

MINUTES OF THE 580th MEETING OF THE OHIO TURNPIKE COMMISSION

February 27, 2012

Chairman: (10:00 a.m.) Pledge of Allegiance is recited by all in attendance. The meeting will come to order. I'm sure you are all aware of the tragic circumstances that befell the Turnpike recently. I would ask that we call for a moment of silence in remembrance of Forest "John" Fletcher who passed away after that incident. James Roudebush and Anthony Stout are both hospitalized with severe injuries from the accident that occurred on January 24, 2012 on the Ohio Turnpike. Thank you. Roll Call.

Secretary-Treasurer: Chairman. Hruby.

Chairman: Here.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Here.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Here.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Here.

Secretary-Treasurer: Mr. Cole.

Mr. Cole: Present.

Secretary-Treasurer: Mr. Smith.

Mr. Smith: Here.

Secretary-Treasurer: Senator Patton.

Senator Patton: Here.

Representative Dovilla: Not present.

Secretary-Treasurer: Representative Dovilla is not present today due to his U.S. Navy Reserve obligations. A quorum is present.

Chairman: We have a number of guests with us this morning. Would everyone please introduce themselves: Marty Seekely, Ohio Turnpike; Eric Erickson, Fifth Third; Jennifer Diaz, Ohio Turnpike; Donna Fritz, Ohio Turnpike; Tom Breckenridge, Plain Dealer; John Adams, Fifth/Third; Eric Erickson, Fifth/Third; Dave Miller, Ohio Turnpike; Dale Perram, Ohio Turnpike; Adam Greenslade, Ohio Turnpike; Chris Zurcher, Ohio State Patrol; Doug Hedrick, Ohio Turnpike; Tim Ujvari, Ohio Turnpike; Homid Homae, Transystems Corporation, Consultant; Vic Spinabelli, Hill International; Rob Fleischman, GPI; Scott Buchanan, URS; James Mitchell, URS; Kamran Majidzadeh, RII; Farah Majidzadeh, RII; Daniel Van Epps, CSTUCIC; Dennis Avery, GSI; David Russell, TUOE 18; Don Taggart, TUOE 18; Frank Lamb, Huntington Bank; Dennis Albrecht, Ohio Turnpike; Lauren Hakos, Ohio Turnpike; Robin Carlin, Ohio Turnpike; Sharon Isaac, Ohio Turnpike; Chris Near, HMS.

Chairman: Good morning to everyone and welcome. This is the 580th meeting of the Ohio Turnpike Commission, as provided for by the Commission's Code of By-Laws for a special meeting. Various reports will be received. We will act on several Resolutions, draft copies of those have been previously sent to our members with updated drafts in the Members' folders. The Resolutions will be explained during the appropriate reports. Can I have a motion to adopt the Minutes of January 17, 2012 Commission Meeting.

Vice Chairman Balog: Moved.

Mr. Pakush: Second.

Chairman: Moved and seconded. Any corrections or additions to the Minutes.

Mr. Cole: Please correct the minutes to reflect that I was in attendance.

Chairman: Any other corrections or amendments? Hearing none, roll call.

Secretary-Treasurer: Mr. Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Abstain.

Secretary-Treasurer: Three yes, one abstention.

Chairman: We will proceed with the report of the Secretary-Treasurer, Mr. Hodges.

Secretary-Treasurer: The following items have been sent to the members since the last scheduled meeting of the Commission on January 17, 2012. Eight Resolutions; Minutes of the January 17, 2012 Commission meeting; Traffic Crash Summary Report from January, 2012; Traffic and Revenue Report from January, 2012; Investment Report from January, 2012; Total Revenue by Month and Year for January, 2012 and various new articles. The Financial Statements for January 31, 2012 and December, 2011 are in your folder as well as the Budget Reports for the twelve months of 2011.

I would like to start out with some good news. The Ohio Turnpike Commission won the GFAO Award for financial reports and that is certainly a tribute to Marty, his staff and everyone involved in the organization. I would also like to call on the Deputy Executive/Chief Engineer to talk about another award we received.

Chief Engineer: Thank you Mr. Chairman and Director Hodges. I am pleased to report that one of last year's resurfacing projects, Project No. 59-11-03 from milepost 205 to 209.6 in Trumbull and Portage Counties, Ohio, was awarded the Quality in Construction Award by the National Asphalt Paving Association. Despite a very wet construction season, a tight project schedule and substantial night work, the contractor on this project, Shelly & Company, was able to construct a very smooth pavement with an outstanding ride. The contractor was able to surpass our smoothness specification by approximately 33%. I am also pleased to report that the project was completed on time and within the budget. I would also like to acknowledge and thank our other team members on this project: our in-house engineering staff, the GPD Group who performed the construction inspection, and ACA Engineering who performed the materials testing and inspection. Thank you.

