

**MINUTES OF THE 694th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
FEBRUARY 28, 2022**

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

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

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

Assistant Secretary-Treasurer: Chairman Hruby

Chairman, Jerry Hruby: Here

Assistant Secretary-Treasurer: Vice Chairman Paradiso

Vice Chairman, Timothy Paradiso: Here

Assistant Secretary-Treasurer: Secretary-Treasurer Barber

Secretary-Treasurer, Sandra Barber: Here

Assistant Secretary Treasurer: Mr. Coviello

Commissioner Guy Coviello: Here

Assistant Secretary-Treasurer: 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 Ghanbari

Representative Haraz N. Ghanbari: Here

Chairman: We have a quorum. This is the 694th Meeting of the Ohio Turnpike and Infrastructure Commission. We are here today at the Commission's Administration Building.

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

May I have a motion to adopt the Minutes of the January 24, 2022, Commission Meeting? Any corrections, additions, or questions regarding the Minutes? Hearing none, please call the roll.

MOTION: A motion to adopt the Minutes of the January 24, 2022, Commission Meeting was made by Mr. Pakush, seconded by Vice Chairman Paradiso and approved by all Commission Members present.

Chairman: The January 24, 2022, Commission Meeting Minutes are adopted. We will move on with the report of the Secretary-Treasurer, Mrs. Barber.

Secretary-Treasurer: The following items have been provided to the Members since the last scheduled meeting of the Commission on January 24, 2022:

1. Eight (8) Resolutions;
2. Draft Minutes of the January 24, 2022, Commission Meeting; and
3. Agenda for today's meeting.

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

1. Traffic Crash Summary Report, January 2022;
2. Traffic and Revenue Report, January 2022;
3. Total Revenue by Month and Year, January 2022;
4. Investment Report, January 2022; and
5. Financial Statement, January 2022.

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

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

I would like to begin my report with a welcome to Jennifer Walsh with IBTTA.

Next, a thank you to Joe Mannion and Jennifer Diaz for stepping up to contact all the customers that were involved with the snow-plow incident on January 23rd. Their professionalism and empathy to manage the claims has been excellent. We are working closely with our insurance company to take care of the customers who were affected and since that incident we have had some challenging winter storms. I want to take this opportunity to thank everyone in our Maintenance Department who have worked tirelessly to keep the 241 miles clean and safe. I

remind everyone again of our snow and ice metrics - restore the road to wet conditions within one hour of the end of an event. Our measurement is to be able to do that 99.5% of the time. Our last measurement had us at 99.7%. This is the true indicator of the professionalism and expertise of our maintenance team.

In our Service Plaza Operations AVI Food Systems' new construction is nearing completion at the Portage and Brady's Leap plazas. Restaurant openings will be in phases to allow for training and final inspection requirements. First to open on March 1st will be "Dunkin" at the Portage plaza and then at the Brady's Leap plaza. Subsequent phases will see the opening of "Freshens Fresh Food Kitchen", "Jimmy John's" and then "Wendy's", which is set to open by June. As you can see, our service plaza team has worked diligently with our concessionaires to bring name brand food concepts to our customers, many of whom look at our service plazas as destination stops during their travels.

I would like to share a quick update from the toll collection system Factory Acceptance Testing (FAT) that took place Feb 9-10, at TP49. Testing took place to demonstrate and verify that all functional elements, components, and performance of the major TCS subsystems operated in conformance with the TCS design specifications. Engineering, technology and toll plaza teams have been instrumental in ensuring that testing of the new system is on track for us to be able to switch to our new toll collection system when the time comes.

On Friday, February 11, 2022, OTIC leadership came together for the first quarter 2022 Retreat to continue to discuss and work on succession planning, enterprise objectives and key results along with a discussion related to how we can improve the quality of work life of teammates across the turnpike.

Next, I would like to congratulate and wish our retirees success on their next leg of their journey.

In the Toll Operations Department:

- Dennis Billups retired Jan 21st;
- Paul Heinbaugh and Arletta Webber retired Jan 22nd;
- Carrole Muska on Jan 30th;
- Doreen Lucas and Daniel Bezilla on Jan 31st;
- Deborah Rummel retired Feb 3rd; and
- Gary Govern retired Feb 10th.

In the Maintenance Department:

- David Dieringer retired on Jan 10th;
- Toby Fall retired on Jan 31st;
- Jeffrey Conn retired on Feb 4th; and
- Rex Underwood will retire today and he is here in the audience today. Rex, would you mind standing up please. Rex is the Superintendent in the Eastern Division and for everyone in the audience what that means is that

he is the head of the maintenance for half of the Turnpike. Simply, Rex is a natural born leader and an amazing human being. Thank you for everything that you have done for us.

Now, I would like to extend a warm welcome to a few new team members: Tony DeChoudens in Safety Services, Matthew Allen in Toll Audit, Dan Oslin in Technology, and Anne Powell in the Engineering Department as the Construction Engineer. Tony is a former State Trooper with experience on the Turnpike. Anne brings more than 30 years' construction management experience, including a role as the head of construction in ODOT District 4. Welcome to all of you and I wish you success in your journey with the Ohio Turnpike.

At the Hiram Maintenance Building, we would like to welcome Jeffrey Speck and Steven Jewell as maintenance workers.

Now, I would like to congratulate a few team members who have received recent Promotions: In the Toll Operations Department Jackie Miller was promoted to Toll Plaza Supervisor. In the Technology Department, Wanda Farley was promoted to Helpdesk Specialist II. In Maintenance, David Robinson was promoted to Assistant Section Foreman at Hiram Maintenance Building. In Contracts, Stacey Verespe was promoted to Equity and Inclusion Contracts Coordinator.

Finally, I wish to share some sad news. I think I have had the shortest tenure of anybody here at the Turnpike as the Acting Chief Engineer. I am pleased to announce that Chris Matta is our new Chief Engineer. He is a graduate of Youngstown State University, a Civil Engineer and a Registered Professional Engineer in Ohio. Chris started his career with OTIC in 2000 and has had various positions in the Engineering Department. Since 2017, he has served as Director of Field Operations, as well as the Deputy Chief Engineer. Prior to OTIC, he worked in the private sector, as well as for the State of North Carolina. I am looking forward to Chris' leadership as he works with a great team in Engineering to manage our substantial capital program and infrastructure. Please join me in congratulating Chris and wishing him well.

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

Chairman: Thank you. Any questions or comments? On behalf of the Commission, I want to tell our retirees, thank you very much for your service, we appreciate it very much. We know that our employees are the backbone of this organization. Our new hires, welcome. You are coming to a wonderful organization. There is a lot of team playing going on, a lot of work together attitude and we hope that continues and that you will be part of that and consider yourself a part of the Turnpike family rather than just a job.

We will now move on to the report of the new Chief Engineer, Chris Matta.

Chief Engineer: Good morning, Mr. Chairman and Commission Members. I have seven resolutions for your consideration this morning. However, prior to the resolutions, I would like to provide an update on a previous resolution.

On February 24, 2020, the Commission adopted Resolution 11-2020, authorizing the Commission 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 15 replacement snow and ice trucks. The OEPA offered 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. In accordance with the DMTF grant agreement, the Commission has received and placed in service the 15-replacement snow and ice trucks, permanently scrapped the old engines and chassis, and has received final acceptance of closing paperwork and final payment from the OEPA. All 15 replacement trucks are currently in service in the Castalia, Amherst, Boston, Hiram, and Canfield maintenance sections. These trucks are used for pre-treating bridges and pavement, snow plowing, and other roadway operations. The total received of \$375,000 for the grant program consists of a check for \$323,164.86 received from the OEPA and \$51,835.14 received from the scrap value of the old trucks. This is approximately 10.7% of the replacement costs of the trucks, or another way to look at is that the program paid for more than one and a half of the trucks. (\$234,000 per truck) Additionally, I would like to recognize our Maintenance Operations Engineer, Bryan Emery and our Fleet and Equipment Maintenance Coordinator, Tibi Jovica, who were responsible for this program from the initial research through the final paperwork.

