

**MINUTES OF THE 693rd MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
JANUARY 24, 2022**

Chairman: Good morning. It is 10:00 a.m. Please stand and join me in reciting the *Pledge of Allegiance*.

Ms. Eaton Johnson is unable to attend today's meeting. ODOT Director, Dr. Jack Marchbanks, is unable to attend today's meeting, so Myron Pakush is here today representing ODOT. Senator Reineke has also been excused from today's Meeting.

Will the Assistant Secretary Treasurer, Ferzan M. Ahmed, P.E., please call the roll?

Assistant Secretary-Treasurer: Chairman Hruby

Chairman, Jerry Hruby: Here

Assistant Secretary-Treasurer: Vice Chairman Paradiso

Vice Chairman, Timothy Paradiso: Here

Assistant Secretary-Treasurer: Secretary-Treasurer Barber

Secretary-Treasurer, Sandra Barber: Here

Assistant Secretary Treasurer: Mr. Coviello

Commissioner Guy Coviello: Here

Assistant Secretary-Treasurer: Mr. Pakush

Commissioner, ODOT Proxy, Myron Pakush: Here

Assistant Secretary-Treasurer: Mr. Kennedy

Office of Budget and Management, James Kennedy: Here

Assistant Secretary-Treasurer: Representative Ghanbari

Representative Haraz N. Ghanbari: Here

Chairman: We have a quorum. This is the 693rd Meeting of the Ohio Turnpike and Infrastructure Commission. We are here today at the Commission's Administration Building.

Various reports will be received, and we will act on several resolutions. Draft copies have been sent to the Members prior to this meeting. The resolutions will be explained, questions and answers will be taken during the appropriate reports.

May I have a motion to adopt the Minutes of the December 20, 2021, Commission Meeting? Any corrections, additions, or questions regarding the Minutes? Hearing none, please call the roll.

MOTION: A motion to adopt the Minutes of the December 20, 2021, Commission Meeting was made by Vice Chairman Paradiso, seconded by Chairman Hruby and approved by all Commission Members present.

Chairman: The December 20, 2021, Commission Meeting Minutes are adopted. We will move on 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 20, 2021:

1. Twelve (12) Resolutions;
2. Draft Minutes of the December 20, 2021, Commission Meeting; and
3. Agenda for today's meeting.

The following additional documents have been made available to Commission Members:

1. Traffic Crash Summary Report, December 2021;
2. Traffic and Revenue Report, December 2021;
3. Total Revenue by Month and Year, December 2021;
4. Investment Report, December 2021; and
5. Financial Statement, December 2021.

Chairman: Thank you. Any questions or comments concerning the report? Hearing none, we will move on to the report of the Executive Director, Ferzan Ahmed.

Director Ahmed: Thank you, Mr. Chairman. Good morning, Commission Members, and visitors.

I will start by congratulating our retirees: Craig Dahnke retired from the Service Plaza Operations Department and Kenneth White, Jr. has retired from Trades group in Maintenance.

Now, I would like to congratulate team members that have received recent promotions, and some of them are in the room so please stand up and be acknowledged when I read your name. In the Accounting Department, Jacki Dohoda-Herberger has been promoted to Assistant Comptroller. In the Customer Service Department, Amanda Brown was promoted to Manager. In Maintenance, John Hall was promoted to Foreman at the Hiram Maintenance Building. In the Marketing & Communications Department, Chad Armstrong was promoted to Marketing & Communications Manager. Congratulations to all of you.

And now I would like to extend a warm welcome to many new team members.

- Danielle Ciacchi, Mercita Clark, and Paige Biskup joined the Radio Room as Operators.
- We have several new team members in the Maintenance Department:
 - o At Castalia: James Austin, Aaron Mahl, Thomas Forney, Derrick Miles.
 - O At Elmore: Gavin Rubel.
 - O At Canfield: David Cirjak.
 - O At Boston: Dennis Hile and Robert VanZandt.

In the Toll Operations Department, I would like to welcome one full-time and eight part-time toll collectors: Michelle Kelling, Donna Gerstacker, Ashley DeBuysser, Constance Young, Shannon Hendricks, Trazell McGraw, Justin Bungo, David S. Miller, and Magic Gaines.

We also have a new extern and an intern with us. In the Legal Department, Evan Morris from John Marshall Law School has joined us as an Extern, and in the Engineering Department we have Lwin Maung, a foreign exchange student at Cleveland State University who is a Senior in Civil Engineering. Congratulations and welcome to all our new team members.

I will now give a brief operational update. At our Service Plazas, construction of the new concessions at Portage and Brady's Leap is on schedule. However, supply chain issues have delayed some equipment deliveries for the operating units delaying the opening of the new concessions. The Tesla Supercharger stations opened at our Blue Heron and Wyandot Service Plazas, located on the westbound and eastbound sides of the Turnpike in Sandusky County. There are eight (8) Tesla Superchargers located at each service plaza providing a needed service for our customers to continue their trek across the state. These stations add to our growing electric vehicle charging station options along the turnpike, and we continue to discuss options for providing electrical vehicle charging service for our customers at additional locations. I believe this is Tesla's first project with a public agency in Ohio and we are proud to be that public agency.

In accordance with the Commission's Bylaws, I would like to report out on completed construction projects. A spreadsheet is available for all Commission Members. I will read only a

summary so if any Commission Members would like to discuss any of the projects with me, I would be happy to do so later.

In 2021, we closed out 18 projects with a total original contract value of \$64,491,986.97. The final paid amounts for those contracts were \$63,305,199.84, and the net total of all change orders was a decrease of \$1,017,377.01, or about 2% less than the original contract amounts. The major reason for the final contract values being lower than the original contracted amount is due to contingency items that were not necessary for a successful project. One project had a change order that was more than 10% over the estimated contract amount and greater than \$150,000.00. That was project 69-18-02, which had an original contract value of \$278,453.22. Change Order #01 Rock Channel Protection had a value of \$169,543.00 and this change order was necessary to be incorporated into the work. The original plans only called for approximately 250 feet of ditch to receive rock channel protection, which is only a minor portion of the ditch. However, existing soil conditions and heavy rains during construction required the rock channel protection along 1,425 feet of the ditch line. It should be noted that a significant portion of the ditch line is in close proximity to neighboring residential property lines and continued erosion would have impacted property outside the Commission's right-of-way. Had we not made the change in the field, the plan design would not have survived too many major rain events and the money would have been wasted. This was not an emergency, but the decision was made to exceed the limits so that work would be done correctly during the project so that additional expenses were not incurred to come back and correct the problem. This work was actually done in 2018, but administratively we closed the project a few months ago. Because this change order exceeds the contracting authority of the Executive Director there is a provision in the bylaws where the Executive Director can approve, where I can approve this work if the work is needed to fulfill the job and prevent delays. Next month we will be bringing this to the Commission as a Resolution to formally get this approved, which is the appropriate way to handle these types of situations. I want to reiterate that this was not an emergency, but had we not done this the original design of \$248,000.00 would have been a waste of money and we wanted to do it right.

My final item, Mr. Chairman, is bittersweet. Tony Yacobucci has been an employee with the Commission since 2010. In 2014, he was appointed Chief Engineer. In this capacity, he has served the Commission not only by leading the team and our capital program, but also as the team leader of the new TCS. Tony has decided to return to the private sector. Tony was supposed to be here today, but he called me and told me that he has orientation, and they are requiring him to attend orientation. We have a Resolution honoring his service. Before I go on to the Resolution, beyond being an employee Tony became a mentor and a friend to many of us, including a friend to me. Now with your permission, Mr. Chairman, may the Acting General Council read the title of the Resolution?

Acting General Counsel: Resolution Honoring the Distinguished Service of Anthony D. Yacobucci, P.E.

Chairman: Discussion? Roll call.

MOTION: A motion to adopt a Resolution Honoring the Distinguished Service of Anthony D. Yacobucci, P.E. was made by Chairman Hruby, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 1-2022.

Chairman: The resolution passes unanimously. I continue.

Director Ahmed: Mr. Chairman, I have one further item. Unfortunately, during our snow and ice operations yesterday, a plow truck driver was travelling westbound plowing snow in the left lane and in the left shoulder with the wing plow deployed. Beginning somewhere near the 116 milepost, which is near the State Route 250 interchange, the plow truck operator was throwing snow, ice, and slush over the median divider wall onto oncoming traffic. This appears to have occurred over a couple miles, resulting in damage to several dozen cars and trucks, causing accidents, and unfortunately injuries. A supervisor witnessed this and directed the employee to cease and report to the maintenance building. The employee was taken for drug and alcohol testing and completed paperwork for the incident and was then placed on administrative leave pending the test results and investigation. The Ohio State Highway Patrol, Ohio Turnpike Maintenance, and disabled vehicle service companies Interstate Towing and Madison Motor Service assisted in removing the vehicles from the Turnpike. We took the affected customers to the Patrol Post in Milan, as well as a local restaurant. The Commission and the Ohio State Highway Patrol are conducting investigations, and appropriate action will be taken pending the outcome of these investigations.

Mr. Chairman this ends my report, and I will be happy to answer any questions.

Chairman: Thank you. Anyone have any questions? I would just like to make a few comments on behalf of the Commission. I want to again echo the words of Ferzan and congratulate our retirees. Thank you very much for your service, your distinguished service to the Commission over the years that you have been so employed. Congratulations to those of you who are being promoted. That is a credit to your dedication not only to the road but to your fellow employees, so congratulations to all of you. Welcome to the new hires, we hope that you have a long healthy and good career working with the Turnpike. Many, many people make a career out of this road and do such a wonderful job and we hope that you are going to be one of those and continue your service with us for many years and hopefully they will be happy and good years.

Regarding the resolution and Tony Yacobucci, I would just like to say a few things about Tony on behalf of the Commission. He was and is an outstanding gentleman. His integrity is outstanding. He is known for his efficiency and for the way that he handled project after project after project. Tony certainly was a shining star of this Turnpike Commission in the years that I've been here. I have never heard anyone say anything negative about Tony, but always praised him. He's moved on and is seeking some new things in his life and we congratulate him for that and we wish him the very best. It is a loss for the Commission there is no question about it. It is hard to fill someone of the caliber of this man, but life goes on and we move on. So Tony, we wish you the very best and I know your friends here at the Commission will miss you, but we wish you, again, great success in the future.

