

**MINUTES OF THE 671st MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
MARCH 16, 2020**

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

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

Commission Member, Vickie Eaton Johnson, Executive Director, Ferzan M. Ahmed, and Deputy Executive Director/CFO/Comptroller, Marty Seekely advised they will not be attending today's meeting.

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

We felt it was essential to meet this morning. There are twelve resolutions that are important for the furtherance of some projects that are ongoing with the Commission. Therefore, we are not ignoring the severity of this virus issue. We are not ignoring the Governor's wisdom. We are simply taking every precaution this morning. We have encouraged people not to attend the meeting in person unless they are staff. We are putting this on Facebook for those of you that cannot be here to have an opportunity to witness and see exactly what business the Commission is doing this morning. We acknowledge and respect the Ohio Sunshine Law and recognize the need that all meetings be public and to keep the public out would not be in the best interest of one's rights to attend and for us to be public with our actions that we take as a Commission.

With that being said, would the General Counsel, Jennifer Stueber, please call the roll.

General Counsel: Chairman Hruby

Chairman, Jerry Hruby: Here

General Counsel: Chairman Hruby

Vice Chairman, Timothy Paradiso: Here

General Counsel: Secretary-Treasurer Peterson

Secretary-Treasurer, Michael Peterson: Here

General Counsel: Mrs. Barber

Commissioner, Sandra Barber: Here

General Counsel: Mr. Coviello

Commissioner, Guy Coviello: Here

General Counsel: Mr. Pakush

Chairman: We have a quorum. This is the 671st Meeting of the Ohio Turnpike and Infrastructure Commission. We are meeting here at the Commission's headquarters, as provided for in the Commission's Code of Bylaws for a Commission Meeting.

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

May I have a motion to adopt the Minutes of the February 24, 2020, Commission Meeting?

MOTION: A motion to adopt the Minutes of February 24, 2020, Commission Meeting was made by Mr. Pakush and seconded by Mr. Coviello. All Commission Members present voted to approve the Minutes, with the exception of Vice Chairman Paradiso, who abstained.

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

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

1. Eleven Resolutions;
2. Draft Minutes of the February 24, 2020, Commission Meeting; and
3. Agenda for today's meeting.

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

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

That concludes the Secretary-Treasurer's report, Mr. Chairman.

Chairman: Thank you. Any questions or comments? Hearing none, we will move on with the report from the Executive Director, Ferzan Ahmed, which will be given by Jennifer Stueber.

General Counsel: Thank you, Mr. Chairman. Executive Director, Ferzan Ahmed, has provided a written statement that I would like to read into the record now.

In light of the announcement from Governor Mike DeWine declaring a state of emergency regarding the Coronavirus, we are working with our statewide leadership from the Governor on down doing everything we can to address concerns about and prevention of the Coronavirus Disease 2019 (COVID-19). Our primary goal is to keep our employees and our customers, the traveling public safe during this uncertain time. A few of the items already in place are:

- This meeting is being broadcast on Facebook live so that people who do not wish to come in can watch online.
- Cleaning supplies such as sanitizing wipes, and cleaning solutions have been sent to all toll plazas and service plazas across the Turnpike. Cleaning services have also been increased at our service plazas, toll plazas and Admin/Technology buildings.
- Gloves are mandatory for positions perhaps where they have been optional in the past.
- Posters have been sent to all service plazas and placed on entrance doors, etc. displaying commonsense best practice ways to help stop the spread of COVID-19.
- We are looking at all of our departments to see which employees need to or can work from home. This is important for families who have childcare issues. A few departments (Customer Service Center and IT) where employees work in clusters have been split up. We are moving a portion of each department into another area so should an infection occur in part of the staff; normal business functions can still be carried out.
- Service plaza concessions are making food available for carry-out only. Chairs have been removed to facilitate social distancing.
- As a group, we are practicing safe and hygienic practices as outlined by the CDC and the Ohio Department of Health. Our employees are to be commended for their active participation in keeping all of us safe and I thank them for their extra efforts, great teamwork and attitude.

Retirements:

I would like to congratulate a few team members in our Toll Operations Department who are embarking upon new journeys with retirement: Rosalind Petrillo and Jeffrey Warren. I thank them for their dedicated service and wish them well on their next journey.

Audit (Level 2 review - Ohio Turnpike 3549):

The Ohio Bureau of Workers' Compensation audits all self-insured employers and as a self-insured employer for OBWC purposes, we were audited. I am happy to report that we passed with 100% compliance. This clean audit was made possible by our General Counsel with support from ACR, our third-party administrator, along with the efforts of Don Shantz, Dawn Shockey, and Debby Sideris, who check, verify reports, benefits, days off and medical invoices, etc. Thank you for your hard work to make this audit a success.

Mr. Chairman, that concludes the Executive Director's report.

Chairman: Thank you. Any questions? Hearing none, we will move on to the report of the Chief Engineer, Tony Yacobucci.

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

The first resolution for your consideration seeks the Commission's authorization to award Contract No. 45-20-01 for the Sign Structure Repair and Replacement of eight (8) signs between Mileposts 11.25 and 15.60, all located in Williams County, Ohio. This work is included in the 2020 Capital Improvement Budget. On February 27, 2020, Procurement received two (2) bids in response to this project, and the apparent low bid was submitted by M.P. Dory Company ("M.P. Dory"), of Columbus, Ohio, in the amount of \$247,500.00. Commission staff evaluated the unit bid prices and found them to be reasonable and the bid tabulation did not appear to contain any errors or anomalies. The bid submitted by M.P. Dory is approximately seventeen and one-half (17.5) percent below the Engineer's Estimate of \$300,000 and is deemed to be a responsive and responsible bid. Based on a review of M.P. Dory's Financial Statement and Experience Questionnaire it appears they have the capacity to perform this work. They have successfully performed similar work for the Commission in the past with favorable results. In addition, M.P. Dory has committed to 16.97% SBE participation, exceeding the 8% SBE goal as set by the Office of Equity and Inclusion. Therefore, it is recommended that Contract No. 45-20-01 be awarded to M. P. Dory Company, of Columbus, Ohio, in the amount of \$247,500.00. With your permission, may the General Counsel please read the title of the Resolution.

