

**MINUTES OF THE 606th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
April 21, 2014**

Chairman Hruby: (11:00 a.m.) Good morning. Would you please stand and join me in saying our Pledge of Allegiance. (Pledge of Allegiance is recited by all in attendance). The meeting will come to order on such a beautiful April day. This is the 606th Meeting of the Ohio Turnpike. Will the Assistant Secretary-Treasurer please call the roll?

Director Hodges: Chairman Hruby

Chairman Hruby: Here

Director Hodges: Vice Chairman Balog

Vice Chairman Balog: Arrived at 11:10 a.m.

Director Hodges: Secretary-Treasurer Barber

Secretary Barber: Here

Director Hodges: Commissioner Paradiso

Mr. Paradiso: Here

Director Hodges: Ms. Townley

Ms. Townley: Present

Director Hodges: Senator Manning

Senator Manning: Here

Director Hodges: Representative Dovilla

Representative Dovilla: Present

Director Hodges: Mr. Cole came for the 10:00 a.m. meeting. He had to go to Columbus for the Controlling Board. We have a quorum.

Chairman: Thank you. We are meeting here at this Commission's headquarters as provided for in the Commission's Code of Bylaws for our Commission Meeting. Again as I said, it is a beautiful spring day and we are waiting for Mr. Balog, who should be here shortly, but we will commence with our actions and start the Meeting. Various reports will be received. We will act on several Resolutions, draft copies of which have been previously sent to the Members and updated drafts are also in the Members' packets. Resolutions will be explained

during the appropriate reports. Can I have a motion to adopt the Minutes of the March 24, 2014 Commission Special Meeting? I will make that motion.

Mr. Paradiso: Second

Chairman: Seconded by Mr. Paradiso. Call the roll please.

Director Hodges: Chairman Hruby

Chairman: Yes

Director Hodges: Mr. Paradiso

Mr. Paradiso: Yes

Director Hodges: Mrs. Barber

Mrs. Barber: Yes

Director Hodges: Ms. Townley

Ms. Townley: Yes

Director Hodges: Four to zero.

Chairman: Because it is such a beautiful day, I hope that anyone that's going to be speaking or making any kind of report will do away with the "minutiae" and be sure to keep it to the most important facts.

Mr. Paradiso: Is that the word of the day?

Chairman: That is the word of the day. We will begin with the report of our Secretary-Treasurer, Sandra.

Secretary-Treasurer: Yes Mr. Chairman, I am pleased to report the following items have been sent to the Members since the last scheduled meeting of the Commission on March 24, 2014:

1. Five Resolutions;
2. Minutes of the March 24, 2014, Commission Special 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, 2014;
2. Traffic and Revenue Report, March, 2014;
3. Investment Report, March, 2014;
4. Total Revenue by Month and Year, March, 2014;
5. Financial Statement, March, 2014; and
6. Various News Articles.

That concludes by report Mr. Chairman.

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

Director Hodges: Good morning Mr. Chairman and Members of the Commission. During the meeting today, Robin Carlin will be delivering a presentation on workflow processes and our partnership with the Ohio Department of Administrative Services, which will lead us for the first time, through a Kaizan process. I won't get into the minutiae; I will leave that to Robin. The Highway Patrol will be delivering a presentation on the conclusion of the investigation into our tragic accident last month.

I do want to take a moment to recognize our CFO, Marty Seekely, and his staff. They were once again honored with the coveted Certificate of Achievement from the Government Finance Officers Association. The certificate is the highest form of recognition in governmental accounting and financial reporting. Its attainment represents a significant accomplishment by a government and its management. I was able to witness exactly how important these kinds of efforts are when Marty, Lisa Mejac and I went to New York a few weeks ago to make a presentation to the J.P. Morgan Institutional Investors Conference. A number of people representing large, prestigious investment firms complimented Marty; not only on our financial performance, but also on the transparent way we are conveying a complete picture of the financial strength of the organization. So, congratulations Marty to you and your staff for a job well done and for this fine award.

I also happily, but regretfully, want to inform the Commission about the retirement of a distinguished public servant and true friend of the Ohio Turnpike. Captain Roger Hannay informed us recently that he will be retiring from the Ohio State Highway Patrol after thirty-six years of service. During his tenure, since 1978, he served two tours of duty with the Ohio Turnpike, most recently in the capacity of Captain.

