

MINUTES OF THE 581st MEETING OF THE OHIO TURNPIKE COMMISSION

March 19, 2012

Chairman Hruby: (10:00 a.m.) Pledge of Allegiance is recited by all in attendance. The meeting will come to order. Will the Secretary-Treasurer please call the Roll?

Secretary-Treasurer: Chairman Hruby.

Chairman Hruby: Here.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Here.

Secretary-Treasurer: Mr. Dixon is present. He is attending to the ceremony downstairs and will rejoin us when we reconvene. Mr. Pakush.

Mr. Pakush: Here.

Secretary-Treasurer: Mr. Cole.

Mr. Cole: Present.

Secretary-Treasurer: Mr. Smith will not be present due to an unforeseen emergency and sends his regrets. Senator Patton.

Senator Patton: Here.

Secretary-Treasurer: Representative Dovilla.

Representative Dovilla: Present.

Chairman Hruby: At this time, we will recess to the main lobby on the first floor. We will have a brief ceremony after which we will reconvene and continue the Commission Meeting. (Recessed at 10:05 a.m./Reconvened at 10:20 a.m.).

Chairman Hruby: This is the 581st Meeting of the Ohio Turnpike Commission. We are meeting here at the Commission's Headquarters as provided by the Commission's Code of Bylaws. Various reports will be received, and we will act on several Resolutions. Draft copies have been previously sent to the Members with updated copies in the folders. The Resolutions will be explained during the appropriate reports. Can I have a Motion to adopt the Minutes of February 27, 2012 Commission Meeting?

Vice Chairman Balog: Moved.

Mr. Pakush: Seconded.

Chairman Hruby: Moved and Seconded. Are there any corrections or additions to the Minutes? Hearing none, Roll Call.

Secretary-Treasurer: Chairman Hruby.

Chairman Hruby: Yes.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes

Chairman Hruby: If there are no questions, we will proceed with the report of the Secretary-Treasurer.

Secretary-Treasurer: I would like to start my report with stating that the following items have been sent to the Members since the last scheduled meeting of the Commission on February 27, 2011:

1. Four Resolutions: 39-12-02; 59-12-01; 59-12-05 and Distinguished Service;
2. Corrected Minutes of the January 17, 2012 Commission Meeting;
3. Minutes of the February 27, 2012 Commission Meeting;

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

4. Traffic Crash Summary Report, February, 2012;
5. Traffic and Revenue, February, 2012;
6. Investment Report, February, 2012;
7. Total Revenue by Month and Year, February, 2012; and
8. Various News Articles.

I would like to reserve the rest of my report for new business at the end.

Chairman Hruby: Okay. Resolutions from our Chief Engineer, Dan Castrigano.

Chief Engineer: Thank you Mr. Chairman. I have three Resolutions for your consideration this morning. The first is awarding Contract No. 39-12-02. This is for Reconstruction of the Westbound Roadway from Milepost 164.8 to Milepost 169.7 in Cuyahoga County. This Project is in our 2012 Capital Improvement Budget. The Contract Documents provided for alternate bids for not only the mainline pavement, (either full-depth asphalt or composite concrete asphalt roadway), but also different construction in the shoulder pavement and aggregate materials. We received four bids. The apparent low bid was submitted by The Shelly Company of Twinsburg, Ohio, in the total amount of \$11,059,344.23. This configuration consisted of an asphalt roadway and shoulder pavement, and virgin shoulder aggregate. The apparent second low bid was also submitted by The Shelly Company in the total amount of \$11,256,048.23. This second configuration was also for a full-depth asphalt roadway and

shoulder pavement. The exception with this bid was that it was with recycled shoulder aggregate. Although this bid is approximately \$197,000.00 more than the apparent low bid, it will result in approximately 10,000 cubic yards of recycled aggregate for use in future projects. The value of the material based on bid prices is anywhere from \$300,000.00 to \$500,000.00. therefore, in the long run, we are saving money in this configuration. The second low bid is below the Engineer's Estimate, and this contractor has performed satisfactorily in the past for the Commission. The Resolution also includes the provisions to assign Resource International, Inc. for performing construction services and administration services in accordance with their pre-existing agreement; and Solar Testing Laboratories, Inc., of Brooklyn Heights, Ohio for performing materials testing and inspections. If the General Counsel would please read the Resolved.