My first Resolution for your consideration seeks the Commission’s authorization to modify the contract with Suburban Maintenance and Construction, Inc. (SMCI) for Project No. 43-18-05 for the repairs and rehabilitation of the Ramp Bridge at Milepost 218.7 and the Replacement of the Mainline Bridges over Mill Creek Bikeway at Milepost 223.0 in Mahoning County, Ohio. The Commission, under Resolution No. 34-2018 adopted June 18, 2018, approved a construction contract with SMCI in the amount of \$6,284,083.20 to perform the work for Project No. 43-18-05. We have two change orders for work previously performed on this project that require the Commission’s approval. It is requested that Change Order 16 be approved to increase the value with an additional amount of \$733,643.69, which represents an approximately 11.7% increase to the original contract value. The work associated with this Change Order was necessary to maintain the integrity of the eastbound pavement, principally the inside and outside shoulders which were used to maintain traffic during Phase 2 of the project. The shoulders were discussed during the design of the project (in 2017) and the existing as-built project information indicated the shoulders should have been able to hold up during the bidirectional traffic pattern. However, the shoulders were failing and needed to be replaced, for about two and a half miles, to maintain the single lane traffic in each direction. The contractor was asked to provide pricing to perform the replacement of the eastbound inside and outside shoulders. Engineering staff evaluated the pricing submitted by SMCI and found it to be reasonable when compared to bid items of a similar scope and quantity. Additionally, it is requested that Change Order 18 be approved to increase the value with an additional amount of \$904,739.07, which represents a 14.4% increase to the original contract value. This project was originally contracted to be a two-year project, but during the second year (2019) a slope failure near the project caused a conflict with the maintenance of traffic scheme required to be implemented to complete the work. As a result, the bridge project was suspended while the slope failure was addressed. The emergency slope failure project was completed under a separate contract authorized by Commission Resolution 46-2019 in October of 2019. The work on Project 43-18-05 resumed in 2020. Change Order 18 is necessary to compensate SMCI for demobilizing, remobilizing, extending the duration of maintenance of traffic, etc., as well as

extending the work into the next calendar year. The costs submitted by the contractor were reviewed by Engineering staff for accuracy and found to be reasonable. The work associated with these two change orders will add \$1,638,382.76 to the contract with SMCI. Therefore, it is recommended that the Commission approve the modification of the contract with Suburban Maintenance and Construction, Inc. (SMCI) for Project No. 43-18-05 for the additional work and costs of the project. With your permission, may the Acting General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Ratifying and Approving Change Orders 16 and 18 of Contract with Suburban Maintenance and Construction, Inc. for Project No. 43-18-05 in the Amount of \$1,638,382.76.

Chairman: Any questions or comments?

Mr. Coviello: Chris, how did we get from not knowing it would fail to failure?

Chief Engineer: Mr. Chairman and Commission Member Coviello, like I mentioned during my write up, when we do these projects there is an initial design phase and a lot of time maybe the project will have geotechnical investigations that are done and a review of our existing as-built information and from my understanding during the original design, the existing as-builts that were provided showed a pavement thickness and age that seemed like it would hold up to the traffic over a two-year term. This is a four lane section of Turnpike and we had to reduce it down to one lane in each direction meaning heavy traffic had to go on to the shoulders, but like I said the existing as-built information showed that it should have been able to hold up. Additionally, it had to go another year as well, so that pavement aged another year and had some additional traffic on it that was not anticipated at the design and during the original bidding.

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

MOTION: A motion to adopt a *Resolution Ratifying and Approving Change Orders 16 and 18 of Contract with Suburban Maintenance and Construction, Inc. for Project No. 43-18-05 in the Amount of \$1,638,382.76* was made by Vice Chairman Paradiso, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present, with the exception of Chairman Hruby who abstained. Resolution No. 13-2022.

Chairman: The resolution passes. How many “yeas?”

Director Ahmed: We have five “yeas” and one abstention.

Chairman: Five “yeas” and one abstention. I abstained because one of the principals in Suburban was just elected to Brecksville City Council and works with on City Council, so I felt that it is important that I abstain on any matters dealing with Suburban Maintenance from this date forward. Please continue, Chris.

Chief Engineer: My second resolution for your consideration seeks the Commission’s authorization to modify the contract with J.S. Bova Excavating, LLC (JS Bova) for

Project No. 69-18-02 for erosion repairs to the drainage ditch adjacent to the westbound turnpike mainline roadway at Milepost 228.5 in Mahoning County. The Commission, under Resolution No. 48-2018 adopted August 20, 2018, approved a construction contract with JS Bova in the amount of \$278,453.22 to perform the work for Project No. 69-18-02. We have a change order for work previously performed on this project that requires the Commission's approval. The project's design specified that the drainage work was to be completed by using the existing soils to reshape the ditch, and that only in areas where significant erosion was expected to occur would receive rock channel protection. However, during reconstruction of the ditch, significant rain events occurred and despite the implemented sediment and erosion controls, the soil embankment had become susceptible to erosion and would not support the proposed regraded ditch profile. The scope of work for this Change Order included removal of the remaining unsuitable material, installing filter fabric material, and placing rock channel protection throughout the entire ditch length. The rock channel protection and filter fabric provide durability and resistance to erosion that was needed for a successful project. Unit pricing for this work was received from JS Bova and Engineering staff found the price to be reasonable based on comparably bid items from historical information. The work associated with this change order will add \$169,543.00 to the contract with JS Bova. Therefore, it is recommended that the Commission approve the modification of the contract with J.S. Bova Excavating, LLC for Project No. 69-18-02 for the additional work and costs of the project. With your permission, may the Acting General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Ratifying and Approving Change Order 1 of Contract with J.S. Bova Excavating, LLC for Project No. 69-18-02 in the Amount of \$169,543.00.

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

MOTION: A motion to adopt a *Resolution Ratifying and Approving Change Order 1 of Contract with J.S. Bova Excavating, LLC for Project No. 69-18-02 in the Amount of \$169,543.00* was made by Chairman Hruby, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 14-2022.

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

Chief Engineer: The next resolution for your consideration seeks the Commission's authorization to modify the contract with The Shelly Company-Northeast Division (Shelly) for Project No. 59-20-05 for Shoulder Repairs and Reconstruction, Eastbound and Westbound Roadways, at Milepost 235.90 to Milepost 240.82, Mahoning County, Ohio. The Commission, under Resolution No. 51-2020 adopted August 17, 2020, approved a construction contract with Shelly in the amount of \$2,824,752.85 to perform the work for Project No. 59-20-05. We have a change order for work previously performed on this project that requires the Commission's approval. As this project was being awarded in the late summer of 2020, the final design for another project, 39-20-04 was being completed which was for the pavement replacement and toll plaza work from milepost 236.5 to 241.26. The final design for that project required the removal and reconstruction of the westbound inside shoulder east and west of Toll Plaza 239 and the eastbound inside shoulder west of Toll Plaza 239. However, constructability review of the plans for that Toll Collection System project showed that there would not be sufficient time to

reconstruct the shoulders in 2021. With us having a contractor within the same limits performing similar work during the fall of 2020, the work was removed from Project No. 39-20-04 and added to Project No. 59-20-05. This decision saved time and money, and eliminated an entire Maintenance of Traffic phase for the 39-20-04 project which allowed the Commission's Toll Collection System project to remain on schedule. The scope of work for this Change Order included the reconstruction of the westbound inside shoulder, the reconstruction of portions of the eastbound inside shoulder, and the widening of portions of the eastbound shoulder. Bid unit pricing was used for two of the items in the change order and the third unit price item was carefully evaluated by the Commission's Consultant and Engineering Staff and was considered reasonable when compared to bid items of a similar scope and quantity. The work associated with this change order will add \$327,256.70 to the contract with Shelly. Therefore, it is recommended that the Commission approve the modification of the contract with The Shelly Company-Northeast Division for Project No. 59-20-05 for the additional work and costs of the project. With your permission, may the Acting General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Ratifying and Approving Change Order 01 of Contract with The Shelly Company-Northeast Division for Project No. 59-20-05 in the Amount of \$327,256.70.

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

MOTION: A motion to adopt a *Resolution Ratifying and Approving Change Order 01 of Contract with The Shelly Company-Northeast Division for Project No. 59-20-05 in the Amount of \$327,256.70* was made by Ms. Eaton Johnson, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 15-2022.

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

Chief Engineer: My fourth resolution for your consideration seeks the Commission's authorization of continuing expenditures for the contract with DGL Consulting Engineers, LLC (DGL), of Maumee, Ohio, for the 71-19-01 Bridge Deck Widening and Replacement in Fulton County, Ohio. DGL submitted the highest-ranking proposal for Project No. 71-19-01 and was authorized to perform Phase I design services under Commission Resolution No. 35-2019. DGL completed final design, the construction project was advertised as Project No. 43-22-02, and subsequently awarded to the Kokosing Construction Company last month by Resolution No. 5-2022. As requested by the Engineering Department, as part of the scope of services for Project No. 71-19-01, DGL submitted a revised fee proposal dated February 11, 2022, in the not-to-exceed amount of \$885,850.00, to perform Phase II Construction Administration and Inspection Services. The Engineering staff has reviewed DGL's proposal and finds it to be reasonable for the scope to be performed. The addition of Phase II services to the DGL contract under Project No. 71-19-01 results in the aggregate not-to-exceed amount of \$1,352,488.00. With your permission, may the Acting General Counsel please read the title of the resolution?

Acting General Counsel: Resolution Authorizing a Modification to the Contract with DGL Consulting Engineers, LLC to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-02 for a Total Aggregate Contract Amount of \$1,352,488.00.

Chairman: Any questions or comments?

Vice Chairman Paradiso: Chris, I am just looking through the resolution and didn't notice any other bids. Were there other competitive bids for this job?

Chief Engineer: Mr. Chairman and Vice Chairman Paradiso, this contract was originally advertised in 2019 and when it was advertised, we received the first thirteen letters of interest from different firms and that went through a short listing review based upon those letters of interest. Three firms were then selected to supply a proposal. Then those three proposals were reviewed and scored by our staff and the approved at a previous Commission Meeting.