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

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

MOTION: A motion to adopt *Resolution Approving the Selection of M. P. Dory Company for Sign Structure Replacements in the Amount of \$247,500.00 Under Project No. 45-20-01* was made by Mrs. Barber, seconded by Mr. Pakush, and approved by all Commission Members. Resolution No. 14-2020.

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

Chief Engineer: The second resolution for your consideration is to reject all bids received for Project No. 46-2020. This represented a contract for Furnishing and Applying Retro-Reflective Pavement Markings on the Ohio Turnpike mainline roadway and interchange ramps from Milepost 0.0 to Milepost 241.2. This work is included in the 2020 Operating Budget. On March 4, 2020, Procurement received two (2) bids in response to this Project, and both bids were more than ten percent (10%) above the Engineer's Estimate. In accordance with Ohio Revised Code Sections 5537.02(A) and 153.12, the bids cannot be considered for award, and must be rejected. It is recommended that the bids received for Contract No. 46-2020 be rejected, and the project be re-evaluated by engineering staff and re-advertised at a later date. With your permission, may the General Counsel please read the title of the Resolution?

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

Chairman: Any questions or comments?

Vice Chairman Paradiso: I notice we are rejecting them and I am fine with that. Are they time sensitive? Are these things we have to get done right away?

Chief Engineer: Mr. Chairman and Vice Chairman Paradiso, yes. It is time sensitive. We are trying to restripe the road twice this year which is unusual when you typically only do it once in the spring. As part of this contract, our intent is to restripe everything in the spring, typically before Memorial Day, so when our heavy traffic starts in the summer, we have very nice, clean, crisp stripes. Then our intent was in the fall to restripe the lane lines, the two white dash lines in the middle of the road for the winter months so they were clean and crisp going into the winter season. We haven't done that before. It is something that is done throughout the industry. It was something we were trying and one of the reasons the bids came out higher is: (a) the glass beads and the paint is a little more expensive and we didn't anticipate that; and (b) the striping the second time is a little more costly and we didn't figure that into our estimate. We are prepared to go out and procure bids another time so that we can come back to the Commission next month with a request for award.

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

MOTION: A motion to adopt *Resolution Rejecting All Bids Received on Project No. 46-2020 for Retro-Reflective Pavement Markings on the Ohio Turnpike Mainline Roadway and Interchange Ramps* was made by Chairman Hruby, seconded by Mr. Peterson, and approved by all Commission Members. Resolution No. 15-2020.

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

Chief Engineer: The next resolution for your consideration seeks the Commission's authorization to award Contract No. 4362, for the furnishing and applying of herbicide on various Turnpike right-of-way areas from Milepost 0.0 to Milepost 241.2. The furnishing and applying of herbicide will provide roadside vegetation management service along the Commission's roadways and ramps for a period of two years. On February 19, 2020, Procurement received three (3) bids in response to Bid Invitation No. 4362. The apparent low bid was submitted by Allen Chase Enterprises, Inc. ("Allen Chase"), of Oswego, New York, in the estimated amount of \$257,922.00. The Bid Invitation provides for a 20% variance between the estimated quantities and the actual quantities applied that could result in the total cost of the service to reach \$309,506.40. Allen Chase proposes to furnish equipment, material, and services in accordance with the specifications and this bidder has satisfactorily supplied these services to the Commission in the past. Therefore, it is recommended that the Commission award Contract No. 4362 to Allen Chase Enterprises, Inc., of Oswego, New York, in the estimated amount of \$309,506.40. With your permission, may the General Counsel please read the title of the Resolution?

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

Chairman: We do not have any Ohio firms that could have performed this work?

Chief Engineer: Mr. Chairman, unfortunately, this firm is doing work with ODOT in several other districts. They do have one employee that resides in Ohio. There is a two person crew and the others do reside in New York and Pennsylvania.

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

MOTION: A motion to adopt *Resolution Approving the Selection of Allen Chase Enterprises, Inc. for Applying Herbicide Under Bid Invitation No. 4362 in the Total Not-to-Exceed Amount of \$309,506.40* was made by Vice Chairman Paradiso, seconded by Mr. Peterson, and approved by all Commission Members. Resolution No. 16-2020.