Mr. Chairman, we have a formal resolution for your consideration filled with the appropriate, decorous comments about his career and conveying our thanks for his service to the Turnpike. On a less formal and personal level, I know I speak for everyone here when I say this is a bittersweet moment. Captain Hannay is a true gentlemen and credit to his profession. He is a joy to work with because he is an accomplished professional, but he understands first and foremost that what we do is all about people. It is about our customers, neighbors and co-workers.

I only first met the Captain as he arrived for his most recent stint with the Turnpike. I knew he was unique, however, because of the universal approval from our employees when they learned of his appointment. From top to bottom, everyone here seemed to know Roger and speak of him with confidence and affection. They knew we were getting a true professional who cares about every person he works with and serves.

I had the opportunity to watch Captain Hannay during several difficult situations, most recently the tragic accident we suffered last month. He was in command directing every facet of the Patrol's response. The men and women of the patrol responded to him so well, in part because that is what they are trained to do, but also because they had such great respect for him as a person and leader. He was truly concerned about the victims, their families and patrons whose journeys were disrupted by events that night. He was equally committed to recognizing the service of Turnpike employees who contributed so much. He was on the phone coordinating all of the far flung resources of state law enforcement agencies, but also checking on each individual involved.

I hope it does not minimize the gravity of the moment to add, with all of the professional accolades he has received, he is also just a decent, fun guy to be around and we will miss him. Mr. Chairman, I know a number of people here will want to add their best wishes, so with your permission, I would like to ask Counsel to read the resolved.

Chairman: Please.

General Counsel: Mr. Chairman with your permission, I'd actually like to read a significant portion of this Resolution because Captain Hannay's accomplishments are unparalleled, if I may?

Chairman: This should be the only time we recognize minutiae. You go right ahead and say all of the minutiae you wish.

General Counsel: Much of this is not minutiae, Captain Hannay began his service as a cadet dispatcher at the Lisbon Post of the Ohio State Highway Patrol on June 26, 1978, and graduated as a member of the 107th OSHP Academy Class on May 2, 1980, with his original assignment as a Trooper to the Patrol's Akron Post, where he also served as a Field Training Officer in both 1982 and 1984. On February 25, 1988, Roger Hannay was promoted to Sergeant and transferred to the Lebanon Post; on March 17, 1995, he was promoted to Lieutenant and remained at the Lebanon Post; and on March 24, 1997, he was promoted to Staff Lieutenant and transferred to the Warren, District 4 Headquarters. On September 2, 2005, Roger Hannay was

promoted to Captain and transferred to the former District 10 Headquarters of the Turnpike; on January 16, 2011, Captain Hannay was transferred to the former Massillon District 3 Headquarters and, while there, became a part of the Office of Strategic Services, Homeland Security and Criminal Intelligence; and from April 14, 2013 to the present, Captain Hannay returned, to what we will call “home” to the serve as the Turnpike Liaison overseeing Turnpike Operations. Captain Hannay served with distinction as a member of the Patrol for thirty-six years during which time he earned or received the following: eighty-two citizen commendation letters, two ACE Awards in 1982 and 1984 related to resolving auto larcenies; the 30-year Safe Driving Award; and numerous OSHP Health and Physical Fitness Awards from 1992 to the present. If I may now read the Resolved?

Chairman: Please do.

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

FURTHER RESOLVED that the Commission extends its best wishes to Captain Roger A. Hannay, his wife, Annamarie and children, Alexandria and Katrina, and much success and well-being to Captain Hannay in all matters and activities that he shall undertake in the future; and

FURTHER RESOLVED that the Assistant Secretary-Treasurer hereby directs the Executive Director to send a certified copy of this Resolution to Captain Roger A. Hannay.

Chairman: I move adoption of the Resolution. Is there a second?