General Counsel: RESOLVED that the bid of **The Shelly Company of Twinsburg, Ohio**, in the amount of **\$11,256,048.23** for the performance of Contract No. 39-12-02 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **Resource International, Inc. of Cleveland, Ohio** to Contract No. 39-12-02 for the purpose of performing construction administration services in accordance with the Agreement specific to this Project as previously authorized under Resolution No. 35-2011, and to assign **Solar Testing Laboratories, Inc., of Brooklyn Heights, Ohio** for the purpose of performing materials testing and inspection, with such assignment in accordance with the 2011-2012 Miscellaneous Engineering Services Agreement between the Ohio Turnpike Commission and said engineering firm; and

FURTHER RESOLVED that **Project No. 39-12-02 is designated a System Project under the Commission's 1994 Master Trust Agreement.**

Chairman Hruby: Is there a Motion?

Mr. Pakush: Motion to adopt.

Chairman Hruby: I'll second that Motion. Is there any discussion? Mr. Balog.

Vice Chairman Balog: I see that we went through numerous different alternative bids, and I'm still a little confused when I look at the tab sheet, and the price of \$11,256,048.23, and I see Shelly at \$12,350,671.98, how did we get from that bid to the final one? But, why do we go through all of the different alternatives. Why did we go through all the different alternatives? Wouldn't it make more sense for us to make a decision on which method is the best method that will give us the most length of service for the pavement and for the work?

Chief Engineer: Mr. Chairman and Vice Chairman Balog – Marty, do have that slide that you can put up? The slide Vice Chairman is speaking of is in your package. It is the last letter-sized attachment. To answer your question Vice Chairman Balog, we have a combination of eight different alternates in here. The combinations were full-depth asphalt pavement, a concrete pavement with an asphalt topping, a roller compacted concrete shoulder, full-depth asphalt shoulder, and the recycled versus the virgin aggregates. We went through this mechanism to assure that we got the best pricing for the Project. Both pavement sections, the full-depth asphalt and the composite sections, were designed to provide the same service life.

Vice Chairman Balog: So you went through the different bid processes, and either one that came out would give you the same result?

Chief Engineer: That is correct. The same service life for the pavement.

Vice Chairman Balog: Can you explain the \$11,256,046.23 under Shelly? As I look through the tabulation sheet, which is the one that includes the Engineer's Estimate, I see Shelly at \$12,350,671.98.

Chief Engineer: Mr. Chairman and Vice Chairman Balog, the \$12,350,671.98 submitted by The Shelly Company was for a composite pavement that was with the concrete pavement. Not only that, but also a roller compacted concrete shoulder. The recommendation that we are making is for the asphalt pavement with the asphalt shoulder and the recycled aggregate.

Vice Chairman Balog: Yes, I see which one they decided to take, and I see where it's listed on the sheet. But, did they give us the breakdown on that particular bid also?

Chief Engineer: Mr. Chairman and Vice Chairman Balog, all the Item Numbers are in the long bid tab with all the reference numbers 1 through 154. Depending on which alternative was available, we only evaluated certain reference items in the long bid tab. So, you do have all the information for all of the different alternates in the long bid tab. If you notice, the base bid was Item No. 1 through Item No. 158. The bid we are awarding on is base bid Item 10 through 85, plus Items 159 and 160.

Vice Chairman Balog: Okay. I see the base bid listed on the sheet, that was on the screen. So, we would have to add some...

Chief Engineer: Add some items and take some others out.

Vice Chairman Balog: Thank you.

General Counsel: I'll add to that, the Contract Document very specifically indicated that the Commission reserves the right to accept the alternates as bid by the bidders in determining the lowest and best bid.

Vice Chairman Balog: Thank you for answering my questions.

Chairman Hruby: I'll ask a simple question. Why do you do this?

Chief Engineer: Mr. Chairman, we basically did this to make sure we received the best pricing by comparing asphalt to concrete.

Chairman Hruby: In other words, giving the Commission options. Also, this makes it more difficult for someone to try and set themselves up to think they know which direction we are going in. Any other questions?