Anyone else wish to say anything? Hearing none, let's move on to the report of the Acting, is that your title?

Chris Matta: Deputy Chief Engineer. We change it all the time.

Chairman: Deputy Chief Engineer. My goodness, who is Acting Chief Engineer?

Director Ahmed: I am.

Chairman: Oh, you are? Okay. So, Chris Matta is the Deputy Chief Engineer. Chris, you got big shoes to fill but I know that you will do it.

Deputy Chief Engineer: Good morning, Mr. Chairman and Commission Members. Thankfully, Tony showed me the way over the past few years and you know they are big shoes to fill, but if I can get a portion of them filled, I think we will be okay.

My first resolution for your consideration seeks the Commission's authorization of continuing expenditures for the Contract with Arcadis U.S. Inc., ("Arcadis"), of Cleveland, Ohio, for the 71-19-07 Project relating to Professional Engineering Services for modernizing the Ohio Turnpike's Toll Collection System and implementing the Strategic Plan, as adopted by the Commission under Resolution No. 57-2017. Arcadis submitted the highest-ranking proposal for Project No. 71-19-07 and was authorized to perform Task 3 design services under Commission Resolution No. 80-2020. Arcadis completed final design, the construction projects were advertised, and Project No. 64-22-01 was awarded to Regent Electric under Resolution 73-2021 and Project No. 64-22-02 was awarded to Yates Electric under Resolution 74-2021. As requested by the Engineering Department, as part of the scope of services for Project No. 71-19-07, Arcadis submitted a fee proposal dated December 15, 2021, in the not-to-exceed amount of \$518,133.68, to perform Task 6 Construction Administration and Inspection Services for Project No. 64-22-01 and submitted a fee proposal dated December 17, 2021, in the not-to-exceed amount of \$514,548.90, to perform Task 7 Construction Administration and Inspection Services for Project No. 64-22-02. The Engineering staff has reviewed Arcadis' proposals and find them to be reasonable for the scope to be performed. The addition of the Task 6 and Task 7 services to the Arcadis Contract under Project No. 71-19-07 results in the aggregate not-to-exceed amount of \$2,973,740.79. With your permission, may the General Counsel please read the title of the resolution?

Acting General Counsel: Resolution Authorizing Arcadis U.S. Inc. to Perform Task 6 and Task 7 Services Under Project No. 71-19-07 in the Aggregate Not-To-Exceed Amount of \$2,973,740.79.

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

MOTION: A motion to adopt a *Resolution Authorizing Arcadis U.S. Inc. to Perform Task 6 and Task 7 Services Under Project No. 71-19-07 in the Aggregate Not-To-Exceed Amount of \$2,973,740.79* was made by Vice Chairman Paradiso, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 2-2022.

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

Deputy Chief Engineer: My second resolution for your consideration seeks the Commission's authorization of continuing expenditures for the Contract with KS Associates, Inc. (KS) of Elyria, Ohio for the 71-19-02 Bridge Deck Replacement and Bridge Removal Project in Sandusky County, Ohio. KS submitted the highest-ranking proposal for Project No. 71-19-02 and was authorized to perform Phase I design services under Commission Resolution No. 36-2019. KS completed final design, the construction project was advertised as Project No. 43-22-03, and subsequently awarded to the Kokosing Construction Company by Resolution No. 58-2021. As requested by the Engineering Department, as part of the scope of services for Project No. 71-19-02, KS submitted a revised fee proposal dated January 7, 2022, in the not-to-exceed amount of \$511,064.94, to perform Phase II Construction Administration and Inspection Services. The Engineering staff has reviewed KS's proposal and finds it to be reasonable for the scope to be performed. The addition of Phase II services to the KS Contract under Project No. 71-19-02 results in the aggregate not-to-exceed amount of \$851,691.71. With your permission, may the General Counsel please read the title of the resolution?

Acting General Counsel: Resolution Authorizing a Modification to the Contract with KS Associates, I to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-03 For a Total Aggregate Contract Amount of \$851,691.71.

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

MOTION: A motion to adopt a *Resolution Authorizing a Modification to the Contract with KS Associates, I to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-03 For a Total Aggregate Contract Amount of \$851,691.71* was made by Secretary-Treasurer Barber, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 3-2022.

Chairman: The resolution passes unanimously. I continue, Chris.

Deputy Chief Engineer: My third resolution for your consideration seeks the Commission's authorization of continuing expenditures for the Contract with TranSystems Corporation of Ohio (TranSystems), of Cleveland, Ohio, for the 71-19-04 Bridge Deck Replacement and Bridge Replacement Project in Cuyahoga and Summit Counties, Ohio. Transystems submitted the highest-ranking proposal for Project No. 71-19-04 and was authorized to perform Phase I design services under Commission Resolution No. 44-2019 and Phase IB design services under Commission Resolution No. 36-2020. Transystems completed final design, the construction project was advertised as Project No. 43-22-05, and subsequently awarded to The Great Lakes Construction Company by Resolution No. 75-2021. As requested by the Engineering Department, as part of the scope of services for Project No. 71-19-04, Transystems submitted a fee proposal dated December 13, 2021, in the not-to-exceed amount of \$541,714, to perform Phase II Construction Administration and Inspection Services. The Engineering staff has reviewed TranSystems' proposal and finds it to be reasonable for the scope to be performed. The addition of Phase II services to the TranSystems' Contract under Project No. 71-19-04 results in the

aggregate not-to-exceed amount of \$956,490.00. With your permission, may the General Counsel please read the title of the resolution?

Acting General Counsel: Resolution Authorizing a Modification to the Contract with TranSystems Corporation of Ohio to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-05 For a Total Aggregate Contract Amount of \$956,490.00.

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

MOTION: A motion to adopt a *Resolution Authorizing a Modification to the Contract with TranSystems Corporation of Ohio to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-05 For a Total Aggregate Contract Amount of \$956,490.00* was made by Chairman Hruby, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 4-2022.

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

Deputy Chief Engineer: The next resolution for your consideration seeks the Commission's authorization to award Contract No. 43-22-02, for the bridge deck widening and bridge deck replacement of the Ohio Turnpike bridge over State Route 109 at Milepost 40.3 and for the Ohio Turnpike bridge over the Indiana and Ohio Railway at Milepost 40.5 in Fulton County. This work was included in the 2022 Capital Improvement Budget. On January 6, 2022, Procurement received two (2) bids in response to this Project. The apparent low bid was submitted by Kokosing Construction Company, Inc., of Westerville, Ohio in the amount of \$10,517,753.17, which is approximately 2% below the Engineers Estimate. This bid was evaluated by both the design consultant, DGL Consulting Engineers, LLC, of Maumee, 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. In addition, Kokosing has committed to meet the 11% SBE goal as set by the Office of Equity and Inclusion. Therefore, it is recommended that the Commission award Contract No. 43-22-02 to Kokosing Construction Company, Inc., of Westerville, Ohio, in the amount of \$10,517,753.17. With your permission, may the General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Approving the Selection of Kokosing Construction Company, I for Project No. 43-22-02 for the Total Amount of \$10,517,753.17.

Chairman: Any questions or comments?

Vice Chairman: Mr. Chairman and Deputy Chief Engineer, just an open ended question. I noticed there were only two bids on this, while we enjoy a great relationship with Kokosing and they do a great job for the Commission, we are hearing about supply issues, we are hearing contract demand issues, pricing pressures, not only this project but as we look at new projects into the spring, what are you sensing in terms of our ability to get quality contractors to bid on our work?

Deputy Chief Engineer: Mr. Chairman and Mr. Vice Chairman, I think just looking back over the past few months, we have been fortunate so far, this is our third bridge project for 2022 construction. The first one was out around the 99 milepost near our Erie Islands and Commodore Perry Service Plazas, I think we had like seven bids for that projects, a lot of competition on that one. The ones over in Cuyahoga and Summit Counties, we had several bids for that one as well. This one was below our estimate, so we are not exceeding the Engineer's Estimate for it. I went back and looked, we had a very similar project that we awarded in late 2020 that was in the Mahoning County area, the cost for that project and the scope were very similar and they were pretty much inline. If you applied a standard rate of inflation to those cost that we received from that project out there it kind of matches where we are at here. We do have one other set of bridges that is, I think, is advertised already, they are over here in Lorain and Cuyahoga County, so we will work closely with the Procurement Department, taking a look at the plan holders and making sure we have enough activity on that side of it.

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

MOTION: A motion to adopt a *Resolution Approving the Selection of Kokosing Construction Company, Inc. for Project No. 43-22-02 for the Total Amount of \$10,517,753.17* was made by Mr. Pakush, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 5-2022.

Chairman: The resolution passes unanimously. Inc. continue, Chris.

Deputy Chief Engineer: My fifth resolution for your consideration seeks the Commission's authorization to award Contract No. 4398, for the furnishing and applying of herbicide on various Turnpike right-of-way areas from Milepost 0.0 to Milepost 241.2. The furnishing and applying of herbicide will provide roadside vegetation management service along the Commission's roadways and ramps for a period of two years. On December 29, 2021, Procurement received two (2) bids in response to Bid Invitation No. 4398. The apparent low bid was submitted by Allen Chase Enterprises, Inc., of Oswego, New York, ("Allen Chase") in the estimated amount of \$311,814.00. The Bid Invitation provides for a 20% variance between the estimated quantities and the actual quantities applied in the field which could result in the total cost of the service to reach \$374,176.80. Allen Chase proposes to furnish equipment, material, and services in accordance with the specifications and this bidder has satisfactorily supplied these services to the Commission in the past. Therefore, it is recommended that the Commission award Contract No. 4398 to Allen Chase Enterprises, Inc., of Oswego, New York, in the estimated amount of \$374,176.80. With your permission, may the General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Approving the Selection of Allen Chase Enterprises Inc. for Applying Herbicide Under Bid Invitation No. 4398 in the Total Not-to-Exceed Amount of \$374,176.80.