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

MOTION: A motion to adopt a *Resolution Authorizing a Modification to the Contract with DGL Consulting Engineers, LLC to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-02 for a Total Aggregate Contract Amount of \$1,352,488.00* was made by Mr. Pakush, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 16-2022.

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

Chief Engineer: The next resolution for your consideration seeks the Commission's authorization to modify the Agreement for Project No. 99-18-04 with Prime AE Group (Prime), of Akron, Ohio, for the performance of General Engineering Services on a task order basis. The Commission, under Resolution No. 38-2018 adopted on June 18, 2018, awarded a contract to Prime in the not-to-exceed amount of \$600,000. The terms of the agreement state that Prime shall render all necessary services for any task order projects assigned during the two-year period even if the agreed upon completion date occurs after the second anniversary of the first assignment letter. There have been four assignments made to Prime and there has been one modification to the contract. Task 3 services were originally assigned to Prime in August of 2019 to complete the architectural design of the Toll Plaza Buildings, booths, lanes, and pedestrian bridge canopies for the new mainline toll plazas at mileposts 4, 49, 211, and the renovation of Toll Plaza 239. Since the original assignment and first modification, additional services were necessary to be performed. This included additional work for the modification of design plans for Toll Plaza 4 and Toll Plaza 211, for the bidding of the Toll Plaza 4 project, for the additional work for bidding the Toll Plaza 49 and Toll Plaza 211 projects two times, modifications to accommodate the Toll Collection System (TCS) Integrator's final toll system modifications, and design work to replace a damaged toll booth at Toll Plaza 239. On January 11, 2022, Prime submitted a fee proposal to perform the additional Task 3 services in an amount of \$332,363.78. The costs to obtain the necessary additional Task 3 Services for Project No. 99-18-04 will both increase the cost of the contract in excess of the Executive Director's contracting authority and exceed 10% of the original contract amount, therefore requiring Commission authorization of the contract modification. Therefore, we are requesting Commission authorization to amend the Agreement for Project No. 99-18-04 with PrimeAE Group, of Akron, Ohio, in the aggregate not-to-exceed amount of \$1,100,000.00. With your permission, may the Acting General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Authorizing a Modification to the Contract with Prime AE Group to Perform Additional Task 3 Services Under Project No. 99-18-04 for a Total Contract Amount of \$1,100,000.00.

Chairman: You have reviewed this and the procedure that we followed to come to the resolution and you have no problem with it?

Acting General Counsel: Yes, I have reviewed it and no I do not have a legal issue with it, Mr. Chairman.

Chairman: It meets with our Bylaws, is that correct?

Acting General Counsel: I believe so, Mr. Chairman.

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

MOTION: A motion to adopt a *Resolution Authorizing a Modification to the Contract with Prime AE Group to Perform Additional Task 3 Services Under Project No. 99-18-04 for a Total Contract Amount of \$1,100,000.00* was made by Secretary-Treasurer Barber, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 17-2022.

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

Chief Engineer: My sixth resolution for your consideration seeks the Commission's authorization to award contract No. 43-22-04, for the Bridge Deck Replacement and Rehabilitation, at the Ohio Turnpike ramp over French Creek Milepost 151.3, the Ohio Turnpike Ramp over Lorain Road Milepost 152.3, and Jennings Road over Ohio Turnpike Milepost 153.9, in Lorain and Cuyahoga Counties, Ohio. This work was included in the 2022 Capital Improvement Budget. On February 10, 2022, Procurement received three (3) bids in response to this Project. The apparent low bid was submitted by Suburban Maintenance and Construction, Inc. (SMCI), of North Royalton, Ohio, in the amount of \$3,732,600.76, which is below the Engineers Estimate. This bid was evaluated by both the design consultant, LJB, Inc., of Independence, Ohio, as well as Commission staff and was found to contain no errors or anomalies. SMCI has satisfactorily performed projects of similar scope for the Commission in the past and based on previous years' work volume and work presently under contract, it appears SMCI has sufficient capacity to perform this project. In addition, SMCI has committed to meet the 10% SBE goal as set by the Office of Equity and Inclusion. Therefore, it is recommended that the Commission award contract No. 43-22-04 to Suburban Maintenance and Construction, Inc., of North Royalton, Ohio, in the amount of \$3,732,600.76. With your permission, may the Acting General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. for Project No. 43-22-04 for the Total Amount of \$3,732,600.76.

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

MOTION: A motion to adopt a *Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. for Project No. 43-22-04 for the Total Amount of \$3,732,600.76* was made by Mr. Pakush, seconded by Vice Chairman Paradiso, and approved by all Commission Members present, with the exception of Chairman Hruby who abstained. Resolution No. 18-2022.

Chairman: The resolution passes with five “yeas” and one abstention. I abstained because one of the principals for Suburban Maintenance was recently elected to Brecksville City Council. Please continue, Chris.

Chief Engineer: My seventh and final resolution for your consideration seeks the Commission’s authorization for the purchase of five (5) replacement wheel loaders (“loaders”) under the Sourcewell Cooperative Purchasing Contract 032119-CAT. The purchase of these loaders is included in the 2022 Capital Improvement Budget to replace our existing 2009 and 2010 model year loaders. Maintenance staff has compared four similar loader manufacturer’s models, all available on the Sourcewell Cooperative Purchasing Program, against our existing 2-yard loaders and determined that the 2022 CAT 914 loader is the best equipment to replace our existing models. The CAT loaders are superior compared to the other models in terms of pricing, engine power, breakout force, hydraulic flow and cycle times, lift height and reach, and tipping load capabilities. The loaders are available under Sourcewell Cooperative Purchasing Contract 032119-CAT through Ohio CAT, of Broadview Heights, Ohio. The total cost for the five loaders will be \$668,044.42. In addition, five existing loaders shall be disposed of in accordance with the Commission’s Property Disposal Policy after the new loaders are placed into service. The expenditures by the Commission for the five (5) loaders will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws, Commission authorization of this purchase is required. With your permission, may the Acting General Counsel please read the title of the resolution?

Acting General Counsel: Resolution Authorizing the Purchase of Five (5) Wheel Loaders and Training in the Total Amount of \$668,044.42 Under the Sourcewell Cooperative Purchasing Program.

Chairman: It’s always good to hear that we are buying from an American company and a local company. Any other questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt a *Resolution Authorizing the Purchase of Five (5) Wheel Loaders and Training in the Total Amount of \$668,044.42 Under the Sourcewell Cooperative Purchasing Program* was made by Vice Chairman Paradiso, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 19-2022.

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

Chief Engineer: Mr. Chairman, that completes my report. Thank you.

Chairman: Congratulations. You did a good job on your first day as Chief Engineer Thank you.

Chief Engineer: Thank you very much, Mr. Chairman.

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

Chief Information Officer: Good morning, Mr. Chairman and Commission Members. I have one resolution for your consideration this morning. It is for Furnishing and Installing a New Intercom System.

In August of 2019 approval was received from you for a project to move the backend of the Commission's legacy Toll Intercom System, which had become antiquated and increasingly difficult to support, to a system integrated with the Multi-Agency Radio Communication System (MARCS) network. At the time of award, we stated that once the successful completion of this backend integration to MARCS was complete, that a Phase 2 Project to upgrade the legacy front-end Toll Intercom equipment would commence. Our legacy Toll Intercom was installed in the late 1970's/early 1980's. Today the intercoms system is used by toll collectors to communicate with each other, their supervisors in the plaza buildings and with our Communication Center in Berea.

Led by Technology Specialist II, William Anderson, significant product and market research was conducted to find a solution that would fulfill the Commission's needs. Due to the unique nature of our operations, this task proved to be quite challenging, and only a single solution provider was able to be located.

A proof-of-concept project for the front-end equipment was originally planned to take place in conjunction with the expansion of Toll Plaza 180 in late 2019, but the schedules did not properly align. We instead proceeded with the proof-of-concept installation at Toll Plaza 152 with equipment from the manufacturer ClearCom in October of 2020. Like the Phase 1 project, this upgrade replaced antiquated equipment with more modern, readily available equipment that was covered by a manufacturer's warranty and was fully supported.

The proof of concept was successful and plans to move forward with a sole-source purchase of a like system for the remaining Toll Plazas began. During this planning phase, an additional solution provider was discovered. After some additional research and follow-up, plans to make a sole-source purchase were terminated and the development of an RFP began.

To better meet the Commission's goals of improving safety and improving customer experience, the RFP expanded from just Toll Plazas, to include updates to equipment at the Commission's eight (8) Maintenance Buildings and installation of new intercom equipment at the Commission's fourteen (14) Service Plazas. The upgrades at the Maintenance Buildings will improve the ability to broadcast important Radio Traffic throughout the facility with a fully supported solution. The addition of the intercom system at the Service Plazas will allow for important safety and travel condition messages to be shared with our customers at the facilities anytime they become necessary and will greatly aid our Service Plaza staff's ability to assist bus

drivers in alerting passengers of departure. To this end, the subject RFP was issued on November 1, 2021.