Vice Chairman Balog: I was just curious about the pavement life and I appreciate you answering the questions.

Chairman Hruby: Anything further? Roll call.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman Hruby: Yes.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Four to nothing.

OHIO TURNPIKE COMMISSION

Resolution Awarding Contract No. 39-12-02

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Westbound Right Two (2) Lanes and Shoulder Reconstruction from Milepost 164.82 to Milepost 169.74 located in Cuyahoga County, Ohio, herein designated **Contract No. 39-12-02**; and

WHEREAS, the Contract Documents for the Project also requested alternate bids for excavation, mainline pavement, shoulder pavement, aggregate and temporary access credit; and

WHEREAS, expenditures for the award to be made under Contract No. 39-12-02 will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for said Contract award; and

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

WHEREAS, the Deputy Executive Director/Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 39-12-02 was submitted by **The Shelly Company of Twinsburg, Ohio**, in the total Alternate bid amount of **\$11,059,344.23**, consisting of asphalt roadway and shoulder pavement and virgin shoulder aggregate, as allowed for in the Bidding Documents; and

WHEREAS, the Deputy Executive Director/Chief Engineer reports that the second lowest responsive and responsible bid for the performance of Contract No. 39-12-02 was also submitted by **The Shelly Company**, in the total Alternate bid amount of **\$11,256,048.23**, consisting of asphalt roadway and shoulder pavement and recycled shoulder aggregate, as allowed for in the Bidding Documents, and he further indicates that, as a part of this Alternate bid, the Commission would be provided with 10,000 cubic yards of recycled aggregate for use in future projects; and

WHEREAS, the Deputy Executive Director/Chief Engineer, therefore, recommends that the second lowest Alternate bid of The Shelly Company in the total amount of **\$11,256,048.23**, consisting of asphalt roadway and shoulder pavement and recycled shoulder aggregate, be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the General Counsel that bids for Contract No. 39-12-02 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of The Shelly Company for Contract No. 39-12-02 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by The Shelly Company; and

WHEREAS, the Commission's Executive Director has reviewed the reports of the Deputy Executive Director/Chief Engineer and the General Counsel and, predicated upon such analysis, has made his recommendation to the Commission to award Contract No. 39-12-02 to the lowest responsive and responsible bidder, The Shelly Company; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **The Shelly Company of Twinsburg, Ohio**, in the amount of **\$11,256,048.23** for the performance of Contract No. 39-12-02 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security, when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **Resource International, Inc.** of **Cleveland, Ohio** to Contract No. 39-12-02 for the purpose of performing construction administration services in accordance with the Agreement specific to this Project as previously authorized under Resolution No. 35-2011, and to assign **Solar Testing Laboratories, Inc.**, of **Brooklyn Heights, Ohio** for the purpose of performing materials testing and inspection, with such assignment in accordance with the 2011-2012 Miscellaneous Engineering Services Agreement between the Ohio Turnpike Commission and said engineering firm; and

FURTHER RESOLVED that Project No. 39-12-02 is designated a System Project under the Commission's 1994 Master Trust Agreement.

(Resolution No. 13-2012 adopted March 19, 2012)

Chief Engineer: Thank you. The second Resolution is awarding Contract No. 59-12-01. This is a Resurfacing of the Mainline Roadway from Milepost 69.3 to Milepost 71.1 in Wood County. This Project is also on our System Projects Budget for 2012. We received two bids in response to the Contract. The apparent low bid on this Project was also submitted by The Shelly Company of Findlay, Ohio, in the total amount of \$1,804,781.79. The total amount is below the Engineer's Estimate of \$2,000,000.00, and this contractor has performed satisfactorily in the past. Also, this Resolution contains provisions to assign the Mannik & Smith Group of

Maumee, Ohio to the project for performing construction inspection, and TTL Associates, Inc., of Toledo, Ohio for performing material testing and inspection. If the General Counsel would please read the Resolved.

