

**MINUTES OF THE 650th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
APRIL 16, 2018**

Chairman: Good morning. Please stand and join me in reciting the *Pledge of Allegiance*.

Mr. Peterson and Mr. Dixon both advised they are unable to attend today's meeting. A new Board Member, Guy Coviello, could not be here this morning for his first meeting. He will be here next month. We look forward to having him seated on the Commission.

The meeting will come to order. Have all guests signed the sign-in sheet in the Lobby? If not, please do so prior to leaving, so we can maintain an accurate account of attendance.

Will the Assistant Secretary-Treasurer please call the roll?

Assistant Secretary-Treasurer Randy Cole: Chairman Hruby

Chairman Jerry Hruby: Here

Assistant Secretary-Treasurer: Vice Chairman Paradiso

Vice Chairman Timothy Paradiso: Here

Assistant Secretary-Treasurer: Secretary-Treasurer Barber

Secretary-Treasurer Sandra Barber: Here

Assistant Secretary-Treasurer: Mr. Pakush

Commissioner Myron Pakush: Here

Assistant Secretary-Treasurer: Mr. Potter

Commissioner Quentin Potter: Here

Assistant Secretary-Treasurer: Representative Patton

Representative Thomas Patton: Here

Chairman: We have a quorum. This is the 650th Meeting of the Ohio Turnpike and Infrastructure Commission. We are meeting at the Commission's headquarters, as provided for in the Commission's Code of Bylaws for a Commission Meeting.

Various reports will be received. 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 March 19, 2018, Commission Meeting? Any questions, comments, or additions? Hearing none, please call the roll.

MOTION: A motion to adopt the Minutes of the March 19, 2018, Commission Meeting was made by Mr. Paradiso and seconded by Mr. Pakush. All Commission Members present voted to approve the Minutes.

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

Secretary-Treasurer: The following items have been provided to the Members since the last scheduled meeting of the Commission on March 19, 2018:

1. Seven Resolutions;
2. Draft Minutes of the March 19, 2018, 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, March 2018;
2. Traffic and Revenue Report, March 2018;
3. Total Revenue by Month and Year, March 2018;
4. Investment Report, March 2018;
5. Financial Statement, February and March 2018; and
6. Budget Report – Three Months 2018.

Chairman: Thank you. Any questions for Mrs. Barber? Hearing none, we will move on to the report of our Executive Director, Randy Cole.

Director Cole: Last October you approved a new Ohio Turnpike Memorial Sign program to honor twelve men tragically killed while performing their duties on the Ohio Turnpike. The program also calls renewed attention to the state of Ohio's Move Over law. Friday, the final day of National Work Zone Safety Awareness Week, we had two ceremonies to unveil the first signs and honor those who were lost in service. At the Elmore Maintenance building, Amy Fletcher, widow of John Fletcher, made a safety appeal. Tony Stout who survived the incident

was in attendance. I'm happy to say after three long years of recovery, he is now a father of a three-year-old and he looks great. The Kunkle Maintenance Building ceremony honoring Duane E. Cisek and Richard L. Yoh was particularly emotional. In 1997, when they were killed, they were only 48 and 43 years old, respectively. Their children are all now grown and grandchildren that they never met ran around the grounds before and after the ceremony.

I'd like to thank you for your support of the program. On May 11th, we will honor Michael Kennedy at 10:00 a.m. at the Boston Maintenance Building and at 2 :00 p.m. we will honor Kermit Starkey at the Amherst Maintenance Building. On May 15th, we will honor Trooper Robert Perez, Jr. I encourage any of you to attend one of the ceremonies. We are still contacting surviving family members to arrange the remaining ceremonies.

The most important thing we can do as an organization is to try to prevent another tragedy like these from happening. So, in addition to trying to humanize the need to move over and slow down, we are continuing strict enforcement with our partners at the OSHP and we are stepping up our efforts to promote work zone safety and raise awareness of the risks of distracted driving.

Today, I am announcing the Ohio Turnpike's "Red Thumb" campaign. One Red Thumb at a time, the Ohio Turnpike will work to educate people about the dangers of distracted driving and provide a strong, immediate call-to-action. We are asking drivers to take accountability and STOP their dangerous behavior behind the wheel. In addition to the Red Thumb Bands, we have purchased 500 Pop Sockets with vehicle mounts. The messaging on the Pop Sockets is consistent with the Red Thumb Band message. The vehicle mount removes the device from the driver's hand while allowing them to safely use the device for turn-by-turn navigation. April is "Distracted Driving Awareness Month." We will distribute the Red Thumb Bands at all of our customer appreciation and other public events and we are distributing them to all the local high schools along the Turnpike. Let me know if you would like a handful to distribute.

In addition, we will host a video contest for high school students, Grades 9 – 12 and announce it via the Ohio Department of Education's e-newsletter, as well as through our own channels of communication. The videos will be submitted through our social media pages. We will provide individual prizes to three winners. Also, \$500 will go to a booster club of the grand prize winner's school.

A special thanks to our Marketing/Communications Department: Adam Greenslade, Brian Newbacher and Chad Armstrong for all their work on the Memorial Sign Program and the Red Thumb Band.

To help ensure driver safety, we need everyone's cooperation. The theme for the 2018 National Work Zone Safety Awareness campaign is "It's Everybody's Responsibility." We are trying to take the message to everyone in the family or any potential occupant in a car to reinforce the appropriate driving behavior.

I am happy to answer any questions.

Chairman: Thank you, Mr. Director. Are there any questions? Hearing none, we will move on to the report of our Chief Engineer, Tony Yacobucci.

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

The first Resolution for your consideration is for the award of Contract No. 46-2018 to Furnish and Apply Retro-Reflective Pavement Markings on the Ohio Turnpike mainline roadway and interchange ramps from Milepost 0.0 to Milepost 241.2 located in Williams, Fulton, Lucas, Wood, Ottawa, Sandusky, Erie, Lorain, Cuyahoga, Summit, Portage, Trumbull and Mahoning counties. This work is included in the 2018 Operating Budget. On March 9, 2018, Procurement received two bids in response to Contract No. 46-2018. Following a thorough review of the bids submitted, it was determined that Aero-Mark, Inc., of Streetsboro, Ohio, has submitted the lowest responsive and responsible bid in the amount of \$717,000.00. Aero-Mark's bid is approximately five percent (5%) below the Engineer's Estimate of \$750,000.00, and Aero-Mark has satisfactorily performed projects of a similar size and scope for the Commission in the past. Based upon this information, it is recommended to award Contract No. 46-2018 to Aero-Mark, Inc., of Streetsboro, Ohio in the amount of \$717,000.00. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Approving the Selection of Aero-Mark, Inc. to Furnish and Apply Retro-Reflective Pavement Markings Under Project No. 46-2018 for the Total Amount of \$717,000.00.

Chairman: Any questions or comments?

Representative Patton: I note that there were only two bidders. Is this normal for a project of this nature?

Chief Engineer: Mr. Chairman and Representative Patton, yes, it is. There is only a handful of firms that do this, and the work is local to the northern part of the state. We have had three bids in the past, A&A Safety has bid in the past, but they chose not to bid on this one.

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

MOTION: A motion to adopt *Resolution Approving the Selection of Aero-Mark, Inc. to Furnish and Apply Retro-Reflective Pavement Markings Under Project No. 46-2018 for the Total Amount of \$717,000.00*, was made by Mr. Pakush, seconded by Mr. Paradiso, and approved by all Commission Members present. Resolution No. 24-2018.

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

Chief Engineer: The next Resolution for your consideration is for the award of Contract No. 64-17-01 for toll booth modifications at Interchanges 59, 64, 110, 118, 142, 180 and 209 in Lucas, Wood, Erie, Lorain, Summit and Trumbull Counties. The work associated with these toll booth modifications is to allow for the installation of fourteen Automated Toll Payment

Machines (ATPMs) at these Toll Plazas. If you recall, the Commission authorized the purchase of the ATPMs at the November 2017 Commission Meeting under Resolution No. 56-2017. This work is included in the 2018 Capital Improvement Budget. On March 29, 2018, Procurement received one bid for this work, and the sole bid was submitted by Regent Electric, Inc., of Toledo, Ohio, in the amount of \$456,200.00. The bid submitted by Regent is below the Engineer's Estimate of \$575,000.00 and appears to be a responsive and responsible bid. Engineering staff investigated possible reasons for the single bid and determined that this type of work coupled with multiple work sites across 150 miles, and restrictions on maintaining toll plaza traffic makes this project more specialized in nature with fewer bidders capable of performing it. The Resolution also contains provisions to assign AECOM Technical Services, Inc., of Akron, Ohio, to perform construction administration and inspection services. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Approving the Selection of Regent Electric, Inc. to Modify Certain Toll Plazas for New Automated Toll Payment Machines Under Project No. 64-17-01 for the Total Amount of \$456,200.00 and Approving the Assignment of AECOM Technical Services to Perform the Professional Services for the Project.