Three proposals were received in timely manner in response to this request. Copies of the three proposals were provided to the members of the Evaluation Team which consisted of William Anderson, Tech Specialist II; Patience Colon, Central District Toll Plaza Supervisor; Richard Gluszek, Toll Plaza Supervisor; and me. We were assisted in this evaluation by Aimee Lane, Director of Contracts Administration, who performed a review of the proposals for compliance with legal requirements and Linda Connelly, our Technology Project Manager who assisted in scoring tabulation and documentation.

The Evaluation Team met in January to discuss our analysis of the proposals and clarify any questions that arose during the review process. We determined that one of the proposals was fundamentally deficient in responding to the RFP requirements and unanimously agreed that it should be removed from consideration.

We then scored the 2 remaining proposals using the 5 Technical Criteria described in the RFP which were:

1. The Ability to match our current workflow and footprint of our current equipment.
2. The Ability to group service plazas together and/or broadcast to any service plazas from a remote location.
3. The Respondent's method to integrate or distribute 2nd and 3rd channel audio sources from the Commission's Berea headquarters to various remote user stations.
4. The ability to Connect to our Motorola Land Mobile Radios with proper operation of the radios Push to Talk (PTT) and emergency features along with the proper integration of send and receive audio.
5. And any Value added features either hardware or software that enhance the use of intercom system in ways not specified in this RFP.

Upon completion of the Technical Evaluation and Technical Scoring, the Director of Contracts Administration provided the Price Proposals for the responses to the Evaluation Team. The scoring was then updated to include the cost proposal scores.

Based upon the fact that the Evaluation Committee unanimously ranked TMT Solutions, Inc., of San Marcos, Texas, as having submitted the best Proposal based on the combined Technical and Price scores, it is the Team's recommendation that TMT Solutions, Inc. be awarded the contract to Furnish and Install a New Intercom System in accordance with the RFP and their response in the amount of \$2,980,811.14. This project was included in the approved capital budget for 2022.

With your permission, will the Acting General Counsel please read the title of the Resolution.

Acting General Counsel: Resolution Authorizing Agreement with TMT Solutions, Inc. for Furnishing and Installing a New Intercom System in the Amount of \$2,980,811.14.

Chairman: Any questions?

Secretary-Treasurer Barber: I know this took a lot of work in trying to find the proper company, software and everything else, so I want you to know that we appreciate all of your efforts, as well as your team.

Chairman: How old was the old system?

Chief Information Officer: It was originally installed in the 1970's/early 1980's.

Chairman: So, we got our monies worth?

Chief Information Officer: Yes, it is probably beyond the expected life. We located some documentation just in the last couple of weeks and we were seeing dates in the mid-1970's, so I guess as I stand before you, I can say we have a system that is older than myself that we are actually replacing. So, we did get our monies worth.

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

MOTION: A motion to adopt a *Resolution Authorizing Agreement with TMT Solutions, Inc. for Furnishing and Installing a New Intercom System in the Amount of \$2,980,811.14* was made by Ms. Eaton Johnson, seconded by Vice Chairman Paradiso, and approved by all Commission Members present. Resolution No. 20-2022.

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

Chief Information Officer: Yes, Mr. Chairman, I would like to take a moment to publicly thank and acknowledge the work of our Telecom Team Leader, Bill Anderson, who is in the audience here today.

In my presentation of this resolution, I mentioned that he led the research efforts to find a solution to fulfill the Commission's needs.

I do not want to understate how significant of an effort this really was. There were countless phone calls, emails, meetings, site visits and a lot of dead ends. There were many days where I believe Bill questioned if we would every find the ideal solution. His perseverance and persistence were ultimately what landed me here in front of you today and are just another example of what he brings every day to our Team.

I have the utmost confidence that he and his team will successfully see this intercom system through installation and know that it will have a positive impact on not only the day-to-day operations of our organization, but on the experience of the customer's traveling on our great road.

That concludes my report, Mr. Chairman.

Chairman: Thank you, Chriss for your true leadership. We will move on to the report of the Deputy Executive Director/Chief Financial Officer, Marty Seekely.

Deputy Executive Director/Chief Financial Officer: Thank you, Mr. Chairman. I have 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 4.1% from January of last year and down 5.7% from January of 2019.

Commercial traffic continued to increase and was up 2.2% from January of last year and up 10.3% from January of 2019.

The change in passenger car traffic combined with the toll rate increases caused Passenger car toll revenues to increase 5% from January of last year and decrease 1.4% compared to January of 2019.

The increase in commercial traffic combined with the toll rate increases caused commercial vehicle toll revenues to increase 4% from January of last year and 18.2% from January of 2019.

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 \$984,000 or 4.3% above the amount from last year and \$2.5 million or 11.7% above the amount from 2019.

That completes my report Traffic & Revenue.

Next, I would like to update you on the recently completed bond refunding transaction.

On Tuesday February 8th the Commission sold \$310,220,000 in refunding bonds on a forward delivery basis with delivery scheduled for November 17th of this year. The sale went well as the Commission received over \$1.8 billion in orders for the bonds or almost six times the amount offered. On the screen you can see the maturity dates and the amounts for each maturity. The yields on the bonds ranged from 1.55% for the 2024 maturity to 2.53% for the 2039 maturity. The 2038 and 2039 maturities are callable in February of 2033 at par so the yield to maturity of those bonds are 3.13% and 3.24%, respectively.

So, in summary, the Commission refunded the remaining 2013 A-1 and A-3 Junior Lien bonds which had a par value of \$359,785,000 and an average interest rate of 5.26%.

The Commission issued \$310,220,000 in new bonds with a yield to maturity of 2.81% and a yield to the call date of 2.33%.

This will reduce the Commission's future debt service payments by \$88,788,000 which is a net present value savings of \$71,857,000 or 19.97% of refunded par.

That completes my report, Mr. Chairman

Vice Chairman Paradiso: Amazing, the timing as well, right Marty?

Deputy Executive Director/Chief Financial Officer: Yes, it seems like interest rates shot up two weeks after we sold the bonds. Although, they have come down a little bit now. The Ukraine war is having an impact on interest rates a little bit. But I think by the time that we get to November, the rates will be higher than they are now, so I think it was a good transaction.

Director Ahmed: Mr. Chairman, I wanted to add something. These savings are significant and they are extremely important to the Ohio Turnpike. As everybody knows the Ohio Turnpike was built all at the same time in 1955 over a three year period and whereas we have an excellent highway and great bridges keeping them that way means a lot of work has to be done now in the next ten years because all of that is coming to age all at the same time. So, our capital program is going to be ramped up quite a bit in the next ten years or so. Our numbers look good, we are a financially stable agency, and our traffic is good. Some of Marty's conservatism has rubbed off on me in the last three years, so I don't think in terms of what we are seeing out there today, I want to look at everything wholistically. Last year, we saw 7% inflation, prior to that it has been in the twos. This year it is not going to be in the twos, but what it is going to be that I don't know, but it is not going to be in the twos, it is probably going to be close to 7%. So, whereas our numbers are good, and our traffic is good, the fact is that the investments that we need to make in our system over the next few years are going to be higher than they have been in the past. So, these savings are extremely important and Marty and Lisa and the entire team and Bethany, our trusted Advisor for a while now, thank you for all your diligence and it is great to see these things.

Chairman: Any other questions or comments?

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

Chairman: We thank you very much. You have done a great job on this. We will now move on to the report of the Acting General Counsel, Heather Veljkovic.

Acting General Counsel: No report this month, Mr. Chairman.

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

Staff Lieutenant Reeder: At the behest of our Honorable Representative Ghanbari, I wanted to talk about a tool in our proverbial toolbox that has slowly been pushed out to the state. It is our body cameras. District 3, the Cleveland District, is getting these installed this week. District 1 and the Swanton Post already have their cameras. They are a good tool. We have had in-car cameras for many years, since I started in 1998, but there's almost a public expectation to have that body camera and it is a good thing because it is for officer safety, to show what we see, it gives a closer look of what we see and there is kind of always an unknown of what the Trooper sees at the vehicle when they are out there making that contact with the driver, so this will be a

good tool for us and something that will aid us in prosecution and it just makes us more professional, open to what we are doing and more transparent. I think it is a good thing and all of our Troopers will have those shortly throughout the entire state. It is the Axon System, but they way. The image is very good, very high definition.