General Counsel: **RESOLVED** that the bid of **The Shelly Company of Findlay, Ohio**, in the amount of **\$1,804,781.79** for the performance of Contract No. 59-12-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **The Mannik & Smith Group of Maumee, Ohio** to Contract No. 59-12-01 for the purpose of performing construction inspection, and **TTL Associates Inc. of Toledo, Ohio** for the purpose of performing material testing and inspection, with such assignments in accordance with the 2011-2012 Miscellaneous Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

FURTHER RESOLVED that Project No. 59-12-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

Chairman Hruby: Are there any questions?

Mr. Pakush: Motion to adopt.

Chairman Hruby: I'll second. Any more questions? Hearing none, Roll call.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Four to nothing.

OHIO TURNPIKE COMMISSION

Resolution Awarding Contract No. 59-12-01

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Repairs and Resurfacing, Eastbound and Westbound Roadways, from Milepost 69.3 to Milepost 71.1 located in Wood County, Ohio, herein designated **Contract No. 59-12-01**; and

WHEREAS, expenditures for the award to be made under Contract No. 59-12-01 will exceed \$150,000.00 and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for said Contract award; and

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

WHEREAS, the Deputy Executive Director/Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 59-12-01 was submitted by **The Shelly Company of Findlay, Ohio**, in the amount of **\$1,804,781.79**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the General Counsel that bids for Contract No. 59-12-01 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of The Shelly Company for Contract No. 59-12-01 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by The Shelly Company; and

WHEREAS, the Executive Director has reviewed the reports of the Deputy Executive Director/Chief Engineer and the General Counsel and, predicated upon such analysis, concurs with the recommendation to award Contract No. 59-12-01 to the lowest responsive and responsible bidder, The Shelly Company; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **The Shelly Company of Findlay, Ohio**, in the amount of **\$1,804,781.79** for the performance of Contract No. 59-12-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **The Mannik & Smith Group** of **Maumee, Ohio** to Contract No. 59-12-01 for the purpose of performing construction inspection, and **TTL Associates Inc.** of **Toledo, Ohio** for the purpose of performing material testing and inspection, with such assignments in accordance with the 2011-2012 Miscellaneous Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

FURTHER RESOLVED that Project No. 59-12-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.

(Resolution No. 14-2012 adopted March 19, 2012)

Chief Engineer: Thank you. The final Resolution is awarding Contract No. 59-12-05 for the Resurfacing of the Mainline Roadways from Milepost 209.6 to Milepost 214.4 in Trumbull County. This Project is on our System Projects Budget for 2012. We received two bids in response to the subject Contract. The apparent low bid was submitted by Shelly & Sands, Inc., of Akron, Ohio in the total amount of \$5,164,368.05, which is below the Engineer's Estimate of \$6,200,000.00, and this contractor has performed satisfactorily for the Commission in the past. The Resolution also contains provisions to assign KCI Associates of Ohio, P.A., of Akron, Ohio, for performing construction inspection, and ACA Engineering, Inc., of Boardman, Ohio, for performing materials testing. If the General Counsel would please read the Resolved.

General Counsel: **RESOLVED** that the bid of **Shelly & Sands, Inc.** of **Akron, Ohio**, in the amount of **\$5,164,368.05** for the performance of Contract No. 59-12-05 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **KCI Associates of Ohio, P.A.** of **Akron, Ohio** to Contract No. 59-12-05 for the purpose of performing construction inspection, and **ACA Engineering, Inc.** of **Boardman, Ohio** for the purpose of performing material testing and inspection, with such assignments in accordance with the 2011-2012 Miscellaneous Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

FURTHER RESOLVED that Project No. 59-12-05 is designated a System Project under the Commission's 1994 Master Trust Agreement.

Chairman Hruby: Moved to adopt Resolution. Is there a second?

Vice Chairman Balog: I'll second.

Chairman Hruby: Moved and seconded. Any discussion? Yes, Mr. Pakush.

Mr. Pakush: Thank you, Mr. Chairman. I noticed this section is about fourteen miles in length for a bid of \$5 million. In a previous Resolution that we adopted a section in Wood County was a two mile stretch for \$2 million, I mean this Project is five miles, and the other one was two miles. I don't believe there is an issue.

Chief Engineer: Chairman and Commissioner Member Pakush, I will defer to Dennis Albrecht. We are doing two lanes in Wood County, and three lanes in Trumbull County. Is that correct?

Mr. Albrecht: That is correct with the scope of work.