Mrs. Barber: Second

Chairman: Seconded by Mrs. Barber. I'd like to begin the comments if I could. Every time I hear about a police officer or someone from law enforcement, like you Captain Hannay, retiring after thirty-six years, I smile and I do that as a former policeman knowing that you won the fight. The bad guys didn't win with you. You are walking out of here with your ten fingers, your ten toes, and most of your sanity. I know what a wonderful job you have done since I've got to know you and things I heard about you; such a remarkable career. Listening to the Resolution, I know what work went into that kind of a career and how dedicated you have been for thirty-six years. That's remarkable. There aren't many professionals who are willing to make that kind of sacrifice, and I know the sacrifice on your family. Whether you believe this or not, the day that you retire the motor starts to wind down just a little bit, you start looking at people a little differently and you are not on guard as much as you were as a policeman. I wish you well for that. Thank you so very much. One thing I wish you could have avoided was this last major incident that you had to deal with, but there was no one finer that could have handled that, but yourself Sir, and I really appreciate that so very much. You have been a gentleman and I have really enjoyed working with you, and I have the ultimate respect for you as a person, and then for your profession. So God Bless you and good luck. Anyone else? Roll call.

Director Hodges: Chairman Hruby

Chairman: Yes

Director Hodges: Secretary-Treasurer Barber

Mrs. Barber: Yes

Director Hodges: Vice Chairman Balog

Mr. Balog: Yes

Director Hodges: Mr. Paradiso

Mr. Paradiso: Yes

Director Hodges: Ms. Townley

Ms. Townley: Yes

Director Hodges: Unanimous.

RESOLUTION NO. 25-2014

Resolution Expressing Appreciation of Captain Roger Allen Hannay

WHEREAS, Captain Roger A. Hannay began his service as a cadet dispatcher at the Lisbon Post of the Ohio State Highway Patrol (“OSHP”) on June 26, 1978, and graduated as a member of the 107th OSHP Academy Class on May 2, 1980, with his original assignment as a Trooper to the OSHP’s Akron Post, where he also served as a Field Training Officer in both 1982 and 1984; and

WHEREAS, on February 25, 1988, Roger A. Hannay was promoted to Sergeant and transferred to the Lebanon Post; on March 17, 1995, he was promoted to Lieutenant and remained at the Lebanon Post; and on March 24, 1997, he was promoted to Staff Lieutenant and transferred to the Warren, District 4 Headquarters; and

WHEREAS, on September 2, 2005, Roger A. Hannay was promoted to Captain and transferred to the former District 10 Headquarters of the Turnpike; on January 16, 2011, Captain Hannay was transferred to the former Massillon District 3 Headquarters and, while there, became a part of the Office of Strategic Services, Homeland Security and Criminal Intelligence; and from April 14, 2013 to the present, Captain Hannay returned to the serve as the Turnpike Liaison overseeing Turnpike Operations; and

WHEREAS, Captain Roger A. Hannay served with distinction as a member of the OSHP for thirty-six years during which time he earned or received the following: eighty-two citizen commendation letters, two ACE Awards in 1982 and 1984 related to resolving auto larcenies; the 30-year Safe Driving Award; and OSHP Health and Physical Fitness Awards from 1992 to the present; 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 Captain Roger A. Hannay.

NOW, THEREFORE, BE IT

RESOLVED that the Ohio Turnpike and Infrastructure Commission hereby acknowledges and expresses its gratitude to Captain Roger A. Hannay for his thirty-six years of dedicated service, and the Commission also considers that the people of the State of Ohio have been fortunate in receiving the unselfish services which he rendered; and

FURTHER RESOLVED that the Commission extends its best wishes to Captain Roger A. Hannay, his wife, Annamarie and children, Alexandria and Katrina, and much success and well-being to Captain Hannay in all matters and activities that he shall undertake in the future; and

FURTHER RESOLVED that the Assistant Secretary-Treasurer hereby directs the Executive Director to send a certified copy of this Resolution to Captain Roger A. Hannay.

(Resolution No. 25-2014 adopted April 21, 2014)

Director Hodges: We have a presentation for you Captain if you could come behind the table, so the Chairman can have a picture.

Captain Hannay: Thank you very much.

Mr. Paradiso: Congratulations.

Captain Hannay: Thank you very much.

Director Hodges: Chad's going to get some pictures. (Standing ovation for Captain Hannay).