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

MOTION: A motion to adopt a *Resolution Approving the Selection of Allen Chase Enterprises Inc. for Applying Herbicide Under Bid Invitation No. 4398 in the Total Not-to-Exceed Amount of \$374,176.80* was made by Vice Chairman Paradiso, seconded by Chairman Hruby, and approved by all Commission Members present. Resolution No. 6-2022.

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

Deputy Chief Engineer: My sixth resolution for your consideration seeks the Commission's authorization to award Project No. 71-21-04 for Engineering Services relating to the mainline bridge removal over the North Coast Inland Trail at Milepost 83.3 and the bridge deck replacement of the mainline bridge over Waggoner Road at Milepost 83.3 in Sandusky County, Ohio. On October 1, 2021, Procurement received eight (8) Letters of Interest for the Request for Letters of Interest (LOI) No. 15-2021 for Professional and Engineering Services to provide design services for the bridge work. The LOI's were independently reviewed, evaluated, and scored by the LOI Evaluation Team in accordance with the LOI requirements. The LOI Evaluation Team reviewed and scored the Letters of Interest and concluded that DGL Consulting Engineers, LLC, (DGL) of Maumee, Ohio, was the highest-ranking submittal. The Office of Equity and Inclusion confirmed that all Respondents met or exceeded the 20% SBE goal as set by the Office of Equity and Inclusion. Fee negotiations commenced between DGL and our Engineering staff, and on January 11, 2022, a final fee proposal was submitted in the amount of \$248,915.00 for Phase IA services. The services for Phase IA include the Site Inspection, Engineering Report, Survey, and Structure Type Study for bridge removal and the bridge deck replacement of these structures. Phase IB Services includes Final Design for the project, which we will request Commission authorization at a later date. Engineering staff has reviewed and negotiated the fee proposal and finds it reasonable for the scope to be performed. Therefore, we are requesting Commission authorization for the award of Project No. 71-21-04 to DGL Consulting Engineers, LLC, of Maumee, Ohio, for Phase IA of this Project in the amount of \$248,915.00. With your permission, may the General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Approving the Selection of DGL Consulting Engineers, LLC for Project No. 71-21-04 in the Total Amount of \$248,915.00.

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

MOTION: A motion to adopt a *Resolution Approving the Selection of DGL Consulting Engineers, LLC for Project No. 71-21-04 in the Total Amount of \$248,915.00* was made by Secretary-Treasurer Barber, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 7-2022.

Chairman: The resolution passes unanimously. I continue, Chris.

Deputy Chief Engineer: The next resolution for your consideration seeks the Commission's authorization to award Project No. 71-21-06 for Engineering Services relating to the bridge deck replacements at Copp Road overhead bridge at Milepost 104.3 in Sandusky County, the Northwest/Southwest Road overhead bridge at Milepost 106.1 in Sandusky and Erie Counties, the State Route 269 overhead bridge at Milepost 106.8 in Erie County, and the Deyo Road overhead

bridge at Milepost 107.5 in Erie County, Ohio. On October 1, 2021, Procurement received ten (10) Letters of Interest for the Request for Letters of Interest No. 17-2021 for Professional and Engineering Services to provide design services for the bridge work. The LOI's were independently reviewed, evaluated, and scored by the LOI Evaluation Team in accordance with the LOI requirements. The LOI Evaluation Team reviewed and scored the Letters of Interest and concluded that Osborn Engineering, (Osborn), of Cleveland, Ohio, was the highest-ranking submittal. The Office of Equity and Inclusion confirmed that all Respondent's met or exceeded the 20% SBE goal as set by the Office of Equity and Inclusion. Fee negotiations commenced between Osborn and our Engineering staff, and on January 10, 2022, a final fee proposal was submitted in the amount of \$418,519.00 for Phase I services. The services for Phase I include the Site Inspection, Engineering Report, and Final Design and Plan Preparation for the bridge deck replacement of these structures. Engineering staff has reviewed and negotiated the fee proposal and finds it reasonable for the scope to be performed. Therefore, we are requesting Commission authorization for the award of Project No. 71-21-06 to Osborn Engineering, of Cleveland, Ohio, for Phase I of this Project in the amount of \$418,519.00. With your permission, may the General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Approving the Selection of Osborn Engineering for Project No. 71-21-06 in the Total Amount of \$418,519.00.

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

MOTION: A motion to adopt a *Resolution Approving the Selection of Osborn Engineering for Project No. 71-21-06 in the Total Amount of \$418,519.00* was made by Chairman Hruby, seconded by Vice Chairman Paradiso, and approved by all Commission Members present. Resolution No. 8-2022.

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

Deputy Chief Engineer: My eighth and final resolution for your consideration seeks the Commission's authorization to award Project No. 71-21-07 for Engineering Services relating to the deck replacement of the mainline bridge over State Route 99 at Milepost 111.2 and the bridge deck overlay of the State Route 13 overhead bridge at Milepost 119.3 in Erie County, Ohio. On October 1, 2021, Procurement received eight (8) Letters of Interest for the Request for Letters of Interest No. 18-2021 for Professional and Engineering Services to provide design services for the bridge work. The LOI's were independently reviewed, evaluated, and scored by the LOI Evaluation Team in accordance with the LOI requirements. The LOI Evaluation Team reviewed and scored the Letters of Interest and concluded that Michael Baker International Inc., (Michael Baker) of Cleveland, Ohio, was the highest-ranking submittal. The Office of Equity and Inclusion confirmed that all Respondent's met or exceeded the 20% SBE goal as set by the Office of Equity and Inclusion. Fee negotiations commenced between Michael Baker and our Engineering staff, and on January 11, 2022, a final fee proposal was submitted in the amount of \$169,194.00 for Phase IA services. The services for Phase IA include the Site Inspection, Engineering Report, and Survey for the bridge deck replacement and/or deck overlay of these structures. Phase IB Services includes Final Design for the project, which we will request Commission authorization at a later date. Engineering staff has reviewed and negotiated the fee proposal and finds it reasonable for

the scope to be performed. Therefore, we are requesting Commission authorization for the award of Project No. 71-21-07 to Michael Baker International Inc., of Cleveland, Ohio, for Phase IA of this Project in the amount of \$169,194.00. With your permission, may the General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Approving the Selection of Michael Baker International, Inc. for Project No. 71-21-07 in the Total Amount of \$169,194.00.

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

MOTION: A motion to adopt a *Resolution Approving the Selection of Michael Baker International, Inc. for Project No. 71-21-07 in the Total Amount of \$169,194.00* was made by Secretary-Treasurer Barber, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 9-2022.

Chairman: The resolution passes unanimously. Anything further, Chris?

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

Chairman: Thank you. You had all of those resolutions go through without one question. That is great preparation. You made us all very comfortable with resolutions, so congratulations, you are filling those shoes, but don't think it is going to happen again.

Deputy Chief Engineer: I appreciate that, Mr. Chairman.

Chairman: We will now move on to the report of the Chief Information Officer, Chriss Pogorelc.

Chief Information Officer: Good morning, Mr. Chairman and Members of the Commission. I have one resolution for your consideration this morning.

You may recall that in October I was here to present Resolution 61-2021 for a camera system for 13 of our service plazas and a proof-of-concept camera system for the Hiram Maintenance Building. I am happy to report that the installation of cabling for those systems is just about complete and that we remain on schedule to go live over the next few months.

During that presentation, I mentioned that a replacement plan specific to the Toll Plazas was currently in development and expected to be presented to you as a separate resolution in early 2022. Today's resolution is for this camera system.

Throughout 2021 the External Technology Task Force worked in conjunction with Toll Operations and the Toll Collection System Project Team to finalize a camera replacement plan specific to the Toll Plazas. This plan continues our support of the Commission's Key Objective to Improve Safety and Enhance Security by improving the monitoring of Commission Facilities using cameras and expounds upon our goal of pulling all the Commission's camera systems into

a single Video Management platform with uniformity in camera models to ease operations, support, and future maintenance efforts.

Unlike the Service Plazas and Maintenance Building which I have previously presented, the Toll Plazas already have an existing camera system, which was installed in 2009 as part of the TransCore Toll Collection System. The group reviewed what the existing system provides and focused efforts on the 20 Toll Plazas between TP 52 and TP 209 which will make up the ticketed portion of our new toll collection system.

Deficiencies in existing coverage were identified, as was the need for expansion based on upcoming changes to the Toll Collection System.

The groups agreed that replacement and expansion of the existing system now, would ease the operational burden of Toll Plaza staff as the Toll Collection System is transitioned from TransCore to Conduent.

The group engaged Northwestern Ohio Security Systems, Inc. (NWOSS), who is currently assisting with the Service Plaza Camera System and has previously assisted the Commission with the camera systems at the Administration Complex.

NWOSS met with our group to get an understanding of the Toll Plazas, the Commission's desired camera coverage and conducted a review of the existing camera system at several Toll Plazas. From this assessment NWOSS provided recommended camera locations and made several model recommendations which were reviewed with the team.

Northwestern Ohio Security Systems, Inc., of Lima, Ohio, submitted a proposal to furnish all required hardware, which includes 197 cameras – 101 that are replacements for existing cameras, and 96 additional cameras to provide coverage of new Automated Toll Payment Machines that are being installed as part of the new Toll Collection System and provide coverage of identified gaps in the existing system – the software licensing, professional services for cabling and installation, and 1 year of Milestone Dashboard monitoring in the amount of \$1,139,995.12.

This pricing is from NWOSS's State of Ohio Master Maintenance Agreement #7635 which is discounted between 25% and 30% off the manufacturer's list pricing. NWOSS has also included an additional 2% discount on all hardware from their MMA list price for this purchase and has committed to offering this for any future expansions.

With your permission, would the Acting General Counsel please read the title of the Resolution?

Acting General Counsel: Resolution Authorizing the Purchase of Toll Plaza Camera System from Northwestern Ohio Security Systems Inc. in the Total Amount of \$1,139,995.12.

Chairman: Any questions?

Representative Ghanbari: Thank you, Mr. Chairman. Just for some clarification, these cameras are solely going to be at the toll collection points, is that just to take pictures of vehicles as they pass through or is there a broader security use for them?

Chief Information Officer: Mr. Chairman and Representative Ghanbari, these cameras are actually a little different than that. As part of the toll collection system, we put in the cameras that are part of our digital automated video system, as well as the license plate cameras that need to be taken for toll purposes, these cameras are primarily used by our staff for monitoring of the facilities as well as the support of unstaffed operations for the automated toll payment machines. It is also used for security for doors, where people may or may not be accessing the building at any point in time during the day.