On January 25, 2022, OSHP Cleveland Dispatch advised they were contacted by Indiana State Police regarding a stolen vehicle last seen eastbound on I-80 near Indiana's last tollbooth. According to dispatch, the vehicle owner, Demarcus Bell, was currently tracking his 2014 Ford Focus location and providing updates. Cleveland Dispatch confirmed there was a stolen vehicle report through Milwaukee, WI Police Department. Sergeant Brian St. Clair and Trooper Eric Stroud, of the Swanton Post, located the vehicle near milepost 47. For officer safety purposes, they followed it just past exit 52 due to the extra lane from the acceleration ramp. As Trooper Stroud turned on his overhead lights and moved behind the Focus to initiate a stop, it accelerated and a pursuit ensued. The vehicle soon reached speeds near 120 mph and continued eastbound. The Focus passed several vehicles at speeds over 100 mph, failed to use it's turn signals, and committed several marked lane violations. The Focus entered the eastbound deceleration ramp to exit 64, completed a U-turn near the tollbooths, and then re-entered the turnpike westbound. The vehicle again accelerated to speeds near 120 mph and passed several vehicles. The vehicle passed on the shoulder multiple times when both lanes were occupied by other motorists and then exited at exit 52. The Focus ran the red light at SR 2 and continued west on SR 2. The vehicle turned south onto W. Airport Service Rd. As it turned, the Focus briefly turned it's lights off and then back on. The Focus failed to stop at a stop sign and turned right onto Terminal Pkwy. The vehicle passed by the main entrance to Eugene F. Kranz Toledo Express Airport at a high rate of speed. The Focus failed to stop at a red light and then turned east onto SR 2. The vehicle briefly drove eastbound in the westbound lanes and continued east at speeds over 100 mph. Sergeant Jason Metzger deployed stop sticks at the intersection of SR 2 and Holloway Rd. striking both passenger side tires and the driver side rear tire. The Focus ran the red light at that intersection and came to a stop on the south shoulder near W. Mall Dr. The driver, Colter Lee Marcum was charged with receiving stolen property and failure to comply both felony charges and incarcerated at the Lucas County Corrections Center.

We mentioned early about the snow events that we had earlier this month and I wanted to bring attention to the great work that not only Maintenance did, but all of Troopers did on February 2-4, 2022. As you can see, we handled in those three days 127 traffic crashes. On the 3rd, I actually went out and got to work the road again with the Milan units in the central area and those guys and girls were non-stop all day, 48 vehicles. Keep in mind that the chart at the bottom will be further contacts. Many times, vehicles will slide off the road, but the snow was so thick there wasn't any damage, so it was just kind of a pullout. So, the total contacts were 127 crashes during that three-day period and we were able to make additional contacts with 222 other people. One thing that I did want to talk about and this one was kind of a new one for me, we had a truck driver jack knife at the 122 going westbound. His load consisted of mice and goldfish, so there were live animals in this trailer and the shipper was very concerned, he was from Chicago. With the assistance of Safety Manager Skoczen, we were able to be in contact with him during that time. He, of course, wanted the vehicle removed right away, but we couldn't do it because it was like blizzard conditions, so the only thing that he requested, it had a reefer unit, which was keeping the animals warm, it was approximately 64°, but he requested that we open the door to let fresh air into these

animals about every four hours. For about 26 or 27 hours, between Troopers and Maintenance, we were able to open those doors and make sure all those animals were okay, so it was a very good ending to a bad situation and that shipper from Chicago was very happy with the work we did. So, it worked out really well.

I want to bring attention, Bill Haymaker, my predecessor, is now the District 3 Captain, so kudos to him and congratulations. He is now my boss and that is a really good thing. I am very happy.

Chairman: Please pass on our congratulations to the new Captain. He served us well when he was here. We appreciated his work.

Staff Lieutenant Reeder: I invited him down, but he was pretty busy today. Thank you.

Representative Ghanbari: Thank you, Mr. Chairman. Staff Lieutenant, thank you for the report, the one thing I would just foot stomp a little bit on the body cameras, is you talked about how it would help law enforcement, but I also think that it helps the motoring public in the event that they're, although I don't foresee one, you know inappropriate or unprofessional interaction with a member of the Ohio State Highway Patrol here on the Turnpike. This also gives the citizens an opportunity to have transparency and accountability and I think that investment in the body cameras really goes both ways when you look at the evening news you've seen a lot of different incidents around the country and I think again that the body cameras go toward accountability and transparency, not just for the officer but for you know the citizens that they are interacting with and I think that is extremely important nowadays with a 24-hour news cycle, a lot of other things that can transpire which would take an average road stop where everything was above board to a member of the public maybe making an allegation that is unsubstantiated or it is substantiated and this body camera footage will provide crystal clarity to what is going on. I would just ask if you could maybe comment for the Commission about the difference of that body camera compared to what you would wear traditionally before the body cameras were rolled out and how you may have an interaction on the side of the roadway with your microphone that would be out washed a little bit by traffic as it goes by and it would degrade the quality of what was being recorded. If you could please just comment a little bit about that.

Staff Lieutenant Reeder: That's an excellent point. I will speak specifically to the Turnpike here. I encourage the Troopers to go into the travel plazas, be visible. We've responded to many patrons that have had some type of medical emergency. We respond to assist there. Our old belt mics, I'll go back to that, had a very limited range of maybe 100 feet and the problem on the Turnpike is that there is so much vehicle noise and external noise, it was really hard to hear what the driver was saying to the Trooper and I think with these cameras it is going to be better. Not only will we be able to see what the person is doing in the car, I think the audio is going to be better. It is just better quality and to your point, wearing that, I don't have to rely on that belt mic anymore to capture only audio, now I can get audio and video and it follows me wherever I go. So, if an incident, like many times in these pursuits, we will end up in a foot pursuit and you can go for, I used to run better than I do now, but you can go for quite a distance where that belt mic would capture nothing and now where these critical incidents happen, and many times like you

say, you will see the video afterwards where that suspect was seen grabbing a weapon in that video. So, it is excellent stuff and it is two-ways, it makes sure our officers are professional, which they should be all the time, but it also protects both sides, so it is very transparent and it is a good thing.

Representative Ghanbari: Chairman, the other thing that I would like to note for the Commission and others is that, I appreciate the Governor and the Legislature working hand and glove to make sure that there was money for this project. A lot of folks think that even the body cameras may not require a lot of investment. The physical camera itself may be relatively inexpensive but really where the money comes in to play on these is the storage of the footage and just responding to the amount of public records request and just the management of that footage. Although, we made some good investments on the purchasing of that, we are going to have to think long term about what we are going to do as the state to make sure that communities that may not have the organic funds to sustain such type of transparency that we find a way to make sure that every community that wants those cameras, which I advocate for them, can get them and respond and maintain that footage appropriately.

Happy birthday, Staff Lieutenant.

Chairman: Is it your birthday?

Staff Lieutenant Reeder: Yesterday was. He wasn't supposed to bring that up today.

Chairman: You are not embarrassed, are you?

Staff Lieutenant Reeder: Slightly.

Chairman: Don't be embarrassed. Happy birthday.

Staff Lieutenant Reeder: Thank you. Along the lines of old equipment, I just thought of this. When Chriss talked about those radios and the new Troopers would come into the Post and they would see that phone/radio on the wall, they are like "what is that?" I would say, "that was when we needed to call NASA, we don't use it anymore." Thank you. Have a great day.

Chairman: Representative Ghanbari, thank you so much for your leadership on this. I really appreciate it, you seem to have studied this quite well and you have been a great advocate for this and I know the law enforcement community will appreciate your efforts, so thank you very much

Any other questions or comments? Hearing none, the next meeting of the Ohio Turnpike and Infrastructure Commission will be held on Monday, March 21, 2022, at 10:00 a.m., here at the Commission's Administration Building located in Berea, Ohio.

The only last comment I would make is, we pray that this situation that is happening in the Ukraine and Russia comes to a peaceful resolution. All of us that grew up during the Cold War remember what it was like and it was rather sobering yesterday when the media kept saying that one of the two countries, Russia was telling its nuclear forces to be on high alert. That is very

sobering, very concerning. So, I pray that we see this resolution come and that there be peace and that this comes to a quick ending.

If there is no further business, I will accept a motion to adjourn the 694th Commission Meeting.

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

Time of adjournment: 11:02 a.m.

Attendees for Record Keeping Purposes:

Commission Members: Chairman Jerry Hruby; Vice Chairman Timothy Paradiso; Secretary-Treasurer Sandra Barber; Commission Member Guy Coviello; Commission Member Vickie Eaton Johnson; Commission Member Myron Pakush; Office of Budget and Management Representative James Kennedy; and Representative Haraz N. Ghanbari.

Other Attendees: Michael Burgess, Prime AE; Jennifer Walsh, IBTTA; Jacob Siesel, IUOE Local 18; Hamid Homae, Jon Lorincz, AECOM; Kevin Westover, Huntington; Sean Logan, Woolpert; Bethany Pugh, PFM; and Maraah Lagnier, RII.