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

Chief Engineer: The fourth resolution for your consideration seeks the Commission's authorization for continuing expenditures for the Contract with Hill International, Inc., of Broadview Heights, Ohio, for the Mainline Pavement Reconstruction Program. Under Resolution No. 52-2013 adopted in August 2013, the Commission authorized an agreement with Hill International to serve as the Commission's Construction Manager for Pavement Replacement Program Projects, with each project encompassing approximately a five to six-mile section located along the mainline of the Ohio Turnpike. To expeditiously and effectively coordinate the planned Pavement Replacement Projects with the Toll Collection System Projects contemplated within their limits, the Commission, under Resolution 5-2019, approved the option to extend the services of Hill International through the completion of the Pavement Replacement-Toll Collection System Program Projects. Hill International has submitted a fee proposal dated March 5, 2020 to perform Construction Management and Inspection Services during 2020 and 2021 for the Pavement

Replacement Program combined with the Modernized Toll Collection System Projects in the total not-to-exceed amount of \$3,612,333. This is comprised of \$696,747 for General Construction Management Services for 2020 and \$2,915,586 for the Construction Management and Inspection Services during 2020 and 2021 for the Pavement Replacement Program and Toll Collection System Project Nos. 39-20-02 and 58-20-01. Project No. 39-20-02 Parts A and B, previously approved during the January 2020 Commission Meeting, is a two-year project being completed in 2020 and 2021. Part A of the project is the Reconstruction of the Eastbound and Westbound Mainline Pavement and Shoulders from Milepost 46.50 to Milepost 50.92 in Fulton and Lucas Counties. Part A of the project also includes the construction of the entrance and exit ramps to and from new Toll Plaza 49 and the open road tolling lanes which is part of the Modernization of the Toll Collection System. Part B of the Project includes the site construction for the new mainline Toll Plaza 49 in Lucas County, again part of the Modernization of the Toll Collection System. Project No. 58-20-01, to be advertised in the Spring of 2020, with award and construction following later in the year, is a two-year project being completed in 2020 and 2021. This project consists of the construction of the new Toll Plaza Utility Building, Toll Booths, Lanes, and Canopies. Engineering staff has reviewed and negotiated the fee proposal and finds it reasonable for the scope to be performed. Therefore, we are requesting Commission authorization to amend the Agreement with Hill International, Inc., of Broadview Heights, Ohio, in the amount not to exceed \$3,612,333. With your permission, may the General Counsel please read the title of the Resolution.

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

Chairman: Any questions or comments?

Mrs. Barber: I noticed that we have used them for a number of years and a sizeable amount of money. When we do these construction projects and we have these construction managers, does that mean that they are there at the project on a daily basis viewing all of the work that has been done?

Chief Engineer: Mr. Chairman and Commission Member Barber, yes. They are physically onsite with the staff of about four to five people managing and inspecting the work that is being performed by our contractors.

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

MOTION: A motion to adopt *Resolution Authorizing Hill International to Perform Construction Management Services for 2020/2021 Pavement Replacement and Toll Collection System Program Projects in the Not-to-Exceed Amount of \$3,612,333.00* was made by Mr. Pakush, seconded by Mrs. Barber, and approved by all Commission Members. Resolution No. 17-2020.

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

Chief Engineer: The next seven resolutions for your consideration rescind and repeal Resolution Nos. 66-2019 through 72-2019 and enact new resolutions which declare that the acquisition of property is necessary to construct new toll plazas, both eastbound and westbound, along with access ramps from the toll plazas merging to and from the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near Milepost 4 in connection with the new toll collection system. The dimensions of the property set forth in the original Resolutions, Numbers 66-2019 through 72-2019, have slightly changed as a result of subsequent survey work completed by the Commission, necessitating the enactment of new Resolutions and the rescinding and repealing of the original Resolutions. The property acquisition is necessary for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 74-19-01 under the Toll Collection System and Customer Service Center Strategic Plan. In furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire the following parcels, as depicted on the slide shown on the monitor in front of you:

- 1.) a 0.751 acre parcel owned by Richard L. Lemmon, adjacent to the Ohio Turnpike in Northwest Township, Williams County, which is a portion of the real estate currently designated as Williams County Auditor's Permanent Parcel No. 104-020-00-006.000. As you look at the slide on the monitor, this parcel is designated as 4-WL and is highlighted in pink, it is south of the turnpike and is located on the left side of the monitor.
- 2.) a 1.790 acre parcel owned by Thomas B. Creque, adjacent to the Ohio Turnpike in Northwest Township, Williams County, which is a portion of the real estate currently designated as Williams County Auditor's Permanent Parcel No. 104-020-00-010.002. As you look at the slide on the monitor, this parcel is designated as 5-WL and is highlighted in dark purple, it is south of the turnpike and is located towards the center of the monitor.
- 3.) a 0.813 acre parcel owned by Gary A. Crider and Patricia A. Crider adjacent to the Ohio Turnpike in Northwest Township, Williams County, which is a portion of the real estate currently designated as Williams County Auditor's Permanent Parcel No. 104-020-00-010.000. As you look at the slide on the monitor, this parcel is designated as 6-WL and is highlighted in orange, it is south of the turnpike and is located towards the center of the monitor.
- 4.) 3.827 acre parcel owned by Hakeland Acres LLC adjacent to the Ohio Turnpike in Northwest Township, Williams County, which is a portion of the real estate currently designated as Williams County Auditor's Permanent Parcel No. 104-020-00-011.000. As you look at the slide on the monitor, this parcel is designated as 7-WL and is highlighted in green, it is south of the turnpike and is located towards the center of the monitor.
- 5.) a 0.087 acre parcel owned by Hakeland Acres LLC adjacent to the aforementioned property designated 7-WL and the Ohio Turnpike in Northwest Township, Williams County, which is a portion of the real estate currently designated as Williams County

Auditor's Permanent Parcel No. 104-020-00-011.000. As you look at the slide on the monitor, this parcel is designated as 7-CH and is highlighted in light purple, it is south of the turnpike and is located towards the center of the monitor.