Secretary-Treasurer: I would like to remind members that Resolutions, Engineering, CFO reports, newspaper articles and Commission Meeting Minutes will now be sent electronically for their review prior to the meeting. Hard copies will still be provided in their folders at the Commission Meeting. As the Chairman recognized in his initial remarks that the entire Turnpike family suffered a very tragic loss several weeks ago with the untimely death of John Fletcher on January 24, 2012. It has deeply saddened not only his family, but his many friends, co-workers and acquaintances of the Commission. He had been a full-time employee at the Ohio Turnpike since 1985. He was one our long-time distinguished and honored employees, and with that, I would like to ask that a Resolution be adopted in his memory, and that counsel please read the Resolved.

General Counsel: **RESOLVED** that the Ohio Turnpike Commission, by the adoption of this Resolution, hereby expresses its sorrow upon the death of Assistant Foreman, John Fletcher, who contributed to and was instrumental in the Commission's achievements in maintenance operations, and hereby tenders to his family its most sincere and deepest sympathy; and

FURTHER RESOLVED that the Executive Director be, and hereby he is, authorized to place a designation honoring the dedicated and effective service of late Assistant Foreman, John Fletcher, on such plaques, documents, publications, records, and other items which are produced by the Commission at its own expense; and

FURTHER RESOLVED that the Secretary-Treasurer be, and he hereby is, instructed to transmit a certified copy of this Resolution to The Fletcher Family.

Chairman: Motion to adopt.

Vice Chairman Balog: Motion.

Chairman: Second. Any discussion or further comment? Hearing none, roll call.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Four to nothing. We will be having a memorial ceremony for Mr. Fletcher at our Wall of Remembrance at the March 19, 2012 meeting.

RESOLUTION NO. 5-2012

OHIO TURNPIKE COMMISSION

**Resolution Honoring the Distinguished Service of the
Late Assistant Foreman, Forest (John) Fletcher, and
Expressing Commission's Sorrow and
Extending Sympathy to the Fletcher Family**

WHEREAS, the Commission has suffered the loss of its Elmore Maintenance Building Assistant Foreman, Forest (John) Fletcher, who served the Commission with great honor and distinction since being hired as a full-time employee in 1985; and

WHEREAS, the untimely death of John Fletcher on January 24, 2012, has deeply saddened not only his family, but his many friends, co-workers, and acquaintances at the Commission; and

WHEREAS, the late John Fletcher, was highly respected by the Commission's staff, his colleagues and all those with whom he was associated during his tenure with the Commission; and

WHEREAS, the members of the Commission and the Commission's staff wish to give formal and public recognition for the honorable, extremely dedicated and effective service of its late Assistant Foreman, John Fletcher.

NOW, THEREFORE, BE IT

RESOLVED that the Ohio Turnpike Commission, by the adoption of this Resolution, hereby expresses its sorrow upon the death of Assistant Foreman, John Fletcher, who contributed to and was instrumental in the Commission's achievements in maintenance operations, and hereby tenders to his family its most sincere and deepest sympathy; and

FURTHER RESOLVED that the Executive Director be, and hereby he is, authorized to place a designation honoring the dedicated and effective service of late Assistant Foreman, John Fletcher, on such plaques, documents, publications, records, and other items which are produced by the Commission at its own expense; and

FURTHER RESOLVED that the Secretary-Treasurer be, and he hereby is, instructed to transmit a certified copy of this Resolution to The Fletcher Family.

(Resolution No. 5-2012 adopted February 27, 2012)

Secretary-Treasurer: We had two distinguished members who have left the Commission in the last year and certainly want to recognize their service. The first Resolution in front of you is expressing appreciation for Edward A. Kidston. Mr. Kidston was instrumental in enabling the Ohio Turnpike to continue its current capital improvement program namely, the reconstruction of Indian Meadows/Tiffin River Service Plaza in Williams County and was also very active in a number of other issues including the speed limit increase on the Turnpike. I would like to ask Counsel to please read the Resolved.

General Counsel: RESOLVED that the Ohio Turnpike Commission hereby acknowledges its gratitude to Edward A. Kidston for his six 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 which he rendered; and

FURTHER RESOLVED that the Commission extends to Edward A. Kidston and his family its best wishes for his success and well-being in all matters and activities which he shall undertake in the future; and

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

Chairman: Move adoption.

Vice Chairman Balog: Move to adopt.

Chairman: I'll second that Motion. Any further discussion or comments? Hearing none, roll call.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Four to nothing.

RESOLUTION NO. 6-2012

OHIO TURNPIKE COMMISSION

Resolution Expressing Appreciation of Edward A. Kidston

WHEREAS, Edward A. Kidston was appointed as a member of the Ohio Turnpike Commission by Governor Bob Taft on June 24, 2005; and

WHEREAS, Edward A. Kidston served with distinction as a member of the Commission, and actively contributed to the Commission's purposes and objectives through his thorough consideration of the matters coming before the Commission as well as the astuteness and knowledge which he employed in making and expressing judgments with respect to vital areas relating to the maintenance and operation of the Ohio Turnpike; and

WHEREAS, Commission Member, Edward A. Kidston was instrumental in enabling the Ohio Turnpike Commission to diligently continue its current capital improvement program, namely the reconstruction of the Indian Meadows/Tiffin River Service Plazas in Williams County, Ohio; and

WHEREAS, Commission Member Edward A. Kidston was also instrumental in effectuating the speed limit increase on the Turnpike with the goal of attracting additional commercial traffic to the toll road; and

WHEREAS, Edward A. Kidston has been and continues to be one of the premier and distinguished business and civic leaders in the State of Ohio, having admirably served his community and the State of Ohio in several capacities including as the Mayor of Pioneer, Ohio; 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 Edward A. Kidston as a member of this Commission.