Ohio Turnpike and Infrastructure Commission Personnel: Ferzan M. Ahmed, P.E., Ohio Turnpike; Lieutenant Richard Reeder, Ohio State Highway Patrol; Heather Veljkovic, Ohio Turnpike; Marty Seekely, Ohio Turnpike; Chris Matta, Ohio Turnpike; Laurie Davis, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Aimee Lane, Ohio Turnpike; Sue Coleman, Ohio Turnpike; Brian Kelley, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Matt Cole, Ohio Turnpike; Chriss Pogorelc, Ohio Turnpike; David Constantine, Ohio Turnpike; David Miller, Ohio Turnpike; Joseph Mannion, Ohio Turnpike; Chuck Cyrill, Ohio Turnpike; Carol Zanin, Ohio Turnpike; Amanda Brown, Ohio Turnpike; Jackie Dohoda Herberger, Ohio Turnpike; William Anderson, Ohio Turnpike; Cory Skoczen, Ohio Turnpike; Wanda Farley, Ohio Turnpike; Carolyn Wolf, Ohio Turnpike; Tibi Jovica, Ohio Turnpike, Rexford Underwood, Ohio Turnpike; Bryan Emery, Ohio Turnpike; Michael Brookbank, Ohio Turnpike; Chuck Cvitkovich, Ohio Turnpike; Tony DeChoudens, Ohio Turnpike; Ann Powell, Ohio Turnpike; Matthew Allen, Ohio Turnpike; Daniel Oslin, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

EXHIBITS

- Resolution No. 13-2022 – Resolution Approving and Ratifying Change Orders 16 and 18 of Contract with Suburban Maintenance and Construction, Inc. for Project No. 43-18-05 in the Amount of \$1,638,382.76
- Resolution No. 14-2022 – Resolution Approving and Ratifying Change Order 1 of Contract with J.S. Bova Excavating, LLC for Project No. 69-18-02 in the Amount of \$169,543.00
- Resolution No. 15-2022 – Resolution Ratifying and Approving Change Order 01 of Contract with The Shelly Company-Northeast Division for Project No. 59-20-05 in the Amount of \$327,256.70
- Resolution No. 16-2022 – Resolution Authorizing a Modification to the Contract with DGL Consulting Engineers, LLC to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-02 For a Total Aggregate Contract Amount of \$1,352,488.00
- Resolution No. 17-2022 – Resolution Authorizing a Modification to the Contract with Prime AE Group to Perform Additional Task 3 Services Under Project No. 99-18-04 For a Total Contract Amount of \$1,100,000.00
- Resolution No. 18-2022 – Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. for Project No. 43-22-04 for the Total Amount of \$3,732,600.76
- Resolution No. 19-2022 – Resolution Authorizing the Purchase of Five (5) Wheel Loaders and Training in the Total Amount of \$668,044.42 Under the Sourcewell Cooperative Purchasing Program
- Resolution No. 20-2022 – Resolution Authorizing Agreement with TMT Solutions, Inc. for Furnishing and Installing a New Intercom System in the Amount of \$2,980.811.14

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Ratifying and Approving Change Orders 16 and 18 of Contract with Suburban Maintenance and Construction, Inc. for Project No. 43-18-05 in the Amount of \$1,638,382.76

WHEREAS, the Commission, under Resolution No. 34-2018, adopted June 18, 2018, approved a construction contract with Suburban Maintenance and Construction, Inc. in the amount of \$6,284,083.20 for a Bridge Replacement at Milepost 223.0, in Mahoning County, Ohio, designated as Project No. 43-18-05 (the “Project”); and

WHEREAS, the total value of change orders issued on the Project to date is \$2,574,916.91 bringing the current total contract value to \$8,859,000.11; and

WHEREAS, the former Chief Engineer determined it was necessary and reasonable to request Suburban Maintenance and Construction, Inc. to perform additional work on the Project, specifically to replace the shoulders in an approximately two and one-half mile area which were failing and needed to be replaced in order to maintain a single lane of traffic in each direction during Phase 2 of the Project (the “Change Order 16 Work”); and

WHEREAS, Suburban Maintenance and Construction, Inc. provided pricing to perform the Change Order 16 Work utilizing negotiated pricing based on comparably bid items from historical information which Engineering staff reviewed and found to be reasonable when compared to bid items of similar scope and quantity; and

WHEREAS, the former Chief Engineer requested, and Suburban Maintenance and Construction, Inc. completed the Change Order 16 Work in May of 2020; and

WHEREAS, the Project was originally contracted as a two-year project, but due to a slope failure near the Project during the second year (2019), work was suspended while the slope failure was addressed and work on the Project resumed in 2020; and

WHEREAS, the former Chief Engineer determined a change order was necessary to compensate Suburban Maintenance and Construction, Inc. for demobilizing, remobilizing, extending the duration of maintenance of traffic and other items, as well as extending the work into the next calendar year (the “Change Order 18 Work”); and

WHEREAS, Suburban Maintenance and Construction, Inc provided pricing to perform the Change Order 18 Work utilizing negotiated reasonable value pricing based on comparably bid items and ODOT specifications for delay costs which Engineering staff reviewed and found the price to be reasonable; and

WHEREAS, the Change Order 16 Work increased the contract by \$733,643.69 and the Change Order 18 Work increased the contract by \$904,739.07, both of which exceed the Executive Director’s contracting authority under Article V, Section 1.00 of the Commission’s Code of

Bylaws, and Commission approval is necessary to approve and ratify Change Order 16 and Change Order 18 for this Project; and

WHEREAS, the Chief Engineer and the Bridge and Structures Engineer recommend that the Commission approve and ratify Change Order 16 and Change Order 18 for the Project and their report is currently before the Commission; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and the Bridge and Structures Engineer and concurs with the recommendation to approve and ratify Change Order 16 and Change Order 18 as described above; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that Change Order 16 from Suburban Maintenance and Construction, Inc. dated April 27, 2020, for the additional shoulder replacement work (as set forth in the recitals above) on the Project in the amount of \$733,643.69 is approved and ratified, and the Executive Director's modification of the Contract with Suburban Maintenance and Construction, Inc. by issuing Change Order 16 is approved and ratified, subject to the terms and conditions of the existing contract; and

FURTHER RESOLVED, by the Ohio Turnpike and Infrastructure Commission that Change Order 18 from Suburban Maintenance and Construction, Inc dated July 15, 2020, for the additional work by suspension of the Project due to the slope failure (as set forth in the recitals above) in the not-to-exceed amount of \$904,739.07 is approved and ratified, and the Executive Director's modification of the Contract with Suburban Maintenance and Construction, Inc. by issuing Change Order 18 is approved and ratified, subject to the terms and conditions of the existing contract; and

FURTHER RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Contract with Suburban Maintenance and Construction, Inc. for Project No. 43-18-05, together with all amendments, including Change Order No. 16 and Change Order No. 18, shall be in the total aggregate amount not to exceed \$8,859,000.11.

(Resolution No. 13-2022 adopted February 28, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Ratifying and Approving Change Order 1 of Contract with J.S. Bova Excavating, LLC for Project No. 69-18-02 in the Amount of \$169,543.00

WHEREAS, the Commission, under Resolution No. 48-2018, adopted August 20, 2018, approved a construction contract with J.S. Bova Excavating, LLC in the amount of \$278,453.22 for Erosion Repair at Milepost 228.5, Mahoning County, Ohio, designated as Project No. 69-18-02 (the “Project”); and

WHEREAS, the total value of change orders issued on the Project to date is \$184,465.78, bringing the current total contract value to \$462,919.00; and

WHEREAS, the project design intended for only areas of the ditch to receive rock channel protection where erosion was likely to occur; however, during reconstruction of the ditch, significant rain events were observed and despite existing sediment and erosion controls, the soils that remained had become more susceptible to erosion and would not support the proposed soil embankment that was to be installed; and

WHEREAS, the former Chief Engineer determined it was necessary and reasonable to request J.S. Bova Excavating, LLC. to perform additional work on the Project, specifically to place rock channel protection in a substantial area of the reshaped ditch which included removal of unsuitable material, installing filter fabric material, and placing rock channel protection throughout the entire ditch length (the “Change Order 1 Work”); and

WHEREAS, J.S. Bova Excavating, LLC. provided pricing to perform the Change Order 1 Work utilizing negotiated pricing based on comparably bid items from historical information and Engineering staff found the price to be reasonable; and

WHEREAS, the former Chief Engineer requested, and J.S. Bova Excavating, LLC completed the Change Order 1 Work in July of 2019; and

WHEREAS, the Change Order 1 Work increased the contract by \$169,543.00, which amount exceeds the Executive Director’s contracting authority under Article V, Section 1.00 of the Commission’s Code of Bylaws, and Commission approval is necessary to approve Change Order 1 for this Project; and

WHEREAS, the Chief Engineer and Environmental Engineer recommend that the Commission approve Change Order 1 for the Project and their report is currently before the Commission; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and Environmental Engineer and concurs with the recommendation to approve Change Order 1 as described above; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that Change Order 1 from J.S. Bova Excavating, LLC Dated October 8, 2019, for the additional erosion control repair work (as set forth in the recitals above) on the Project in the amount of \$169,543.00 is approved, and the Executive Director's modification of the Contract with J.S. Bova Excavating, LLC by issuing Change Order 1 is ratified and approved, subject to the terms and conditions of the existing contract, which together with all amendments, shall be in the total aggregate amount not to exceed \$462,919.00.