Chief Engineer: So, Chairman and Commission Member Pakush, this one would probably be weighted a little heavier as a per mile cost because we are doing all three lanes.

Mr. Pakush: Okay.

Chairman Hruby: Anything further? Yes sir, Mr. Dixon.

Mr. Dixon: Is there any relationship between The Shelly Company and Shelly and Sands, Inc.?

Chief Engineer: No. They are two different companies with no relationship that I am aware of.

Chairman Hruby: Any further questions? Roll call.

Secretary-Treasurer: Chairman Hruby.

Chairman Hruby: Yes.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Four to nothing.

OHIO TURNPIKE COMMISSION

Resolution Awarding Contract No. 59-12-05

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Repairs and Resurfacing, Eastbound and Westbound Roadways, from Milepost 209.6 to Milepost 214.4 located in Trumbull County, Ohio, herein designated **Contract No. 59-12-05**; and

WHEREAS, expenditures for the award to be made under Contract No. 59-12-05 will exceed \$150,000.00 and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for said Contract award; and

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

WHEREAS, the Deputy Executive Director/Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 59-12-05 was submitted by **Shelly & Sands, Inc.** of **Akron, Ohio**, in the amount of **\$5,164,368.05**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the General Counsel that bids for Contract No. 59-12-05 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Shelly & Sands, Inc. for Contract No. 59-12-05 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by Shelly & Sands, Inc.; and

WHEREAS, the Executive Director has reviewed the reports of the Deputy Executive Director/Chief Engineer and the General Counsel and, predicated upon such analysis, concurs with the recommendation to award Contract No. 59-12-05 to the lowest responsive and responsible bidder, Shelly & Sands, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Shelly & Sands, Inc.** of **Akron, Ohio**, in the amount of **\$5,164,368.05** for the performance of Contract No. 59-12-05 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the Chairperson and Executive Director, or either of them, hereby is authorized to: 1) execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid, 2) direct the return to the bidders of their bid security when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the Deputy Executive Director/Chief Engineer to assign **KCI Associates of Ohio, P.A.** of **Akron, Ohio** to Contract No. 59-12-05 for the purpose of performing construction inspection, and **ACA Engineering, Inc.** of **Boardman, Ohio** for the purpose of performing material testing and inspection, with such assignments in accordance with the 2011-2012 Miscellaneous Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

FURTHER RESOLVED that Project No. 59-12-05 is designated a System Project under the Commission's 1994 Master Trust Agreement.

(Resolution No. 15-2012 adopted March 19, 2012)

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

Chairman Hruby: Thank you, Dan. Next is the report of our CFO, Marty.

CFO/Comptroller: Good morning Mr. Chairman and Commission Members. I have an 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 two years.

Passenger car vehicle miles traveled in February increased 9.9% from February of last year. Part of this increase is because February had 29 days this year. If you subtract February 29 from this year's total, passenger vehicle miles traveled were up 6.6% this year. It appears that the mild winter this year more than offset the effect of the recent toll increase.

Commercial traffic continues to rebound with the improving economy and, as a result, commercial vehicle miles traveled increased 8.9% from February of last year. If you remove the extra day from this year, commercial vehicle miles traveled were 4% higher than February of last year.

This chart shows the total vehicle miles traveled through the month of February during each year over the past decade.

Total vehicle miles traveled for the first two months of this year were 5.1% above the amount from last year. Remove February 29 from this year's total and total vehicle miles traveled are still up 3.2% over last year.

This chart shows the monthly passenger car toll revenue generated on the Ohio Turnpike over the past two years.

The toll rate increase that went into effect on January 1, 2012, combined with the increase in passenger car miles traveled and the extra day in February this year, caused the passenger car toll revenue in February to increase 19% from February of last year. If you

remove February 29 from this year, passenger car toll revenue is up 15.5% from February of last year.

This chart shows the monthly commercial vehicle toll revenue over the past two years. The toll rate increase, the increase in vehicle miles traveled, and the extra day in February this year caused commercial vehicle toll revenue for the month of February to increase 18.9% from February of last year. If you subtract February 29th from this year, commercial toll revenue is up 13.5% from February of last year.