Chairman: Any questions or comments?

Director Cole: Mr. Chairman, if you remember the first ATPMs were used at the lowest volume interchanges on the Turnpike, these are now at lower and even some busier interchanges, but they won't be used. We will still have staffed normal shifts during any of the busy times. This is much more for the overnight hours and we continue, Representative Patton, to investigate additional technology and new procedures for additional customer service and remote oversight of these facilities at night when these ATPMs are in operation. There shouldn't be a decrease in customer service and we have already run the analysis that the number of transactions happening in those late night/early morning hours are low enough that there won't be lines at these ATPMs or anything.

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

MOTION: A motion to adopt *Resolution Approving the Selection of Regent Electric, Inc. to Modify Certain Toll Plazas for New Automated Toll Payment Machines Under Project No. 64-17-01 for the Total Amount of \$456,200.00 and Approving the Assignment of AECOM Technical Services to Perform the Professional Services for the Project*, was made by Chairman Hruby, seconded by Mrs. Barber, and approved by all Commission Members present. Resolution No. 25-2018.

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

Chief Engineer: The final Resolution for your consideration is seeking authorization for the Executive Director to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the procurement of Sodium Chloride (rock salt) for the 2018/2019 Snow and Ice Season. In years past, the Commission solicited bids for the furnishing and delivery of sodium chloride at various locations along the Ohio Turnpike. Over the past several years,

Commission staff has observed that the pricing for rock salt has been higher than the pricing bid by these same salt providers to ODOT and, for the last five Snow and Ice Seasons, the Commission authorized the purchase of rock salt through the ODOT Cooperative Purchasing Program. We are once again recommending that all of the Commission's rock salt be purchased through the ODOT Cooperative Purchasing Program for the 2018/2019 Snow and Ice Season because we believe the best pricing will be available under that program due to consolidated quantities. We are requesting Commission approval for an estimated 12,500 tons of rock salt for summer fill and 53,100 tons of rock salt for winter use, at fourteen delivery locations across the Turnpike, for submittal to ODOT and inclusion in that agency's bid invitation for the 2018/2019 Snow and Ice Season. The Cooperative Purchase Program requires 100% commitment for the summer fill quantities but allows for the purchase of between 90% and 110% of the winter use quantities. The average rock salt price the Commission paid in 2017/2018 was approximately \$32.00 per ton delivered, and it is anticipated that the salt prices will increase for the 2018/2019 snow and ice season due to supply issues this past season. At the requested purchase quantities noted above and based on a 2018/2019 average unit price of \$50.00 per ton delivered, expenditures under the ODOT Cooperative Purchasing contracts for sodium chloride at the fourteen delivery locations could potentially exceed \$3,280,000.00. Since these expenditures will exceed \$150,000.00, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, we are requesting the Commission to authorize the Executive Director to participate in the Ohio Department of Transportation's Cooperative Purchasing Program for the procurement of Sodium Chloride (rock salt) for the 2018/2019 Snow and Ice Season. Furthermore, the Deputy Chief Engineer will issue a report back to the Commission indicating the results of the ODOT bidding process. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Authorizing Participation in the ODOT Cooperative Purchasing Program for Road Salt During the Terms of the 2018 Summer Pre-Fill and 2018/2019 Winter Use Contracts.

Chairman: Any questions or comments?

Representative Patton: Thank you, Mr. Chairman. I recall there was some legal action being taken against Cargill and Morton for price fixing on their behalf. I am looking at the recommendation that we are going to go from \$32.00 a ton up to \$50.00 a ton. That is a significant increase. I remember ruefully trying to defend the fact that we should do business with Cargill and Morton because they are Ohio-based companies, but some of my colleagues in the Senate were suggesting that we try to get some bids that will come up through the Ohio River and from the Gulf of Mexico. I am wondering if we are confident that the aforementioned companies that I referred to that were being looked into for price fixing, if we are looking at any other options? As I said, it just seems to me as I glance at \$32.00 to \$50.00. \$32.00 to \$38 would be a 20% increase. \$32.00 to \$50.00 is a significant increase and I wonder if we are being held hostage.

Chief Engineer: Mr. Chairman and Representative Patton, the \$50.00 that we estimated is just an estimate on our behalf. It is not the price that we will pay, but in order to give the Commission some comfort in what I am asking you to approve today, and give you a rough number, we used \$50.00 because we know it is going to increase and we are trying to be on the conservative side.

Director Cole: Chris, do you have the other historical prices over the last five years or more? Do you have those with you?

Deputy Chief Engineer, Christopher Matta: Mr. Chairman and Director Cole, I worked along with Marty in setting this estimated pricing. Historically, what we see is when there is a shortage of supply issue or a harsher winter, Marty and I went back and looked how those prices spiked from year to year when that happened. That is basically how we came up with the \$50.00. For instance, after the winter of 2013/2014 when we hit 100,000 tons of usage on the Turnpike, which is approximately 50% more than average, the price went from \$39.00 to \$79.00 a ton. Through ODOT and the open bidding process, we will take bids from anybody who wants to put them in and we go with the lowest and most responsive bids when it comes in. We have contacted companies from Kentucky and Michigan and whoever gives us the best price and it meets the specs of the salt is who we will buy it through.

Representative Patton: Mr. Chairman, how many other companies have responded to your inquiries besides Morton and Cargill?

Deputy Chief Engineer, Christopher Matta: Historically, we have Detroit Salt Company, American Rock Salt Company, and one other company, which I can't recall the name. During the shortage of supply this year when Cargill was having its issues making deliveries, we worked together with Procurement and Contracts Administration to try and search out some other companies and we received cold calls from companies down in the Kentucky region wanting to know if we wanted to take some of their salt and the pricing was still quite a bit higher than what we were getting from Cargill or Morton.

Chairman: This is going to be bid by ODOT, correct?

Deputy Chief Engineer, Christopher Matta: Correct.

Chairman: When ODOT does their bidding, we should be encouraging them. I know they are looking for all options available to them in open and competitive bidding, so anyone that wants to bid is permitted to bid on the ODOT package, correct?

Mr. Pakush: That is correct.

Mr. Paradiso: I remember when there was a time when the ODOT bid was not the best and we went outside the ODOT contract and got our own. Even though we would go through ODOT with this bidding process, we still have our flexibility of bidding outside that and getting our own contract, correct?

Deputy Chief Engineer, Christopher Matta: It is an option. I have been here for seventeen years, and basically the first ten years or so, we did it solely on our own. We would compare year-to-year and we did get better pricing then the tide kind of turned for whatever reason. I think some of it had to do with the lawsuit and how that worked out. Then we tried for a few years to compare if we went out and bid ourselves versus what is ODOT getting and over the last

five years, as Tony mentioned, it has been exclusively ODOT's bids that have been better, but it is an option. For example, a few years ago when there was a real shortage and the salt was coming in from Morocco.

Mr. Pakush: Correct me if I am wrong, if we pass this resolution we are locked into this contract, once we enter into the Cooperative Program with ODOT we can't back out, can't wait for the bid prices.

Deputy Chief Engineer, Christopher Matta: Correct. I believe the resolution reads "for a summer fill we are guaranteed or obligated to buy 100% of that quantity" and for the winter we are at a minimum of 90% of the estimated quantity that is in the resolution.

Representative Patton: Can you explain how the local governments and local cities are able to tap in to our supply. Is that still going to be available to them?

Chairman Hruby: Some cities, townships, villages, etc. do enter into an agreement with ODOT. Some have their own consortiums. We had our own consortium and do have our own consortium, a group of cities, together with us. Last year, the ODOT price was far better than ours. Unfortunately, for us, but that is the roll of the dice. We also have some unique things about our contract as far as delivery and quantities that is not offered in the ODOT package. We weigh it out that way. I believe ODOT does a good job in procuring the best possible price they can get. Unfortunately, they are not the bidders. They are receiving the bids and they are at the mercy of the salt companies as you pointed out, Representative Patton. You have always been strong on this issue and brought it to the public's attention.

Mr. Pakush: To add to that, Mr. Chairman, ODOT puts out a notification to all of the local governments to give a deadline, a date to submit their resolutions from their councils if they are interested in going into this procurement. So, the Procurement Office of ODOT's Central Office manages all of the requests and quantities that all of the governments want if they choose to go into the Cooperative Program. We make sure all of the governments have notice and ample time to pass their resolutions to get their quantities into ODOT, so we can post it.