Captain Hannay: This is certainly an honor and a privilege, and Donna probably said it the best most recently transferring over, that I am a serious guy when I am in this uniform, and I am looking forward to not being that serious guy anymore, to letting my personality come out a little, to relax a little bit. I am a Type A, wound pretty tight, so I am looking to uncoil that a little bit and relax. It has been a long and wonderful career that I truly love and I can't express all you folks have meant to me and done for me. "Thank you" doesn't express it and I promised myself that I would not get emotional here, but this is home Kathy, thank you those words mean a lot to

me. Thank you very much. When I got assigned up here, I had to learn a lot about the Ohio Turnpike and it took me some time to really understand what Ohio Turnpike means to the citizens of Ohio. Andrea, my right hand, I couldn't have asked for more help. It really taught me to understand what it means for customer relations, customer satisfaction, customer service, and you folks are top notch. I have had the opportunity to travel around the country to learn other state's operations, to learn other law enforcement operations, other Highway Patrol operations and State Police operations, and bar none, I hold ourselves above and on top. You folks, you do it right every time. Even the chaos on March 12th, a historic day for everybody on March 12th, and we couldn't have done it without each other, really, truly. I know Tony, Director, everybody, Adam, we all just working together, made it happen and got us through that day, and we will continue to work together for that. I can't thank you enough. This is personal; it means a lot. Thank you very much. (Standing ovation). I do have to tell you, I started a venture in January with a tooth that went bad and I've got an appointment with a surgeon this afternoon to try and get this thing fixed, so I am not trying to be rude, but I do have a schedule, so if I am rolling by noon, I am in good shape, so I will hang around a little bit.

Chairman: Congratulations.

Director Hodges: Mr. Chairman, there is cake for the Captain and the staff did put together a very nice display. So, if we are done by 12:00 p.m., then we can enjoy it with Captain Hannay. If not, then enjoy it without him. That concludes my report.

Chairman: Well then let's move on quickly. Robin your report please.

Deputy Director Carlin: I will move quickly. Thank you Mr. Chairman. Today my report will be brief. We continue to move forward with our strategic planning progress with respect to the six critical issues identified. We have made the following progress:

Critical Issue No. 1 – Finances: We have successfully reduced our operating costs during 2013 as planned. We continue critically looking at each of our expenses in 2014, and we are currently exploring additional or potential revenue sources during 2014.

Critical Issue No. 2 – Workflow Processes: As a group of sixteen departments, we are improving upon our existing Standard Operating Procedures, making sure that new processes are identified and reduced to writing and looking to eliminate waste where possible. Of particular importance, we have a Kaizan event planned for the week of May 5th. Kaizan is a Japanese term that simply means to break apart and rebuild, and that is what we plan to do with our procurement process. With the oversight of Lean Ohio, we hope to break apart the procurement process and rebuild it, so that it will be something that all of our employees can understand and benefit from. We have fourteen members from the Administration Building, Maintenance Department, Toll Operations Department, and our Service Plaza Operations, who, within the legal constraints of the Revised Code, will spend a week to take a strategic look at how we procure our goods and services here at the Ohio Turnpike.

Critical Issue No. 3 – Technology: Our Technology Steering Committee has met on six separate occasions, thus allowing us to prioritize and plan for our technology needs as outlined in our 2014 Capital Budget, which you approved several months ago.

Critical Issue No. 4 – Staffing: For the first time, we have begun annually approving a staffing analysis requiring our Directors and Managers to plan for and stay within the budgetary perimeters for staffing.

Critical Issue No. 5 – Marketing and Communications: The most important initiative to come out of this critical issue is our “Turnpike Proud” campaign, which I am pleased to state, has been received with great success by our employees. It seems to be very well embraced.

Critical Issue No. 6 – Partnerships: We believe that being a better partner with other state and local agencies, officials and communities is key to our future success. Our most recent initiative to come out of this critical issue is our MBE Outreach Program. We are committed to improving our relationships with the MBE, FBE and DBE communities and business, and we will be hosting our very own MBE Engineering Open House on May 15, 2014, put on by both the Procurement Department and our Contracts Administration Department with Tommie Jo Marsilio working on this. It will be the first time that we have put together a group to foster relationships between local minority businesses and our Engineering Staff, hopefully, explaining upcoming projects and being able to answer any questions regarding the bidding process.

So, as you can see, we continue to move forward with great progress with the Strategic Planning efforts. I look forward to updating you at the May Commission meeting regarding our Kaizan outcome, as well as the success of our MBE Engineering Open House. Thank you.