This chart shows the year-to-date toll revenues through the month of February during each year over the past decade. Year-to-date total toll revenues were \$4.3 million or 14.4% above the amount from last year. If you subtract February 29 from this year, total toll revenues are up \$3.6 million or 12.1% over last year. That completes my report Mr. Chairman.

Chairman Hruby: Thank you. Any questions for Marty? Our General Counsel.

General Counsel: No report Mr. Chairman.

Chairman Hruby: Is there a Financial Report, Eric?

Mr. Ericson: No report today Mr. Chairman.

Chairman Hruby: General Consultant, Scott Buchanan.

Mr. Buchanan: No report Mr. Chairman.

Chairman Hruby: Trustee from Huntington, Mr. Lamb.

Mr. Lamb: No report Mr. Chairman.

Chairman Hruby: Ohio State Highway Patrol, Captain Zurcher.

Captain Zurcher: No report Mr. Chairman.

Chairman Hruby: Okay. We will move on to new business.

Secretary-Treasurer: Mr. Chairman, in a moment I will ask General Counsel to read the Resolved in Honor of the Distinguished Service of Dan Castrigano. Today marks the beginning of an end of an era as we begin to say good-bye to Dan. I'm not sure that words can express what he has meant to the Turnpike. The Turnpike of today is due as much to Dan as to anybody over the last thirty years. He has been Chief Engineer, Deputy Executive Director, and played a number of other roles during his career here, and it's certainly an understatement to say that he has rendered extremely honorable, dedicated and diligent service to the Ohio Turnpike Commission. Dan formally contemplated retirement last fall, but after discussion with you, Mr. Chairman, agreed to stay on during this transition. That is something that I am extremely grateful for personally. I think most people in this room have gotten to know Dan over a lot longer period than I have, but in the short time that I have known him, he has not only become a trusted and respected advisor, but a good friend. I am certainly grateful to him, and I know I speak for all of you to a limited extent, when I convey our heartfelt appreciation to Dan, and all that he has meant to the Turnpike. Dan is a young man and I know that he is always welcome back here. I hope we see him in the future as he continues on to the next part of his career. He will always be welcomed back as a friend and respected colleague. With that, I would like to ask the General Counsel to read the Resolved:

General Counsel: RESOLVED that the Ohio Turnpike Commission hereby acknowledges and expresses its gratitude to Daniel F. Castrigano for his thirty years of dedicated service, and the Commission also considers that the people of the State of Ohio have been fortunate in receiving the unselfish services which he rendered; and

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

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

Chairman Hruby: Is there a Motion?

Vice Chairman Balog: I would like to Motion to adopt.

Chairman Hruby: So moved, and second?

Mr. Pakush: I will second.

Chairman Hruby: It's moved and seconded. Any discussion?

Vice Chairman Balog: Just my quick comment. I can't say enough. You've done a great job, Dan. You've been a great employee, and you've been "Mr. Turnpike." We're going to miss you.

Chief Engineer: Mr. Vice Chairman, I've enjoyed working with you not only as Vice Chairman, but during your long tenure as Chairman.

Mr. Pakush: On behalf of ODOT, congratulations on your retirement. I've enjoyed working with you in the short time we worked together. As fellow University of Toledo graduates, you've done a great job. I appreciate your services.

Chief Engineer: Thank you, Myron. I appreciate it. I've enjoyed working with ODOT also.

Senator Patton: I've had the great pleasure in my role at the State House as the Transportation Chairman in working with Dan and his team here. He knows where all the keys are to all the compartments, so I am hoping that he's at least on speed dial. This much institutional memory, while it is a well-deserved retirement, it is still sad to see so much of that walk out the door. We are still looking forward to seeing you around here. In the meantime, I'm sure there is still a lot of advice that can be sought freely. We are proud to have been able to work along side you, and I am awfully doggone proud that not only you have been such a great member, but you are also one of my constituents.

Chief Engineer: Thank you, Senator. I appreciate it.

Mr. Dixon: I look around this panel, and I noticed that I've been here longer than anybody. I'm the senior Member and Dan has been here from the beginning. Unfortunately, Dan went to Toledo and I went to Ohio University. Dan has always been a source for that institutional memory. Any fact or figure I wanted to know about, Dan has always known and returned my calls. More than that, he has been a friend. I'm happy for you. Good luck in your second career.