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

MOTION: A motion to adopt *Resolution Authorizing Participation in the ODOT Cooperative Purchasing Program for Road Salt During the Terms of the 2018 Summer Pre-Fill and 2018/2019 Winter Use Contracts*, was made by Mr. Paradiso, seconded by Chairman Hruby, and approved by all Commission Members present. Resolution No. 26-2018.

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

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

Chairman: Thank you. We appreciate your good work. We will move on to the report of the Safety Services Manager, Cory Skoczen.

Safety Services Manager, Cory Skoczen: Good morning, Mr. Chairman and Commission Members. I have two resolutions for your consideration this morning.

The first Resolution for your consideration seeks authorization for the purchase of Multi-Agency Radio Communication System (“MARCS”) Compatible Portable and Mobile radios and accessories under the Ohio Department of Administrative Services (“DAS”) Cooperative Purchasing Program. The purchase of the MARCS Radios is included in the 2018 Capital Improvement Budget to replace existing MARCS radios.

The Commission, under Resolution No. 32-2017, approved the purchase of MARCS capable mobile and portable radios and accessories to replace approximately one-third of the current portable radios, as part of a multi-year plan to upgrade existing radios. Therefore, the purchase of MARCS capable mobile and portable radios and accessories are necessary to replace the second third of the current portable radios to upgrade the fleet of aging devices that the Commission received from the OSHP (Phase 2).

The MARCS compatible portable and mobile radios and accessories are available through the DAS Cooperative Purchasing Program, and the Director of Contracts Administration found that the lowest cost to obtain the equipment is under DAS Contract Schedule No. 573004-0 from Vasu Communications, Inc., of Mansfield, Ohio, for the total amount of \$221,623.92.

After Phase 1 was completed, the Commission was able to aid/gift twenty-three local emergency response agencies over 225 of the existing Motorola XTS 5000 MARCS radios. The Commission intends to extend the same offer of nearly 200 MARCS capable radios to local emergency response agencies once Phase 2 of the MARCS Radio Replacement Plan is completed.

Since the expenditures exceed \$150,000.00, and in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws, Commission authorization is required.

With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Approving the Purchase of MARCS Compatible Radios Under the DAS Cooperative Purchasing Program from Vasu Communications, Inc. in the Total Amount of \$221,623.92.

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

MOTION: A motion to adopt *Resolution Approving the Purchase of MARCS Compatible Radios Under the DAS Cooperative Purchasing Program from Vasu Communications, Inc. in the Total Amount of \$221,623.92*, was made by Mr. Pakush, seconded by Mrs. Barber, and approved by all Commission Members present. Resolution No. 27-2018.

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

Safety Services Manager, Cory Skoczen: The second Resolution for your consideration seeks approval to enter into an agreement with the Ohio Department of Administrative Services to

license the Premier One Computer Aided Dispatch (CAD) Systems on up to three Consoles Integrated with the MARCS Network.

The Commission operates a Communication Center that utilizes a dispatch console system to coordinate communications between the various Commission locations and field personnel, the Ohio State Highway Patrol and other governmental entities and emergency responders providing services on the Ohio Turnpike and within surrounding communities.

The current state of the Communication Center's dispatch operation appears to be antiquated and cumbersome. The Radio Operators dispatch via, phone, radio, text or email to Turnpike personnel or safety services personnel depending on the nature and severity of the incident. Data is collected and entered into the Daily Activity Log then copied into multiple Excel spreadsheets and updated throughout the course of each day.

The Ohio Department of Administrative Services, through its MARCS Program Office, will provide the initial licensing, consulting and reimbursable expenses not-to-exceed \$69,438.00 and subscription service to the Premier One CAD System along with all future necessary upgrades to the Commission in the amount of \$2,200.00 per month (or \$26,400 per year) for each dispatch console or \$79,200.00 per year for the planned deployment to three dispatch consoles.

With the implementation of the MARCS CAD system, the Communication Center will greatly improve its timeliness and efficiency and be able to share data more effectively with Turnpike personnel and other agencies. These improvements will ultimately help us in our mission; to offer safe and efficient transportation services to our customers, communities, and partners. In the end, making *The Ohio Turnpike - A Better Way To Travel*[®].

With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Approving an Agreement with the Ohio DAS to License the PremierOne Computer Aided Dispatch Systems on up to Three Consoles Integrated with the MARCS Network for Implementation Costs Not-To-Exceed \$69,438.00 Plus the Purchase of Maintenance Support in the Amount of \$79,200.00 Per Year for up to Three Years.

Chairman: Any questions or comments?

Director Cole: Mr. Chairman, this is a great example of multiple departments of the Turnpike working together, Brian Kelley, our new Chief Technology Officer, worked closely with Cory and his team. We not only analyzed the technology itself, but you heard in Cory's presentation the business processes behind it. I want to point out that in perspective, not only does this allow us to work more closely with the Ohio State Highway Patrol, which is on the exact same dispatch, but communicate directly with customers via Waze. We get to directly get information out there through our portable message boards and the rest of our TIMS operation and, eventually, this lays the platform for that connected vehicle technology we are piloting to directly take information from the road into our system and from our system it alerts directly into people's vehicles. This is a great potential for safety improvement by moving to the new platform and allowing this to happen and just one more time at a cost significantly lower than any of the previous

estimates that have been done by doing it in a shared services agreement with MARCS and the Department of Administrative Services. You heard how we are repurposing the radios to over twenty-three local departments. Now, we have 200 more radios to give. But, by coordinating all of this information as they upgrade their systems, we are going to be able to have that direct interoperability too. Again, when we started this the original estimates for the MARCS radio system were \$3.5 million or more, we did it for under \$500,000.00. All in costs under \$500,000.00. The core system is about 1/10 of the original projected cost of \$350,000.00. The same way these units were all supposed to be \$100,000.00 to \$150,000.00 or more without maintenance, and instead you see the pricing we got here by working cooperatively with everyone. And again, not just to get the system, but to integrate closely with our friends at the Ohio State Highway Patrol. So, we are excited about the safety benefits and the efficiency; the way we are doing it, it continues to make *The Ohio Turnpike - A Better Way To Travel*[®].

Chairman: Anything further? Hearing none, please call the roll.

MOTION: A motion to adopt *Resolution Approving an Agreement with the Ohio DAS to License the PremierOne Computer Aided Dispatch Systems on up to Three Consoles Integrated with the MARCS Network for Implementation Costs Not-To-Exceed \$69,438.00 Plus the Purchase of Maintenance Support in the Amount of \$79,200.00 Per Year for up to Three Years*, was made by Mr. Paradiso, seconded by Mrs. Barber, and approved by all Commission Members present. Resolution No. 28-2018.

Chairman: The resolutions passes unanimously. Anything further, Cory? We appreciate your work.

Safety Services Manager, Cory Skoczen: No, Mr. Chairman that completes my report.

Chairman: We will move on to the report of our CFO/Comptroller/DED, Martin Seekely.

CFO/Comptroller/DED: Thank you Mr. Chairman. I have two reports and one resolution for your consideration this morning.

First, I want to update you on our procurement for the Commission's electric energy supply which was conducted with the assistance of our energy consultant, Scioto Energy.

Our consultant issued an RFP for our electric energy supply at the beginning of March and we received numerous quotes for contract terms ranging from one to five years. We ended up signing an agreement for three years with MP2 Energy with a fixed price of 4.56 cents per kWh for our general accounts and 3.227 cents per kWh for our lighting accounts. This is a 24% reduction from our current contract price and will save us approximately \$554,000.00 per year on our electric bills.

Next, I have a brief update on our traffic and revenue for the month of March. This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past two years. Passenger car vehicle miles traveled were up 4.5% in March. There was one more weekend

day in March this year than last year. In addition, since the Easter holiday was on April 1st this year we had one week of holiday traffic in March this year while all of the Easter traffic was in April last year.

Commercial traffic continued to benefit from the strong economy and as a result, commercial traffic was 3.1% higher than March of last year. The increase in passenger car traffic combined with the toll rate increase on January 1 caused passenger car toll revenue to increase 6.4% in March.

The 3.1% increase in commercial traffic combined with the toll rate increase caused Commercial vehicle toll revenues to increase 5.2% in March.

This chart shows year-to-date toll revenues through the month of March during each year over the past decade.

Year-to-date total toll revenues were \$2.5 million or 4.0% above the amount from last year. That completes my report on traffic and revenue.

Next, I have one resolution for your consideration.

On December 20, 2017, the Commission issued a Request for Proposals for Depository Banking Services, Procurement Card Services and Escrow Account Services for an initial contract term of three years with two optional 2-year extensions.

