

**MINUTES OF THE 670th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
FEBRUARY 24, 2020**

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

The meeting will come to order. We ask that all guests sign the sign-in sheet in the lobby. If not, please do so prior to leaving so we can maintain an accurate account of attendance.

Vice Chairman, Tim Paradiso and Senator McColley will not be attending today's meeting and are excused.

Myron Pakush is here representing ODOT as Director Marchbanks is unable to attend today's meeting.

Will the Assistant Secretary-Treasurer please call the roll?

Assistant Secretary-Treasurer: Chairman Hruby

Chairman, Jerry Hruby: Here

Assistant Secretary-Treasurer: Secretary-Treasurer Peterson

Secretary-Treasurer, Michael Peterson: Here

Assistant Secretary-Treasurer: Mrs. Barber

Commissioner, Sandra Barber: Here

Assistant Secretary-Treasurer: Mr. Coviello

Commissioner, Guy Coviello: Here

Assistant Secretary-Treasurer: Ms. Eaton Johnson

Commissioner, Vickie Eaton Johnson: 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 Greenspan

Representative Dave Greenspan: Here

Chairman: We have a quorum. This is the 670th Meeting of the Ohio Turnpike and Infrastructure Commission. We are meeting here at the Commission's headquarters, as provided for in the Commission's Code of Bylaws for a Commission Meeting.

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

May I have a motion to adopt the Minutes of the January 27, 2020, Commission Meeting?

MOTION: A motion to adopt the Minutes of January 27, 2020, Commission Meeting was made by Mr. Coviello and seconded by Mr. Peterson. All Commission Members present voted to approve the Minutes.

Chairman: The minutes are adopted unanimously. We will move on to the report of the Secretary-Treasurer, Mr. Peterson.

Secretary-Treasurer: The following items have been provided to the Members since the last scheduled meeting of the Commission on February 24, 2020:

1. Seven Resolutions;
2. Draft Minutes of the January 27, 2020, Commission Meeting; and
3. Agenda for today's meeting.

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

1. Traffic Crash Summary Report, January 2020;
2. Traffic and Revenue Report, January 2020;
3. Total Revenue by Month and Year, January 2020;
4. Investment Report, January 2020; and
5. Financial Statement, January 2020.

That concludes my report, Mr. Chairman.

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

Executive Director, Ferzan M. Ahmed: Thank you, Mr. Chairman. Unfortunately, I have some sad news to share. This month we lost two Turnpike team employees. Christopher Wright, a Toll Plaza Supervisor from the Streetsboro Toll Plaza, passed away on February 1, 2020, after an illness. He was only 49 years old. Chris had been with the Turnpike for twenty-three years.

Michael Matusz, a Roadway Maintenance Worker at the Boston Maintenance Building, passed away unexpectedly on Saturday, February 8, 2020. Mike had been with us for thirteen years and was only 48 years old.

I ask that we all keep the family members of both Chris and Mike in our prayers.

New Hires/Promotions:

Congratulations to Kandis Buchanan and Cole Passas who were recently promoted to Assistant Service Plaza Manager positions.

I would like to introduce a new team member, Linda Connelly. Linda started as a Project Manager in the IT Department earlier this month. She brings extensive IT project management experience and will be leading a wide variety of projects geared towards increasing efficiency.

I would like to congratulate a few team members in our Toll Operations area who are embarking upon new journeys with retirement: Lyn Wyckhouse, Jeffrey Warren, Virginia Warren, Marie Goebel and Connie Malbasa. I thank them for their dedicated service and wish them well on their next journey.

Black History Month:

As a salute to Black History Month, on February 12, 2020, we dedicated Underground Railroad historical markers at two of our service plazas. Perhaps it's fitting that the dedication was on President Lincoln's birthday.

Mrs. Barber introduced Governor Mike DeWine at both locations. Speakers included Director Marchbanks, the President Emeritus of the Friends of Freedom Society, Cathy Nelson, and the CEO of the Ohio History Connection, Burt Logan.

I would like to mention Dr. Marchbanks connection to the Rivers to Lake Freedom Trail. That was the original map that was established in the 1990's to mark the Underground Railroad in Ohio. He and Cathy Nelson worked together on that back in 1998 or 1999. The events were put together by Adam Greenslade and his team. There was a lot of work in the background, I know for at least a month with the Governor's staff to choreograph the timings. As you can imagine, that can be a difficult task because the Governor spent the entire day with us. Thank you, Adam, for all of your work. I also want to mention the hard work of Brian Newbacher, who took on this project and worked with Cathy Nelson and a lot of other people to get the markers in place. Thank you for your work.

At the request of Lydia Mihalik, Director of the Ohio Development Services Agency, we are branding the motto "Find It Here" at service plazas. This is how we promote Ohio statewide. Director Mihalik met with Adam Greenslade and asked if we could also start branding this at the service plazas.

Lastly, Mr. Chairman, this morning there was a communication that came out of the International Bridge, Tunnel and Turnpike Association that says, “thirty-six emerging transportation leaders convene at the International Bridge, Tunnel and Turnpike Association’s 2020 Leadership Academy in Washington, DC, starting today.” One of those thirty-six happens to be our own Matt Cole, Director of Administration. So, congratulations and good luck to Matt.

Mr. Chairman, that concludes my report. I would be happy to answer any questions.

Chairman: Thank you, Executive Director Ahmed. We will move on to the report of the Chief Engineer, Tony Yacobucci.

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

The first resolution for your consideration seeks the Commission’s authorization to award Contract No. 39-20-02 Parts A and B. Part A of the project is the Reconstruction of the Eastbound and Westbound Mainline Pavement and Shoulders from Milepost 46.50 to Milepost 50.92 in Fulton and Lucas Counties. Part A of the project also includes the construction of the entrance and exit ramps to and from new Toll Plaza 49 and the Open Road Tolling lanes which is part of the Modernization of the Toll Collection System. Part B of the Project includes the site construction for the new mainline Toll Plaza 49 in Lucas County, again part of the Modernization of the Toll Collection System. This construction project will be performed over the 2020 and 2021 construction seasons and this work is included in the 2020 Capital Improvement Budget. On February 4, 2020, Procurement received three (3) bids for this Contract. The Contract documents included line items for two (2) voluntary Waste Site Deduct Alternates as well as a voluntary Temporary Access Deduct Alternate. The apparent low bid, when including all deduct alternates, was submitted by Kokosing Construction Company, Inc. (“Kokosing”), of Westerville, Ohio, in the amount of \$30,745,946.29. Kokosing included a line item deduct in the amount of \$450,000.00 for each of the Waste Site Deduct Alternates and \$900,000.00 for the Temporary Access Deduct Alternate. The bid submitted by Kokosing is about 10.1% lower than the Engineer’s Estimate of \$34,200,000.00. The Construction Manager, Hill International, Inc., of Broadview Heights, Ohio, has carefully evaluated the complete bid tabulation and finds no errors or anomalies. It appears that Kokosing has the available capacity in both manpower and resources and has successfully performed projects of a similar size and nature for the Commission in the past. In addition, Kokosing has committed to meet or exceed the 10% SBE goal as set by the Office of Equity and Inclusion. Therefore, it is recommended that the Commission award Contract No. 39-20-02 Parts A and B to Kokosing Construction Company, Inc., of Westerville, Ohio, in the amount of \$30,745,946.29, which includes all three (3) Deduct Alternates. This resolution also contains provisions to assign CT Consultants, Inc., of Mentor, Ohio, to assist with construction engineering and inspection services, and to assign TTL Associates, Inc., of Toledo, Ohio, a Commission certified SBE/DBE, to perform material testing services. With your permission, may the General Counsel please read the title of the resolution.