NOW, THEREFORE, BE IT

RESOLVED that the Ohio Turnpike Commission hereby acknowledges its gratitude to Edward A. Kidston for his six 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 which he rendered; and

FURTHER RESOLVED that the Commission extends to Edward A. Kidston and his family its best wishes for his success and well-being in all matters and activities which he shall undertake in the future; and

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

(Resolution No. 6-2012 adopted February 27, 2012)

Secretary-Treasurer: The final Resolution is also a Resolution expressing the appreciation of David Regula. Mr. Regula was Vice Chairman of the Commission and was very active in capital improvements and making sure we found the best price for the purchase and disposal of heavy equipment. He served from August 15, 2005, was re-appointed by Governor Taft until May, 2011. I would ask the General Counsel to please read the Resolved.

General Counsel: **RESOLVED** that the Ohio Turnpike Commission hereby acknowledges and expresses its gratitude to David O. Regula for his seven 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 which he rendered; and

FURTHER RESOLVED that the Commission extends to David O. Regula and his family its best wishes for his success and well-being in all matters and activities which he shall undertake in the future; and

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

Chairman: Is there a Motion.

Vice Chairman Balog: So Moved.

Chairman: I'll second. Any discussion? Hearing none, call the roll, please.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman: Yes.

Secretary-Treasurer: Mr. Dixon.
Mr. Dixon: Yes.
Secretary-Treasurer: Mr. Pakush.
Mr. Pakush: Yes.
Secretary-Treasurer: Four to nothing. Mr. Chairman, that concludes my report.

RESOLUTION NO. 7-2012

OHIO TURNPIKE COMMISSION

Resolution Expressing Appreciation of David O. Regula

WHEREAS, David O. Regula was appointed as a member of the Ohio Turnpike Commission by Governor Bob Taft on March 5, 2004; and

WHEREAS, during his seven-year tenure as a member of the Commission, he was elected Vice-Chairman on August 15, 2005, re-appointed by Bob Taft to an additional eight-year term on July 15, 2005, and held that position until he tendered his resignation effective May 26, 2011; and

WHEREAS, Vice-Chairman David O. Regula served with distinction as a member of the Commission, and actively contributed to the Commission's purposes and objectives through his thorough consideration of the matters coming before the Commission as well as the astuteness and knowledge which he employed in making and expressing judgments with respect to vital areas relating to the maintenance and operation of the Ohio Turnpike; and

WHEREAS, Vice-Chairman David O. Regula was instrumental in enabling the Ohio Turnpike Commission to diligently continue its current capital improvement program, ensuring that the Commission received the best pricing for the purchase and disposal of heavy equipment, and emphasizing the importance of providing excellent customer service to Ohio Turnpike customers; and

WHEREAS, David O. Regula has been and continues to be one of the premier and distinguished business and civic leaders in the State of Ohio, having admirably served his community and the State of Ohio in several capacities; 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 David O. Regula as Vice-Chairman of this Commission.

NOW, THEREFORE, BE IT

RESOLVED that the Ohio Turnpike Commission hereby acknowledges and expresses its gratitude to David O. Regula for his seven 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 which he rendered; and

FURTHER RESOLVED that the Commission extends to David O. Regula and his family its best wishes for his success and well-being in all matters and activities which he shall undertake in the future; and

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

(Resolution No. 7-2012 adopted February 27, 2012)

Chairman: Thank you. We will move on to the report of the Chief Engineer, Mr. Castrigano.

Chief Engineer: Thank you, Mr. Chairman. I have five Resolutions for the Commission's consideration this morning. The first is awarding Invitation No. 4177 for applying retro-reflective pavement markings on the Ohio Turnpike's mainline and interchange ramps. This project was on our 2012 Operating Budget. We received three bids in response to the Invitation. The lowest bid was submitted by Aero-Mark, Inc. of Streetsboro, Ohio in the amount of \$661,000. The total amount bid is below the Engineer's Estimate for this project, and this company has performed work of this nature satisfactory for the Commission in the past. Would the General Counsel please read the Resolved.

General Counsel: RESOLVED, that the bid of Aero-Mark, Inc. of Streetsboro, Ohio in the total amount of \$661,000.00 under Invitation No. 4177 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Executive Director and General Counsel, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said Contract.

Chairman: Any discussion. Is there a Motion.

Mr. Pakush: Move to adopt.

Chairman: I'll second that. We have a Motion and Second. Any further discussion?

Hearing none, call the roll, please.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman: Yes.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Four to nothing.