- 6.) a 2.540 acre parcel owned by David L. Brown and Virginia A. Brown, adjacent to the Ohio Turnpike in Northwest Township, Williams County, which is a portion of the real estate currently designated as Williams County Auditor's Permanent Parcel No. 104-020-00-012.000. As you look at the slide on the monitor, this parcel is designated as 8-WL and is highlighted in grey, it is south of the turnpike and is located on the right side of the monitor.
- 7.) a 2.169 acre parcel owned by Joseph Alan Headley adjacent to the Ohio Turnpike in Northwest Township, Williams County, which is a portion of the real estate currently designated as Williams County Auditor's Permanent Parcel No. 104-020-00-004.000. As you look at the slide on the monitor, this parcel is designated as 2-WL and is highlighted in yellow, it is north of the turnpike and is located towards the center of the monitor.
- 8.) a 3.879 acre parcel owned by Mark S. Gorney adjacent to the Ohio Turnpike in Northwest Township, Williams County, which is a portion of the real estate currently designated as Williams County Auditor's Permanent Parcel No. 104-020-00-013.000. As you look at the slide on the monitor, this parcel is designated as 3-WL and is highlighted in light pink, it is north of the turnpike and is located towards the center of the monitor.
- 9.) a 21.472 acre parcel owned by Mark S. Gorney adjacent to the aforementioned property designated 3-WL and the Ohio Turnpike in Northwest Township, Williams County, which is a portion of the real estate currently designated as Williams County Auditor's Permanent Parcel No. 104-020-00-013.000. As you look at the slide on the monitor, this parcel is designated as 3-WD and is highlighted in light blue, it is north of the turnpike and is located towards the center of the monitor.

The proposed resolutions authorize and direct the Executive Director or the General Counsel to negotiate for a reasonable time, and if possible, enter into an agreement, for the purchase of the aforementioned properties. In addition, if negotiations fail, the Executive Director or the General Counsel shall begin proceedings to appropriate and prosecute the appropriation of fee title to the properties and any necessary easements. With your permission, may the General Counsel please read the title of each Resolution and allow for the Commission act upon each Resolution independently?

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

Chairman: All of these resolutions are related to the Toll Collection System Modernization Project, correct?

Chief Engineer: Mr. Chairman, you are correct.

Chairman: And you are indicating that in each one of them?

Chief Engineer: Correct, Mr. Chairman.

Chairman: So, this is for the furtherance of the Toll Collection System Modernization Project. I just want to make sure that all of us are aware of that by passing these resolutions we will be acquiring these properties and we will be moving forward with this plan.

Any further questions or comments? Hearing none, please call the roll

MOTION: A motion to adopt *Resolution Rescinding and Repealing Resolution No. 66-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-006.000 in Relation to the Toll Collection System (TCS) Modernization Project* was made by Vice Chairman Paradiso, seconded by Mr. Peterson, and approved by all Commission Members. Resolution No. 18-2020.

Chairman: The resolution passes unanimously. Please continue.

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

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

MOTION: A motion to adopt *Resolution Rescinding and Repealing Resolution No. 67-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-010.002 in Relation to the Toll Collection System (TCS) Modernization Project* was made by Mrs. Barber, seconded by Chairman Hruby, and approved by all Commission Members. Resolution No. 19-2020.

Chairman: The resolution passes unanimously. Please continue.

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

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

MOTION: A motion to adopt *Resolution Rescinding and Repealing Resolution No. 68-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-010.000 in Relation to the Toll Collection System (TCS) Modernization Project* was made by Mr. Pakush, seconded by Mr. Peterson, and approved by all Commission Members. Resolution No. 20-2020.

Chairman: The resolution passes unanimously. Please continue.

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

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

MOTION: A motion to adopt *Resolution Rescinding and Repealing Resolution No. 69-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-011.000 in Relation to the Toll Collection System (TCS) Modernization Project* was made by Mrs. Barber, seconded by Mr. Coviello, and approved by all Commission Members. Resolution No. 21-2020.

Chairman: The resolution passes unanimously. Please continue.

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

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

MOTION: A motion to adopt *Resolution Rescinding and Repealing Resolution No. 70-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-012.000 in Relation to the Toll Collection System (TCS) Modernization Project* was made by Mr. Peterson, seconded by Mr. Pakush, and approved by all Commission Members. Resolution No. 22-2020.

Chairman: The resolution passes unanimously. Please continue.

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

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

MOTION: A motion to adopt *Resolution Rescinding and Repealing Resolution No. 71-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-004.000 in Relation to the Toll Collection System (TCS) Modernization Project.* was made by Mrs. Barber, seconded by Vice Chairman Paradiso, and approved by all Commission Members. Resolution No. 23-2020.

Chairman: The resolution passes unanimously. Please continue.

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

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

MOTION: A motion to adopt *Resolution Rescinding and Repealing Resolution No. 72-2019 and Enacting a New Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 104-020-00-013.000 in Relation to the Toll Collection System (TCS) Modernization Project* was made by Mr. Peterson, seconded by Mr. Coviello, and approved by all Commission Members. Resolution No. 24-2020.

Chairman: The resolution passes unanimously. Is there much more in the way of acquisition that we have to do in the future?

Chief Engineer: Mr. Chairman, we have one more toll plaza, 211, that we will require acquisition for. We are working feverishly to get that brought to you very shortly.

Chairman: Thank you. Any other questions for Tony before we move on? Hearing none, we will move on to the report of the Assistant Comptroller, Lisa Mejac.

Assistant Comptroller: Thank you Mr. Chairman. I have a brief update on our traffic and revenue for the month of February.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past 2 years.

Passenger car vehicle miles traveled were up 2.3% from February of last year, primarily due to the extra day in February this year because of leap year. If you subtract February 29, 2020 from this year's total, passenger car vehicle miles traveled were down 1.5% this year.

Commercial traffic was up 1.1% from February of last year, also due to the extra day in February this year because of leap year. If you subtract February 29, 2020 from this year's total, commercial vehicle miles traveled were down 1.4% from last February.