General Counsel: A Resolution Approving the Selection of Kokosing Construction Company, Inc. for Project No. 39-20-02 A&B for the Total Amount of \$30,745,946.29 and

Approving CT Consultants and TTL Associates, Inc. to Perform Professional Services on the Project.

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

MOTION: A motion to adopt *Resolution Approving the Selection of Kokosing Construction Company, Inc. for Project No. 39-20-02 A&B for the Total Amount of \$30,745,946.29 and Approving CT Consultants and TTL Associates, Inc. to Perform Professional Services on the Project* was made by Mr. Pakush, seconded by Mrs. Barber, and approved by all Commission Members. Resolution No. 7-2020.

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

Chief Engineer: The second resolution for your consideration seeks the Commission's authorization to award Contract No. 59-20-02 Parts A and B, for the Repairs and Resurfacing of the Eastbound and Westbound Mainline Roadway between Milepost 118.80 and Milepost 127.23 in Erie County, which is Part A of the Project, and Slope Repairs on the Eastbound Roadway at Milepost 121.2 and Milepost 123.1 in Erie County, which is Part B of the Project. This work is included in the 2020 Capital Improvement Budget. On January 29, 2020, Procurement received two (2) bids in response to this Project. The apparent low bid was submitted by the Gerken Paving, Inc., ("Gerken"), of Napoleon, Ohio, in the amount of \$11,994,772.56. Commission staff evaluated the unit bid prices and found them to be reasonable and the bid tabulation did not appear to contain any errors or anomalies. Gerken's bid is approximately two and one-half percent (2.5%) above the Engineer's Estimate of \$11,700,000.00 and is deemed to be a responsive and responsible bid. Based on a review of Gerken's Financial Statement and Experience Questionnaire it appears they have the capacity to perform this work. They have previously performed similar projects for the Commission in the past with favorable results. In addition, Gerken has committed to meet or exceed the 11% SBE goal as set by the Office of Equity and Inclusion. Therefore, it is recommended that the Commission award Contract No. 59-20-02 Parts A and B to Gerken Paving, Inc., of Napoleon, Ohio, in the amount of \$11,994,772.56. This resolution also contains provisions to assign GPD Group, of Cleveland, Ohio, to perform construction administration and inspection services, and to assign Solar Testing Laboratories, Inc., of Brooklyn Heights, Ohio, a Commission certified SBE, to perform material testing services. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: A Resolution Approving the Selection of Gerken Paving, Inc. for Project No. 59-20-02 A&B for the Total Amount of \$11,994,772.56 and Approving GPD Group and Solar Testing Laboratory, Inc. to Perform Professional Services on the Project.

Chairman: Any questions or comments?

Mr. Coviello: Tony, there were only two bids? Is there a reason why we didn't get more?

Chief Engineer: Mr. Chairman and Commission Member Coviello, the further out west we go, the less bids we get. Obviously, at the 49, the size of that project being \$34 million attracted quite a few bidders. This one, while it is closer to Cleveland, it still is a little towards the

west and unfortunately, we only did get two bids. I was actually quite surprised that Kokosing did bid on it after winning the previous one, it means that they are still hungry.

Chairman: We had over twenty plan holders for it, right?

Chief Engineer: Correct, Mr. Chairman.

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

MOTION: A motion to adopt *Resolution Approving the Selection of Gerken Paving, Inc. for Project No. 59-20-02 A&B for the Total Amount of \$11,994,772.56 and Approving GPD Group and Solar Testing Laboratory, Inc. to Perform Professional Services on the Project* was made by Mrs. Barber, seconded by Mr. Pakush, and approved by all Commission Members. Resolution No. 8-2020.

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

Chief Engineer: The next resolution for your consideration seeks the Commission's authorization to award Contract No. 54-19-01 for the pump station improvements at the Portage Service Plaza at Milepost 197.0 in Portage County, Ohio. This work is included in the 2020 Capital Improvement Budget. On February 5, 2020, Procurement received six (6) bids in response to this Project. The apparent low bid was submitted by A.P. O'Horo Company ("A.P. O'Horo), of Youngstown, Ohio, in the amount of \$712,384.00, which is approximately five (5) percent below the Engineer's Estimate of \$750,000.00. This bid was evaluated by both the design consultant, AECOM, of Akron, Ohio, as well as Commission staff and was found to contain no errors or anomalies. A.P. O'Horo has successfully performed similar work for the Commission in the past. Based on a review of their current projects under contract and previous year's work volume, it appears they have the sufficient capacity to perform the work for this project. Therefore, it is recommended that the Commission award Contract No. 54-19-01 to A.P. O'Horo Company, of Youngstown, Ohio, in the amount of \$712,384.00. This resolution also contains provisions to assign AECOM, of Akron, Ohio, to perform construction administration and inspection services and to assign Resource International Inc., of Cleveland, Ohio, an Ohio Certified DBE/EDGE firm, to perform material testing services. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: A Resolution Approving the Selection of A.P. O'Horo Company for Project No. 54-19-01 for the Total Amount of \$712,384.00 and Approving AECOM and Resource International, Inc. to Perform Professional Services on the Project.

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

MOTION: A motion to adopt *Resolution Approving the Selection of A.P. O'Horo Company for Project No. 54-19-01 for the Total Amount of \$712,384.00 and Approving AECOM and Resource International, Inc. to Perform Professional Services on the Project* was made by Ms. Eaton Johnson, seconded by Mr. Coviello, and approved by all Commission Members, with the exception of Mr. Peterson who abstained. Resolution No. 9-2020.

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

Chief Engineer: The fourth resolution for your consideration is to reject all bids received for Contract No. 70-20-01. This represented a contract for slope repairs at Milepost 132.6 Westbound in Lorain County. On February 11, 2020, Procurement received three (3) bids in response to this Project, and all bids were more than ten percent (10%) above the Engineer's Estimate. In accordance with Ohio Revised Code Sections 5537.02(A) and 153.12, the bids cannot be considered for award, and must be rejected. It is recommended that the bids received for Contract No. 70-20-01 be rejected, and the project be re-evaluated by engineering staff and the project be re-advertised at a later date. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: A Resolution Rejecting All Bids Received on Project No. 70-20-01 for Slope Repairs.

Chairman: Tony, please explain why the bids are being rejected.

Chief Engineer: Based on Ohio Revised Code, we can't accept any bid over 10% of the Engineer's Estimate. With this project, we told the contractors that they had to access the location from above which is a slope repair. It's feasible but, obviously, much more costly. We were working on an easement with the Metroparks down below. There was confusion in the plans, the way that they were set up because we had a deduct alternate in there and one of the contractors in particular, the low, did not actually put a deduct alternate in their bid had we gotten that easement. Since that time, we have been able to procure the easement so when we go back out for bids, we will bid it with the fact that there is an easement. There is also a little bit of a question with regard to the stabilization of the slope and the geofabric that we are using, so we are going to work with the geofabric folks and try to iron that out so it clearer and more cost effective.