A mandatory Pre-Proposal Conference was held January 18, 2018. Seven banking institutions attended this conference and six proposals were opened on February 9, 2018.

The costs and technical merits of each proposal were separately evaluated.

The Evaluation Team, comprised of the Assistant Comptroller, the Director of Audit and Internal Control, Senior Accountant and I, conducted the technical review of the proposals and the Director of Contracts and Compliance served as a facilitator.

As a result of this review, Huntington Bank, U.S. Bank and KeyBank were judged to have the highest technical scores by the Evaluation Team.

The evaluation team then evaluated the projected costs and revenues of each proposal. Fifth Third Bank only quoted purchase card services and only Huntington Bank and U.S. Bank quoted escrow account services. After scoring the cost proposals it was determined that Huntington National Bank and KeyBank had the highest rated proposals. KeyBank was asked to provide a quote for escrow account services and both Huntington and KeyBank were invited to provide their best and final offers.

After evaluating their final offers it was determined that Huntington Bank's proposal provided the best combination of cost and investment earnings, which is projected to be approximately \$235,000.00 per year better than the next best proposal.

Therefore, the Evaluation Team recommends that Huntington Bank be designated as the Commission's depository bank, purchase card service provider, and escrow account service provider under a new contract for Banking Services for the next three years, commencing July 1, 2018, with two optional two-year extensions.

With your permission Mr. Chairman, I would like to ask the General Counsel to please read the title of the resolution.

General Counsel: Resolution Designating The Huntington National Bank as the Commission's Public Depository and Approving its Selection to Provide Purchase Card and Escrow Agent Services for up to Seven Years.

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

MOTION: A motion to adopt *Resolution Designating The Huntington National Bank as the Commission's Public Depository and Approving its Selection to Provide Purchase Card and Escrow Agent Services for up to Seven Years*, was made by Chairman Hruby, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 29-2018.

Chairman: Anything further, Marty.

CFO/Comptroller/DED: That completes my report, Mr. Chairman.

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

General Counsel: Good morning, Commission Members. I have a report for you this morning on the Ohio law requiring that each rule making authority review its rules every five years.

Specifically, Ohio Revised Code Section 5537.16 authorizes the Commission to adopt rules in accordance with Section 111.15 of the Ohio Revised Code for the control and regulation of traffic, for the protection and preservation of property under its jurisdiction and/or for the maintenance and preservation of good order within the property under its control. Therefore, the Commission is required to review its rules and I've identified those rules which are on the books and now due for the 5-year review.

Ohio Revised Code Section 111.15 requires the Commission to review its rules every five years to determine (1) whether the rule should be continued without amendment, be amended, or be rescinded, taking into consideration the purpose, scope, and intent of Section 5537.16 of the Ohio Revised Code, (2) whether the rule needs amendment or rescission to give more flexibility at the local level, (3) whether the rule needs amendment or rescission to eliminate unnecessary paperwork, or whether the rule incorporates a text or other material by reference and, if so, whether the text or other material incorporated by reference is in compliance with the required procedures and standards stated in ORC Sections 121.72, 121.74, 121.75, or 121.76, and (4) whether the rule

duplicates, overlaps with, or conflicts with other rules.

In accordance with applicable statutory provisions, including ORC Sections 111.15 and 119.03, I recommend that the Commission initiate the process by filing with the Joint Committee on Agency Rule Review (“JCARR”), the Legislative Service Commission and the Secretary of State a “No Change Rule” for the following rules, Ohio Administrative Code Sections: 5537-2-01, 5537-2-02, 5537-2-04, 5537-2-05, 5537-2-06, 5537-2-07, 5537-2-08, 5537-2-09, 5537-2-10, 5537-2-12, 5537-2-13, 5537-2-14, 5537-2-15, 5537-2-16, 5537-2-18, 5537-2-19, 5537-3-02, 5537-3-03, 5537-3-06, 5537-5-01, 5537-6-01, and 5537-8-01. After these rules go through the JCARR process and the Common-Sense Initiative process (if applicable), a resolution will be presented to the Commission requesting the approval to the rules in “final” form.

In addition to those rules which I just read off as not recommending any changes, I have a recommendation that one rule be modified. That is OAC 5537-3-04 titled “Aircraft Prohibited.” The recommended change is to add the words “except as permitted by the Commission” to the end of the aircraft prohibition rule. As we know and as you can see from time to time through your travels, aircraft of various forms, including helicopters, are called to the Turnpike for specific limited reasons such as medical emergencies or inspections of the electrical high-wires that run parallel to the Turnpike. With the ever-increasing use of airspace generally as well as surveillance technology, I recommend that the Commission revise the no aircraft rule to allow flexibility for those circumstances which are already occurring on a frequent basis.

Additionally, the Commission’s engineering staff is working on several issues related to the use of drones in the transportation industry on Ohio highways.

Noteworthy is that the Commission’s engineering staff is working closely with the DriveOhio and the Ohio/Indiana Unmanned Aircraft Systems Center (UASC) to develop an Unmanned Aircraft Traffic Management (UTM) solution for the State of Ohio.

Unmanned Aircraft Vehicles (UAV), commonly known as a drone, is an aircraft without a human pilot aboard.

Unmanned Aircraft, non-human piloted or remotely piloted aircraft continue to advance in the United States and around the world. As this technology advances, UAS services will become more important to the economy and as the technology evolves beyond small to larger unmanned aircraft they will begin to provide even more enhanced capabilities for data collection and to provide services like freight/package delivery, human transport or for agricultural operations like seeding and spraying.

The results of the Commission’s partnership with DriveOhio and the UASC will be used to provide tools for the testing and research of UAS in order to guide our future investments to support this revolution of technological advancements relating to low altitude unpiloted/remotely piloted UAS.

This partnership will also allow us to inform our management of future trends and technologies. We will improve our overall efficiency and increase safety through better resource

allocation. With this information we can expand transportation modes providing ease of access and mobility choices to customers. Also, through this effort, we will have better information to create alternative transportation methods to improve transportation system reliability, increase system resiliency, and improve highway capacity in critical corridors. By adopting new technologies, we continue to maintain Ohio's lead in innovative transportation practices. This research will help to attract companies to Ohio to create a positive economic impact. Finally, through research like this we will safeguard against future disruptive technologic advancements through proactive policies and investments early on in the adoption lifecycles.

For these reasons, this recommended language change to OAC 5537-3-04 requires amendment to give more flexibility for the Commission to be actively engaged in this project as well as the various other ways that the drones could be used to improve the safety on our highways.

For your consideration I have prepared a resolution. With your permission, Mr. Chairman, may I please read the resolved?

Chairman: Yes, please.

General Counsel: Resolution Authorizing the Filing of a Proposed Amendment to Administrative Rule 5537-3-04 for the Prohibition on Aircraft and Twenty-Two "No Change Rules" with the Joint Committee on Agency Rule Review.

Chairman: Any questions or comments?

Mrs. Barber: Mr. Chairman, when referring to the drones, is this going to be applicable to anybody that has drone and wants to fly it around our Turnpike? Are they going to have to get permission to do that? There is a lot of that going on right now.

Director Cole: Mr. Chairman and Commission Member Barber, we don't have to give them permission, but it allows us to give them permission. One of the worst incidents we've had, one of the largest closures we've had was when the hydrogen tanker caught on fire and the safest way we could get up-to-date or the best information about what was happening with that tanker fire was a volunteer service getting their drone close enough because we had a thousand-foot perimeter for humans to stay away from it. There was no way for us to formally authorize that and so what this opens the door to is us evaluating use of drones and applying permission where we think it is in the best interest of the Commission or the safety of the traveling public. Right now, we do not have that flexibility.

Mr. Pakush: Mr. Chairman, if I may add a little bit to that, I believe, there is already regulations out there with drones that don't allow individuals to fly over people or live traffic, so there is already something in the current laws that don't allow that type of flight to occur.

Director Cole: As our General Counsel suggested part of what DriveOhio is doing with the new program, they are evaluating with the UAV technology is to use U.S. 33 as an opportunity to investigate active traffic management through the use of drones and this would allow us to similarly use part of the Turnpike for traffic management and participate in that pilot,

which, once again, under this Administrative Code we think would be in violation of it without the rule change, so it allows us to be a fuller partner with DriveOhio and ODOT in their activities on other sections of roadway around Ohio.

Chairman: Jennifer, I have a couple of questions. First of all, define “commission” in that language. You had a little sentence addition that says “by the commission.” Does that mean our illustrious Executive Director, or does that mean the board of the Commission itself or does it mean a fiduciary of Mr. Cole? Who would make that decision?