Chief Engineer: Thank you, Mr. Dixon.

Mr. Cole: While a new Member of the Commission, I think I have worked with Dan in more different perspectives than anyone else. As the Chief of Staff of the Summit County Engineer and as a local government official, I was able to work with Dan and, on the Turnpike with the planning of the rebuilding of the bridge over the Cuyahoga Valley. There was a president of a non-profit who was concerned about the environment and the historic preservation and I witnessed seeing how Dan, as a member of the Turnpike staff, dealt with that constituency. In the private sector, working at First Energy with the Commission and now as a Commission Member, Dan was the same guy no matter what the meeting was; no matter what your perspective was; he never played to the audience. He represented the Commission. He did what was best for the people and what was best for the Commission, and that is a unique trait. Some of us wear multiple hats and it's difficult to be the same guy everywhere, and Dan was. I always felt he was fair and honest. I didn't always like his decisions, but respected them. I always appreciated that. I wish him the best.

Representative Dovilla: From a good amount of time being around public service over the years with Senator Voinovich, and at the Office of Personnel Management the calling to public service is a special one. Dan, during your time here, you have made some significant contributions certainly to this toll road, and to the State of Ohio. On behalf of the House of Representatives, I want to thank you for your many years of service here.

Chief Engineer: Thank you Representative Dovilla. I appreciate it.

Chairman Hruby: To set the record straight, I would like to define briefly the story about what has happened over the past several months with Dan. When there was a change in the Administration, and when I was appointed to the Board and elected Chairman, Dan was ready to retire. He had the right to retire and he had his time in. He said he would be willing to stick around and help us. I thought that was the best thing possible that we could do for the Turnpike contrary to what anybody thinks. Whether he had the right to retire or not was his decision, and Dan decided that he wanted to retire. Much to our good, Dan stuck around and made the transition far easier. That being said, Dan stuck around and did an outstanding job in the transition. He has acted as Director and Chief Engineer. I think he has done just about anything and everything you can do with the Turnpike. As Senator Patton said, that kind of information and that kind of a background is invaluable for an institution such as this. Dan, I can't thank you enough. I don't know how we would have made it through the transition without your leadership. Certainly, you did carry the ball for all of us. I know that you did help the new Executive Director and me along during this transition. I've known Dan for some years and I will tell you that he is a good and decent man. I've dealt with him as a Mayor. He's tough and sticks to his guns with the Turnpike in mind. As much as I bark, and I even yelled at him once, he just stood there and took it, then did what he had to do, which always was what's best for the

Turnpike. There are very few people that come along in an organization like Dan. I want to thank you so very much on behalf of not only the Commission, but all of the employees. You are well respected, well liked, and you will not be forgotten. Dan, I hope you will not be a stranger to any of us. You've been an outstanding friend this short period of time, and I appreciate it so very, very much. Again, I just can't thank you enough for all you have done.

Chief Engineer: Thank you Mr. Chairman. Truthfully, I can't believe it's been thirty years. As you said, this is the only place I have worked coming here right out of college. I think I get a better feel now how Peyton Manning felt earlier this month when he left the Colts. The Turnpike has given me some wonderful opportunities. For those of you who don't know, when I did start here thirty years ago, I was only supposed to be here for three months. I was to help the Engineering Department get out the resurfacing jobs for the summer, and now I depart as Deputy Executive Director and Chief Engineer. As was said earlier, I was even given the privilege and opportunity to serve as the Interim Director prior to Rick's hiring. Although it's been my privilege to work with nine Chairmen and seven Executive Directors, eight if you count me, I am going to miss my fellow employees the most. I am very proud of the many projects that we were able to complete over my career: The construction of the third lane, the reconstruction of the Service Plazas, eleven additional interchanges, the beginning of the base replacement program, and I think the project that meant the most to our customers was the implementation of an electric toll collection system. Dave Miller, I will take this occasion to formally apologize to you for designating you as the project manager on that project. I do have to say that in my thirty years that was the most difficult project to implement and to get up and running. Dave, you did a yeoman's job on that project. I am confident that I leave the operation in capable hands. I wish the Commission and staff the best in the future.