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

MOTION: A motion to adopt *Resolution Rejecting All Bids Received on Project No. 70-20-01 for Slope Repairs* was made by Chairman Hruby, seconded by Mr. Peterson, and approved by all Commission Members. Resolution No. 10-2020.

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

Chief Engineer: The fifth resolution for your consideration seeks the Commission's authorization to receive an Ohio Environmental Protection Agency ("OEPA") Diesel Mitigation Trust Fund ("DMTF") grant in the total amount up to \$375,000.00 to purchase fifteen (15) replacement snow and ice trucks. The OEPA has a DMTF grant program with the purpose of removing older more polluting diesel engines from use and replacing or repowering them with clean diesel, alternative fuel or electric engines. This DMTF grant program is funded with dollars allocated to the State of Ohio from the Volkswagen Mitigation Trust Fund, as part of a court-ordered settlement to offset excess air pollution emitted by some Volkswagen vehicles that

violated the Clean Air Act. Commission staff submitted an application to the OEPA for a DMTF grant to replace fifteen (15) heavy duty local freight trucks that have an engine model year 1992 through 2009 engines with vehicles that have an engine model year 2018 or newer. The trucks to be replaced are currently used for pre-treating bridges and pavement, as well as snow and ice removal during winter month operations. They are also used for general road maintenance, including but not limited to, traffic management, aggregate and asphalt hauling, and equipment transportation when not performing snow and ice operations. The trucks to be replaced are located at the Castalia, Amherst, Boston, Hiram and Canfield maintenance sections. The maintenance staff will use the new trucks to be purchased with the DMTF grant for the same purposes as the trucks being replaced. We are happy to report that we have been notified by the OEPA that we are eligible to receive DMTF grant funds in the total amount up to \$375,000.00 to purchase new trucks to replace the fifteen (15) trucks described above. The Commission's participation in this program will help improve the overall reduction of fuel emissions in the OEPA priority counties of Erie, Lorain, Cuyahoga, Summit, Portage, Trumbull and Mahoning. The General Counsel has determined that the Commission may lawfully enter into an agreement to accept the DMTF grant. In accordance with the DMTF grant agreement, the Commission must permanently scrap the old engines and chassis. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: A Resolution Authorizing Executive Director to Execute the Grant Agreement with Ohio Environmental Protection Agency to Accept a Diesel Mitigation Trust Fund Grant and Approving the Disposal of Personal Property.

Chairman: Any questions or comments?

Representative Greenspan: The old equipment has to be destroyed, correct?

Chief Engineer: That is correct. The old engines and chassis have to be destroyed. The trucks that we are replacing are Sterling and they are no longer in business. Parts are no longer made for them. The estimated value of the trucks if we were to sell them today with the current mileage on them is about \$16,000.00. So, when you multiply that \$16,000.00 times the fifteen trucks, it is less than \$300,000.00 +/- . The point of the matter is, this grant will provide us with about a \$75,000.00 savings, not a complete \$375,000.00. There's definitely a savings in what we are doing. It is definitely good for the environment. Two years from now when we actually dispose of these trucks that \$16,000.00 value will be even lower because parts are not available for them.

Mr. Coviello: Is there a cost to receiving the grant? Is there a matching fund? Is there cost in applying?

Chief Engineer: Mr. Chairman and Commission Member Coviello, no. The time that we spent preparing the grant and then the administrative costs that actually will occur with respect to administering it are the only costs.

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

MOTION: A motion to adopt *Resolution Authorizing Executive Director to Execute the Grant Agreement with Ohio Environmental Protection Agency to Accept a Diesel Mitigation Trust Fund Grant and Approving the Disposal of Personal Property* was made by Mr. Pakush, seconded by Mr. Peterson, and approved by all Commission Members. Resolution No. 11-2020.

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

Chief Engineer: The sixth resolution for your consideration seeks the Commission's authorization for the purchase of sixteen (16) single-axle cab and chassis to be outfitted for use as snow and ice trucks. Please note the final resolution, which follows this one, will ask for your consideration to purchase the components necessary to outfit these cab and chassis. The cab and chassis of the trucks will be purchased under the Ohio Department of Transportation's ("ODOT's") Cooperative Purchasing Program Contract Number 023-20. The purchase of the trucks is included in the 2020 Capital Budget and is required to replace existing 2009 model year snow and ice trucks. The Procurement Manager has determined that the lowest cost of obtaining the sixteen (16) cab and chassis is to purchase them under ODOT's Cooperative Purchasing Program from Cleveland Freightliner, Inc., of Parma, Ohio in the amount of \$1,630,912.00. In addition, fifteen (15) of the existing 2009 model year snow and ice trucks shall be disposed of in accordance with the DMTF grant agreement and one of the 2009 model year snow and ice trucks shall be disposed of in accordance with the Commission's Property Disposal Policy after the new snow and ice trucks are placed into service. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: A Resolution Authorizing the Purchase of Sixteen Snow and Ice Cab and Chassis Trucks from Cleveland Freightliner, Inc. in the Total Amount of \$1,630,912.00 Under the ODOT Cooperative Purchasing Program.

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

MOTION: A motion to adopt *Resolution Authorizing the Purchase of Sixteen Snow and Ice Cab and Chassis Trucks from Cleveland Freightliner, Inc. in the Total Amount of \$1,630,912.00 Under the ODOT Cooperative Purchasing Program* was made by Chairman Hruby, seconded by Mr. Pakush, and approved by all Commission Members. Resolution No. 12-2020.

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

Chief Engineer: The last resolution for your consideration seeks the Commission's authorization for the purchase of dump bodies, plows, hydraulics, warning lights, and grease systems to outfit the previously authorized sixteen (16) single-axle cab and chassis for use as snow and ice trucks. The dump bodies, plows, hydraulics, warning lights, and grease systems will be purchased under the Ohio Department of Administrative Services Cooperative Purchasing Program, State Term Contract Index No. STS515, Schedule No. 800507. The purchase of the snow and ice truck equipment is included in the 2020 Capital Budget and is required to replace existing 2009 model year snow and ice trucks. The Procurement Manager has determined that the lowest cost of obtaining the sixteen (16) sets of snow and ice dump bodies, plows, hydraulics, warning lights, and grease systems is under the Ohio Department of Administrative Services

Cooperative Purchasing Program from Concord Road Equipment Manufacturing, Inc., of Painesville, Ohio in the amount of \$2,123,471.68. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: A Resolution Authorizing the Purchase of Sixteen Snow and Ice Truck Bodies from Concord Road Equipment Manufacturing, Inc. in the Total Amount of \$2,123,471.68 Under the DAS Cooperative Purchasing Program.

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

MOTION: A motion to adopt *Resolution Authorizing the Purchase of Sixteen Snow and Ice Truck Bodies from Concord Road Equipment Manufacturing, Inc. in the Total Amount of \$2,123,471.68 Under the DAS Cooperative Purchasing Program* was made by Ms. Eaton Johnson, seconded by Mr. Peterson, and approved by all Commission Members. Resolution No. 13-2020.