General Counsel: Mr. Chairman and Commission Members, the proposed change would refer to you ladies and gentlemen that sit on the board and vote, so it would be your decision as to how the rule is implemented in the future. You would delegate the authority to the Executive Director who would carry that out. This rule allows you to have the flexibility as the Executive Director mentioned to identify which areas drone usage would be permitted or not.

Chairman: Then, in the meantime, if something were to happen today for example it is up to Mr. Cole then to make that decision, is it not?

General Counsel: Yes.

Chairman: Secondly, right now we allow helicopters, Life Flight, to land on the Turnpike at crash scenes, this has nothing to do with that whatsoever, or does this further justify that use?

General Counsel: Mr. Chairman and Commission Members, it does further justify the use as the current rule is written “aircraft is prohibited” and that is a blanket statement without exception. By adding the language change allows the exception for the medical emergencies such as Life Flight, while the rule says no Life Flight nobody in their right mind would enforce that rule and prohibit a Life Flight from coming to aid.

Chairman: That call, of course then, is the first responders, our Ohio State Highway Patrol or whatever department is responding with a medical service, correct?

General Counsel: Yes.

Chairman: Planes flying over the Turnpike, small little plane experiences engine trouble sees a nice area to drop down on the Turnpike, sees limited traffic, radios and tries to get permission to land, what do we do in that situation?

General Counsel: Mr. Chairman and Commission Members, it is too ambiguous to determine sitting here today, but again, in any emergency as the Executive Director and I discussed, you do whatever you can to preserve human life in any situation.

Chairman: Use common sense. The Ohio State Highway Patrol could say put it down, correct?

General Counsel: Absolutely. Safety, of course, is always our top priority.

Chairman: Knowing the Executive Director we have at the Ohio Turnpike and the Ohio State Highway Patrol, I have all of the confidence in the world that this is good law.

Any further questions? Hearing none, please call the roll.

MOTION: A motion to adopt *Resolution Authorizing the Filing of a Proposed Amendment to Administrative Rule 5537-3-04 for the Prohibition on Aircraft and Twenty-Two “No Change Rules” with the Joint Committee on Agency Rule Review*, was made by Mr. Pakush, seconded by Mr. Paradiso, and approved by all Commission Members present. Resolution No. 30-2018.

Chairman: The resolution passes unanimously. Anything else, Jennifer?

General Counsel: No thank you, Mr. Chairman.

Chairman: Thank you. We will move on to the report of the Ohio State Highway Patrol, Staff Lieutenant Hughes.

Staff Lieutenant Travis Hughes: Good morning, Mr. Chairman and Commission Members. I have three items I would like to share with you.

On March 23, 2018, in Summit County at approximately 2:14 a.m., a semi-truck was traveling eastbound in the right lane and it was being followed by a Ford F-350 pulling a camper. For reasons still unknown, the F-350 rear-ended the semi. Both vehicles ended up in the right berm and the F-350 became fully engulfed. The driver perished as a result of that accident. The driver was a 44-year-old male from Fallen Timber, Pennsylvania. The toxicology report is still pending and the exact reason of why still remains unknown at this time.

On March 12, 2018, in Summit County, Troopers stopped a vehicle and a probable cause search revealed five grams of marijuana, twenty-five fraudulent credit cards, twenty-five gift cards, four fake identification cards, electronic merchandise and other assorted clothing. The approximate street value just for the items referenced is about \$10,000.00. As I have said before, the effects of identity theft and the problems it causes is far more reaching. The suspect was incarcerated for identity theft, criminal simulation, forgery and possession of marijuana.

On April 3, 2018, in Summit County, a vehicle was stopped, and a probable cause search revealed a baggie of marijuana, but more alarmingly, 939 pounds of nitrous oxide was discovered. The driver was incarcerated for trafficking in harmful intoxicants. When I saw this come across, I had no idea what they use this for or how it is used. I thought it was an ingredient or something in manufacturing. My research has shown me that they follow these large gatherings such as concerts and other events where they often fill balloons with nitrous oxide and then sell them at \$5.00 to \$10.00 a piece. It is more of a higher end “whip it,” but much more serious.

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

Chairman: Any questions for Staff Lieutenant Hughes?

Representative Patton: I have no idea what people would use this for. When I look at the picture it looks like fire extinguishers, but is this the kind of stuff that when you do it you talk in that high pitch voice and everyone laughs? This is something that gives them a high?

Staff Lieutenant Hughes: Yes, it gives them a high.

Representative Patton: What is the street value of this?

Staff Lieutenant Hughes: Mr. Chairman and Representative Patton, the approximate street value was \$177,000.00.

Director Cole: I had an oversight in my previous comments about the work of Brian and Cory. Tara, our Manager of our Communications Center is also here. She was the one who helped figure out how to link all of those spreadsheets together. She does a fantastic job every month of looking at all of our back-ups, all of our incidents, looks for patterns, communicate with the Ohio State Highway Patrol. So, even though we have rudimentary tools, I had to give Tara and her staff credit for the fact that they were willing to fill out all of those spreadsheets and then analyze them and get the data. Fortunately, now we are going to have much more effective tools and be able to do more analysis and less data entry. I apologize that I forgot to mention that. Thank you, Tara for your efforts. Thank you, Lieutenant for everything that you do.

Chairman: On behalf of the Commission, I would like to say to the Executive Director, we strongly support your distracted driver program and the effort on "Move Over/Slow Down." One of the things, I am sure the Lieutenant will verify this one, that one of the things that is plaguing every community today, every highway today is the distracted driver, especially with texting. I had proposed that we put a sign in our community saying it is safer to drive with your eyes closed than texting. When you think about that, it sounds ludicrous, of course, and it is ludicrous, but at the same time at least if you had your eyes closed and your head up you could look forward quickly in an instant if you heard a noise. Where if you had your head down you would have to lift your head up first and that would cause that extra delay. I cannot tell you how many accidents happen everyday in every community because people are distracted by texting, talking on the phone, or reaching back doing something, and not paying attention. It just takes one little movement of the wheel and you are off of the road a little bit and you strike a construction worker. It is just a terrible thing. We strongly support you and thank you for the initiative.

The next meeting shall be held on Monday, May 21, 2018, at 10:00 a.m. right here. If there is no further business, I will accept a motion to adjourn.

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

Time of adjournment: 11:01 a.m.

Attendees for Record Keeping Purposes:

Scott Doering, Cubic; Larry Yermack, Cubic; Thurston Britt, Cubic; Beth Fulton, TRC; Scott Buchanan, AECOM; Jason Watson, MSG; Maureen Shildwachter, Huntington; Bethany Pugh, PFM; Preston Yuzma, IUOE 18; Grant Seagall, The Cleveland Plain Dealer; Dave Ray, JMT; Al Biehl, TranSystems; Hamid Homae, KS Associates; Maureen Murman, Huntington; Peter Lee, Resource International; Brian Regueiro, PFM; Jake Siesel, IUOE Local 18; Daniel Van Epps, CSTVCIC; Halle Jones Capers, GS Stephens; Anthony Yacobucci, Ohio Turnpike; Martin Seekely, Ohio Turnpike; Jennifer Stueber, Ohio Turnpike; Matt Cole, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Denise Criscuolo, Ohio Turnpike; Mark Musson, Ohio Turnpike; Diana Anthony, Ohio Turnpike; David Miller, Ohio Turnpike; Chris Matta, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Brian Kelley, Ohio Turnpike; Joe Mannion, Ohio Turnpike; Cory Skoczen, Ohio Turnpike; Tara Cottrell, Ohio Turnpike; Sharon Isaac, Ohio Turnpike; and Brian Newbacher, Ohio Turnpike.

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

Sandra K. Barber, Secretary-Treasurer

EXHIBITS

1. Resolution No. 24-2018 – Approving the Selection of Aero-Mark, Inc. to Furnish and Apply Retro-Reflective Pavement Markings Under Project No. 46-2018 for the Total Amount of \$717,000.00;
2. Resolution No. 25-2018 – Approving the Selection of Regent Electric, Inc. to Modify Certain Toll Plazas for New Automated Toll Payment Machines Under Project No. 64-17-01 for the Total Amount of \$456,200.00, and Approving the Assignment of AECOM Technical Services to Perform the Professional Services for the Project;
3. Resolution No. 26-2018 – Authorizing Participation in the ODOT Cooperative Purchasing Program for Road Salt During the Terms of the 2018 Summer Pre-Fill and 2018/2019 Winter Use Contracts;
4. Resolution No. 27-2018 – Approving the Purchase of MARCS Compatible Radios Under the DAS Cooperative Purchasing Program from Vasu Communications, Inc. in the Total Amount of \$221,623.92;
5. Resolution No. 28-2018 – Approving an Agreement with the Ohio DAS to License the PremierOne Computer Aided Dispatch Systems on up to Three Consoles Integrated with the MARCS Network for Implementation Costs Not-To-Exceed \$69,438.00 Plus the Purchase of Maintenance Support in the Amount of \$79,200.00 Per Year for up to Three Years;
6. Resolution No. 29-2018 – Designating the Huntington National Bank as the Commission’s Public Depository and Approving its Selection to Provide Purchase Card and Escrow Agent Services; and
7. Resolution No. 30-2018 – Authorizing the Filing of a Proposed Amendment to Administrative Rule 5537-3-04 for the Prohibition on Aircraft and Twenty-Two “No Change Rules” with the Joint Committee on Agency Rule Review.