(Resolution No. 14-2022 adopted February 28, 2022)

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Ratifying and Approving Change Order 01 of Contract with The Shelly Company-Northeast Division for Project No. 59-20-05 in the Amount of \$327,256.70

WHEREAS, the Commission, under Resolution No. 51-2020, adopted August 17, 2020, approved a construction contract with The Shelly Company-Northeast Division in the amount of \$2,824,752.85 for Shoulder Repairs and Reconstruction, Eastbound and Westbound Roadways, at Milepost 235.90 to Milepost 240.82, Mahoning County, Ohio, designated as Project No. 59-20-05 (the “Project”); and

WHEREAS, the total value of change orders issued on the Project to date is \$288,881.55, bringing the current total contract value to \$3,113,634.40; and

WHEREAS, removal and reconstruction of the westbound inside shoulder east and west of Toll Plaza 239 and the eastbound inside shoulder west of Toll Plaza 239 (the “Change Order 01 Work”) had been planned to be part of Project No. 39-20-04, but there was insufficient time to reconstruct the shoulders in 2021, so this work was removed from Project No. 39-20-04, added to Project No. 59-20-05, to allow the Commission’s Toll Collection System project to remain on schedule; and

WHEREAS, the former Chief Engineer determined it was necessary and reasonable to request The Shelly Company-Northeast Division to perform the Change Order 1 Work; and

WHEREAS, The Shelly Company-Northeast Division provided pricing to perform the Change Order 01 Work utilizing existing bid unit pricing and negotiated pricing based on comparably bid items from historical information and Engineering staff found the price to be reasonable; and

WHEREAS, the former Chief Engineer requested, and The Shelly Company-Northeast Division completed, the Change Order 01 Work in November 2020; and

WHEREAS, the Change Order 01 Work increased the contract by \$327,256.70, which amount exceeds the Executive Director’s contracting authority under Article V, Section 1.00 of the Commission’s Code of Bylaws, and Commission approval is necessary to authorize Change Order 01 for this Project; and

WHEREAS, the Chief Engineer and Roadway Engineer recommend that the Commission approve Change Order 01 for the Project and their report is currently before the Commission; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and Roadway Engineer and concurs with the recommendation to approve Change Order 01 as described above; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that Change Order 01 from The Shelly Company dated November 2, 2020, for the shoulder work at TP 239 as set forth in the recitals above on the Project in the amount of \$327,256.70 is approved, and the Executive Director's modification of the Contract with The Shelly Company by issuing Change Order 01 is ratified and approved, subject to the terms and conditions of the existing contract, which together with all amendments, shall be in the total aggregate amount not to exceed \$3,113,634.40.

(Resolution No. 15-2022 adopted February 28, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing a Modification to the Contract with DGL Consulting Engineers, LLC to Perform Phase II Construction Administration and Inspection Services Under Project No. 43-22-02 for a Total Aggregate Contract Amount of \$1,352,488.00

WHEREAS, the Commission selected DGL Consulting Engineers, LLC (“DGL”) to perform professional engineering services for Deck Replacement and Widening of Mainline Bridges (East and West Bound) at Milepost 40.3 over State Route 109 and Milepost 40.5 over Indiana and Ohio Railway in Fulton County, the (“Project 71-19-01”) pursuant to the adopted resolution, on the date noted and for the scope of work identified below:

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
Original Contract	Phase I Services – Site Inspection, Engineering Report, Design and Plan Preparation Services	July 23, 2019	35-2019	\$466,638.00
TOTAL CONTRACT VALUE:				\$466,638.00

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
<i>First Modification</i>	<i>Construction Administration and Inspection Services under Project No. 43-22-02</i>	February 11, 2022	<i>proposed</i>	\$885,850.00
TOTAL CONTRACT VALUE (incl. First Modification):				\$1,352,488.00

WHEREAS, the Commission selected a contractor to make the public improvements that DGL designed as part of its Phase I Services, and DGL submitted a fee proposal dated February 11, 2022, in the not-to-exceed amount of \$885,850.00, to perform the necessary Phase II Construction Administration and Inspection Services (“Phase II Services”) under Design Project No. 71-19-01 for Construction Project No. 43-22-02, which the Chief Engineer deemed reasonable and appropriate; and

WHEREAS, Commission action is necessary to approve the modification to the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the amount described in the fee proposal from DGL, dated February 11, 2022, to perform the required Phase II Construction Administration and Inspection Services will increase the Contract by an amount that exceeds the greater of 10% or \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation for the Fee Proposal submitted by the Chief Engineer and concurs that the Commission should approve and authorize obtaining the Phase II Construction Administration and Inspection Services from DGL as described in the Fee Proposal dated February 11, 2022, as the services are in furtherance of and are necessary for implementing the bridge work required under Project No. 43-22-02; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Fee Proposal from DGL dated February 11, 2022, to perform the required Phase II Construction Administration and Inspection under Project No. 43-22-02, for the not-to-exceed amount of \$885,850.00 is accepted and approved, for a total maximum contract amount of \$1,352,488.00; and

FURTHER RESOLVED, that the Executive Director is authorized to amend the Contract with DGL Consulting Engineers, LLC to incorporate the proposal dated February 11, 2022, and increase the total not-to-exceed amount payable under the agreement to \$1,352,488.00 in accordance with the terms and conditions of the existing Contract and DGL Consulting Engineers, LLC's technical responses and accepted fee proposals to perform the professional engineering services identified therein in furtherance of Project No. 43-22-02.

(Resolution No. 16-2022 adopted February 28, 2022)

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing a Modification to the Contract with Prime AE Group to Perform Additional Task 3 Services Under Project No. 99-18-04 for a Total Contract Amount of \$1,100,000.00

WHEREAS, the Commission issued a Request for Proposals (“RFP”) on April 27, 2018 to firms that had expressed interest in providing general professional engineering services to the Commission on a task order assignment basis for a two (2) year period; and

WHEREAS, Prime AE Group (“Prime”) submitted a proposal dated May 18, 2018 to furnish the necessary general engineering services described in the RFP and the Commission’s Engineering staff determined that the Prime was one of the two most qualified firms among those submitting proposals to perform the necessary services; and

WHEREAS, the Executive Director approved the Chief Engineer’s recommendation to select Prime to perform the necessary general engineering services over a two (2) year period, and the Commission authorized a contract with Prime for those services under Resolution No. 38-2018, adopted June 18, 2018; and

WHEREAS, the Commission and Prime entered into a Contract for Professional Engineering Services under Project No. 99-18-04, dated August 1, 2018 (the “Contract”) and Prime has been assigned three (3) tasks under the Contract, as further described in the table below; and

WHEREAS, the total amount payable to Prime under the Contract is \$600,000.00, including reimbursable expenses, for all task order assignments issued during the course of the two-year period; and

WHEREAS, the Contract provides that Prime “...shall render all necessary services for any task order projects assigned during the two-year period even if the agreed upon completion date occurs after the second anniversary of the first assignment letter;” and

WHEREAS, the Chief Engineer has assigned the following tasks to Prime under the Contract:

CONTRACT/ASSIGNMENT LETTER	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract/Assignment Letter dated April 4, 2019	Task 1-Surface Water Delineation and Waterway Permitting for TP 64 Borrow Pond, Wood County, Ohio	April 3, 2019	Res. 38-2018	\$44,859.00
Original Contract/Assignment Letter dated May 24, 2019	Task 2-Plan Set Review – Berea South, Verizon Site Number CLEV-488	April 26, 2019	Res. 38-2018	\$2,432.00

CONTRACT/ASSIGNMENT LETTER	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract/Assignment Letter dated August 29, 2019	Task 3 – Toll Collection System Modernization – Building and Site/Civil Design	August 26, 2019 (revised)	Res. 38-2018	\$481,394.00
First Modification/Assignment Letter dated January 14, 2021	Additional Task 3 Services - modification of design plans for Toll Plaza 4	December 8, 2020 (revised)	Executive Director approval*	\$211,765.46

*The Commission authorized the Contract in the amount of \$600,000 and the parties added \$150,000 to the total Contract amount for the Additional Task 3 Services

TOTAL AMOUNT OF ASSIGNMENTS TO DATE: \$706,058.90

WHEREAS, through the assignments issued by the Chief Engineer under the Contract, Prime has provided necessary design work for the successful implementation and completion of the Toll Collection System Modernization (the “TCS Project”); and

WHEREAS, Prime submitted a fee proposal dated January 31, 2022, in the not-to-exceed amount of \$332,363.78, to perform Additional Task 3 Services under Project No. 99-18-04, specifically additional work for the bidding of the Toll Plaza 4 project, additional work for bidding the Toll Plaza 49 and Toll Plaza 211 projects twice, modification of design plans for Toll Plaza 4 and Toll Plaza 211, modifications to accommodate the Toll Collection System (TCS) Integrator’s final toll system modifications, and design work to replace a damaged toll booth at Toll Plaza 239, which the Chief Engineer deemed reasonable and appropriate; and

WHEREAS, Commission action is necessary to approve the modification to the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the amount described in the fee proposal from Prime, dated January 31, 2022, to perform the Additional Task 3 Services will increase the Contract by an amount that exceeds the greater of 10% or \$150,000.00; and

WHEREAS, approval of the Additional Task 3 Services will increase the total contract amount to \$1,100,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and concurs that the Commission should approve and authorize obtaining the Additional Task 3 Services from Prime as described in the Fee Proposal dated January 31, 2022, as the services are in furtherance of and are necessary for the additional work for bidding the Toll Plaza 49 and Toll Plaza 211 projects twice, incorporating design changes made during the construction of Toll Plaza 49 into the plans for Toll Plaza 4 and Toll Plaza 211, modifications to accommodate the Commission’s TCS Integrator’s final toll system modifications and preparation of plans to replace a damaged toll booth at Toll Plaza 239; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Fee Proposal from Prime AE Group dated January 31, 2022, to perform the Additional Task 3 Services under Project No. 99-18-04, for the not-to-exceed amount of \$332,363,78 is accepted and approved, for a total maximum contract amount of \$1,100,000.00; and

FURTHER RESOLVED, that the Executive Director is authorized to amend the Contract with Prime AE Group to incorporate the proposal dated January 31, 2022, and increase the total not-to-exceed amount payable under the Contract to \$1,100,000.00 in accordance with the terms and conditions of the existing Contract and Prime AE Group's technical responses and accepted fee proposals to perform the professional engineering services identified therein in furtherance of Project No. 99-18-04.