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

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

Chairman: Tony, I know we are saving salt, did we have a minimum purchase through the ODOT program? How are we doing with the salt? Do we have enough capacity?

Chief Engineer: Yes, Mr. Chairman. Through the ODOT contract we are required to purchase a minimum of 90% of the salt and we can purchase up to 110%. We have enough capacity to hold up to the 90% of the salt in our domes.

We are doing quite well with the salt. We are definitely saving with the lack of snow, but don't hold your breath because it is coming this weekend.

Chairman: Any other questions? Hearing none, we will move on to the report of the DED/CFO/Comptroller, Marty Seekely.

DED/CFO/Comptroller: Thank you, Mr. Chairman. I have two reports this morning.

First, I would like to update you on the results of the Bond refunding that you approved at the December meeting.

We had an excellent financing team that included:

- PFM Financial Advisors as our Financial Advisor;
- Squire Patton Boggs as Bond Counsel; and
- Tucker Ellis as underwriters counsel.

The underwriting syndicate was led by Citigroup Capital Markets as Senior Manager.

Working extensively on the transaction for the Commission were Jennifer Stueber, Lisa Mejac, Ferzan Ahmed and myself.

We were able to very successfully advance refund \$413,495,000 of the 2013 Senior and Junior Lien Turnpike Revenue Bonds.

Pre-marketing of the new bonds was conducted on January 28, 2020. Indications of interest were obtained from investors on January 29, 2020 and the coupon interest rates were also set on January 29, 2020. The transaction closed on February 13, 2020.

This table shows pricing spreads on the Senior Lien Bonds. Since these were taxable bonds, they were priced as a spread to Treasury Bonds. In the first two columns you can see the maturity date and the amount of bonds offered. The section in blue shows the initial spreads that we offered the bonds at when we asked for indications of interest. Based on the amount of orders received in the indications of interest period, we were able to reduce the interest rate spreads to the rates listed in the final pricing box highlighted in brown.

So, for the \$69.6 million in bonds offered with a maturity date of 2048, we were able to price the bonds with a coupon interest rate of 3.196%. The coupon interest rate on the 2013 bonds that we are refunding was 5%.

This table shows pricing spreads on the Junior Lien Bonds. We received over \$1 billion in orders for the 2048 maturity, so we were able to reduce the rate on those bonds by four basis points after the indications of interest period, reducing the coupon interest rate to 3.216%. The coupon interest rate on the 2013 Junior Lien Bonds that we refunded was 5%.

So, in summary we had a very successful bond refunding. Our financing team did an excellent job pricing and marketing the bonds, we had good investor interest, and our timing turned out to be good as Treasury interest rates dropped eighteen basis points in the two weeks before we went to market due to concerns about the Coronavirus.

We issued \$458,315,000 in 2020 Senior and Junior Lien Bonds that had an average all-in cost of borrowing interest rate of 3.21% and an average life of 24.34 years.

This refunded \$413,495,000 of 2013 Senior and Junior Lien Bonds, producing a net present value savings of \$87.7 million or 19.13%.

That completes my discussion on the bonds, and I would be happy to answer any questions anyone might have.

Next, I have a brief update on our traffic and revenue for the month of January.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past two years. Passenger car vehicle miles traveled were up 3.2% from January of last year. There were relatively few days of snow this year when compared to last year.

Commercial traffic improved somewhat and was 0.6% higher than January of last year. The increase in passenger car traffic combined with the toll rate increase more than offset the effect of an increase in *E-ZPass*[®] use. As a result, passenger car toll revenue increased 4.4% in January. The slight increase in commercial traffic combined with the toll rate increase caused commercial vehicle toll revenues to increase 3.4% in January.

This chart shows year-to-date toll revenues through the month of January during each year over the past decade. Year-to-date total toll revenues were \$805,000.00 or 3.7% above the amount from last year.

That completes my report, Mr. Chairman.

Chairman: Thank you, Marty. Good job. We will move on to the report of the Ohio State Highway Patrol, Staff Lieutenant William Haymaker.

Staff Lieutenant Haymaker: Good morning, Mr. Chairman and Commission Members. I have a few items to report to you this morning for this reporting period.

On January 15, 2020, Sergeant Tim Hoffman of the Milan Post, stopped an eastbound rented GMC Acadia for a no front plate violation at milepost 143 on the Ohio Turnpike in Lorain County. Trooper Lopez responded to assist, and a plain smell search was conducted. During the search, a large suitcase was found in the third row that contained fifty-eight pouches of THC edibles (cereal) and approximately 235 grams of raw marijuana. An additional fifteen pouches were found in the remainder of the vehicle along with two items of drug paraphernalia. The four suspects were separated and interviewed. The right rear passenger claimed ownership of all contraband seized. The suspect stated he was traveling from Ypsilanti, Michigan to Canton and said the contraband was given to him as a gift. All four suspects were positively identified and subsequently released from the scene. The case will be filed with the Lorain County Grand Jury for direct indictment. U.S. Border Patrol assisted with the traffic stop.

Next, I want to talk about our “Saved by the Belt” Program. We have had this program for some time. Last year, we challenged each post to recognize somebody with the “Saved by the Belt” award. Swanton Post recognized Delta resident, Jodi M. Rabquer, who joined Ohio’s “Saved by the Belt” Club after her safety belt saved her from sustaining life-threatening injuries. The incident occurred on Interstate 80 in Fulton County on September 9, 2020. On October 10, 2020, Lieutenant Vern E. Fisher, of the Swanton Post, presented her with a “Saved by the Belt” certificate signed by Ohio Department of Public Safety Director Thomas J. Stickrath and Colonel Richard S. Fambro, Patrol Superintendent.

We are pleased to report that January 2020 was a fatal free month due to the high visibility of Troopers on the Ohio Turnpike along with focused enforcement efforts on crash causing violations. Troopers issued a significant increase of distracted driving citations compared to last year across the entire Ohio Turnpike:

- 2019 – 4 citations total
- 2020 – 50 citations total

Mr. Chairman, with your permission, I have an employee here with me today, Michelle Hall, who has been the Milan Post Secretary since 2015. She has been with the State since 2005 and she has four years of military service serving in the United States Marine Corp. Michelle was nominated as our Bucyrus District "Employee of the Year" for 2019. Let me just talk about the selection criteria that Michelle met to be nominated for this award:

1. Technical knowledge and ability;
2. Prioritizes work and manages multiple tasks;
3. Cooperates with peers and supervisors;
4. Uses sound judgment;
5. Dependable, adaptable, accurate;
6. Works well with little or no supervision;
7. Positive attitude;
8. Loyal to the division and facility employees;
9. Takes initiative;
10. Prompt and courteous; and
11. Works as a team member.

She won the award for the Bucyrus District and then we had our state award winners announced on Friday. Colonel Fambro awarded her the state "Employee Recognition Award."

Thank you, Mr. Chairman. That completes my report.

Chairman: Michelle, on behalf of the Commission, congratulations. It is quite an honor. We appreciate your good work.

Michelle Hall: Thank you, Mr. Chairman. It is an honor to represent the Ohio Turnpike.

Chairman: Thank you. We will move on to the report of the General Counsel, Jennifer Stueber.

General Counsel: Mr. Chairman, I have a report that talks about property acquisition and a couple litigation matters.