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Aero-Mark, Inc. to Furnish and Apply Retro-Reflective Pavement Markings Under Project No. 46-2018 for the Total Amount of \$717,000.00

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice, in accordance with law, advertising an Invitation for Bids upon a Contract to furnish and apply Retro-Reflective Pavement Markings on the Ohio Turnpike Mainline Roadway and Interchange Ramps from Milepost 0.0 to 241.2, designated as Project No. 46-2018 (the “Project”); and

WHEREAS, the Commission received two bids to perform the obligations of the Contractor for the Project, and the Commission’s Chief Engineer and Deputy Chief Engineer have reviewed and analyzed the bids received, which report on the review and analysis was presented for the Commission’s consideration; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer report that Aero-Mark, Inc., of Streetsboro, Ohio, submitted the lowest responsive and responsible bid to perform the Contractor’s obligations under Project No. 46-2018 in the amount of \$717,000.00, which bid they recommend be accepted by the Commission; and

WHEREAS, the Director of Contracts Administration advises that bids for Project No. 46-2018 were solicited on the basis of the same terms, conditions and specifications, that the bid of Aero-Mark, Inc. for Project No. 46-2018 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 Aero-Mark, Inc.; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because expenditures under the contract for Project No. 46-2018 will exceed \$150,000.00; and

WHEREAS, the Executive Director has reviewed the reports of the Chief Engineer, Deputy Chief Engineer and the Director of Contracts Administration and concurs with the recommendation to award Project No. 46-2018 to Aero-Mark, Inc. 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 Aero-Mark, Inc. in the amount of \$717,000.00, to furnish and apply retro-reflective pavement markings on the Ohio Turnpike Mainline Roadway and Interchange Ramps under Project No. 46-2018, is selected 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 to approve such extra work or change orders under said contract 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. 24-2018 adopted April 16, 2018)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Regent Electric, Inc. to Modify Certain Toll Plazas for New Automated Toll Payment Machines Under Project No. 64-17-01 for the Total Amount of \$456,200.00, and Approving the Assignment of AECOM Technical Services to Perform the Professional Services for the Project

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice in accordance with law advertising its invitation to bid on a Contract for the Toll Plaza Modifications for New Automated Toll Payment Machines at Toll Plazas 59, 64, 110, 118, 142, 180 and 209, located in Lucas, Wood, Erie, Lorain, Summit and Trumbull Counties, and designated as Project No. 64-17-01 (the “Project”); and

WHEREAS, the Commission received one bid to perform the Contractor’s obligations under the Project, and the Chief Engineer and the Deputy Chief Engineer reviewed and evaluated the bid received, which report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer and the Deputy Chief Engineer report that Regent Electric, Inc., of Toledo, Ohio, submitted the lowest responsive and responsible bid to perform the Contractor’s obligations for the Project for the total amount of \$456,200.00, which they recommend that the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration advises that bids for Project No. 64-17-01 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Regent Electric for Project No. 64-17-01 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and Regent Electric submitted a performance bond with good and sufficient surety and made a good faith effort to attain the participation of small and otherwise disadvantaged businesses in the Project; and

WHEREAS, the Chief Engineer recommends assigning to AECOM Technical Services, Inc., of Akron, Ohio, all necessary construction administration and inspection services for the Project in accordance with the 2017-2018 Miscellaneous Engineering Services Agreement; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the amount of the bid received will require expenditures under Project No. 64-17-01 that will exceed \$150,000.00; and

WHEREAS, the Commission’s Executive Director has reviewed the reports of the Chief Engineer, Deputy Chief Engineer and the Director of Contracts Administration, and concurs with the recommendation that the Commission approve the award of Project No. 64-17-01 to Regent Electric as the lowest responsive and responsible bidder and of the award to AECOM Technical Services, Inc. for a contract to perform all necessary construction administration and inspection services for the Project; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of Regent Electric in the total amount of \$456,200.00 for Project No. 64-17-01 is approved as the lowest responsive and responsible bid received and that the Executive Director is authorized to execute a Contract on the basis of said bid; and

FURTHER RESOLVED that the Commission approves the Executive Director and the Chief Engineer assigning AECOM Technical Services, Inc. to perform all necessary construction administration and inspection services for the Project in accordance with the 2017-2018 Miscellaneous Engineering Services Agreement; and

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under previously awarded 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 and increase its costs.

(Resolution No. 25-2018 adopted April 16, 2018)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Participation in the ODOT Cooperative Purchasing Program for Road Salt During the Terms of the 2018 Summer Pre-Fill and 2018/2019 Winter Use Contracts

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) is authorized to participate in contracts awarded by the Ohio Department of Transportation (“ODOT”) for the purchase of machinery, materials, supplies, or other articles under Section 5513.01(B) of the Ohio Revised Code; and

WHEREAS, the Deputy Chief Engineer recommends leveraging the volume pricing ODOT is able to obtain from salt suppliers for fulfilling the Commission’s requirements for road salt; and

WHEREAS, the Deputy Chief Engineer has recommended the following certain quantities of rock salt be submitted to ODOT for inclusion in that agency’s bid invitation for the 2018 Summer Fill and estimated quantities for the 2018/2019 Winter Use under the ODOT Cooperative Purchasing Program for the counties where the following delivery sites are located:

	<u>Summer Pre-Fill</u>	<u>Estimated Winter Use</u>
Kunkle MB (Williams Cty.)	500 Tons	2,800 Tons
Swanton MB (Fulton Cty.)	1,500 Tons	1,900 Tons
TP 59 (Lucas Cty.)	1,500 Tons	400 Tons
Elmore MB (Ottawa Cty.)	3,000 Tons	3,300 Tons
River Road (Sandusky Cty.)	1,000 Tons	800 Tons
Castalia MB (Erie Cty.)	1,500 Tons	4,400 Tons
Humm Road (Erie Cty.)	500 Tons	2,800 Tons
Amherst MB (Lorain Cty.)	0 Tons	8,300 Tons
TP 161 (Cuyahoga Cty.)	1,000 Tons	4,600 Tons
Boston MB (Summit Cty.)	500 Tons	8,600 Tons
TP 187 (Portage Cty.)	0 Tons	2,900 Tons
Hiram MB (Portage Cty.)	1,000 Tons	4,900 Tons
TP 218 (Mahoning Cty.)	500 Tons	3,900 Tons
Canfield MB (Mahoning Cty.)	0 Tons	3,500 Tons
 TOTAL	 12,500 Tons	 53,100 Tons

WHEREAS, the ODOT Summer Pre-Fill Contract requires a set quantity commitment, but the Winter Use Contract will be structured such that the Commission must commit to order at least a minimum of 90% and no more than 110% of the estimated quantities for each delivery location; and

WHEREAS, in accordance with Section 5513.01(B) of the Ohio Revised Code, the Commission must file a certified copy of a Commission resolution requesting authorization to

participate in the ODOT contract and agreeing to be bound by such terms and conditions as the Director of the Department of Transportation prescribes; and

WHEREAS, the Deputy Chief Engineer and the Executive Director recommend that the Commission authorize participation in the ODOT Cooperative Purchasing contracts for sodium chloride in the counties specified for the above-referenced delivery locations during the Summer Pre-Fill and Winter Use periods; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Ohio Turnpike and Infrastructure Commission hereby agrees to participate in the Ohio Department of Transportation Summer Pre-Fill Bid (Invitation No. 418-19) and Annual Winter Road Salt Bid (Invitation No. 018-19) in accordance with Section 5513.01(B) of the Revised Code, and that the Executive Director is authorized to take any and all actions necessary in the name of the Ohio Turnpike and Infrastructure Commission concerning its participation in the ODOT Contract for Road Salt during the Summer Pre-Fill of 2018 (“Summer Pre-Fill Contract”) and the Winter of 2018/2019 (“Winter Use Contract”); and

