responsive and responsible bid received under Invitation No. 4285, in the amount of \$0.2580 per pound, which may result in a total contract price of \$151,704.00 if the maximum delivery variance of five percent from the approximate quantity of 560,000 pounds is reached; and

WHEREAS, the amount of the bids received identify expenditures under Invitation No. 4285 that will exceed \$150,000.00, and Commission action is necessary to execute the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of P & T Products, Inc., under Invitation No. 4285, to deliver an approximate quantity of 560,000 pounds of hot-pour, ready-mixed joint sealant for its bid price of \$0.2580 per pound, which will result in a total contract price of \$151,704.00 if the maximum delivery variance of five percent from the approximate quantity of 560,000 pounds is reached, is approved as the lowest responsive and responsible bid received, and that the Executive Director is authorized to execute a Contract on the basis of said bid.

(Resolution No. 6-2017 adopted January 23, 2017)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of Thirteen Truck Cab and Chassis from Cleveland Freightliner, Inc. in the Amount of \$1,262,768.00 and Thirteen Snow and Ice Truck Bodies with Plow, Light and Hydraulic Systems from Concord Road Equipment Mfg., Inc. in the Amount of \$1,444,749.80 Under the ODOT and DAS Cooperative Purchasing Programs

WHEREAS, under Resolution No. 32-2003, adopted on July 21, 2003, the Executive Director is authorized to participate in state contracts through the Ohio Department of Administrative Services (“DAS”) Cooperative Purchasing Program, through which members may purchase supplies, services, equipment and other materials in accordance with Ohio Revised Code Section 125.04; and

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

WHEREAS, the Maintenance Engineer has determined that the purchase of thirteen single axle truck cab and chassis and snow & ice truck bodies are necessary to replace thirteen single axle trucks used for operating and maintaining the Ohio Turnpike that have reached the end of their viable economic life and recommended for disposal under the Commission’s Property Disposal Policy; and

WHEREAS, the Maintenance Department staff has recommended that the best equipment available to perform its operations is the 2018 Western Star 4700 SF cab and chassis that are outfitted with a Concord manufactured body; and

WHEREAS, the truck cab and chassis are available for acquisition through the ODOT Cooperative Purchasing Program, and the Procurement Manager has determined that the lowest cost of obtaining the thirteen the 2018 Western Star 4700SB cab and chassis is under ODOT Invitation 023-16 from Cleveland Freightliner, Inc., dba Valley Freightliner, of Parma, Ohio, in the total amount of \$1,262,768.00; and

WHEREAS, the truck bodies are available for acquisition through the DAS Cooperative Purchasing Program, and the Procurement Manager has determined that the lowest cost of obtaining the thirteen truck bodies with plow, light and hydraulic systems is under DAS Contract Schedule No. 800507, Index No. STS515, from Concord Road Equipment Manufacturing, Inc., of Painesville, Ohio, in the total amount of \$1,444,749.80; and

WHEREAS, the Executive Director and Chief Engineer have reviewed the evaluation and report of the Maintenance Engineer and concur with the recommendation that the Commission approve the purchase of the thirteen cab and chassis trucks from Cleveland Freightliner, Inc.

through the ODOT Cooperative Purchasing Program, and acquire the bodies from Concord Road Equipment Manufacturing, Inc. under the DAS Cooperative Purchasing Program; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the expenditure required to purchase the thirteen cab and chassis trucks and the customized bodies exceeds \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the purchase of thirteen truck cab and chassis from Cleveland Freightliner, Inc., dba Valley Freightliner, through the ODOT Cooperative Purchasing Program under Invitation 023-16, in the total amount of \$1,262,768.00, is approved; and

FURTHER RESOLVED that the purchase of thirteen installed truck bodies from Concord Road Equipment Manufacturing, Inc. through the DAS Cooperative Purchasing Program under DAS Contract Schedule No. 800507, Index No. STS515, in the total amount of \$1,444,749.80, is approved.

(Resolution No. 7-2017 adopted January 23, 2017)