Chairman: Therefore, I move that we hold an Executive Session under the provisions of Ohio Revised Code Sections 121.22(G)(2) to discuss the purchase of property for public purposes and 121.22(G)(3) to discuss litigation matters, pending and/or imminent court action.

At the end of such Executive Session, the Commission shall resume its open meeting.

MOTION: A motion to adjourn into Executive Session was made by Chairman Hruby, seconded by Mr. Peterson, and approved by all Commission Members present.

Chairman: We are in Executive Session. I want you to know that we will be back out in a little bit once we finish our discussions. I do not believe there will be any other action taken

by this Commission. We will have a work session after the Commission meeting. Is that correct, Jennifer?

General Counsel: That is correct, Mr. Chairman.

Time: 10:39 a.m.

Chairman: I move that we conclude the Executive Session pursuant to the provisions of Ohio Revised Code Section 121.22(G)(2) and 121.22(G)(3) respectively.

MOTION: A motion to conclude the Executive Session was made by Chairman Hruby, seconded by Mrs. Barber, and approved by all Commission Members present.

Time of adjournment of Executive Session: 10:58 a.m.

Chairman: We are adjourned from Executive Session and will continue with our open meeting.

The next meeting and workshop will be held on Monday, March 16, 2020, at 10:00 a.m. If there is no further business, I move that we adjourn the Commission Meeting.

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

Time of adjournment: 10:59 a.m.

Attendees for Record Keeping Purposes:

Jon Lorincz, AECOM; Jake Siesel, IUOE 18; Preston Yuzwa, IUOE 18; Kevin Westover, Huntington Bank; Mo Darwish, GPD; Ed Adamczyk, Arcadis; Michael Burgess, Prime; Todd Majidzadeh, Resource International; Hamid Homae, KS Associates; Maureen Shildwachter, Huntington Bank; Ferzan M. Ahmed, P.E., Ohio Turnpike; Martin Seekely, Ohio Turnpike; Jennifer Stueber, Ohio Turnpike; Anthony Yacobucci, Ohio Turnpike; Aimee Lane, Ohio Turnpike; Laurie Davis, Ohio Turnpike; Michelle Marquard, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; David Miller, Ohio Turnpike; Chris Matta, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Linda Connelly, Ohio Turnpike; Travis Bonnett, Ohio Turnpike; Michelle Hall, Ohio Turnpike; Lieutenant Richard Reeder, OSHP; Kristin Obermeyer, Ohio Turnpike; Chriss Pogorelc, Ohio Turnpike; Brian Kelley, Ohio Turnpike; Brian Newbacher, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

EXHIBITS

1. Resolution No. 14-2020 – Resolution Approving the Selection of M. P. Dory Company for Sign Structure Replacements in the Amount of \$247,500.00 Under Project No. 45-20-01;
2. Resolution No. 15-2020 – Resolution Rejecting All Bids Received on Project No. 46-2020 for Retro-Reflective Pavement Markings on the Ohio Turnpike Mainline Roadway and Interchange Ramps
3. Resolution No. 16-2020 – Resolution Approving the Selection of Allen Chase Enterprises, Inc. for Applying Herbicide Under Bid Invitation No. 4362 in the Total Not-to-Exceed Amount of \$309,506.40;
4. Resolution No. 17-2020 – Resolution Authorizing Hill International to Perform Construction Management Services for 2020/2021 Pavement Replacement and Toll Collection System Program Projects in the Not-to-Exceed Amount of \$3,612,333.00;
5. Resolution No. 18-2020 – Resolution Rescinding and Repealing Resolution No. 66-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-006.000 in Relation to the Toll Collection System (TCS) Modernization Project;
6. Resolution No. 19-2020 – Resolution Rescinding and Repealing Resolution No. 67-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-010.002 in Relation to the Toll Collection System (TCS) Modernization Project;
7. Resolution No. 20-2020 – Resolution Rescinding and Repealing Resolution No. 68-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-010.000 in Relation to the Toll Collection System (TCS) Modernization Project;
8. Resolution No. 21-2020 – Resolution Rescinding and Repealing Resolution No. 69-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and

be Prosecuted for Permanent Parcel No. 104-020-00-011.000 in Relation to the Toll Collection System (TCS) Modernization Project;

9. Resolution No. 22-2020 – Resolution Rescinding and Repealing Resolution No. 70-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-012.000 in Relation to the Toll Collection System (TCS) Modernization Project;
10. Resolution No. 23-2020 – Resolution Rescinding and Repealing Resolution No. 71-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-004.000 in Relation to the Toll Collection System (TCS) Modernization Project; and
11. Resolution No. 24-2020 – Resolution Rescinding and Repealing Resolution No. 72-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-013.000 in Relation to the Toll Collection System (TCS) Modernization Project.

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of M. P. Dory Company for Sign Structure Replacements in the Amount of \$247,500.00 Under Project No. 45-20-01

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice in accordance with law advertising its invitation to bid upon a contract for Sign Structure Replacements at Mileposts 11.25 EB, 12.30 EB, 12.85 EB, 13.25 EB, 13.70 WB, 14.15 WB, 14.65 WB, and 15.60 WB in Williams County, Ohio, designated as Project No. 45-20-01 (the “Project”); and

WHEREAS, the Commission received two bids to perform the Contractor’s obligations on the Project and the report of the Commission’s Chief Engineer and Deputy Chief Engineer/Director of Field Operations concerning the review and analysis of the bids is before the Commission; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations report that M. P. Dory Company, of Columbus, Ohio, submitted the lowest responsive and responsible bid to perform the Contractor’s obligations under the Project in the amount of \$247,500.00, which they recommend the Commission accept and approve authorization for the Executive Director to select; and

WHEREAS, the Staff Attorney has determined that the bids for the Project were solicited on the basis of the same terms, conditions and specifications, that the bid of M. P. Dory Company for Project No. 45-20-01 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that M. P. Dory Company submitted a bid guarantee and performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion Manager found that M. P. Dory 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 16.97% which exceeds the SBE participation goal of 8% for the Project; and

WHEREAS, Commission action is necessary to approve the contract for Project No. 45-20-01 in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws because the amount of the bids received require an expenditure that will exceed \$150,000.00; and

WHEREAS, the Commission’s Executive Director concurs with the recommendations of the Chief Engineer and Deputy Chief Engineer/Director of Field Operations that the Commission approve the award of the Project to M.P. Dory 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 M. P. Dory Company, in the amount of \$247,500.00 for Project No. 45-20-01 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract on the basis of said bid; and

FURTHER RESOLVED that the Executive Director has the authority under Article V, Section 1.00 of the Code of Bylaws to approve such extra work or change orders under said contract that does not exceed ten percent of the approved contract amount or the Executive Director's contracting authority and which is the result of an increase in the planned quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

(Resolution No. 14-2020 adopted March 16, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Rejecting All Bids Received on Project No. 46-2020 for Retro-Reflective Pavement Markings on the Ohio Turnpike Mainline Roadway and Interchange Ramps

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published a notice in accordance with law to advertise an invitation to bid on a contract to furnish and apply retro-reflective pavement markings on the Ohio Turnpike mainline roadway and interchange ramps at Mileposts 0.0 to 241.2, designated as Project No. 46-2020 (the “Project”); and

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

WHEREAS, the Commission’s Chief Engineer reports that both bids received are more than ten percent (10%) over the Engineer’s Estimate and recommends that the Commission reject the bids; and

WHEREAS, under the Bidding Documents and pursuant to Sections 5537.02(A) and 153.12 of the Ohio Revised Code, the Commission is prohibited from selecting bids received in excess of ten percent (10%) of the Engineer’s Estimate; and

WHEREAS, based on the foregoing, the Executive Director concurs with the recommendation that the Commission reject the two (2) bids received on the Project; and

WHEREAS, the Commission has duly considered said recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the two (2) bids received in response to Project No. 46-2020 are rejected.