FURTHER RESOLVED, that the Commission hereby requests to participate in part of ODOT’s Summer Pre-Fill Contract in the total amount of 12,500 tons and Winter Use Contract in the total estimated amount of 53,100 tons of Sodium Chloride (Road Salt), which the Commission agrees to purchase from the awarded salt supplier for each of the above-specified Delivery Locations in the subtotal quantities provided as the Summer Pre-Fill and Estimated Winter Use at the bid price per ton awarded by the Director of Transportation, and the Commission agrees to purchase the defined quantities under the Summer Pre-Fill Contract and a minimum of 90% of its above-requested salt quantities from its awarded salt supplier(s) during the term of the Winter Use Contract; and

FURTHER RESOLVED, that the Commission hereby agrees to be bound by all terms and conditions established under the Summer Pre-Fill Contract resulting from Bid Invitation No. 418-19 and Winter Use Contract resulting from Bid Invitation No. 018-19, and acknowledges that upon award of each Contract by the Director of Transportation the Commission shall be bound by all such terms and conditions included in the contract and that upon the signing of the Winter Use Contract by the Director of Transportation, the agreement shall effectively form a contract between the awarded salt supplier(s) and the Commission; and

FURTHER RESOLVED, that the Commission hereby agrees to place orders under the Summer Pre-Fill Contract and Winter Use Contract directly with the awarded salt supplier(s) and make payments directly to the awarded salt supplier(s) on a 30 day net basis for all road salt received under the Summer Pre-Fill Contract and Winter Use Contract, and the Commission agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the Summer Pre-Fill Contract and Winter Use Contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Commission’s participation in the Winter Use Contract; and

FURTHER RESOLVED, that the Commission instructs the Deputy Chief Engineer to issue a report back to the Commission indicating the results of the ODOT bidding process; and

FURTHER RESOLVED that the Executive Director is authorized to submit a certified copy of this Resolution to the Director of Transportation providing the Commission's authorization and commitment to participate in the ODOT Cooperative Purchasing Contract(s) for the purchase of road salt resulting from Bid Invitation No. 418-19 and Bid Invitation No. 018-19 in the quantities and at the delivery sites as referenced above.

(Resolution No. 26-2018 adopted April 16, 2018)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Purchase of MARCS Compatible Radios Under the DAS Cooperative Purchasing Program from Vasu Communications, Inc. in the Total Amount of \$221,623.92

WHEREAS, pursuant to Resolution No. 32-2003, adopted on July 21, 2003, the Executive Director is authorized to participate in state contracts under the Ohio Department of Administrative Services (“DAS”) Cooperative Purchasing Program, through which members may purchase supplies, services, equipment and other materials in accordance with Ohio Revised Code Section 125.04; and

WHEREAS, the Commission accepted approximately four hundred previously used MARCS portable radios in September 2016 from the Ohio State Highway Patrol (“OSHP”) to facilitate the Commission’s transition from its Very High Frequency (“VHF”) two-way radio system to the Ohio DAS Multi-Agency Radio Communication System (“MARCS”), which allows the Commission to communicate securely with other public safety officials and first responders statewide; and

WHEREAS, the Commission determined under Resolution No. 32-2017 that the purchase of MARCS capable portable radios and accessories were necessary to replace approximately one-third of the current portable radios to upgrade the fleet of aging devices that the Commission received from the OSHP (Phase 1); and

WHEREAS, the Safety Services Manager recommends the purchase of MARCS capable portable radios and accessories are necessary to replace the second one-third of the current portable radios to upgrade the fleet of aging devices that the Commission received from the OSHP (Phase 2); and

WHEREAS, the Safety Services Manager recommends that the best equipment available to upgrade the Commission’s ability to perform its operations is the Kenwood MARCS compatible portable and mobile radio units and related accessories; and

WHEREAS, the MARCS compatible portable and mobile radios and accessories are available through the DAS Cooperative Purchasing Program, and the Director of Contracts Administration found that the lowest cost to obtain the equipment is under DAS Contract Schedule No. 573004-0 from Vasu Communications, Inc., of Mansfield, Ohio, as described in its Quotation Numbers 29325 and 29327, dated April 2, 2018, for the total amount of \$221,623.92; and

WHEREAS, the Executive Director and Chief Engineer have reviewed the evaluation and report of the Safety Services Manager and concur with the recommendation that the Commission approve the purchase of the MARCS compatible portable and mobile radios and accessories from Vasu Communications through the DAS Cooperative Purchasing Program; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the purchase of the MARCS compatible Portable and Mobile radios and accessories from Vasu Communications, Inc. through the DAS Cooperative Purchasing Program under DAS Contract Schedule No. 573004-0, as described in Quotation Numbers 29325 and 29327, dated April 2, 2018, in the total amount of \$221,623.92, is approved.

(Resolution No. 27-2018 adopted April 16, 2018)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving an Agreement with the Ohio DAS to License the PremierOne Computer Aided Dispatch Systems on up to Three Consoles Integrated with the MARCS Network for Implementation Costs Not-To-Exceed \$69,438.00 Plus the Purchase of Maintenance Support in the Amount of \$79,200.00 Per Year for up to Three Years

WHEREAS, the Ohio Turnpike and Infrastructure Commission (the "Commission") operates a communication center that uses a dispatch console system to coordinate communications between the various Commission locations and field personnel, the Ohio State Highway Patrol and other governmental entities and emergency responders providing services on the Ohio Turnpike and within surrounding communities; and

WHEREAS, the Ohio Department of Administrative Services ("DAS"), through its Office of Information Technology's Multi-Agency Radio Communications Systems ("MARCS") Program Office makes subscriptions to the PremierOne Computer Aided Dispatch ("CAD") System available to public entities; and

WHEREAS, the Technology Department and the Safety Services Manager recommends selecting the PremierOne CAD System to operate its Radio Room consoles, which will improve current processes and efficiencies that facilitate, enhance and support interdepartmental cooperation and coordination through the MARCS network; and

WHEREAS, the Ohio Department of Administrative Services, through its MARCS Program Office, offered to provide the initial licensing, consulting and reimbursable expenses not to exceed \$69,438.00 and subscription service to the PremierOne CAD System along with all future necessary upgrades to the Commission in the amount of \$2,200.00 per month (or \$26,400 per year) for each dispatch console or \$79,200.00 per year for up to three years for the planned deployment to three dispatch consoles; and

WHEREAS, agreements with other governmental agencies to provide services or equipment for the Commission are exempt from competitive bidding under Section 5537.07 of the Ohio Revised Code, and obtaining the PremierOne CAD System subscriptions for the Commission's Radio Room dispatch consoles provides the greatest services for the price compared to other dispatch console operating systems competitively available in the market; and

WHEREAS, the Executive Director and Director of Contracts Administration have reviewed the evaluation and report of the Chief Technology Officer and the Safety Services Manager and concur with the recommendation that the Commission approve the subscription to PremierOne CAD System from the Ohio Department of Administrative Services through its MARCS Program Office; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the subscriptions to the PremierOne Computer Aided Dispatch System from the Department of Administrative Services through the Office of Information Technology's Multi-Agency Radio Communications Systems ("MARCS") Program Office for an amount not to exceed \$69,438.00 in initial implementation costs plus an additional \$2,200.00 per month (or \$26,400 per year) for each dispatch console or \$79,200.00 per year for up to three years for the planned deployment is approved.