(Resolution No. 17-2022 adopted February 28, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. for Project No. 43-22-04 for the Total Amount of \$3,732,600.76

WHEREAS, the Commission published notice in accordance with law advertising its invitation to bid upon a contract for Bridge Deck Replacement and Rehabilitation, at the Ohio Turnpike ramp over French Creek Milepost 151.3, the Ohio Turnpike Ramp over Lorain Road Milepost 152.3, and Jennings Road over Ohio Turnpike Milepost 153.9, in Lorain and Cuyahoga Counties, Ohio, designated as Project No. 43-22-04 (hereinafter the “Project”); and

WHEREAS, the Commission received three (3) bids to perform the Contractor’s obligations on the Project and the report of the Commission’s Chief Engineer concerning the review and analysis of the bids is before the Commission; and

WHEREAS, the Chief Engineer reports that Suburban Maintenance & Construction, Inc. (“SMCI”) of North Royalton, Ohio, submitted the apparent low bid on the Project in the total bid amount of \$3,732,600.76 which he recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration has determined that bids for the Project were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of SMCI conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and SMCI submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion has found that SMCI has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment to meet the SBE participation goal of 10% for the Project; and

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

WHEREAS, the Chief Engineer recommends the Commission select SMCI as the lowest responsive and responsible bidder for the Project; and

WHEREAS, the Commission’s Executive Director concurs with the Chief Engineer’s recommendation that the Commission approve the award of the Project to SMCI 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 Suburban Maintenance & Construction, Inc. for Project No. 43-22-04 in the amount of \$3,732,600.76 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid.

(Resolution No. 18-2022 adopted February 28, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of Five (5) Wheel Loaders and Training in the Total Amount of \$668,044.42 Under the Sourcewell Cooperative Purchasing Program

WHEREAS, the Commission is authorized to participate in contracts awarded by Sourcewell, a political subdivision cooperative purchasing program, for the purchase of equipment, materials, supplies or services under Ohio Revised Code Section 9.48, and the Commission authorizes its continued membership in the Sourcewell cooperative purchasing program; and

WHEREAS, the Chief Engineer has determined that the purchase of five (5) wheel loaders and related training is necessary for the continued efficient operation of the Maintenance Department; and

WHEREAS, the Maintenance Department staff has recommended that the best equipment available to perform its operations is one (1) 2022 Caterpillar 914 Wheel Loader with quick coupler, quick disconnect bucket and forks, and other options; and four (4) 2022 Caterpillar 914 Wheel Loaders with pin-on buckets and other options and has further recommended maintenance and familiarization training for the department's mechanics and operators; and

WHEREAS, the five (5) wheel loaders and training are available for acquisition through the Sourcewell Cooperative Purchasing Program, under Sourcewell Contract No. 032119-CAT from Caterpillar Inc., of Peoria, Illinois, in the total amount of \$668,044.42; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the expenditure required to purchase the five wheel loaders and training exceeds \$150,000.00; and

WHEREAS, the Executive Director and Chief Engineer have reviewed the recommendation of the Maintenance Department and concur with the recommendation that the Commission approve the purchase of the five (5) wheel loaders and training from Caterpillar Inc. through the Sourcewell Cooperative Purchasing Program.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of five (5) wheel loaders, specifically one (1) 2022 Caterpillar 914 Wheel Loader with quick coupler, quick disconnect bucket and forks, and other options, and four (4) 2022 Caterpillar 914 Wheel Loaders with pin-on buckets and other options, from Caterpillar, Inc. through the Sourcewell Cooperative Purchasing Program under Contract No. 032119-CAT, and maintenance and familiarization training, in the total amount of \$668,044.42, is approved.

(Resolution No. 19-2022 adopted February 28, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Agreement with TMT Solutions, Inc. for Furnishing and Installing a New Intercom System in the Amount of \$2,980,811.14

WHEREAS, in August 2019, the Commission approved a project to move the backend of the Commission's legacy Toll Intercom System to a system integrated with the Multi-Agency Radio Communications System (MARCS) network with the intention to upgrade the legacy front-end Toll Intercom equipment after the MARCS integration was completed; and

WHEREAS, the Chief Information Officer and Technology staff researched available options to upgrade the legacy front-end Toll Intercom equipment and due to the unique nature of the Commission's operations, could only locate a single solution provider and, for this reason, in October 2020, the Commission proceeded with a proof-of-concept installation at Toll Plaza 152 with equipment from the manufacturer ClearCom; and

WHEREAS, this proof-of-concept was successfully installed and when Technology staff was planning to move ahead with the ClearCom equipment at all toll plaza locations, another vendor was identified, and it was determined to issue a Request for Proposals to Furnish and Install a new Intercom System; and

WHEREAS, in response to the Commission's goal of Improving Safety and Improvement Customer Experience, Technology staff decided to expand the project beyond upgrades at twenty-one (21) toll plazas, but to include updates to equipment at the Commission's eight (8) Maintenance Buildings, fourteen (14) service plazas, and new installations at buildings being built as part of the Commission's new Toll Collection System; and

WHEREAS, on November 1, 2021, the Commission issued its Request for Proposal No. 20-2021 ("RFP") to Furnish and Install New Intercom System; and

WHEREAS, on November 29, 2021, three (3) proposals were received in response to the RFP; and

WHEREAS, an Evaluation Team comprised of the Chief Information Officer, Technology Specialist II, Central District Toll Supervisor, and Toll Plaza Supervisor conducted the technical review of the proposals submitted; and

WHEREAS, the Evaluation Team scored the technical proposals based on the evaluation criteria set forth in the RFP, and at that time, decided to remove one proposal from consideration due to it being fundamentally deficient in responding to the RFP; and

WHEREAS, with respect to the remaining two respondents, the Evaluation Team reviewed each respondent's responses to written questions prepared by the Evaluation Team and finalized its technical proposal scoring which resulted in TMT Solutions, Inc. receiving the highest score on the technical proposal; and

WHEREAS, after the technical proposal scoring was complete, the Evaluation Team requested and received the pricing proposals from the Department of Contracts Administration, reviewed the pricing proposal submitted by the remaining respondents and applied the pricing proposal evaluation criteria set forth in the RFP which resulted in TMT Solutions, Inc. receiving the highest combined score on both the technical proposal and pricing proposal; and

WHEREAS, the pricing proposal from TMT Solutions, Inc. was in the amount of \$2,980,811.14; and

WHEREAS, the Evaluation Team recommends that the Commission accept the proposal submitted by TMT Solutions, Inc. as offering the best value to the Commission in terms of service and price and authorize the Executive Director to enter into an agreement with TMT Solutions, Inc. to furnish and install a new intercom system in an amount not-to-exceed \$2,980,811.14; and

WHEREAS, in response to the written questions prepared by the Evaluation Team, TMT Solutions, Inc. advised that it offers a PC based remote software (Station IC) that will provide the ability to page to remote Service Plaza from any location, and the parties agreed to include the purchase of this software as an optional item in the Agreement which if determined to be necessary for optimal performance of the system, the Commission will procure the software and licenses from TMT Solutions, Inc. in accordance with the Commission's contracting policy; and

WHEREAS, the expenditures under the contract to be awarded by this Resolution 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 award; and

WHEREAS, the Director of Contracts Administration has determined that all legal requirements have been performed and that the aforesaid proposals were solicited on the basis of the same terms, conditions and specifications with respect to all respondents and that the Commission may legally enter into a contract with TMT Solutions, Inc.; and

WHEREAS, the Office of Equity and Inclusion waived the SBE goal for this contract finding there to be a lack of opportunity for participation by certified firms; and

WHEREAS, the Executive Director has reviewed the report of the Evaluation Team and concurs with the recommendation that the Agreement to furnish and install a new intercom system be awarded to TMT Solutions, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that TMT Solutions, Inc. is awarded the contract to furnish and install a new intercom system and is approved as offering the best value to the Commission, and that the Executive Director is authorized to execute a contract with TMT Solutions, Inc. in the maximum total amount of \$2,980,811.14; and further

said the contract is approved subject to changes or insertions not inconsistent with this Resolution and not materially adverse to the Commission as may be permitted by this Resolution and approved, upon advice of the Acting General Counsel to the Commission, and agreed to by the Executive Director.

(Resolution No. 20-2022 adopted February 28, 2022)