(Resolution No. 15-2020 adopted March 16, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Allen Chase Enterprises, Inc. for Applying Herbicide Under Bid Invitation No. 4362 in the Total Not-to-Exceed Amount of \$309,506.40

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) duly advertised for bids under Invitation No. 4362 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 three (3) 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 Enterprises”), of Oswego, New York, submitted the apparent low bid based on the estimated quantities in the amount of \$257,922.00 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 \$309,506.40; and

WHEREAS, the Staff Attorney has determined that all bids were solicited on the basis of the same terms, conditions and specifications, and that Allen Chase Enterprises 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 Manager 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 Enterprises conforms with the bid specifications and Allen Chase Enterprises has satisfactorily performed similar services for the Commission in the past and recommends that the Commission select the bid of Allen Chase Enterprises as the lowest responsible and responsive bid received under Invitation No. 4362 which may result in a total contract price of \$309,506.40 if the maximum delivery variance of twenty percent from estimated quantities is reached; and

WHEREAS, expenditures by the Commission under Invitation No. 4362 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 Enterprises, Inc. 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. 4362 to furnish and apply the requirements for herbicide, which may result in a total contract price of \$309,506.40 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. 16-2020 adopted March 16, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Hill International to Perform Construction Management Services for 2020/2021 Pavement Replacement and Toll Collection System Program Projects in the Not-to-Exceed Amount of \$3,612,333.00

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

WHEREAS, the Commission approved a Strategic Plan for Modernizing the Toll Collection System (“TCS”) under Resolution No. 57-2017 that entails making public improvements including pavement replacement, road widening, bridge widening, detailed maintenance of traffic coordination, integration of new facilities and tolling equipment, which all require efficient and consistent coordination from design through construction; and

WHEREAS, under Resolution 5-2019, the Commission exercised its option to extend the services of Hill International through the completion of the Pavement Replacement -TCS Program Projects (“PR-TCS Program Projects”); and

WHEREAS, the Commission authorized Hill International to perform Construction Management Services for the PR-TCS Program Projects (“Construction Management”) totaling approximately \$318,525,904 for all PR-TCS Program Projects previously awarded, which are listed as follows:

<u>Resolution</u>	<u>Project</u>	<u>Services</u>	<u>Not to Exceed Amount</u>
52-2013	NA	Pre-Construction Services	\$145,519.07
13-2014	NA	General Program Management	\$247,950.00
13-2014	39-14-01	Construction Management	\$1,615,211.00
13-2014	39-14-02	Construction Management	\$1,607,959.00
9-2015	NA	General Program Management	\$279,348.00
9-2015	39-15-01	Construction Management	\$1,754,839.00
9-2015	39-15-02	Construction Management	\$1,666,242.00
3-2016	NA	General Program Management	\$309,372.00
3-2016	39-16-01	Construction Management	\$1,970,601.00
3-2016	39-16-02	Construction Management	\$1,734,923.00
75-2016	NA	General Program Management	\$352,022.13
75-2016	39-17-01	Construction Management	\$999,993.00
4-2018	NA	General Program Management	\$763,796.00
4-2018	39-18-01	Construction Management	\$1,822,190.00
4-2018	38-18-02	Construction Management	\$2,909,995.00
5-2019	NA	General Program Management	\$823,749.00
5-2019	43-19-07	Construction Management	\$994,476.00
Total			\$19,998,185.20

WHEREAS, Hill International has submitted a fee proposal dated March 5, 2020 to perform Construction Management and Inspection Services during 2020/2021 in the total not-to-exceed amount of \$3,612,333.00, which is comprised of (i) \$696,747.00 for General Program Management Services for 2020; (ii) \$1,348,370.00 for Construction Management/Inspection Services for 2020 for PR-TCS Program Project Nos. 39-20-02 A&B and 58-20-01; and (iii) \$1,567,216.00 for Construction Administration/Inspection Services for 2021 for PR-TCS Program Project Nos. 39-20-02 A&B and 58-20-01; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations have reviewed the fee proposal of Hill International, and report that the proposal is both reasonable and necessary, and recommends the Commission authorize Hill International to perform the required Construction Management and Inspection Services for the aforementioned PR-TCS Program Projects; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that Ohio Turnpike and Infrastructure Commission approves authorization for the Executive Director to amend the Contract with Hill International, Inc. to perform the necessary Construction Management Services for the Pavement Replacement and Toll Collection System Program Projects for the 2020/2021 Construction Season in the total not-to-exceed amount of \$3,612,333.00, which, based on its accepted fee proposal dated March 5, 2020, includes: (i) performing General Program Management during 2020 for the not-to-exceed amount of \$696,747.00; (ii) performing the necessary Construction Management and Inspection Services for 2020 on PR-TCS Program Project Nos. 39-29-02 A&B and 58-20-01 for the not-to-exceed amount of \$1,348,370.00; and (iii) performing the necessary Construction Management and Inspection Services for 2021 on PR-TCS Program Project Nos. 39-29-02 A&B and 58-20-01 for the not-to-exceed amount of \$1,567,216.00, all in accordance with the terms and conditions of the agreement, as modified, between the Commission and Hill International for Pavement Replacement Program Construction Management Services and Hill International's technical response and fee proposal; and

FURTHER RESOLVED that the Executive Director has the authority under Article V, Section 1.00 of the Code of Bylaws to further amend the Contract to perform additional services necessary that does not exceed the Executive Director's contracting authority or ten percent of the total not-to-exceed amount approved to date for the Contract, and approve such extra work or change orders under said contracts as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

(Resolution No. 17-2020 adopted March 16, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Rescinding and Repealing Resolution No. 66-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-006.000 in Relation to the Toll Collection System (TCS) Modernization Project

WHEREAS, the Ohio Turnpike and Infrastructure Commission (the “Commission”) authorized the Executive Director or the General Counsel to acquire certain property as defined under Resolution No. 66-2019 and below; and

WHEREAS, the dimensions of the property set forth in Resolution No. 66-2019 have changed as a result of subsequent survey work completed by the Commission with respect to said property necessitating the enactment of a new resolution and the rescission and repeal of Resolution No. 66-2019; and

WHEREAS, the Commission, for the purpose of modernizing the Ohio Turnpike Toll Collection System adopted the Toll Collection System and Customer Service Center Strategic Plan (the “Strategic Plan”) under Resolution No. 57-2017; and

WHEREAS, in connection with the Strategic Plan, the Chief Engineer has caused the design and planning for new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound access ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system in 2021-2022; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 0.751 acre parcel adjacent to the Ohio Turnpike in Northwest Township, Williams County, which 0.751 acre parcel (as legally described on Exhibit A attached hereto and incorporated herein as the “Property”) is a portion of the real estate currently designated as Williams County Auditor’s Permanent Parcel No. 104-020-00-006.000, and recorded by Deed Book 312, Page 1524 in the official Williams County Records.