Representative Ghanbari: Thank you, Mr. Chairman. Is there any possibility of, you know in light of the comments at the beginning of the meeting dealing with the snowplow driver, is there any possibility of extending camera services to the snowplow vehicles or other Turnpike vehicles that may be going up and down the Turnpike?

Chief Information Officer: Yes, Mr. Chairman and Representative Ghanbari, we are currently working on a separate project more related to the ITS system, some additional cameras that may go out to cover our mainline as well as potentially going on to those vehicles for that type of coverage. It then can all be brought into the same underpinning video system at the end of the day.

Representative Ghanbari: So, when it talks about expansion in here, those kinds of rates being extended to the expansion, would these rates also cover those other types of cameras?

Chief Information Officer: If we were to continue with this firm and purchase hardware, yes that would be extended.

Representative Ghanbari: Thank you.

Director Ahmed: Mr. Chairman, may I provide some more information in response to Representative Ghanbari's question. About a little more than a year ago, we contracted with two engineering firms to design a comprehensive ITS system for the Ohio and part of what we want to implement is exactly what you talked about which would be cameras for our snowplows, not just for our snowplows, but our maintenance vehicles as well. I think that in today's world it is very important to know what is going on and beyond that it also gives us a birds eye view of the conditions and we can actually plan our maintenance operations with them.

Representative Ghanbari: So, this is just a follow-up to that, I think the Governor and the legislatures has made it a priority to equip the Highway Patrol with body cameras and they are expanding that as well, but I think to your point, there is a lot of traffic going across our roadways and especially when it comes to construction and our vehicles out there, I think, sometimes those cameras can either indicate that in the example of law enforcement, maybe they were in the wrong, but oftentimes those cameras might also say law enforcement was right, but absent the camera

then it is anybody's word at that point. So, if there is an opportunity to expand then I would definitely be in support of that as the non-voting member of the Commission.

Chairman: Certainly, thank you for your comments. Any other questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt a *Resolution Authorizing the Purchase of Toll Plaza Camera System from Northwestern Ohio Security Systems Inc. in the Total Amount of \$1,139,995.12* was made by Mr. Pakush, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 10-2022.

Chairman: The resolution passes unanimously. Anything further, Chriss?

Chief Information Officer: No, Mr. Chairman that completes my report. Thank you.

Chairman: We will move on to the report of the Deputy Executive Director/Chief Financial Officer, Marty Seekely.

Deputy Executive Director/Chief Financial Officer: Thank you, Mr. Chairman. I have two reports and one resolution for your consideration this morning.

First, I would like to update you on the status of the bond refunding that was authorized at the last meeting. We met with the three rating agencies on January 6th to update them on the refunding transaction and review our financial results and future plans. The meetings went well and last week all three rating agencies affirmed the credit ratings on the Junior Lien Bonds. We have finalized the Preliminary Official Statement and plan to issue that latter today or tomorrow and are still on schedule for a planned sale date on the new bonds on February 8th. Interest rates have risen over the last month, but the refunding currently still results in approximately \$80 million in savings.

Chairman: Marty, can I interrupt you? What is the rating?

Deputy Executive Director/Chief Financial Officer: Mr. Chairman, the rating for our Junior Lien bonds, two rating agencies rate us as A+, that is Fitch and Standard & Poor's. Moddy's rates us Aa3 on the Junior Lien Bonds.

Chairman: Thank you, very good.

Deputy Executive Director/Chief Financial Officer: Next, I have a brief update on our traffic and revenue for the month of December.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike since the beginning of 2019. Passenger car vehicle miles traveled were up 33.3% from December of last year and down 8.0% from December of 2019.

Commercial traffic continued to increase and was up 7.5% from December of last year and up 22.3% from December of 2019.

The change in passenger car traffic combined with the toll rate increases caused passenger car toll revenues to increase 33.9% from December of last year and decrease 5.2% compared to December of 2019.

The increase in commercial traffic combined with the toll rate increases caused commercial vehicle toll revenues to increase 9.6% from December of last year and 27.9% from December of 2019.

This chart shows year-to-date toll revenues through the month of December during each year over the past decade.

Year-to-date total toll revenues were \$60.5 million or 21.5% above the amount from last year and \$33.9 million or 11.0% above the amount from 2019.

That completes my report Traffic & Revenue.

Next, I have a resolution authorizing a contract for water and sewer service for the Tiffin River and Indian Meadow Service Plazas.

The Commission entered into a Water Line and Sanitary Sewer Line agreement with the Village of West Unity in January of 2008. According to the terms of the agreement, the Village agreed to construct water and sanitary sewer lines, including a sanitary sewer force main pump station to service the Tiffin River and Indian Meadow Service Plazas. The Commission agreed to pay \$1,587,575.00 to defray the construction costs incurred by the Village. The Commission also agreed to pay predetermined fixed rates for water and sewer service for the first ten years once service began and then rates that would be adjusted based on a formula contained in the agreement.

The first ten years of service under the fixed rates ended in June of 2021. The calculation of the new rates according to the terms of the agreement results in the Commission paying rates that are 108% more than what the Village charges other customers for water and 26% more than what the Village charges other customers for sanitary sewer service.

After discussions with representatives of the Village, the Village has agreed to terminate the existing agreement and enter into a new agreement in which the Commission would be charged the same rates that all other customers who are located outside the Village pay. The Commission has agreed to reimburse the Village in the future for providing a replacement pump at the facilities located on the Commission's property in the event of premature pump failure due to contamination of excess inorganic materials, fats, oil, or grease from the Commission's sanitary sewage outflow.

Based on the expected savings in water and sanitary sewer costs of \$28,900 per year, it is recommended that the existing contract with the Village of West Unity be terminated, and a new contract be entered into with the Village of West Unity for water and sewer services for the Indian Meadow and Tiffin River Service Plazas. The initial term of the contract is twenty-five (25) years

and will automatically renew for additional twenty (20) year terms, unless notice is given by either party. The agreement can be terminated at any time with two years notice.

May the Acting General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Authorizing the Executive Director to Enter into an Agreement with The Village of West Unity for Water and Sewer Service to The Tiffin River and Indian Meadow Service Plazas.

Chairman: Any questions or comments?

Secretary-Treasurer Barber: Sounds like he got a good agreement this time.

Chairman: Sounds like it, doesn't it? Marty, any comment on that? Are you satisfied with this? Mrs. Barber said, "sounds like we got a very good agreement." Is that your analysis?

Deputy Executive Director/Chief Financial Officer: Mr. Chairman, yes, it is. Instead of paying higher than what everybody else pays, we will be paying what everybody else pays. It's a no brainer.

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

MOTION: A motion to adopt a *Resolution Authorizing the Executive Director to Enter into an Agreement with The Village of West Unity for Water and Sewer Service to The Tiffin River and Indian Meadow Service Plazas* was made by Secretary-Treasurer Barber, seconded by Vice Chairman Paradiso, and approved by all Commission Members present. Resolution No. 11-2022.

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

Deputy Executive Director/Chief Financial Officer: Thank you, Mr. Chairman. That completes my report.

Chairman: Thank you very much. Good job as always. We will now move on to the report of the Acting General Counsel, Heather Veljkovic.

Acting General Counsel: Thank you. Good morning, Mr. Chairman and Commission Members.

I have one item for your consideration this morning and it is some proposed minor changes to the Commission's Bylaws. The first change would be to (copies of the draft Bylaw changes are in your packet), correct a typographical error. It appears that 1944 was used instead of 1994 and that should be clarified and then an additional change in Article IV, Section I, which is on page 9 of the draft Bylaws would be to insert some additional proposed language with the words "*the greater of*" in between "it does not exceed *the greater of* (inserted) the executive director's contracting authority or 10% of the original contract amount."

Chairman: Excuse us a second. Do you want to, well let's first get a motion, sorry.

Acting General Counsel: Would you like me to read the title?

Chairman: Yes, please.

Acting General Counsel: Resolution Amending the Commission's Code of Bylaws.

Chairman: Do you want to explain a little bit. My analysis of this is business as usual. This language does not change what we have been doing and have been doing for years. All this does is reaffirm the language, make it a little more of an explanation of what is to be done, is that not correct?

Acting General Counsel: That is correct, Mr. Chairman. It would be for the continuous improvement and to eliminate any ambiguity.

Chairman: So, anything that has taken place in the past has been done in accordance with this, or should have been done in accordance with this?

Acting General Counsel: Correct.

Chairman: Anything? Do you want to say anything about it or no?

Director Ahmed: Mr. Chairman, exactly what you said. This has been our practice, actually when I started my tenure here, I asked about that and I was told this is the practice, so we continued. Having said that, just like Acting General Counsel, Heather Veljkovic said, this removes any ambiguity that somebody may have in the future.

Chairman: Anything else? Anybody? Roll call please then.

MOTION: A motion to adopt a *Resolution Amending the Commission's Code of Bylaws* was made by Secretary-Treasurer Barber, seconded by Chairman Hruby, and approved by all Commission Members present. Resolution No. 12-2022.

Chairman: Thank you, Heather. Anything further.

Acting General Counsel: No, Mr. Chairman, that concludes my report. Thank you.

Chairman: Thank you. It's 10:53 a.m. We will now move on to the report of the Ohio State Highway Patrol, Staff Lieutenant Richard Reeder.

Staff Lieutenant Richard Reeder: Good morning, Mr. Chairman. I am fortunate to be inside versus many of my co-workers. I wanted to echo your remarks really quick. Tony always made me feel welcome here from day 1 when I got here in 2011. I thank him for everything that he did for me. He was a mentor to me as well. So, I just wanted to echo those remarks and say that I will miss him personally.

If I could really quick, I wanted to touch base on the cameras. Those cameras, especially the toll plaza cameras have been priceless in many, many investigations, not only for us but for other agencies. They will call us and try to get video made and Mr. Mannion and Jen Diaz have always worked well with all of us to get those videos that we need. I think getting cameras inside of our plazas will be a great thing as well because beyond the criminal side, there are civil sides that I think we can protect ourselves as well doing the reports for injured patrons and stuff. So, I want to thank the Commission for getting those cameras.