Chairman Hruby: Thank you. Roll call.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Chairman Hruby.

Chairman Hruby: Yes.

Secretary-Treasurer: Mr. Dixon.

Mr. Dixon: Yes.

Secretary-Treasurer: Chairman, the Resolution passes unanimously. I would

like to add that we all have a chance to honor Dan in the Caucus Room, and invite everyone to stop by and give your regards.

OHIO TURNPIKE COMMISSION

Resolution Honoring the Distinguished Service of Deputy Executive Director/Chief Engineer Daniel F. Castrigano

WHEREAS, Daniel F. Castrigano, has been employed by the Ohio Turnpike Commission since 1982, and most recently as its Deputy Executive Director/Chief Engineer; and

WHEREAS, during his thirty-year tenure, Mr. Castrigano has served the Commission in several capacities within the Engineering Department: as Staff Engineer from 1982-1986, as Assistant Maintenance Engineer from 1986-1991, as Maintenance Engineer from 1991-1999, and as Chief Engineer from 1999 to the present; and

WHEREAS, Mr. Castrigano has informed the Commission of his intention to retire in April 2012, and the Commission wishes to formally acknowledge his distinguished service; and

WHEREAS, during Mr. Castrigano's tenure, and in addition to managing the day-to-day operations of the Turnpike, he was instrumental in shepherding such major projects as the reconstruction of the Cuyahoga River Bridge, the completion of 150 miles of third lane, the reconstruction of seven pairs of Service Plazas, the institution of electronic tolling and the commencement of the base replacement program; and

WHEREAS, the members and staff of the Commission wish to give formal and public recognition for the honorable, exceptionally dedicated, and effective service of Daniel F. Castrigano as Deputy Executive Director/Chief Engineer for the Commission.

NOW, THEREFORE, BE IT

RESOLVED that the Ohio Turnpike Commission hereby acknowledges and expresses its gratitude to Daniel F. Castrigano for his thirty years of dedicated service, and the Commission also considers that the people of the State of Ohio have been fortunate in receiving the unselfish services which he rendered; and

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

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

(Resolution No. 16-2012 adopted March 19, 2012)

Chairman Hruby: When is your last day officially?

Chief Engineer: April 2nd. I decided not to make it April Fools Day.

Chairman Hruby: Anything else from anyone? Hearing none, the next Commission Meeting will be on Monday, April 16, 2012 at 10:00 a.m. If there is no further business, I will accept a Motion to adjourn.

Vice Chairman Balog: So moved.

Mr. Pakush: Second.

Chairman Hruby: Roll Call.

Secretary-Treasurer: Vice Chairman Balog.

Vice Chairman Balog: Yes.

Secretary-Treasurer: Mr. Pakush.

Mr. Pakush: Yes.

Secretary-Treasurer: Chairman Hruby.
Chairman Hruby: Yes.
Secretary-Treasurer: Mr. Dixon.
Mr. Dixon: Yes.
Chairman Hruby: We are adjourned.

Attendees For Record Keeping Purposes:

Marty Seekely, Ohio Turnpike; Eric Erickson, Fifth Third; Jennifer Diaz, Ohio Turnpike; Donna Fritz, Ohio Turnpike; John Adams, Fifth/Third; Eric Erickson, Fifth/Third; David Russell, IUOE 18; Don Taggart, IUOE 18; George Pella, Great Lakes; Julia Miller, Resources Int'l.; Scott Buchanan, URS; Frank Lamb, Huntington Bank; Joe Rice, Rice Consultants; Stephan Holmes, First Merit; Dave Miller, Ohio Turnpike; Dale Perram, Ohio Turnpike; Adam Greenslade, Ohio Turnpike; Chris Zurcher, Ohio State Patrol; Doug Hedrick, Ohio Turnpike; Tim Ujvari, Ohio Turnpike; Dennis Albrecht, Ohio Turnpike; Lauren Hakos, Ohio Turnpike; Robin Carlin, Ohio Turnpike; Sharon Isaac, Ohio Turnpike.

Time of adjournment: 10:54 a.m.

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

Richard Hodges, Secretary-Treasurer