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 66-2019 is hereby rescinded and repealed; and

FURTHER RESOLVED that the Commission hereby declares that said acquisition of the Property is necessary to construct new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road

tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system, all for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 74-19-01 under the Strategic Plan; and

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

Richard L. Lemmon, Trustee of the Richard L. Lemmon Trust U/A dated November 12, 2015, 14372 County Road 4, Edon, Ohio 43518

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

FURTHER RESOLVED that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title to the Property and any necessary easements on and over Parcel No. 104-020-00-006.000 or neighboring parcels; and

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

FURTHER RESOLVED that Project No. 74-19-01 is a designated System project under the Master Trust Agreement.

(Resolution No. 18-2020 adopted March 16, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Rescinding and Repealing Resolution No. 67-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-010.002 in Relation to the Toll Collection System (TCS) Modernization Project

WHEREAS, the Ohio Turnpike and Infrastructure Commission (the “Commission”) authorized the Executive Director or the General Counsel to acquire certain property as defined under Resolution No. 67-2019 and below; and

WHEREAS, the dimensions of the property set forth in Resolution No. 67-2019 have changed as a result of subsequent survey work completed by the Commission with respect to said property necessitating the enactment of a new resolution and the rescission and repeal of Resolution No. 67-2019; and

WHEREAS, the Commission, for the purpose of modernizing the Ohio Turnpike Toll Collection System adopted the Toll Collection System and Customer Service Center Strategic Plan (the “Strategic Plan”) under Resolution No. 57-2017; and

WHEREAS, in connection with the Strategic Plan, the Chief Engineer has caused the design and planning for new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound access ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system in 2021-2022; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 1.790 acre parcel adjacent to the Ohio Turnpike in Northwest Township, Williams County, which 1.790 acre parcel (as legally described on Exhibit A attached hereto and incorporated herein as the “Property”) is a portion of the real estate currently designated as Williams County Auditor’s Permanent Parcel No. 104-020-00-010.002, and recorded by Deed Book 301, Page 2447 in the official Williams County Records.

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 67-2019 is hereby rescinded and repealed; and

FURTHER RESOLVED that the Commission hereby declares that said acquisition of the Property is necessary to construct new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound access ramp merging from the

southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system, all for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 74-19-01 under the Strategic Plan; and

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

Thomas B. Creque, Trustee of the Thomas B. Creque Declaration of Trust dated March 10, 2011, 9555 Sylvania Avenue, Sylvania, Ohio 43560

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

FURTHER RESOLVED that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title to the Property and any necessary easements on and over Parcel No. 104-020-00-010.002 or neighboring parcels; and

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

FURTHER RESOLVED that Project No. 74-19-01 is a designated System project under the Master Trust Agreement.

(Resolution No. 19-2020 adopted March 16, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Rescinding and Repealing Resolution No. 68-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-010.000 in Relation to the Toll Collection System (TCS) Modernization Project

WHEREAS, the Ohio Turnpike and Infrastructure Commission (the “Commission”) authorized the Executive Director or the General Counsel to acquire certain property as defined under Resolution No. 68-2019 and below; and

WHEREAS, the dimensions of the property set forth in Resolution No. 68-2019 have changed as a result of subsequent survey work completed by the Commission with respect to said property necessitating the enactment of a new resolution and the rescission and repeal of Resolution No. 68-2019; and

WHEREAS, the Commission, for the purpose of modernizing the Ohio Turnpike Toll Collection System adopted the Toll Collection System and Customer Service Center Strategic Plan (the “Strategic Plan”) under Resolution No. 57-2017; and

WHEREAS, in connection with the Strategic Plan, the Chief Engineer has caused the design and planning for new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound access ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system in 2021-2022; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 0.813 acre parcel adjacent to the Ohio Turnpike in Northwest Township, Williams County, which 0.813 acre parcel (as legally described on Exhibit A attached hereto and incorporated herein as the “Property”) is a portion of the real estate currently designated as Williams County Auditor’s Permanent Parcel No. 104-020-00-010.000, and recorded by Deed Book 301, Page 2450 in the official Williams County Records.

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 68-2019 is hereby rescinded and repealed; and

FURTHER RESOLVED that the Commission hereby declares that said acquisition of the Property is necessary to construct new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound access ramp merging from the

southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system, all for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 74-19-01 under the Strategic Plan; and

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

Gary A. Crider and Patricia A. Crider, 17279 County Road 13, Pioneer, Ohio 43554

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

FURTHER RESOLVED that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title to the Property and any necessary easements on and over Parcel No. 104-020-00-010.000 or neighboring parcels; and

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

FURTHER RESOLVED that Project No. 74-19-01 is a designated System project under the Master Trust Agreement.

(Resolution No. 20-2020 adopted March 16, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Rescinding and Repealing Resolution No. 69-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-011.000 in Relation to the Toll Collection System (TCS) Modernization Project

WHEREAS, the Ohio Turnpike and Infrastructure Commission (the “Commission”) authorized the Executive Director or the General Counsel to acquire certain property as defined under Resolution No. 69-2019 and below; and

WHEREAS, the dimensions of the property set forth in Resolution No. 69-2019 have changed as a result of subsequent survey work completed by the Commission with respect to said property necessitating the enactment of a new resolution and the rescission and repeal of Resolution No. 69-2019; and

WHEREAS, the Commission, for the purpose of modernizing the Ohio Turnpike Toll Collection System adopted the Toll Collection System and Customer Service Center Strategic Plan (the “Strategic Plan”) under Resolution No. 57-2017; and

WHEREAS, in connection with the Strategic Plan, the Chief Engineer has caused the design and planning for new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound access ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 (the “Project”) in connection with the new toll collection system in 2021-2022; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 3.827 acre parcel adjacent to the Ohio Turnpike in Northwest Township, Williams County, which 3.827 acre parcel (as legally described on Exhibit A attached hereto and incorporated herein as “Property A”) is a portion of the real estate currently designated as Williams County Auditor’s Permanent Parcel No. 104-020-00-011.000, and recorded by Deed Book 320, Page 3897 in the official Williams County Records;

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 0.087 acre parcel for a channel easement necessary to construct the Project adjacent to Property A and the Ohio Turnpike in Northwest Township, Williams County, which 0.087 acre parcel (as legally described on Exhibit B attached hereto and incorporated herein as “Property B”) (Property A and Property B are collectively referred to herein as the “Properties”) is a portion of the real estate

currently designated as Williams County Auditor's Permanent Parcel No. 104-020-00-011.000, and recorded by Deed Book 320, Page 3897 in the official Williams County Records.

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 69-2019 is hereby rescinded and repealed; and

FURTHER RESOLVED that the Commission hereby declares that said acquisition of the Properties is necessary to construct new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound access ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system, all for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 74-19-01 under the Strategic Plan; and

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

Hakeland Acres LLC, 4328 County Road M50, Edon, Ohio 43518

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

FURTHER RESOLVED that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title to the Properties and any necessary easements on and over Parcel No. 104-020-00-011.000 or neighboring parcels; and

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

FURTHER RESOLVED that Project No. 74-19-01 is a designated System project under the Master Trust Agreement.