We had a real good arrest on the 17th of this month. Trooper Summers from the Swanton Post was pulling into the Blue Heron plaza and he noticed a vehicle that was parked kind of across two parking spots and it was sitting there with its turn signal on, so he ran the license plate on the vehicle and realized that it had a hit as a stolen vehicle. It also had a caution that it may be occupied by a murder suspect. It turns out he was the murder suspect. This gentleman was safely taken into custody and one of the things that we think kept us safe was the fact that the weapon, which was later determined to be the murder weapon, the incident was in Syracuse, New York by the way, was on the passenger seat of the car covered by a coat, but it was completely out of ammunition and there was no more ammunition in the car. Obviously, this person had just committed a murder. He was arrested safely. The Trooper was safe and he was taken into custody so, again, a very diligent Trooper just simply making a pass through a plaza and noticed something out of sorts and followed up on it and made an excellent arrest. So, that was a very, very good arrest.

I am assuming that everyone is laughing at what caught my eyes first, as well, is that is a lot of marijuana.

Chairman: That is a lot of stupidity.

Staff Lieutenant Reeder: That is a lot of stupidity. Troopers were working on the Turnpike near Milepost 173. They stopped a vehicle for a traffic violation. Criminal indicators were present, so they called for a K-9 to do a free air sniff. The K-9 alerted and they found all of that. I don't think it was for personal use, unless he was stocking up for many years to come. I laughed at that, that was just an overwhelming amount of marijuana. The driver was arrested. They are going to be charged with e Felony II level of trafficking in marijuana. All of that stuff was sent down to our crime lab for testing and storage.

I did a recap last year because it seemed like we were really good in working with our aviation section. As you can see by the numbers and I will draw your attention to the bottom. We had over 971 aerial enforcement contacts last year. At the very bottom you will see 208 of those were in excess of 100 miles-per-hour. In talking to one of the pilots that handles the east area of the Turnpike, he said his high speed for the year was 151 miles-per-hour. It is very unfortunate and it is very alarming, just under that 785 were for 90 and above, so I am not the sharpest tack in the box, but that can tell you we are really not stopping people for low speeds. We are looking for the very egregious, very aggressive drivers. I have challenged the three Post Commanders this year to not only continue this effort, but I would like to see each post try and work with the pilots at least three times a month. I've asked them to send me a report, to recap this as we go through the year, but many times as an officer just sitting in the crossover using your laser trying to check

a speed you are not going to see these speeds. That is where the airplanes have been so effective in doing what we are doing and, like I said, these are the violations that are a risk for everyone that is traveling around them. So, hopefully this year we will continue this effort. Ultimately, the goal is to curb that driving behavior and we will do the best we can to change that behavior through strict enforcement and also some educational efforts as well.

That completes my report, Mr. Chairman.

Chairman: Thank you. Any questions?

Vice Chairman I: First, I want to thank you and your leadership in all of your enforcement. Thank you for what you are doing for the Commission, not only on the road, in the plazas, the whole integration with our office here, it is just really comforting. I really appreciate you. Thank you. Can you comment, I know the Milan Post is right in your backyard, can you comment about yesterday?

Staff Lieutenant Reeder: Yes, many thanks go out to Sheriff Sigsworth. I got a call yesterday, right at the start of this incident. As with anything they began to get inundated with 911 calls at their dispatch center. Initially they thought some debris may have come off an overpass at Thomas Road onto the Turnpike, but as the calls came in and we get things put together we realized that wasn't the case. As we all know, we know it ended being involvement from the Turnpike plow. I have to say, I think our response, we haven't done and after action review, but I was in contact with the Director right away and I commend him because he said let's take care of everyone the best we can, couldn't echo that anymore. Safety Director Skoczen jumped into action and he was on scene, he got some extra wreckers down there because we needed to get these people off of the road. Obviously, with the broken windshields they are exposed to the elements and we needed to get them to a safe area. It was a community effort, multiple ambulances responded. Thankfully we believe there is only up to eight injured, so we were able to get them treated, but as bad as a situation was it could have been worse. The injuries to my understanding were fairly minor, we don't want anyone to be injured by any way at all, but we staged the vehicles that were crashed near the Turnpike post in the triple trailer lot that way we could get everybody off the road, get them inside where it is warm and facilities and make phone calls and everything else. We put the investigation together, at this time we are handling it as one incident since the plow continued on, we are handling it as one traffic crash. Once we get the total number of vehicles involved, which we estimate will be in excess of 40, there will be one crash for 40 different vehicles on that report. Once the report is done, we will then give it to the Erie County Prosecutor's office for review. Many people have called asking about charges. At this point in time, I think the safety of everyone and the well-being of everyone is more important. So, our goal is to get that crash done correctly and we will get it turned in so everybody can review it.

Representative Ghanbari: Thank you, Mr. Chairman. Staff Lieutenant on my was here today I did notice several commercial trucks still kind of in the ditch. It is my understanding that some of those were connected to the same snowplow incident, so when will those be removed and what is the process to get those out and then get those barriers repaired?

Staff Lieutenant Reeder: Mr. Chairman and Representative Ghanbari, we are going to work with the local wrecker service. Last night in the dark and everything they just deemed it at the time to be safer and remove it later. At times, we have to do a lane closure which we will work with the Maintenance Department to do that safely and to make a safer environment for not only the wrecker drivers, but also the patrons as they are traveling through. So, those will probably be removed today. I can check on that and get back to you.

Mr. Coviello: Mr. Chairman and Staff Lieutenant, regarding the speeds, and I know we have talked about this before, but can you remind us again the difference in terms of what you are capable of doing at the scene and what the ultimate penalty is for driving 100 over versus 90 miles-per-hour.

Staff Lieutenant Reeder: Mr. Chairman, to my understanding here there is some discretion that each court has. Some courts will make it a mandatory appearance and we will have to mark that on the citation. Many of them do not, again it is up to the Trooper knowing his court area and what that judge is requiring. I do not want to view my personal opinions here, but I think that there needs to be a little bit more of a response from the court to deter that behavior in the future. But, again, we are going to just do the best we can to slow people down and try and get them stopped.

Mr. Coviello: Is there something ORC-wise that needs to be done to penalize 100 miles-per-hours? How often is this a commercial vehicle? Sports car? If the penalty is the same it just doesn't seem right.

Representative Ghanbari: I think it goes back to what Staff Lieutenant said, there's a lot of discretion on the courts, right? The Cleveland Police Officer that was killed a couple weeks ago on the carjacking was killed by an 18-year-old that was out on probation for armed robbery. The 18-year-old probably should not have been out on probation for armed robbery and that is at the discretion of the judge on what the judge is going to do. My opinion is when we need get tougher on the laws and stop giving everybody a pass when they are driving 100+ miles-per-hour, but again you just look across the state and there is some counties that have a zero tolerance for that behavior, there are other counties where it is minimum points on your license and minimum fines, court costs and see you later. So, the laws are the laws and the laws are already on the books, but I think the judicial side would argue that they have discretion and that is the problem. Too much discretion allows for people that need to be paying the consequences of their crimes to be back on the road and then what ends up happening is, someone that is out on probation for a fifth OVI ends up crashing into somebody and killing an entire family and you can't really do much after the fact. I really think is, the judicial system really needs to look at themselves in the mirror a little bit and ask themselves how are their decision impacting the safety of the community? Legislatively, we could put whatever laws we want on the books, but a judge is going to have the discretion and so is the prosecutors and the other folks that are involved in plea deals and things like that with public defenders and what not.

Chairman: When someone is going speeds like this, you would think that it would constitute reckless operation and maybe Lieutenant you might want to explain to them what other

elements you have to have to cite under reckless operation which is higher degree of penalty and a higher degree of misdemeanor. You want to explain that.

Staff Lieutenant Reeder: Yes, Mr. Chairman, our pilots do an excellent job. If we go out, let's say for that day we want to target vehicles that are following too closely, they will do it and everything is done through stop watches they have on marked increments on the roadway. Kind of for a reckless operation, unfortunately you would need a secondary, like they cut someone off, and abrupt lane change or they did follow too close and once that car got out of the way, they speed up again. But unfortunately, I don't, again personal opinion, I don't think there is enough teeth per se in the reckless operation law as well because again, it is a minor misdemeanor, it has some additional points, but speed is a minor misdemeanor as well. Now, if it is a multiple offense, obviously we can up the ante a little bit and there can be some other sanctions, but again that would most likely be done later through the court.

Mr. Coviello: So, the degree of offense at over 100 is the same as degree of offense of over 80?

Staff Lieutenant Reeder: Correct. It is the same section of the Ohio Revised Code with §4511.21(D)(4). To further your point, we had a commercial this past year, a tanker hauler, that Pilot Dale has just under 100 miles-per-hour. That is very scary. I mean 80,000 pounds at that weight, in addition to it being a tanker at nearly 100.

Mr. Coviello: And his penalty is the same as the car going 80?

Staff Lieutenant Reeder: Unless we can get a Federal Officer, like we have what we call "Motor Carrier Enforcement Officers" and I believe there is Federal violations that he can be further cited with that I don't have the privilege to do. They have the training and authorization to do that. But, simply at the state level and state charges, it would be the same unless it is a multiple offense or for any other reasons we discussed earlier.

Mr. Coviello: In talking about cameras, how far are we thinking about or are we advancing technologically even beyond cameras, but say sensors in your clothing and sensors in the pavement that, if he is wearing a vest that has an internet connection and the car is coming close that the car can tell his vest to vibrate and let him know that there is issues and stuff like that, I just want to know where we are going.

Director Ahmed: Mr. Chairman, may I ask Chief Technology Officer, Brian Kelley, to talk about some of the technologies. We are not implementing them yet, but we are looking at them. He is kind of our point person on those technologies.

Chief Technology Officer: Good morning, Mr. Chairman and Commission Members. So, last week I was actually on a call with the Ohio Department of Transportation and Drive Ohio and we were collaborating and communicating on all these different technologies. We will be having a call in several weeks with Texas and Florida to also learn what they are doing as well. So, some of these technologies, as you said, involve sensors on the clothing, sensors on the road and on the vehicles as well. So, coming back from our collaborations, I will be sharing with

Executive Director Ferzan Ahmed, Deputy Chief Engineer, Chris Matta, and his staff, the various technologies and we will see if there is some opportunities for us to begin some pilot projects.