The increase in passenger car traffic combined with the toll rate increase and the extra day in February this year caused passenger car toll revenue to increase 4.8% in February. If you remove February 29, 2020 from this year, passenger car toll revenue was up .9% from February of last year.

The increase in commercial traffic combined with the toll rate increase caused commercial vehicle toll revenues to increase 4.2% in February. If you remove February 29, 2020 from this year, commercial vehicle toll revenue is up 1.6% from February of last year.

This chart shows year to date toll revenues through the month of February during each year over the past decade. Year-to-date total toll revenues were \$1.7 million or 4.1% above the amount from last year. If you subtract February 29, 2020 from this year's total, total toll revenues are up \$1.1 million or 2.6% over last year.

That completes my report, Mr. Chairman.

Chairman: Any questions? Hearing none, we will move on to the report of the General Counsel, Jennifer Stueber.

General Counsel: My report today is a presentation from our Program Manager from the Office of Equity and Inclusion. I would like to invite Diana Anthony to come and present to the Commission Members this morning.

Chairman: Jennifer, I want the Commission to hear what our conversation was. A little earlier, we talked about this current situation that we are all in throughout the world. One of the concerns that we have is for the future of our employees. We are very responsible for and we feel a great responsibility for the travelers, our customers, but we have a great sense of taking care of and helping and working with our employees. One of the issues at hand is, what if we shut down some operations or we decrease some operations about employees being paid, employees being called to work that are part-time, people that are quarantined that have been away and now they are quarantined for a period of time. Did you want to address that a little bit? There was some question about whether the Commission should adopt some type of policy regarding that or give the Executive Director some extraordinary power, so to speak, or authority to deal with this. I felt uncomfortable just saying that because I don't think any of us know what all of these part-time jobs are and who is essential and who is not. So, if you could open that topic up for us and then we can talk with Ferzan. Even if we have to do some special emergency legislation, we could consider that.

General Counsel: Mr. Chairman and Commission Members, I did express some concern about the response to the COVID-19 crisis that we are all experiencing. I can tell you that our Executive Director has had daily, sometimes multiple times a day, conference calls with management to respond. I know there is a very large team from the Commission working over the

weekend to do some of the more visible actions that we need to take, including shutting down the food operations for sit-in diners. So, the concessions at the services plazas are for take-out only. They are still preparing food and providing it to the traveling public. The Executive Director is having conversations with persons like Chief Engineer, Tony Yacobucci and Toll Operations Director, Laurie Davis, to identify staff in the different categories under Governor DeWine's guidance, basically between essential and non-essential workers and from the essential where the priorities are. So, I know that conversation is going on, but I did express concern to the Chairman that if we did have another Executive Order from Governor DeWine or from President Trump that we would be in a position to respond quickly and operate with minimal staff. I wanted to raise that concern and open up the discussion to see if you, as a voting board, would have further direction or ask for further information from us, the staff.

Chairman: Thank you. Any questions or comments?

Mrs. Barber: Mr. Chairman, I guess from my perspective I would like to know what the various departments are reporting to the Executive Director regarding their workforce and people who are not able to come in and how the Turnpike can function without these employees and what kind of plan is developed. I wouldn't know that, Mr. Chairman, myself. I see it as an in-house type of thing where the Executive Director works with the various departments and comes up with some kind of directive to handle what all of us are going through.

Mr. Peterson: Mr. Chairman, just to add to that, understanding what is considered business critical from you all would be a good education for us.

Chairman: In other words, I think what you are going to hear from us is that, if some kind of recommendations can be written up, do you think that the Executive Director needs additional authority considering the Bylaws and considering what may need to be done? What those recommendations would be and if you are making recommendations, tell us a little bit about those employees as to why they essential and/or non-essential? What kind of impact they'll have upon the Turnpike in accomplishing our daily operations and if there is extraordinary staff that needs to be brought on for whatever reason, may be cleaning the plazas or wiping down toll booths or whatever? I look at it as you have to come to us and you are going to have to tell us what you think and what your recommendations would be.

General Counsel: Sure, I will follow-up with the Executive Director, Comptroller/CFO, Chief Engineer and Director of Toll Operations, and we will follow-up to all of your questions.

Vice Chairman: Tony, I was not aware that were not allowed to have a meeting offsite like a teleconference vote or something like that. Can we call a Special Meeting over the phone?

Chairman: No, the meeting has to be in person, any voting that has to be done publicly, plain, and simple.

Vice Chairman: What is the notification for a Special Meeting?

General Counsel: Mr. Chairman and Vice Chairman, the requirement is forty-eight hours.

Vice Chairman: So, I would, maybe, suggest if we are anticipating some kind of Special Meeting, maybe we kind of target some dates as potentials and anticipate that, but I would certainly need the recommendation from the Executive Director before we would take any action.

Chairman: If it is necessary. I am sure the staff is well-equipped to deal with this issue. But, if there are some extraordinary authority that you need, please let us know what that is.

General Counsel: Thank you, Mr. Chairman.

Chairman: Thank you very much. Sorry about the delay. We will move to the report of the Office of Equity and Inclusion Manager, Diana Anthony. I just wanted to get that discussed before the end of the meeting.

Ms. Anthony: Thank you for the opportunity to present the 2018-2019 Office of Equity and Inclusion Annual Report.

Today, I will give you an overview of the Annual Report which includes the:

- Introduction;
- Methodology which demonstrates how this report was crafted;
- An overview of the Commission Responses to Disparity Study Findings presented in 2016;
- The current Business Inclusion Program;
- The Utilization Results for overall small business, minority and female participation; and
- Program Objectives for 2020-2021.