RESOLUTION NO. 8-2012

OHIO TURNPIKE COMMISSION

**Resolution Awarding a Contract to Furnish and Apply
Retro-Reflective Pavement Markings on the Ohio Turnpike's
Mainline Roadway and Interchange Ramps**

WHEREAS, the Commission duly advertised according to law for bids under **Invitation No. 4177** for furnishing and applying retro-reflective pavement markings on the Ohio Turnpike's mainline roadway and interchange ramps located in Williams, Fulton, Lucas, Wood, Ottawa, Sandusky, Erie, Lorain, Cuyahoga, Summit, Portage, Trumbull and Mahoning Counties, Ohio (*Milepost 0.0 to Milepost 241.2*); and

WHEREAS, expenditures for the Contract to be awarded 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 said Contract; and

WHEREAS, on February 3, 2012, the Commission received three (3) bids in response to said Invitation, and said bids were reviewed and analyzed by the Commission's Maintenance Engineer, whose report concerning said analysis is before the Commission; and

WHEREAS, the Maintenance Engineer reports that the lowest responsive and responsible bid for the performance of the work under Invitation No. 4177 was submitted by **Aero-Mark, Inc. of Streetsboro, Ohio** in the total amount of **\$661,000.00**, which bid is below the Commission's estimated expenditure for this Contract; and

WHEREAS, the Maintenance Engineer further reports that Aero-mark, Inc. has performed satisfactory work of this kind for the Commission in the past, and he, therefore, recommends that this bid be accepted by the Commission; and

WHEREAS, the Commission has been advised by the General Counsel that bids for Invitation No. 4177 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Aero-Mark, Inc. for Invitation No. 4177 conforms to the requirements of Ohio Revised Code Sections 5537.07, Section 9.312 and Section 153.54, and that a bid guaranty and performance bond of good and sufficient surety has been submitted by Aero-Mark, Inc.; and

WHEREAS, the Commission's Executive Director has reviewed the reports of the Maintenance Engineer and the General Counsel and, predicated upon such analysis, has made his recommendation to the Commission that the Contract for Invitation No. 4177 be awarded to the lowest responsive and responsible bidder, Aero-Mark, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, that the bid of **Aero-Mark, Inc. of Streetsboro, Ohio** in the total amount of **\$661,000.00** under Invitation No. 4177 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Executive Director and General Counsel, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said Contract.

(Resolution No. 8-2012 adopted February 27, 2012)

Chief Engineer: Thank you. The second Resolution is awarding Contract No. 39-12-01. This is a continuation of our base replacement program. This is a two part contract: Part A was resurfacing of the mainline roadway from Milepost 101.2 to 109.2 located in Sandusky and Erie Counties. Part B of the contract is for the replacement of the concrete pavement of the

eastbound roadway from milepost 95.9 to 101.2 also located in Erie and Sandusky Counties. This project is on our 2012 Capital Improvement budget. The bid contained alternate bids for shoulder, base pavement and shoulder aggregate. We received three bids in response to the contract. The low bid was submitted by Kokosing Construction Co. of Columbus, Ohio, in the total base bid amount of \$15,061,269.70. This bid does include a temporary proposed temporary access credit of \$715,000.00. The total amount bid is below the Engineer's Estimate for this project, and this contractor has performed satisfactorily in the past for the Commission. The Resolution also contains a provision to assign Resource International, Inc. of Cleveland, Ohio to the project for performing construction administrative services and TTL Associates, Inc. of Toledo, Ohio for the purposes of performing materials testing services. General Counsel please read the Resolved.

General Counsel: RESOLVED that the bid of **Kokosing Construction Co. of Columbus, Ohio**, in the amount of **\$14,346,269.70** for the performance of **Contract No. 39-12-01** is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign Resource International, Inc. of Cleveland, Ohio to Contract No. 39-12-01 for the purpose of performing construction administration services in accordance with the Agreement specific to this Project as previously authorized under Resolution No. 35-2011, and to assign TTL Associates, Inc. of Toledo, Ohio for the purpose of performing materials testing and inspection, with such assignment in accordance with the 2011-2012 Miscellaneous Engineering Services Agreement between the Ohio Turnpike Commission and said engineering firm; and

FURTHER RESOLVED that Project No. 39-12-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

Chairman: Is there a Motion?

Mr. Pakush: Move to adopt.

Chairman: I'll second. Is there any discussion questions? Senator Patton.

Senator Patton: I'm not familiar with this proposed temporary access credit. May I have him explain what that is?

Chief Engineer: The contractor, if he so desires, can negotiate with property owners somewhere within the limits of the project – meaning from milepost 95.9 to 101.2 – to access the project from the outside owner's property directly into the project. That not only saves him quite a bit of money and time in removing existing pavement, but also bringing materials into the project. It also benefits the Commission by keeping the construction traffic off the mainline roadway.

Mr. Patton: Thank you.

Chairman: This has been the Commission's practice before?

Chief Engineer: Mr. Chairman, we did the same thing last year on the base replacement project, and we accepted the credit on that project also.

Chairman: It was successful and helped expedite the project?

Chief Engineer: Yes.

Chairman: Anything further, Senator? Mr. Balog?

Vice Chairman Balog: The alternate B recycle material – it's more expensive to use recycled material than it was to use virgin materials, is that correct?