Another one that I can say we are looking at to, is called HAAS alerts. HAAS alerts go on incident response vehicles, it can go on tow trucks, it can go on law enforcement vehicles, maintenance vehicles, and it broadcasts out the location of the vehicle to Waze, in the future that will also go to Google. The company reached an agreement two weeks ago with Chrysler Jeep and all those alerts will be going in to the infotainment center on their vehicles, so if we were to deploy this, and I am looking at a potential pilot project, I've talked with Staff Lieutenant Reeder that maybe the State Highway Patrol, if a Trooper was coming up behind someone and they were running with lights and siren it would actually broadcast to the vehicles in front that there's a public safety vehicle approaching them. It would also alert for a tow truck, a maintenance vehicle, an incident response truck, or a Trooper engaged in a traffic stop that there is a vehicle on the shoulder to please move over. So, we are looking at those technologies too to protect all of our Troopers, tow truck drivers, maintenance people, incident response people working on or engaged on the road.

M. Coviello: Thank you. I am glad to hear that they are doing that and would like to stay on top of technology as our cars become more and more equipped with possibilities. I want to make sure that our highway is matching those possibilities. I am working with some companies right now that have what I call "wild space-aged technology" or smart poles or even drones that can automatically go to a car crash and find it much faster, you know things like that and especially as we go to automation.

Chairman: There's a wonderful amount of technology that is being produced. One last thing, Lieutenant, often we don't talk about this aspect of your work, but you know during the holidays and during the snow storms, we often hear about all the wonderful things that your folks do to help people that are disabled on the road or in need of some kind of assistance at a plaza, I just want to tell you how much I appreciate that on behalf of the Commission and I know the public does things from troopers giving people some money because they need a little money to eat or they are broke down and take them and help them. So, that doesn't get talked about, it is the marijuana and all the other things that do all the time, but that is an important part of what you do and I just want to thank you for that.

Staff Lieutenant Reeder: You are truly right and that's what makes us smile at the end of the day. I mean it is great giving a guy a ticket for 100 miles-per-hour, but to truly have someone say "thank you" to you after helping them, as you know, it gives you that inside warmth and that is what it is all about.

Chairman: We hear that a lot about your Troopers, so thank you very much.

Staff Lieutenant Reeder: Thank you.

Chairman: Anything else? The next meeting of the Ohio Turnpike and Infrastructure Commission will be held on Monday, February 28, 2022, 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 693rd Commission Meeting.

MOTION: A motion to adjourn the 693rd Commission Meeting is made by Vice Chairman Paradiso, seconded by Secretary-Treasurer Barber, and unanimously approved by all Commission Members present.

Time of adjournment: 11:12 a.m.

Attendees for Record Keeping Purposes:

Commission Members: Chairman Jerry Hruby; Vice Chairman Timothy Paradiso; Secretary-Treasurer Sandra Barber; Commission Member Guy Coviello; Commission Member Dr. Jack Marchbanks; Office of Budget and Management Representative James Kennedy; and Representative Haraz N. Ghanbari.

Other Attendees: Michael Burgess, Prime AE; Todd Majidzadeh, Resource International; David Burmann, IBI; Jeff Broadwater, Michael Baker International; Ed Adamczyk, Arcadis; Jacob Siesel, IUOE Local 18; Hamid Homae, TBD Advisors; Harold Hughes, G. Stephens; Sean Logan, Woolpert; and Jon Lorincz, AECOM.

Ferzan M. Ahmed, P.E., Ohio Turnpike; Lieutenant Richard Reeder, Ohio State Highway Patrol; Heather Veljkovic, Ohio Turnpike; Marty Seekely, Ohio Turnpike; Chris Matta, Ohio Turnpike; Laurie Davis, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Aimee Lane, Ohio Turnpike; Sue Coleman, Ohio Turnpike; Brian Kelley, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Matt Cole, Ohio Turnpike; Chriss Pogorelc, Ohio Turnpike; Tony Yacobucci, Ohio Turnpike; David Miller, Ohio Turnpike; Joseph Mannion, Ohio Turnpike; Chuck Cyrill, Ohio Turnpike; Carol Zanin, Ohio Turnpike; Amanda Brown, Ohio Turnpike; Jackie Dohoda Herberger, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

EXHIBITS

- Resolution No. 1-2022 – Resolution Honoring the Distinguished Service of Anthony D. Yacobucci, P.E.
- Resolution No. 2-2022 – Resolution Authorizing Arcadis U.S. Inc. to Perform Task 6 and Task 7 Services Under Project No. 71-19-07 in the Aggregate Not-To-Exceed Amount of \$2,973,740.79
- Resolution No. 3-2022 – Resolution Authorizing a Modification to the Contract with KS Associates, Inc. to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-03 For a Total Aggregate Contract Amount of \$851,691.71
- Resolution No. 4-2022 – Resolution Authorizing a Modification to the Contract with TranSystems Corporation of Ohio to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-05 For a Total Aggregate Contract Amount of \$956,490.00
- Resolution No. 5-2022 – Resolution Approving the Selection of Kokosing Construction Company, Inc. for Project No. 43-22-02 for the Total Amount of \$10,517,753.17
- Resolution No. 6-2022 – Resolution Approving the Selection of Allen Chase Enterprises Inc. for Applying Herbicide Under Bid Invitation No. 4398 in the Total Not-to-Exceed Amount of \$374,176.80
- Resolution No. 7-2022 – Resolution Approving the Selection of DGL Consulting Engineers, LLC for Project No. 71-21-04 in the Total Amount of \$248,915.00
- Resolution No. 8-2022 – Resolution Approving the Selection of Osborn Engineering for Project No. 71-21-06 in the Total Amount of \$418,519.00
- Resolution No. 9-2022 – Resolution Approving the Selection of Michael Baker International, Inc. for Project No. 71-21-07 in the Total Amount of \$169,194.00
- Resolution No. 10-2022 – Resolution Authorizing the Purchase of Toll Plaza Camera System from Northwestern Ohio Security Systems Inc. in the Total Amount of \$1,139,995.12
- Resolution No. 11-2022 – Resolution Authorizing the Executive Director to Enter into an Agreement with The Village of West Unity for Water and Sewer Service to The Tiffin River and Indian Meadow Service Plazas

- Resolution No. 12-2022 – Resolution Amending the Commission’s Code of Bylaws

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Honoring the Distinguished Service of Anthony D. Yacobucci, P.E.

WHEREAS, on February 21, 2010, Anthony D. Yacobucci, P.E. began his service with the Ohio Turnpike and Infrastructure Commission (“Commission”) as a Staff Construction Engineer; and

WHEREAS, on January 27, 2014, Mr. Yacobucci was promoted to Chief Engineer, in which position he remained for the remainder of his distinguished career with the Commission; and

WHEREAS, during his tenure with the Commission, Mr. Yacobucci has been a proponent of the Commission’s mission to be the industry leader in providing safe and efficient transportation services to our customers, communities, and partners; and

WHEREAS, Mr. Yacobucci was instrumental in the design, plan, and implementation process of the new Toll Collection System; and

WHEREAS, Mr. Yacobucci has been a highly regarded employee whose time with the Commission has served Ohio Turnpike motorists well; and

WHEREAS, the Commission wishes to formally acknowledge Mr. Yacobucci’s distinguished service to the Commission and the traveling public; and

WHEREAS, the members and staff of the Commission wish to give formal and public recognition for the honorable, exceptionally dedicated, and effective service of Anthony D. Yacobucci, P.E.

NOW, THEREFORE, BE IT

RESOLVED, that the Ohio Turnpike and Infrastructure Commission hereby acknowledges and expresses its gratitude to Anthony D. Yacobucci, P.E. for his nearly twelve years of dedicated service, and the Commission also considers that the people of the State of Ohio have been fortunate in receiving the unselfish services that he rendered; and

FURTHER RESOLVED, that the Commission extends its best wishes to Mr. Yacobucci, his wife, and their children, and desires that Mr. Yacobucci have much success and well-being in all matters and activities that he shall undertake in the future; and

FURTHER RESOLVED, that the Assistant Secretary-Treasurer be, and hereby he is, directed to send a certified copy of this Resolution to Mr. Yacobucci.

(Resolution No. 1-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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(Resolution No. 1-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing a Modification to the Contract with KS Associates, Inc. to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-03 For a Total Aggregate Contract Amount of \$851,691.71

WHEREAS, the Commission selected KS Associates, Inc., (“KS Associates”) to perform professional engineering services for bridge removal and bridge deck replacement on the Ohio Turnpike over an abandoned railroad at Milepost 98.9 and the Ohio Turnpike over State Route 510 at Milepost 99.1, in Sandusky County, Ohio, (“Project 71-19-02”) pursuant to the adopted resolution, on the date noted and for the scope of work identified below:

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
Original Contract	Phase I Services – Site Inspection, Engineering Report, Design and Plan Preparation Services	July 26, 2019	36-2019	\$324,093.00
First Modification	Additional Phase I Services - design and plan development for the remediation of a slope failure within project limits	January 21, 2020	Chief Engineer approval	\$16,533.77

TOTAL CONTRACT VALUE: \$340,626.77

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
<i>Second Modification</i>	<i>Construction Administration and Inspection Services under Project No. 43-22-03</i>	<i>January 7, 2022</i>	<i>proposed</i>	<i>\$511,064.94</i>

TOTAL CONTRACT VALUE (incl. Second Modification): \$851,691.71

WHEREAS, the Commission selected a contractor to make the public improvements that KS Associates designed as part of its Phase II Services, and KS Associates submitted a revised fee proposal dated January 7, 2022, in the not-to-exceed amount of \$511,064.94, to perform the necessary Phase II Construction Administration and Inspection Services (“Phase II Services) under Design Project No. 71-19-02 for Construction Project No. 43-22-03, which the Chief Engineer deemed reasonable and appropriate; and

WHEREAS, the Executive Director has reviewed the recommendation for the Fee Proposal submitted by the Chief Engineer and concurs that the Commission should approve and authorize obtaining the Phase II Construction Administration and Inspection Services from KS Associates as described in the revised Fee Proposal dated January 7, 2022, as the services are in furtherance of and are necessary for implementing the bridge work required under Project No. 43-22-03; and

WHEREAS, Commission action is necessary to approve the modification to the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount described in the revised fee proposal from KS Associates, dated January 7, 2022, to perform the required Phase II Construction Administration and Inspection Services will increase the Contract by an amount that 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 revised Fee Proposal from KS Associates, Inc., dated January 7, 2022, to perform the required Phase II Construction Administration and Inspection under Project No. 43-22-03, for the not-to-exceed amount of \$511,064.94 is accepted and approved, for a total maximum contract amount of \$851,691.71; and

FURTHER RESOLVED, that the Executive Director is authorized to amend the Contract with KS Associates, Inc. to incorporate the revised proposal dated January 7, 2022, and increase the total not-to-exceed amount payable under the agreement to \$851,691.71 in accordance with the terms and conditions of the existing Contract and KS Associates, Inc.'s technical responses and accepted fee proposals to perform the professional engineering services identified therein in furtherance of Project No. 43-22-03.