Getting right into the report, let's start with the methodology for crafting this report.

In 2015-2016, the Commission received recommendations to establish the groundwork for a Business Inclusion Program. The recommendations provided by the study team are the basis for generating this report. One of the recommendations included establishing a system that could track both prime and subcontractors on commission contracts. Therefore, the B2GNow System, along with Apteau, which is the Commission's financial system and the collection of manual data was used to generate this report.

Contracts analyzed for this report were pulled from the B2GNow system and monitored between January 1, 2017 and December 31, 2019. This report gives progress for a two-year period. The total contract amount used for this report is approximate \$308 million. The total dollars tracked for the contract types which equates to \$308 million amounts are listed on this slide.

The chart presented before you provides percentages for overall utilization and compares it with the 2017 Annual Report and the Disparity Study findings.

According to the Commission's Disparity Study (2016), "overall, minority- and woman-owned businesses received 6.7% of the relevant contracting dollars that the Commission awarded during the study period." The Study noted that white female-owned businesses received 5.9% of the Commission Contracts. The remaining 0.8% balance was awarded to minority-owned firms.

In 2017, the Annual Report showed a doubling in overall MBE/DBE utilization to 13.2% in contracts that were monitored. The MBE share of the Commission's contracting dollars increased from 0.8% to 5.4%. The remaining 7.6% of participation dollars went to white female owned businesses.

This Annual Report shows an increase in the overall minority and otherwise disadvantaged at 18.7%. The overall MBE utilization is 9.7% giving MBE an increase of 9.7% as compared to the last report. White female owned businesses continue to receive a portion of the Commission's contracting dollars at 9.0%, which results in a 1.4% increase in participation from 2017. In addition, 14% of contracting dollars went to certified firms under the Commission SBE program.

This chart represents the overall utilization for minorities, female owned businesses and the overall combination of both minority and DBE utilization (which are female owned businesses). This year we went one step further and highlighted the SBE participation. The SBE percentages include only certified firms that were verified through the Commission's registries or our partnering registries at the time our contracts were awarded. However, B2GNow allows the users to track all companies who have been verified in the system has a minority or female owned business. Therefore, SBE percentages are lower than the overall utilization for minority and female owned businesses. Some of the firms may not meet the requirements of the Commission's SBE program for several reasons, example include gross revenue may be too high to meet SBE requirements or a firms may be registered in B2GNow system as a minority or female owned business but choose to not to apply for certification. The goal is to confirm how the Commission dollars are disbursed.

Professional Service Contracts: Professional Service contract dollars resulted in 35.2% MBE/DBE participation, which MBE utilization comprised of 25.1% and white female owned companies received 10.1%. The overall participation for contract monitored under the SBE program is 16%. The participation figure includes amounts received by prime and sub-contractors to capture the total dollars contracted in each category. The participation figure does not include amounts under contract initiated without the Office of Equity and Inclusion's requirements.

Construction Contracts: Construction contract dollars resulted in 17.5% MBE/DBE participation in comparison to the 3.4% observed through the Disparity Study. Minority owned firms were utilized in 8.5% of construction spending. White female owned business participation in the construction work is 9.0%. These contracts also include prime and sub utilization for each category. The overall participation for contract monitored under the SBE program is 13%.

Good and Service Contracts: The Office of Equity and Inclusion's most challenging contract type to monitor is Good and Services. Due to large number of purchases that are small in dollar amounts and procured through purchase orders and credit card transactions. The Office of

Equity and Inclusion will work on tracking and developing reports for these types that confirm ownership and ethnicity using other Commission Reports that are not incorporated with B2GNow.

However, the contract dollars that we tracked resulted in 12.9% overall MBE/DBE participation. This percentage also represents the only MBE participation in this contract type because there is limited data in this area. In addition, 0.0% represents the utilization for white female owned business. The overall participation for contract monitored under the SBE program is 1%. The process for tracking this contract category needs improvement.

This chart demonstrates the contract dollars distributed by ethnicity. According to the Commission's Disparity Study (2016), minority black-owned firms received 0.6% and all other minority groups received less than 1% of the Commission Contracting dollars in 2015. The 5.9% balance of the 6.7% total participation went to white female owned businesses.

The current data documents that black-owned firms received 5.4% of the Commission's 2018-2019 contracting dollars, Native Americans 0.0%, other minorities 2.8%, Hispanics 0.1%, and Asian American 6.5%. White female owned business received 9.0% of the Commission's contracting dollars.

The current data was compared to the 2016 Disparity findings and show that the Commission is moving forward with diversifying its vendor pool.

As the Program enters its fourth year of implementation, several areas of improvement are evident for the Program to be achieve better results.

Collecting the universe of all Commission contracts is essential to the success of the Program. The universal contracts include small purchase. Therefore, good and services are most often procured through small purchase orders, credit card purchases and the Office of Equity and Inclusion needs the ability to analyze vendors and reports procured through those methods. The Office of Equity and Inclusion seeks to integrate small purchase order and credit card purchases by developing reporting tools in 2020's Program goals.

Additional training and repeated emphasis on the Program's application to the operations of each department is necessary and can be achieved through additional communication and training. The Program Manager will implement procurement training to promote awareness of the Program requirements, as they are necessary to avoid circumstances where the Program requirements are not met.

The 2020 objective for integrating the Program requirements into the initiation of contracts has begun with the Legal Department's after Contracts Administration Department was merged into the Legal Department. The Executive Director requested new contracting procedures in December 2019 and the implementation is continuing. A new system of checks and balances between the departments aims to achieve a higher quality of reporting to gain greater compliance which will help the Office of Equity and Inclusion better monitor participation.