(Resolution No. 21-2020 adopted March 16, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Rescinding and Repealing Resolution No. 70-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-012.000 in Relation to the Toll Collection System (TCS) Modernization Project

WHEREAS, the Ohio Turnpike and Infrastructure Commission (the “Commission”) authorized the Executive Director or the General Counsel to acquire certain property as defined under Resolution No. 70-2019 and below; and

WHEREAS, the dimensions of the property set forth in Resolution No. 70-2019 have changed as a result of subsequent survey work completed by the Commission with respect to said property necessitating the enactment of a new resolution and the rescission and repeal of Resolution No. 70-2019; and

WHEREAS, the Commission, for the purpose of modernizing the Ohio Turnpike Toll Collection System adopted the Toll Collection System and Customer Service Center Strategic Plan (the “Strategic Plan”) under Resolution No. 57-2017; and

WHEREAS, in connection with the Strategic Plan, the Chief Engineer has caused the design and planning for new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound access ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system in 2021-2022; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 2.540 acre parcel adjacent to the Ohio Turnpike in Northwest Township, Williams County, which 2.540 acre parcel (as legally described on Exhibit A attached hereto and incorporated herein as the “Property”) is a portion of the real estate currently designated as Williams County Auditor’s Permanent Parcel No. 104-020-00-012.000, and recorded by Deed Book 289, Page 157 in the official Williams County Records.

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 70-2019 is hereby rescinded and repealed; and

FURTHER RESOLVED that the Commission hereby declares that said acquisition of the Property is necessary to construct new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound access ramp merging from the

southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system, all for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 74-19-01 under the Strategic Plan; and

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

David L. Brown, Trustee in the Trust of the David Lynn Brown Living Trust dated April 17, 2012 (1/2 interest) and Virginia A. Brown, Trustee in the Trust of the Virginia Ann Brown Living Trust dated April 17, 2012 (1/2 interest)

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

FURTHER RESOLVED that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title to the Property and any necessary easements on and over Parcel No. 104-020-00-012.000 or neighboring parcels; and

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

FURTHER RESOLVED that Project No. 74-19-01 is a designated System project under the Master Trust Agreement.

(Resolution No. 22-2020 adopted March 16, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Rescinding and Repealing Resolution No. 71-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-004.000 in Relation to the Toll Collection System (TCS) Modernization Project

WHEREAS, the Ohio Turnpike and Infrastructure Commission (the “Commission”) authorized the Executive Director or the General Counsel to acquire certain property as defined under Resolution No. 71-2019 and below; and

WHEREAS, the dimensions of the property set forth in Resolution No. 71-2019 have changed as a result of subsequent survey work completed by the Commission with respect to said property necessitating the enactment of a new resolution and the rescission and repeal of Resolution No. 71-2019; and

WHEREAS, the Commission, for the purpose of modernizing the Ohio Turnpike Toll Collection System adopted the Toll Collection System and Customer Service Center Strategic Plan (the “Strategic Plan”) under Resolution No. 57-2017; and

WHEREAS, in connection with the Strategic Plan, the Chief Engineer has caused the design and planning for new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound exit ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system in 2021-2022; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 2.169 acre parcel adjacent to the Ohio Turnpike in Northwest Township, Williams County, which 2.169 acre parcel (as legally described on Exhibit A attached hereto and incorporated herein as the “Property”) is a portion of the real estate currently designated as Williams County Auditor’s Permanent Parcel No. 104-020-00-004.000, and recorded by Deed Book 282, Page 786 in the official Williams County Records.

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 71-2019 is hereby rescinded and repealed; and

FURTHER RESOLVED that the Commission hereby declares that said acquisition of the Property is necessary to construct new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound exit ramp merging from the

southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system, all for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 74-19-01 under the Strategic Plan; and

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

Joseph Alan Headley, 8896 State Route 49, Edon, Ohio 43518, subject to the life estate interest of Christena Kay Headley, 8532 State Route 49, Edon, Ohio 43518

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

FURTHER RESOLVED that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title to the Property and any necessary easements on and over Parcel No. 104-020-00-004.000 or neighboring parcels; and

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

FURTHER RESOLVED that Project No. 74-19-01 is a designated System project under the Master Trust Agreement.

(Resolution No. 23-2020 adopted March 16, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Rescinding and Repealing Resolution No. 72-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-013.000 in Relation to the Toll Collection System (TCS) Modernization Project

WHEREAS, the Ohio Turnpike and Infrastructure Commission (the “Commission”) authorized the Executive Director or the General Counsel to acquire certain properties as defined under Resolution No. 72-2019 and below; and

WHEREAS, the dimensions of the properties set forth in Resolution No. 72-2019 have changed as a result of subsequent survey work completed by the Commission with respect to said property necessitating the enactment of a new resolution and the rescission and repeal of Resolution No. 72-2019; and

WHEREAS, the Commission, for the purpose of modernizing the Ohio Turnpike Toll Collection System adopted the Toll Collection System and Customer Service Center Strategic Plan (the “Strategic Plan”) under Resolution No. 57-2017; and

WHEREAS, in connection with the Strategic Plan, the Chief Engineer has caused the design and planning for new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound exit ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 (the “Project”) in connection with the new toll collection system in 2021-2022; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 3.879 acre parcel adjacent to the Ohio Turnpike in Northwest Township, Williams County, which 3.879 acre parcel (as legally described on Exhibit A attached hereto and incorporated herein as “Property A”) is a portion of the real estate currently designated as Williams County Auditor’s Permanent Parcel No. 104-020-00-013.000, and recorded by Deed Book 223, Page 381 in the official Williams County Records; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 21.472 acre parcel for wetland mitigation, subject to final approval of the Commission’s Section 401 Water Quality Certification Application, including, without limitation, the Mitigation Plan, necessary to construct the Project adjacent to Property A and the Ohio Turnpike in Northwest Township, Williams County, which 21.472 acre parcel (as legally described on Exhibit B attached hereto and

incorporated herein as “Property B”) (Property A and Property B are collectively referred to herein as the “Properties”) is a portion of the real estate currently designated as Williams County Auditor’s Permanent Parcel No. 104-020-00-013.000, and recorded by Deed Book 223, Page 381 in the official Williams County Records.

NOW, THEREFORE, BE IT

RESOLVED that Resolution No. 72-2019 is hereby rescinded and repealed; and

FURTHER RESOLVED that the Commission hereby declares that said acquisition of the Properties is necessary to construct new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound exit ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 4 in connection with the new toll collection system, all for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 74-19-01 under the Strategic Plan; and

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

Mark S. Gorney, 9414 Angola Rd., Holland, Ohio 43528

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

FURTHER RESOLVED that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title to the Properties and any necessary easements on and over Parcel No. 104-020-00-013.000 or neighboring parcels; and

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

FURTHER RESOLVED that Project No. 74-19-01 is a designated System project under the Master Trust Agreement.

(Resolution No. 24-2020 adopted March 16, 2020)