Chief Engineer: Yes, Mr. Chairman and Vice Chairman Balog. We have concrete pavement coming off the roadway and looked at the possibility of reusing it by crushing it, bring it back and use it for aggregate base in the project. However, the cost of bringing the portable crushing plant out to the project, setting it up, crushing the material to get it to the proper gradation, outweighed the benefits of them bringing in virgin material.

Vice Chairman Balog: I assume what the problem is short term use; bringing in temporary plants, setting up, and using it for this project. Would there be any benefit to a long term location for a crusher someplace along the Turnpike?

Chief Engineer: We could look into that Vice Chairman Balog. I don't know if the amount of material would make it economical for a contractor to do that. We would have to store that material for several projects and/or years. The way we are approaching the base replacement program is that we are not necessarily going by geographic locations to replace the pavement, but by worst case areas. For example, I will be bringing a Resolution to the Commission next month to award a section in Cuyahoga County, which makes these projects approximately eighty miles apart.

Vice Chairman Balog: We are not working in one area – we are jumping around from location to location picking the worst spots first.

Chairman: I was smiling when Mr. Balog made that suggestion. It's a good suggestion and has been used in the past. If you recall when they widened the Turnpike right at S.R. 21 and I-80, they put in a crushing plant. There were at least 25 to 30 public meetings, three lawsuits and a variety of things that took place. We'll have a 'not in my backyard' issue if we go to put up a temporary or permanent crushing plant along the Turnpike. Anything further, any other questions? Yes, Mr. Dixon.

Mr. Dixon: Fifteen millions dollars....what is the minority participation?

Chief Engineer: Chairman and Mr. Dixon, our construction administrator on this project, Resource International, is a minority firm.

Mr. Dixon: Minority...what kind?

General Counsel: It's female. Mr. Chairman and Mr. Dixon, on the subcontractors list, I will get you a list of any potential contractors that would be MBE's on that.

Mr. Dixon: I haven't raised the topic lately and I don't want to get on a soapbox. We were making some great progress in the past, and I want us to continue the progress in that area and try to change the culture where we don't have to ask questions like that.

General Counsel: Commissioner Dixon, I do have a report for the final year-end figures with respect to MBE participation, and I will make sure you get a copy of it.

Mr. Dixon: Thank you, Mr. Chairman.

Chairman: Your welcome, Mr. Dixon. Any other questions or comments? Hearing none, roll call.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman-Hruby: Yes.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Four to nothing.

RESOLUTION NO. 9-2012

OHIO TURNPIKE COMMISSION

Resolution Awarding Contract No. 39-12-01

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Eastbound and Westbound Left Lane Resurfacing from Milepost 101.2 to Milepost 109.2 located in Sandusky and Erie Counties (PART A), and Eastbound Right Two (2) Lanes and Shoulder Reconstruction from Milepost 95.9 to Milepost 101.2 located in Sandusky County, Ohio (PART B), herein designated **Contract No. 39-12-01**; and

WHEREAS, the Contract Documents for the Project also requested alternate bids for shoulder base pavement and shoulder aggregate for PART B; and

WHEREAS, expenditures for the award to be made under Contract No. 39-12-01 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 said Contract award; and

WHEREAS, the Commission received three (3) bids for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission's Deputy Executive Director/Chief Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Deputy Executive Director/Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 39-12-01 was submitted by **Kokosing Construction Co. of Columbus, Ohio**, in the total amount of **\$14,346,269.70 (Total Base Bid of \$15,061,269.70 less a \$715,000.00 proposed temporary access credit)**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the General Counsel that bids for Contract No. 39-12-01 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Kokosing Construction Co. for Contract No. 39-12-01 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by Kokosing Construction Co.; and

WHEREAS, the Commission's Executive Director has reviewed the reports of the Deputy Executive Director/Chief Engineer and the General Counsel and, predicated upon such analysis, has made his recommendation to the Commission to award Contract No. 39-12-01 to the lowest responsive and responsible bidder, Kokosing Construction Co.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Kokosing Construction Co. of Columbus, Ohio**, in the amount of **\$14,346,269.70** for the performance of Contract No. 39-12-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **Resource International, Inc. of Cleveland, Ohio** to Contract No. 39-12-01 for the purpose of performing construction administration services in accordance with the Agreement specific to this Project as previously authorized under Resolution No. 35-2011, and to assign **TTL Associates, Inc. of Toledo, Ohio** for the purpose of performing materials testing and inspection, with such assignment in accordance with the 2011-2012 Miscellaneous Engineering Services Agreement between the Ohio Turnpike Commission and said engineering firm; and

FURTHER RESOLVED that Project No. 39-12-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

(Resolution No. 9-2012 adopted February 27, 2012)

Chief Engineer: The next Resolution is awarding Contract No. 43-12-02 for the replacement of the bridge deck of the Gulf Road bridge structure over the Ohio Turnpike at Milepost 146.4 in Lorain County. This project is also on our 2012 CIP budget. We received three bids in response to the Invitation. The lowest responsive and responsible bid was submitted by Terrace Construction, Inc. of Cleveland, Ohio, in the amount of \$1,228,507.05. The total amount bid is below the Engineer's Estimate; however, this contractor has not worked with the Commission in the past. We did check some of their references, including ODOT District 12, with favorable results, therefore we are recommending award to this contractor. This Resolution also includes provisions to assign Arcadis U.S., Inc., of Cleveland, Ohio to the project for performing construction inspection, and Geo-Sci Inc., of Berea, Ohio for performing materials testing and inspection. If the General Counsel would please read the Resolved.