According Resolution 43-2016, to promote cultural change and accountability, contracting procedures need to foster Program objectives. Promoting the external and internal utilization of the office is essential to the success of the Program. The Program Manager will develop and offer trainings that will support program compliance for those involved in contract initiations. In addition, the program manager will recommend hosting events to promote how to do business with the Commission to increase compliance for external customers.

The Commission last completed a Disparity Study in partnership with ODOT in 2016, the data is now over five years old. Best practices for business inclusion programs suggest conducting a disparity study every five years. The Office of Equity and Inclusion will explore options for partnering with other state government entities. This will help to determine the feasibility of a joint study and retain an expert to study the Business Inclusion Program. The results and the market research are necessary to determine whether the program should remain a race and gender natural program or implement specific race and gender goals through a DBE program.

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

Chairman: Any questions?

Mr. Peterson: Would you say that the non-certified folks are baked into that number, as well?

Ms. Anthony: Yes. So, what we did was we looked at all of the contracts where we actually applied an SBE goal and then we calculated that under its own category. Therefore, you see the 13%. If you notice in construction and some of our other contracts our goals vary from 10% to 13% in construction. Most of our participation comes from those types of contracts.

Mr. Peterson: With the utilization, do you have a target number? Where are you all based on those numbers?

Ms. Anthony: The target number you will see in the actual report shows an availability matrix or index of where we should be based on what the Disparity Study team told us. So, it's an availability index of all of the companies that were produced through the Disparity Study.

Mrs. Barber: I was wondering, you mentioned ODOT, have you compared our statistics with ODOT since they do comparable work?

Ms. Anthony: Well, at the time that we implemented the program, we did look at where we should apply our goals and where and how we should track our program. But, because we are on two different levels of contracting, ODOT was already established, they already had their contracts in place, they have some form of what their subcontracting and prime looks like. For the Commission, we had to start from the ground. We needed a system to just track that information. Now that we are into our fourth year, we should have some comparable data even though it is going to be on a smaller level.

Mrs. Barber: It looks like we are moving in the right direction.

Ms. Anthony: We have work to do, but we are moving in the right direction.

Mr. Pakush: Mr. Chairman, I would also like commend the Turnpike and your team for doing a good job for the improvements. I do see in the overall utilization that the Turnpike has done a great job of increasing annually your results. I know how difficult it is. We are working very hard at ODOT to increase our numbers and utilization and trying to do our best to have a lot of outreach efforts and it is not an easy process.

I would add on to Mrs. Barber's question on the comparison to ODOT, at ODOT we are only tracking DBE contractors on our Federal construction projects and our professional services and MBE for goods and services. Here at the Turnpike you've got a few other categories above and beyond what ODOT does with the SBE and the white female owned. I do not believe that ODOT specifically tracks that. I believe those are not our tracking mechanisms. We have DBE and MBE. It's a little different, but they are doing a good job in the categories that they are tracking here.

On goods and services, I know that's where we utilize MBE contractors for potentially our vehicles and equipment. Is there opportunity in the vehicles and equipment with MBE purchasing to increase those numbers in the goods and services?

Ms. Anthony: We do, through our Procurement Department, try to use MBE companies that are registered through the state, so we do have those MBE companies that that procure the vehicles or any other types of good and services. The issue that I find that we are having which is not an issue it is just challenging tracking those purchase orders that do through our financial system that are not tied to B2GNow. For example, we have payments through Aptean that shows the construction dollars that go right into B2GNow. I know when they get paid, I know when they can go to the subcontractor and say this is what I paid the subcontractor. However, with goods and services, it is one contract, we have a report that sometimes shows a duplication of who we have paid. So, that is the challenging area. It is just figuring out who we have paid, how we paid them and not double counting.

Chairman: I think most of you will remember when we first embarked on this, it was not mandated, it was just an action taken by the Commission, our Legal Counsel gave us some strong advice in how to proceed, and the Commission has been committed to this. We think it is very important that we keep ourselves of where we are in this and continue to improve.

Mr. Peterson: As a small business owner and a minority business owner, to see the commitment here and that it is not just for show, it is really impressive. Thank you all for doing that and staying committed to that cause.

Chairman: Anything further? Hearing none, we will move on to the report of the Ohio State Highway Patrol, Staff Lieutenant William Haymaker.

Staff Lieutenant Haymaker: to report on today.

Good morning, Mr. Chairman. I have a couple items

On 2/9/2020 around 0307 hours, Trooper E. Manu, of Post 91, approached a vehicle during a rest area check of the Towpath Service Plaza on the Ohio Turnpike. He could smell the odor of raw marijuana coming from the vehicle. The driver fled and a pursuit ensued for several miles on and off the Turnpike. The suspects threw a duffel bag out of the vehicle containing several various ID's and credit cards. In order to stop the vehicle, a PIT maneuver was used by Sergeant Nemestil, of the Akron Post. Both suspects have been identified and have lengthy criminal histories. The recovered credit cards were "blank" along with fraudulent identification cards. An imprint/embossing machine for fabricating fraudulent credit and debit cards was also found in the vehicle.

Trooper Tammy Soto, of the Milan Post, visited the Lorain County Community Action Agency and read to over 200 preschoolers. The children were so excited to have her there, some even expressing an interest in law enforcement when they get older.

On 2/18/20 Trooper Liz Grabel, of the Milan Post, stopped a vehicle for a defect violation. Upon contact, the odor of burnt marijuana was smelled coming from the vehicle. During a search of the vehicle, four one-pound vacuum-sealed bags of marijuana were found in the trunk worth an approximate street value of \$12,600.