(Resolution No. 3-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing a Modification to the Contract with TranSystems Corporation of Ohio to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-05 For a Total Aggregate Contract Amount of \$956,490.00

WHEREAS, the Commission selected TranSystems Corporation of Ohio (“TranSystems”) to perform professional engineering services for bridge deck replacement at Edgerton Road over the Ohio Turnpike at Milepost 169.6 and bridge replacement at State Route 21 over the Ohio Turnpike at Milepost 172.9, in Cuyahoga and Summit Counties, Ohio, the (“Project 71-19-04”) pursuant to the adopted resolution, on the date noted and for the scope of work identified below:

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
Original Contract	Phase I Services – Site Inspection, Engineering Report, Design and Plan Preparation Services	September 3, 2019	44-2019	\$198,169.00
First Modification	Phase IB Services -design and plan development for replacement of bridge at MP 172.9	April 9, 2020	36-2020	\$216,607.00
TOTAL CONTRACT VALUE:				\$414,776.00

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
<i>Second Modification</i>	<i>Construction Administration and Inspection Services under Project No. 43-22-05</i>	December 13, 2021	<i>proposed</i>	<i>\$541,714.00</i>
TOTAL CONTRACT VALUE (incl. Second Modification):				\$956,490.00

WHEREAS, the Commission selected a contractor to make the public improvements that TranSystems designed as part of its Phase II Services, and TranSystems submitted a fee proposal dated December 13, 2021, in the not-to-exceed amount of \$541,714.00, to perform the necessary Phase II Construction Administration and Inspection Services (“Phase II Services”) under Design Project No. 71-19-04 for Construction Project No. 43-22-05, which the Chief Engineer deemed reasonable and appropriate; and

WHEREAS, Commission action is necessary to approve the modification to the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the amount described in the fee proposal from TranSystems, dated December 13, 2021, to perform the required Phase II Construction Administration and Inspection Services will increase the Contract by an amount that exceeds \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation for the Fee Proposal submitted by the Chief Engineer and concurs that the Commission should approve and authorize obtaining the Phase II Construction Administration and Inspection Services from TranSystems as described in the Fee Proposal dated December 13, 2021, as the services are in furtherance of and are necessary for implementing the bridge work required under Project No. 43-22-05; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Fee Proposal from TranSystems dated December 13, 2021, to perform the required Phase II Construction Administration and Inspection under Project No. 43-22-05, for the not-to-exceed amount of \$514,714.00 is accepted and approved, for a total maximum contract amount of \$956,490.00; and

FURTHER RESOLVED, that the Executive Director is authorized to amend the Contract with TranSystems Corporation of Ohio to incorporate the proposal dated December 13, 2021, and increase the total not-to-exceed amount payable under the agreement to \$956,490.00 in accordance with the terms and conditions of the existing Contract and TranSystems Corporation of Ohio's technical responses and accepted fee proposals to perform the professional engineering services identified therein in furtherance of Project No. 43-22-05.

(Resolution No. 4-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Kokosing Construction Company, Inc. for Project No. 43-22-02 for the Total Amount of \$10,517,753.17

WHEREAS, the Commission published notice in accordance with law advertising its invitation to bid upon a contract for Bridge Deck Rehabilitation, on the Ohio Turnpike over State Route 109 at Milepost 40.3, and on the Ohio Turnpike over Indiana and Ohio Railway at Milepost 40.5 in Fulton County, Ohio, designated as Project No. 43-22-02 (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, Inc. (“Kokosing”), of Westerville, Ohio, submitted the apparent low bid on the Project in the total bid amount of \$10,517,753.17 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 Acting 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 Construction Company, Inc. as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of Kokosing Construction Company, Inc. for Project No. 43-22-02 in the amount of \$10,517,753.17

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. 5-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Allen Chase Enterprises Inc. for Applying Herbicide Under Bid Invitation No. 4398 in the Total Not-to-Exceed Amount of \$374,176.80

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) duly advertised for bids under Invitation No. 4398 for the furnishing and applying of herbicide on right-of-way areas from Milepost 0.0 to Milepost 241.2 for a term of two (2) years; and

WHEREAS, the Commission received two (2) bids in response to the Invitation and the report of the Commission’s Deputy Chief Engineer/Director of Field Operations concerning the review and analysis of the bids is before the Commission; and

WHEREAS, the Deputy Chief Engineer/Director of Field Operations reports that Allen Chase Enterprises, Inc. (“Allen Chase”), of Oswego, New York, submitted the apparent low bid based on the estimated quantities in the amount of \$311,814.00 and proposes to furnish and apply the herbicide in accordance with the specifications, which provides for a twenty percent (20%) variance between the quantities estimated and the actual quantities applied that could result in the total cost of the service to reach \$374,176.80; and

WHEREAS, the Director of Contracts Administration has determined that all bids were solicited on the basis of the same terms, conditions and specifications, and that Allen Chase complied with the requirements of Section 5537.07 and 9.312 of the Ohio Revised Code, and submitted a performance bond with good and sufficient surety; and

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

WHEREAS, the Deputy Chief Engineer/Director of Field Operations reports that the bid of Allen Chase conforms with the bid specifications and Allen Chase has satisfactorily performed similar services for the Commission in the past and recommends that the Commission select the bid of Allen Chase as the lowest responsible and responsive bid received under Invitation No. 4398 which may result in a total contract price of \$374,176.80 if the maximum delivery variance of twenty percent from estimated quantities is reached; and

WHEREAS, expenditures by the Commission under Invitation No. 4398 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 the award of such contracts; and

WHEREAS, the Executive Director has reviewed the bid award recommendation of the Deputy Chief Engineer/Director of Field Operations and recommends to the Commission that the contract be awarded to Allen Chase as the lowest responsive and responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of Allen Chase Enterprises, Inc., under Invitation No. 4398 to furnish and apply the requirements for herbicide, which may result in a total contract price of \$374,176.80 if the maximum variance of twenty percent from the estimated quantities is achieved, is approved as the lowest responsive and responsible bid received, and that the Executive Director is authorized to cause a purchase order to be issued on the basis of said bid for a term of two years.

(Resolution No. 6-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of DGL Consulting Engineers, LLC for Project No. 71-21-04 in the Total Amount of \$248,915.00

WHEREAS, on August 27, 2021, the Commission issued Request for Letters of Interest No. 15-2021 seeking letters of interest for design services and engineering support during construction for Project No. 71-21-04, Bridge Deck Overlay of the Mainline Bridge over Waggoner Road (County Route 82) at Milepost 83.3 in Sandusky County, and Removal of the Mainline Bridge over the North Coast Inland Trail at Milepost 83.3 in Sandusky County (the “Project”); and

WHEREAS, on October 1, 2021, Letters of Interest were received from eight (8) firms expressing their readiness to serve as the Commission’s engineering consultant for the Project; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that DGL Consulting Engineers, LLC (“DGL”), of Maumee, Ohio, was the most qualified to perform the necessary services for the Project and conducted a Scope of Services meeting to confirm a mutual understanding of the Phase IA Services for the Project consisting of Site Inspection and Engineering Report (“Phase IA Services”); and

WHEREAS, DGL submitted its fee proposal dated January 11, 2022, to perform the Phase IA Services in the not-to-exceed amount of \$248,915.00 which fee proposal the Chief Engineer deemed reasonable and appropriate, and recommends that the Commission approve the award of the contract based on its technical proposal and fee proposal for Project No. 71-21-04; and

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

WHEREAS, the Office of Equity and Inclusion determined that DGL has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 27% which meets and exceeds the SBE participation goal of 20% 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 DGL’s fee proposal to perform the Phase IA Services exceeds \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Engineer and concurs that the Commission should approve the selection of DGL to perform the Phase IA Services for Project No. 71-21-04; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the selection of DGL Consulting Engineers, LLC is approved as the most qualified firm to perform the design services and engineering support during construction for Project No. 71-21-04 and that the Executive Director is authorized to execute a contract with DGL Consulting Engineers, LLC for Phase IA Services in the not-to-exceed amount of \$248,915.00.