General Counsel: **RESOLVED** that the bid of Terrace Construction, Inc. of Cleveland, Ohio, in the amount of \$1,228,507.05 for the performance of Contract No. 43-12-02 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign Arcadis U.S., Inc., of Cleveland, Ohio to Contract No. 43-12-02 for the purpose of performing construction inspection services in accordance with the Agreement specific to this project, and to assign Geo-Sci Inc., of Berea, Ohio to Contract No. 43-12-02 for the purpose of performing material testing and inspection, with such assignments in accordance with the 2011-2012 Miscellaneous Engineering Services Agreement between the Ohio Turnpike Commission and Geo-Sci Inc.; and

FURTHER RESOLVED that Project No. 43-12-02 is designated a System Project under the Commission's 1994 Master Trust Agreement.

Chairman: Is there a Motion.

Mr. Pakush: Move to adopt.

Chairman: I'll second that. We have a Motion and Second. Any discussion?

I do. Dan, on the construction inspection and the testing, I noticed different companies each time almost, is there a list of contractors that we use, and are they selected based upon interviews? How do you select those companies?

Chief Engineer: For this Resolution and the previous Resolution for the construction and inspection services, we issued RFP's (Requests for Proposals) specific for these projects to do the design work on those, which is very similar to the procedure that ODOT uses. In addition to that, we do assign to firms based on a Biennial RFQ (Request for Qualifications) that we publish. Any firm is invited to respond to the RFQ, and to respond to the various categories. We have ten categories of services that they respond to ranging from environmental work, testing, inspection and design services. Based on those responses, their qualifications and

technical expertise and their geographic location to the projects, we then assign work based on that if it is not in relation to a specific RFQ.

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

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman-Hruby: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Four to nothing.

RESOLUTION NO. 10-2012

OHIO TURNPIKE COMMISSION

Resolution Awarding Contract No. 43-12-02

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Deck Replacement of the Gulf Road Bridge over the Turnpike at Milepost 146.4 located in Lorain County, Ohio, herein designated **Contract No. 43-12-02**; and

WHEREAS, expenditures for the award to be made under Contract No. 43-12-02 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 said Contract award; and

WHEREAS, the Commission received three (3) bids for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission's Deputy Executive Director/Chief Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Deputy Executive Director/Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 43-12-02 was submitted by

Terrace Construction, Inc. of Cleveland, Ohio, in the amount of **\$1,228,507.05**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the General Counsel that bids for Contract No. 43-12-02 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Terrace Construction, Inc. for Contract No. 43-12-02 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by Terrace Construction, Inc.; and

WHEREAS, the Executive Director has reviewed the reports of the Deputy Executive Director/Chief Engineer and the General Counsel and, predicated upon such analysis, concurs with the recommendation to award Contract No. 43-12-02 to the lowest responsive and responsible bidder, Terrace Construction, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Terrace Construction, Inc. of Cleveland, Ohio**, in the amount of **\$1,228,507.05** for the performance of Contract No. 43-12-02 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director,

or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **Arcadis U.S., Inc., of Cleveland, Ohio** to Contract No. 43-12-02 for the purpose of performing construction inspection services in accordance with the Agreement specific to this project, and to assign **Geo-Sci Inc., of Berea, Ohio** to Contract No. 43-12-02 for the purpose of performing material testing and inspection, with such assignments in accordance with the 2011-2012 Miscellaneous Engineering Services Agreement between the Ohio Turnpike Commission and Geo-Sci Inc.; and

FURTHER RESOLVED that Project No. 43-12-02 is designated a System Project under the Commission's 1994 Master Trust Agreement.

(Resolution No. 10-2012 adopted February 27, 2012)

Chief Engineer: Thank you. The fourth Resolution I have this morning is a Resolution awarding Contract No. 53-12-01. This is for the demolition and underground storage tank closure of Oak Openings and Fallen Timbers Service Plaza at Milepost 49 in Lucas County.

This project is also on our 2012 Capital Budget. The Commission may recall that last year it authorized us to close the Fallen Timbers/Oak Openings Service Plazas on December 1, 2011. This was our last set of original service plazas on the Turnpike. We received four bids in response to this work. The lowest bid was submitted by Miller Brothers Construction Company of Archbold, Ohio in the total amount of \$2,948,741.00. This bid was within one percent of the estimated cost for this project. Furthermore, the contractor has performed satisfactory work of this nature for the Commission in the past. This Resolution also includes a provision to assign Hull & Associates, Inc. of Toledo, Ohio to the project for the purposes of performing testing and inspection services. If the General Counsel would please read the Resolved.