(Resolution No. 28-2018 adopted April 16, 2018)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Designating The Huntington National Bank as the Commission's Public Depository and Approving its Selection to Provide Purchase Card and Escrow Agent Services for up to Seven Years

WHEREAS, on December 20, 2017, the Ohio Turnpike and Infrastructure Commission (the "Commission") issued its Request for Proposals ("RFP") for Banking Services for an initial contract term of three (3) years, which may be extended for two, additional two-year periods; and

WHEREAS, copies of the Commission's RFP were mailed to banking institutions identified as potentially qualified and interested in providing the requested banking services to the Commission, and six banks submitted proposals in response to the RFP on February 15, 2018; and

WHEREAS, an Evaluation Team comprised of the CFO/Comptroller, the Assistant Comptroller, the Director of Audit and Internal Control, and the Senior Accountant conducted the technical review of the proposals submitted and awarded a technical score to each proposal; and

WHEREAS, after the Evaluation Team awarded the Technical Scores, the Commission's Evaluation Team tabulated the cost proposals and assigned scores to the cost proposals received from each respondent with The Huntington National Bank of Columbus, Ohio ("Huntington Bank") receiving both the highest scores for its proposal's technical merit and fees; and

WHEREAS, based on the overall scores, the Evaluation Team concluded that Huntington Bank proposed the best combination of value and price in response to the RFP, and Huntington Bank's acceptable service under its existing contract with the Commission supports its qualifications and abilities to satisfactorily perform its obligations; and

WHEREAS, the Commission's Director of Contracts Administration has reviewed the Evaluation Team's recommendation and has no objections to the results of its review; and

WHEREAS, the Director of Contracts Administration advises that the Proposals were solicited on the basis of the same specifications, terms and conditions with respect to all respondents, that the procedures followed conform to the requirements of Ohio Revised Code Chapter 5537 and, to the extent applicable, Chapter 135, that Huntington Bank has provided evidence of its ability to provide all required security, and that the Commission may enter into a contract with Huntington Bank based on its Proposal and the Commission's RFP; and

WHEREAS, the Executive Director concurs with the Evaluation Team's recommendation that the Commission approve the selection of Huntington Bank and the Commission has duly considered the recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that The Huntington National Bank, of Columbus, Ohio, is designated as its public depository and further selected to

provide Purchase Card Services and Escrow Agent Services for the Commission for up to seven years for the estimated cost of \$76,448.64 per year, and that the Executive Director is authorized to execute an agreement on the basis of Huntington Bank's Proposal and the Commission's RFP to perform such banking services; and

FURTHER RESOLVED, that:

- (i) The Huntington National bank (the "Bank"), as a national banking association, is qualified under applicable law and regulations to be a depository for the Commission and is hereby designated as a depository of the Commission;
- (ii) One or more account(s) may be opened and maintained in the name of the Commission, in accordance with the rules and regulations or procedures of the Bank pertaining to such accounts as amended by the Bank from time to time, or as otherwise amended by a written agreement between the Commission and Bank;
- (iii) Any of the individuals or their successors whose names are set forth in (iv), below or, whose genuine signatures appear on separate cards dated and filed with the Bank, (collectively the "Authorized Signatories" and individually an "Authorized Signatory") are hereby authorized to act individually on behalf of the Commission and in its name to:
 - a. Sign checks, drafts, notes, bills of exchange, acceptances, or other orders for payment of funds from any account maintained by the Commission;
 - b. indorse checks, drafts, notes, bills, certificates of deposit, or other instruments owned or held by the Commission for deposit in any such account, or for collection or discount by the Bank;
 - c. identify, approve and guarantee the indorsements of any and all checks and drafts drawn by the Commission;
 - d. waive demand, protest, and notice of protest, or dishonor of any check, draft, note, bill, certificates of deposit or other instruments made, drawn, or indorsed by the Commission;
 - e. act for the Commission in the transaction of all other business (whether or not it is of the kind, nature or character specified in this resolution) on the Commission's behalf with the Bank, including but not limited to executing contracts and delegating persons to engage in transactions in connection with such contracts;
 - f. open and maintain an account in the name of the Commission (any account so opened shall be bound by the provisions of this resolution);
 - g. certify to the Bank the names of the Authorized Signatories and shall certify such change to the Bank, and the Bank shall be fully protected in relying on such certificate, or refusing to honor the signature of any individual not so certified; and
 - h. delegate other person(s) to perform any of the foregoing acts.

(iv) Names or titles of Authorized Signatories:

Randy Cole, Executive Director

Martin Seekely, Deputy Executive Director/CFO/Comptroller

FURTHER RESOLVED, that:

- (i) The Bank is authorized to honor, receive, certify or pay all instruments signed in accordance with this resolution (or copy of) even though drawn or indorsed to the order of any Authorized Signatory signing the same, tendered for cash, or for deposit into a person account of said Authorized Signatory and the Bank is not required or obligated to inquire into the circumstances of the issuance or use of any instrument signed in accordance with this resolution (or copy of), or the application, or disposition of such instrument, or the proceeds thereof;
- (ii) Overdrafts, if any, shall not be considered to be a loan; and
- (iii) The provisions of this resolution (or copy of) shall remain in full force and effect until written notice of its amendment or rescission shall have been sent to the Bank and the Bank has a reasonable amount of time to act upon such notice, and that receipt of such notice shall not affect any action taken by the Bank prior thereto.

FURTHER RESOLVED, that the Executive Director or DED/CFO/Comptroller be, and each one hereby is, authorized and directed to certify to the Bank a copy of the foregoing resolutions and that the provisions thereof are in conformity with the laws and regulations governing the Commission.

FURTHER RESOLVED, that the Executive Director or DED/CFO/Comptroller is authorized to take any and all additional actions necessary to effectuate the purpose of the foregoing resolutions as set forth herein.

(Resolution No. 29-2018 adopted April 16, 2018)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Filing of a Proposed Amendment to Administrative Rule 5537-3-04 for the Prohibition on Aircraft and Twenty-Two “No Change Rules” with the Joint Committee on Agency Rule Review

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) has previously adopted administrative rules for the control and regulation of traffic, operation of vehicles, the collection of tolls and for the protection and preservation of property under its jurisdiction in accordance with the authority granted to it under Section 5537.16 of the Ohio Revised Code, as promulgated in the provisions of Sections 5537-1-01 through 5537-9-05 of the Ohio Administrative Code; and

WHEREAS, the General Counsel has advised the Commission that the following Ohio Administrative Rules 5537-2-01, 5537-2-02, 5537-2-04, 5537-2-05, 5537-2-06, 5537-2-07, 5537-2-08, 5537-2-09, 5537-2-10, 5537-2-12, 5537-2-13, 5537-2-14, 5537-2-15, 5537-2-16, 5537-2-18, 5537-2-19, 5537-3-02, 5537-3-03, 5537-3-06, 5537-5-01, 5537-6-01, and 5537-8-01 are now up for review as required by Section 111.15 of the Ohio Revised Code; and

WHEREAS, the General Counsel has further advised the Commission that, as a result of the periodic administrative rule review required every five years pursuant to the requirements set forth in Section 111.15 of the Ohio Revised Code, all of the Ohio Administrative Rules 5537-2-01, 5537-2-02, 5537-2-04, 5537-2-05, 5537-2-06, 5537-2-07, 5537-2-08, 5537-2-09, 5537-2-10, 5537-2-12, 5537-2-13, 5537-2-14, 5537-2-15, 5537-2-16, 5537-2-18, 5537-2-19, 5537-3-02, 5537-3-03, 5537-3-06, 5537-5-01, 5537-6-01, and 5537-8-01 do not require change and one rule, Ohio Administrative Code Section 5537-3-04, has been identified as requiring a revision; and

WHEREAS, the General Counsel recommends that Ohio Administrative Code Section 5537-3-04 be revised to allow aircraft on the Turnpike upon receipt of the Commission’s permission, a copy of which proposed language is attached hereto and incorporated here; and

WHEREAS, proposed amendments to the Commission’s administrative rules, and any newly proposed rules must be submitted to the Joint Committee on Agency Rule Review in accordance with the requirements of Section 111.15 of the Ohio Revised Code prior to their implementation by the Commission; and

WHEREAS, in accordance with the applicable statutory provisions, once the Joint Committee on Agency Rule Review approves the amended administrative rules or any new rules, the Commission shall file said rules in final form with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State; and

WHEREAS, all of the other administrative rules previously adopted by the Commission in accordance with Section 5537.16 of the Ohio Revised Code that have been identified as not requiring revision must also be filed with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State as “No Change Rules” in accordance with Section 119.03 of the Ohio Revised Code; and

WHEREAS, the Commission concurs that the process for adopting proposed amendments to the administrative rules, for promulgating a newly proposed rule, and for adopting “No Change Rules” should be initiated.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby authorizes the Executive Director and General Counsel to initiate the process of: 1) submitting the proposed amendment to Section 5537-3-04, a copy of which is attached hereto, and 2) submitting its remaining “No Change Rules,” on Ohio Administrative Rules 5537-2-01, 5537-2-02, 5537-2-04, 5537-2-05, 5537-2-06, 5537-2-07, 5537-2-08, 5537-2-09, 5537-2-10, 5537-2-12, 5537-2-13, 5537-2-14, 5537-2-15, 5537-2-16, 5537-2-18, 5537-2-19, 5537-3-02, 5537-3-03, 5537-3-06, 5537-5-01, 5537-6-01, and 5537-8-01 in order to comply with the statutory rule-making requirements imposed by the Joint Committee on Agency Rule Review; and

FURTHER RESOLVED, that the Commission shall be presented with an additional resolution once the aforementioned statutory procedures for filing the rules have been completed, which resolution shall authorize the filing in final form of all the administrative rules with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State.

(Resolution No. 30-2018 adopted April 16, 2018)