Chairman: Thank you for all of your hard work. It was a perfect chase. A classic case of control. Please pass on our accommodation.

Mr. Peterson: When did the PIT maneuver become a thing? Has it always been that way in Ohio?

Staff Lieutenant Haymaker: The PIT maneuver has been around for a long time. We were never trained on it coming out of the academy. I think what they saw was that other state agencies have been using it for some time. Obviously, with the way pursuits are nowadays, we very rarely at this point, we will start a pursuit, but we will terminate it almost immediately. If they take the first exit and they are running a stop sign or red light, we stop it pretty quickly. But what we are finding is that these other state agencies are using this PIT maneuver and like I said the damage on the patrol car was about \$250.00, so in essence the quicker we can do it, the better, but we want our guys to justify it. It has been around forever. We are still very cautious about using it because someone can honestly get hurt in using it. Speeds have to be below forty miles-per-hour and there has to be some type of threat there and the threat was that he was going the wrong way on the roadway heading into Medina Square.

Chairman: That was not shown on the news, he went through some heavily populated areas and then was about to go into another populated area. The necessity was there to end it. I thought the Officers had great restraint.

Thank you all for being in attendance. I know these are difficult times and I appreciate the fact that you all spread out. You were paying attention. I didn't see anyone put their hand near their face. Let's leave here now and go wash our hands.

The next meeting and workshop will be held on Monday, April 20, at 10:00 a.m. If there is no further business, I move that we adjourn the Commission Meeting. We are very committed to keeping our meetings open to the public, as it should be, and as mandated by the Ohio Sunshine Law.

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

Time of adjournment: 11:10 a.m.

Attendees for Record Keeping Purposes:

Jennifer Stueber, Ohio Turnpike; Anthony Yacobucci, Ohio Turnpike; Laurie Davis, Ohio Turnpike; Michelle Marquard, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; David Miller, Ohio Turnpike; Chris Matta, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Heather Veljkovic, Ohio Turnpike; Diana Anthony, Ohio Turnpike; Stacey Verespe, Ohio Turnpike; Joseph Mannion, Ohio Turnpike; Chad Armstrong, Ohio Turnpike; Brian Newbacher ,Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

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

Secretary-Treasurer, Michael A. Peterson

EXHIBITS

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

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

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

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

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

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

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

WHEREAS, the Office of Equity and Inclusion Manager found that M. P. Dory has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 16.97% which exceeds the SBE participation goal of 8% for the Project; and

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

WHEREAS, the Commission’s Executive Director concurs with the recommendations of the Chief Engineer and Deputy Chief Engineer/Director of Field Operations that the Commission approve the award of the Project to M.P. Dory as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of M. P. Dory Company, in the amount of \$247,500.00 for Project No. 45-20-01 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract on the basis of said bid; and

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

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

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

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

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

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

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

WHEREAS, the Commission has duly considered said recommendations.

NOW, THEREFORE, BE IT

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

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) duly advertised for bids under Invitation No. 4362 for the furnishing and applying of herbicide on right-of-way areas from Milepost 0.0 to Milepost 241.2 for a term of two (2) years; and

WHEREAS, the Commission received three (3) bids in response to the Invitation and the report of the Commission’s Deputy Chief Engineer/Director of Field Operations concerning the review and analysis of the bids is before the Commission; and

WHEREAS, the Deputy Chief Engineer/Director of Field Operations reports that Allen Chase Enterprises, Inc. (“Allen Chase Enterprises”), of Oswego, New York, submitted the apparent low bid based on the estimated quantities in the amount of \$257,922.00 and proposes to furnish and apply the herbicide in accordance with the specifications, which provides for a twenty percent (20%) variance between the quantities estimated and the actual quantities applied that could result in the total cost of the service to reach \$309,506.40; and

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

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

WHEREAS, the Deputy Chief Engineer/Director of Field Operations reports that the bid of Allen Chase Enterprises conforms with the bid specifications and Allen Chase Enterprises has satisfactorily performed similar services for the Commission in the past and recommends that the Commission select the bid of Allen Chase Enterprises as the lowest responsible and responsive bid received under Invitation No. 4362 which may result in a total contract price of \$309,506.40 if the maximum delivery variance of twenty percent from estimated quantities is reached; and

WHEREAS, expenditures by the Commission under Invitation No. 4362 will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws, Commission action is necessary for the award of such contracts; and

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

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of Allen Chase Enterprises, Inc. under Invitation No. 4362 to furnish and apply the requirements for herbicide, which may result in a total contract price of \$309,506.40 if the maximum variance of twenty percent from the estimated quantities is achieved, is approved as the lowest responsive and responsible bid received, and that the Executive Director is authorized to cause a purchase order to be issued on the basis of said bid for a term of two years.

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

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

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

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

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

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

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

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

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

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

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

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

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

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

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

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

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

NOW, THEREFORE, BE IT

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

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

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

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

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

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

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

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

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

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

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

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

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

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

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

NOW, THEREFORE, BE IT

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

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

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

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

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

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

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

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

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

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

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

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

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

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

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

NOW, THEREFORE, BE IT

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

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

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

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

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

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

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

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

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

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT

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

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

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

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

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

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

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

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

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

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

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

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

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

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

NOW, THEREFORE, BE IT

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

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

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

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

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

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

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

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

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

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

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

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

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

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

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

NOW, THEREFORE, BE IT

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

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

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

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

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

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

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

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

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

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

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT

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

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

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

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

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

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

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

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

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