General Counsel: **RESOLVED** that the bid of Miller Bros. Construction, Inc. of Archbold, Ohio, in the amount of \$2,948,741.00 for the performance of Contract No. 53-12-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign Hull & Associates, Inc., of Toledo, Ohio to Contract No. 53-12-01 for the purpose of performing testing and inspection services, in accordance with the existing Agreement between the Ohio Turnpike Commission and Hull & Associates, Inc. for professional consulting services that include Environmental Investigation, Reporting and Remediation Project Management Services at the Oak Openings and Fallen Timbers Service Plazas; and

FURTHER RESOLVED that Project No. 53-12-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

Chairman: I'll move the Resolution be adopted. Is there a second?

Vice Chairman Balog: I'll second.

Chairman: Discussions? Hearing none, roll call.

Secretary-Treasurer: Chairman Hruby.

Chairman: Yes.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Four to nothing.

RESOLUTION 11-2012

OHIO TURNPIKE COMMISSION

Resolution Awarding Contract No. 53-12-01

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Demolition and Underground Storage Tank (“UST”) Closure of Oak Openings and Fallen Timbers Service Plazas at Milepost 49.0 located in Lucas County, Ohio, herein designated **Contract No. 53-12-01**; and

WHEREAS, expenditures for the award to be made under Contract No. 53-12-01 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 said Contract award; and

WHEREAS, the Commission received four (4) bids for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission’s Deputy Executive Director/Chief Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Deputy Executive Director/Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 53-12-01 was submitted by **Miller Bros. Construction, Inc. (“Miller Bros.”)** of **Archbold, Ohio**, in the amount of **\$2,948,741.00**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the General Counsel that bids for Contract No. 53-12-01 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Miller Bros. for Contract No. 53-12-01 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by Miller Bros.; and

WHEREAS, the Executive Director has reviewed the reports of the Deputy Executive Director/Chief Engineer and the General Counsel and, predicated upon such analysis, concurs with the recommendation to award Contract No. 53-12-01 to the lowest responsive and responsible bidder, Miller Bros. Construction, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Miller Bros. Construction, Inc.** of **Archbold, Ohio**, in the amount of **\$2,948,741.00** for the performance of Contract No. 53-12-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **Hull & Associates, Inc.**, of **Toledo, Ohio** to Contract No. 53-12-01 for the purpose of performing testing and inspection services, in accordance with the existing Agreement between the Ohio Turnpike Commission and Hull & Associates, Inc. for professional consulting services that include Environmental Investigation, Reporting and Remediation Project Management Services at the Oak Openings and Fallen Timbers Service Plazas; and

FURTHER RESOLVED that Project No. 53-12-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

(Resolution No. 11-2012 adopted February 27, 2012)

Chief Engineer: Thank you. The final Resolution this morning is a Resolution awarding Contract No. 59-12-03. This is for resurfacing of the mainline roadway from Milepost 118.8 to Milepost 127.2 located in Erie County. This project is on the 2012 Capital Improvement Budget. We received two bids in response to this Invitation. The low bid was submitted by Gerken Paving, Inc. of Napoleon, Ohio in the amount of \$9,838,741.09. The total amount bid is within one percent of the Engineer's Estimate for this project, and this contract has performed satisfactory work in the past for the Commission. The Resolution also includes

provisions to assign GPD Group of Akron, Ohio to the project to perform construction inspection and PSI, Inc. of Cleveland, Ohio for the purposes to perform materials testing. Will the General Counsel please read the Resolved.

General Counsel: **RESOLVED** that the bid of Gerken Paving, Inc. of Napoleon, Ohio, in the amount of \$9,838,741.09 for the performance of Contract No. 59-12-03 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign GPD Group, of Akron, Ohio to Contract No. 59-12-03 for the purpose of performing construction inspection, and PSI (Professional Services Industries) Inc., of Cleveland, Ohio for the purpose of performing material testing and inspection, with such assignments in accordance with the 2011-2012 Miscellaneous Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

FURTHER RESOLVED that Project No. 59-12-03 is designated a System Project under the Commission's 1994 Master Trust Agreement.

Chairman: What's the pleasure of the Commission?

Mr. Pakush: Motion to adopt.

Chairman: Seconded. Any discussion, questions? Mr. Pakush.

Mr. Pakush: Mr. Chairman, I noticed that there were two bids submitted, but I didn't see the bids compared to the Engineer's Estimate in the packet.

Chief Engineer: Chairman and Commission Member Pakush, I do know that the total amount bid was within the one percent of the Engineer's Estimate. I have written here in my notes that the Engineer's Estimate on this project was \$9,750,000.00 putting it within one percent.

Mr. Pakush: I was looking for the second bidder amount.

Chief Engineer: That is on the bid tab here, Mr. Pakush. It's \$10,273,761.09.

Mr. Pakush: Thank you.

Chairman: Any other questions? If nothing further, roll call.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Four to nothing.