(Resolution No. 7-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Osborn Engineering for Project No. 71-21-06 in the Total Amount of \$418,519.00

WHEREAS, on August 27, 2021, the Commission issued Request for Letters of Interest No. 17-2021 seeking letters of interest for design services and engineering support during construction for Project No. 71-21-06, for bridge deck replacement of the Copp Road Bridge (Township Route 302) over the Mainline at Milepost 104.3 in Sandusky County; the Northwest/Southwest Road Bridge (County Route 312) over the Mainline at Milepost 106.1 in Sandusky and Erie Counties; the State Route 269 Bridge over the Mainline at Milepost 106.8, and the Deyo Road Bridge (Township Route 102) over the Mainline at Milepost 107.5 in Erie County, Ohio, (the “Project”); and

WHEREAS, on October 1, 2021, Letters of Interest were received from ten (10) firms expressing their readiness to serve as the Commission’s engineering consultant for the Project; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that Osborn Engineering (“Osborn”), of Cleveland, Ohio, was the most qualified to perform the necessary services for the Project, and conducted a Scope of Services meeting to confirm a mutual understanding of the Phase I Services for the Project consisting of Site Inspection, Engineering Report, Design and Plan Preparation Services (“Phase I Services”); and

WHEREAS, Osborn submitted its fee proposal dated January 10, 2022, to perform the Phase I Services in the not-to-exceed amount of \$418,519.00 which fee proposal the Chief Engineer deemed reasonable and appropriate, and recommends that the Commission approve the award of the contract based on its technical proposal and fee proposal for Project No. 71-21-06; and

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

WHEREAS, the Office of Equity and Inclusion determined that Osborn has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 26% which meets and exceeds the SBE participation goal of 20% 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 Osborn’s fee proposal to perform the Phase I Services exceeds \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Engineer and concurs that the Commission should approve the selection of Osborn to perform the Services for Project No. 71-21-06; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the selection of Osborn Engineering is approved as the firm that is most qualified to perform the design services and engineering support during construction necessary for Project No. 71-21-06, and that the Executive Director is authorized to execute a contract with Osborn Engineering for Phase I Services in the not-to-exceed amount of \$418,519.00.

(Resolution No. 8-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Michael Baker International, Inc. for Project No. 71-21-07 in the Total Amount of \$169,194.00

WHEREAS, on August 27, 2021, the Commission issued Request for Letters of Interest No. 18-2021 seeking letters of interest for design services and engineering support during construction for Project No. 71-21-07, for bridge deck replacement of the Mainline Bridge over State Route 99 at Milepost 111.2 and deck overlay of the State Route 13 Bridge over the Mainline at Milepost 119.3 in Erie County, Ohio, (the “Project”); and

WHEREAS, on October 1, 2021, Letters of Interest were received from eight (8) firms expressing their readiness to serve as the Commission’s engineering consultant for the Project; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that Michael Baker International, Inc. (“Michael Baker”), of Cleveland, Ohio, was the most qualified to perform the necessary services for the Project, and conducted a Scope of Services meeting to confirm a mutual understanding of the Phase IA Services for the Project consisting of Site Inspection and Engineering Report (“Phase IA Services”); and

WHEREAS, Michael Baker submitted its fee proposal dated January 11, 2021, to perform the Phase IA Services in the not-to-exceed amount of \$169,194.00 which fee proposal the Chief Engineer deemed reasonable and appropriate, and recommends that the Commission approve the award of the contract based on its technical proposal and fee proposal for Project No. 71-21-07; and

WHEREAS, the Commission’s Director of Contracts Administration has determined that the LOI process and the selection of Michael Baker conform with the requirements of Ohio Revised Code Sections 153.65 to 153.71, that all legal requirements were performed and that the proposals were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Office of Equity and Inclusion determined that Michael Baker has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 20% which meets the SBE participation goal of 20% 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 Michael Baker’s fee proposal to perform the Phase IA Services exceeds \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Engineer and concurs that the Commission should approve the selection of Michael Baker to perform the Phase IA Services for Project No. 71-21-07; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the selection of Michael Baker International, Inc. is approved as the most qualified firm to perform the design services and engineering support during construction necessary for Project No. 71-21-07 and that the Executive Director is authorized to execute a contract with Michael Baker International, Inc. for Phase IA Services in the not-to-exceed amount of \$169,194.00.

(Resolution No. 9-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of Toll Plaza Camera System from Northwestern Ohio Security Systems Inc. in the Total Amount of \$1,139,995.12

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, one of the Commission’s Guiding Principles is to Improve Safety; and

WHEREAS, in support of the Commission’s Key Objectives is to Improve Safety and Enhance Security, the External Technologies Task Force recognized the need for improved monitoring of Commission Facilities using cameras; and

WHEREAS, an internal work group of the Task Force (“Task Force Group”) concluded that a singular Video Management System and uniformity in camera models, when practical, is advantageous for ease of operations, support and future maintenance efforts at the Commission’s buildings; and

WHEREAS, beginning in February 2020, the Task Force Group developed and implemented a proof-of-concept camera system at the Middle Ridge Service Plaza, engaging Northwestern Ohio Security Systems, Inc. (“NWOSS”), of Lima, Ohio, to provide recommendations for camera models and placement; and

WHEREAS, the Task Force Group concluded that the camera system at Middle Ridge Service Plaza met or exceeded the desired goals and that quotations for the remaining Service Plaza locations should be sought; and

WHEREAS, the Task Force Group also developed a proof-of-concept plan for the Hiram Maintenance Building; and

WHEREAS, pursuant to Resolution No. 61-2021, adopted October 18, 2021, the Commission authorized the purchase of a Service Plaza Camera System and Maintenance Building Proof-of-Concept Camera System from NWOSS in the total amount of \$1,709,463.09, through the DAS Purchasing Program under State of Ohio Master Maintenance Agreement No. 7635, including required hardware and software component, professional services for cabling and installation and one year of monitoring services; and

WHEREAS, throughout 2021, the Task Force Group worked with Toll Operations and the Toll Collection System (“TCS”) Project Team, with input from NWOSS, to finalize a camera replacement plan for the Commission’s toll plazas, specifically at twenty (20) toll plazas between Milepost 52 and Milepost 209 which will make up the ticketed portion of the new TCS); and

WHEREAS, NWOSS submitted a proposal to furnish all required hardware and software components, professional services for cabling and installation for the new Toll Plaza Camera System and one year of monitoring from State of Ohio Master Maintenance Agreement No. 7635 in the amount of \$1,139,995.12; and

WHEREAS, the proposed Toll Plaza Camera System is compatible with the Administration Building, Service Plaza and Maintenance Building installations, will replace the existing FLIR System installed in 2009 which currently is maintained by TransCore, improve the camera coverage of the current system, and achieve the goal of the Commission's camera system being in a single video management platform; and

WHEREAS, the Chief Information Officer and the Task Force Group recommends that the Commission approve the purchase of hardware and software components, professional and monitoring services for a Toll Plaza Camera System in the total amount of \$1,139,995.12; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the expenditures required to purchase the hardware and software components, professional and monitoring services exceeds \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Information Officer and concurs that the Commission should approve the purchase of hardware and software components, professional services for cabling and installation of a Toll Plaza Camera System and one year of monitoring from State of Ohio Master Maintenance Agreement No. 7635 under the DAS Purchasing Program; 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 a Toll Plaza Camera System is necessary for maintaining and improving the security and safety of the Commission, its customers and staff; and

FURTHER RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of the hardware and software components, professional services for cabling and installation of a Toll Plaza Camera System and one year of monitoring from Northwestern Ohio Security Systems Inc. of Lima, Ohio, through the DAS Purchasing Program under State of Ohio Master Maintenance Agreement No. 7635, in the total not-to-exceed amount of \$1,139,995.12, is approved.

(Resolution No. 10-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Executive Director to Enter into an Agreement with The Village of West Unity for Water and Sewer Service to The Tiffin River and Indian Meadow Service Plazas

WHEREAS, Section 5537.04(A)(11) of the Ohio Revised Code provides that the Commission may make or enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers; and

WHEREAS, the Commission adopted Resolution No. 9-2007 on April 9, 2007 in which it declared its intention to replace and rebuild the Tiffin River and Indian Meadow Service Plazas located in Williams County; and

WHEREAS, the Commission adopted Resolution No. 12-2007 on May 21, 2007, in which it authorized the Executive Director to enter into an agreement with the Village of West Unity for Water and Service to the Tiffin River and Indian Meadow Service Plazas; and

WHEREAS, the Commission and the Village of West Unity entered into the agreement, and constructed the infrastructure improvements in order to extend and provide such water and sewer service to the Tiffin River and Indian Meadow Service Plazas; and

WHEREAS, the existing agreement requires the Commission to pay rates for water and sewer service that are substantially higher than their published rates to other commercial customers; and

WHEREAS, the Commission and the Village of West Unity desire to enter into a new long-term agreement that will set forth the terms of the arrangement that include rates for water and sewer, as well as maintenance of the facilities; and

WHEREAS, the expenditures by the Commission to provide for water and sewer service to the Tiffin River and Indian Meadow Service Plazas and reimbursement for maintenance, if any, 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 to enter into such agreement; and

WHEREAS, the Village of West Unity has offered to provide water and sewer service to the Tiffin River and Indian Meadow Service Plazas at rates equal to what is charged to other commercial customers, under terms and conditions that are mutually acceptable to both the Village and the Commission; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Financial Officer and approves the recommendation to authorize the agreement with the Village of West Unity for water and sewer services, and maintenance reimbursement if required.

NOW, THEREFORE, BE IT

RESOLVED, that the Executive Director hereby is authorized to negotiate and execute an agreement with the Village of West Unity for the purpose of renewing the existing water and sewer service to the Tiffin River and Indian Meadow Service Plazas, which agreement may include the Commission reimbursing the Village of West Unity for maintenance necessary to provide such service, the cost of which is equal to what is charged to other commercial customers; and

FURTHER RESOLVED, the Executive Director is authorized to take any and all actions necessary to carry out the terms of said agreement.

(Resolution No. 11-2022 adopted January 24, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Amending the Commission's Code of Bylaws

WHEREAS, the Commission has heretofore, by Resolution No. 56-1955, adopted a Code of Bylaws ("Bylaws") and has on numerous occasions since that time amended and revised said Bylaws; and

WHEREAS, the most recent revision of the Bylaws was accomplished on June 17, 2013, pursuant to Resolution No. 41-2013; and

WHEREAS, for continuous improvement and to eliminate any ambiguity, the Acting General Counsel has reviewed the Bylaws and has recommended further changes to the Bylaws; and

WHEREAS, there is before this body a "draft" of amendments proposed to the Bylaws incorporating the changes recommended by the Acting General Counsel, which draft this body has had the opportunity to review and comment upon; and

WHEREAS, the Commission desires to adopt the amendments to the Bylaws, and those Bylaws, as amended, shall be in lieu of, and in substitution for, the Bylaws most recently adopted on June 17, 2013.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby adopts the draft of the amended Bylaws entitled, "**Ohio Turnpike and Infrastructure Commission Bylaws,**" which is hereto attached and made a part hereof, the same to be effective January 24, 2022.

(Resolution No. 12-2022 adopted January 24, 2022)