RESOLUTION NO. 12-2012

OHIO TURNPIKE COMMISSION

Resolution Awarding Contract No. 59-12-03

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Repairs and Resurfacing, Eastbound and Westbound Roadways, from Milepost 118.8 to Milepost 127.23 located in Erie County, Ohio, herein designated **Contract No. 59-12-03**; and

WHEREAS, expenditures for the award to be made under Contract No. 59-12-03 will exceed \$150,000.00 and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for said Contract award; and

WHEREAS, the Commission received two (2) bids for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission's Deputy Executive Director/Chief Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Deputy Executive Director/Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 59-12-03 was submitted by **Gerken Paving, Inc. of Napoleon, Ohio**, in the amount of **\$9,838,741.09**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the General Counsel that bids for Contract No. 59-12-03 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Gerken Paving, Inc. for Contract No. 59-12-03 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by Gerken Paving, Inc.; and

WHEREAS, the Executive Director has reviewed the reports of the Deputy Executive Director/Chief Engineer and the General Counsel and, predicated upon such analysis, concurs with the recommendation to award Contract No. 59-12-03 to the lowest responsive and responsible bidder, Gerken Paving, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Gerken Paving, Inc. of Napoleon, Ohio**, in the amount of **\$9,838,741.09** for the performance of Contract No. 59-12-03 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **GPD Group, of Akron, Ohio** to Contract No. 59-12-03 for the purpose of performing construction inspection, and **PSI (Professional Services Industries) Inc., of Cleveland, Ohio** for the purpose of performing material testing and inspection, with such assignments in accordance with the 2011-2012 Miscellaneous Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

FURTHER RESOLVED that Project No. 59-12-03 is designated a System Project under the Commission's 1994 Master Trust Agreement.

(Resolution No. 12-2012 adopted February 27, 2012)

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

Chairman: Thanks, Dan. We'll move on to the CFO/Comptroller, Martin.

CFO: Thank you, Mr. Chairman. I have a brief update on 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 in January increased .6% from January of last year. Traffic was expected to decrease because of the toll increase in January 1, but it appears that the mild winter weather this year versus the many snow days we had last year, more than offset the effect of the toll increase. Commercial traffic continues to rebound with the improving economy and as a result commercial vehicle miles traveled increased in January and were 2.1% higher than last year. This chart shows the total vehicle miles traveled for the month of January during each year over the past decade. Total vehicle miles traveled for January were 1.1% above the amount from last year.

This chart shows the monthly passenger car toll revenue generated on the Ohio Turnpike over the last two years. The toll rate increase that went into effect on January 1, combined with a slight increase in passenger car miles traveled, caused the passenger car toll revenue in January to increase 8.8% from January of last year. This chart shows the monthly commercial vehicle toll revenue generated over the past two years. The toll rate increase combined with the increase in vehicle miles traveled caused commercial vehicle toll revenue for the month of January to increase 11% from January of last year. This chart shows toll revenues for the month of January during each year over the past decade. Total toll revenues for January were \$1,582,000.00 or, 10.1% above the amount from last year. That completes my report, Mr. Chairman.

Chairman: Thank you. Any questions for the CFO? Hearing none, we are going to move the General Counsel's place on the agenda until the end for Executive Session purposes. We will move on to the reports of our financial advisors.

Mr. Erickson: No report, Mr. Chairman.

Chairman: Thank you, Eric. Our general consultant, Scott?

Mr. Buchanan: No report, Mr. Chairman.

Chairman: Our trustee from Huntington, Mr. Lamb?

Mr. Lamb: No report, Mr. Chairman.

Chairman: Do you have a report, Captain?

Capt. Zurcher: No report, Mr. Chairman.

Chairman: Captain, I saw in the media recently a new sign about drugs. Are those being erected along the turnpike?

Capt. Zurcher: Yes, they are. They were approved by the Director approximately one month ago.

Chairman: That's a good idea. They'll be at the toll plazas, or just along the roadway?

Capt. Zurcher: At the state lines, the far east and west gates.

Chairman: Very good. Thank you again for your continued work. I heard of the exceptional work you did in the investigation of the tragic incident that took place on the turnpike. I heard the Patrol did outstanding job in dealing with all of the various issues, including dealing with the family, and I appreciate that very much on behalf of the Commission.

Mr. Pakush: Ready for a Motion.

General Counsel: If we have no further business.

Chairman: We have no further business.

Mr. Pakush: I would like to Move that we hold an Executive Session to discuss litigation matters under the provisions of Ohio Revised Code, § 121.22(G)(1). At the end of this Executive Session, the Commission shall resume its open meeting.

Chairman: Will there be any further action taken as a result.

General Counsel: No.

Chairman: Just to let everyone know that in case you would like to leave. You may stay and wait until we resume and adjourn the meeting. We will have a Motion now to go to Executive Session. The next meeting will be on Monday, March 19, 2012 at 10:00 a.m. Do we have a Motion for Executive Session?

Mr. Pakush: Motion.

Chairman: Seconded, roll call.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman: Yes.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Four to nothing.

Chairman: Okay. We are in Executive Session. Again, you are welcome to stay, but there will be no further action taken by the Commission. (Meeting recessed at 10:40 a.m.)

Chairman: Motion to reconvene Commission Meeting, is there a second?

Mr. Pakush: Second.

Chairman: All in favor, "aye".

All members vote "aye".

Chairman: Anyone opposed, no.

Mr. Pakush: Move to adjourn, Mr. Chairman.

Chairman: Second. All in favor, "aye".

All members vote "aye".

Chairman: We are adjourned.

Time of adjournment: 11:21 a.m.

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

Richard Hodges, Secretary-Treasurer