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

Chief Engineer: Good Morning Mr. Chairman and Commission Members. Prior to requesting your approval of the four resolutions I have for your consideration this morning, I am requesting your permission to have our Assistant Chief Engineer of Highway and Maintenance, Dennis Albrecht, provide the Commission with a brief update on the Commission’s additional purchase of sodium chloride and magnesium chloride. In February and March of 2014, the Commission approved additional expenditures for these two items, and as part of the approval, we informed the Commission that we would provide you with an update on these additional expenditures. In addition, I would also like Mr. Albrecht to provide you with some “minutiae” on a few awards that the Commission received on several of our 2013 Construction projects. May I have Mr. Albrecht approach the podium please?

Chairman: Please.

Assistant Chief Engineer, Highway & Maintenance: Good morning Mr. Chairman and Members of the Commission. I will attempt to keep this all very brief. You did ask me several months ago to return back and give you a summary of the way the winter turned out and the way our chemical expenditures ended up for the year, and so this will be a quick recap. I

won't delve too much on the "minutiae" of how bad our winter was, but here you see the summary of snowfall totals and you do see that, in every major city, we exceeded the average by quite a bit and, in fact, in Toledo it was a record setting year where they more than doubled their average annual snowfall. The winter, as you recall, was underlined continuously with extremely cold temperatures where we ended the entire season at six to nine degrees below normal. Those extremely cold temperatures did require the application of much more salt and liquid deicing chemicals. That's a picture of our typical salt dome right now, pretty much empty. We are down to a remaining quantity of only about 20,000 tons Turnpike-wide, and that is near historic low levels at the end of a season, so we did a good job of managing our salt, not buying any more than we had to, and making the best use of what we had. Our average annual usage is about 65,000 tons; this is Turnpike-wide. Prior to this past year, our historic maximum usage was 95,000 tons and, after this winter, we set a new bar, which is not necessarily a good bar to set, but we did use a new maximum historic amount of over 99,000 tons of salt. This next slide shows you a brief summary of each year's salt usage from 1999 all the way through the present. That red column at the far right side, you see is higher than several other years that we had high usage, but we beat the record this year. On this page, you see a lot of details and let me just focus your attention on a few. I highlighted that column under the original contract value of \$1.9 million. The contracts from the three companies that you see highlighted in green on the left side, North American, Cargill, and Morton. Again, those were our original contracts at \$1.9 million. Due to the winter conditions that we just continued to experience, we had to make emergency expenditures. Our friends at ODOT were gracious enough to help us out twice through District 2. We ran the Turnpike dump trucks to the ODOT facilities and they filled up our dump trucks and we ran them back, and that really helped us get through some tough times when we knew some storms were on the way and we had no procurement vehicle in place to get more salt, so that really helped us over a hard spot there. We did ultimately put out a couple of emergency contracts with Cargill and Morton and, with that total, we arrived at about \$640,000.00 over budget for salt expenditures.

Liquids also were a major requirement this year with the extremely cold temperatures. Rock salt loses its effectiveness below about twenty degrees to the point where at about fifteen to sixteen degrees it is not even effective. It won't melt the ice, so we pretreat it with liquid deicers of calcium chloride and magnesium chloride, and that allows the salt to be effective in melting snow and ice all the way down to minus twenty-five degrees. So, with the extreme cold we used a lot more liquids than we had planned on. Where our original contracts were at about \$102,000.00, and we ended up expending a total amount of \$284,000.00. So in total we were over our budget by about \$182,000.00, for liquid deicing chemicals. That wraps up my summary of the snow and ice. I would be happy to address any questions on snow and ice chemicals at this point before I move on to my next topic.

Chairman: Please, go ahead.

Assistant Chief Engineer, Highway & Maintenance: Thank you Mr. Chairman. On the good news side, our paving projects continue to set records with how smooth our pavements are on the Turnpike. We received three awards are from the National Asphalt Pavement Association. The first one, which you see presented on the screen and I hold here in my hand, is for an exemplary quality asphalt pavement. This was for our 59-13-01 resurfacing

project. The contractor on that was Gerken Paving and this was from Mileposts 27.5 to 38.9. Again, this recognizes exemplary quality pavements throughout the nation that meet the smoothness requirements and quality of materials and workmanship requirements. The second award, also by the National Asphalt Pavement Association, was awarded to the 39-13-02 project, which is our pavement replacement at Mileposts 165 to 170, here in Cuyahoga County and this was done by the Shelly Company. Again, the same requirements on that nationwide award for exemplary materials and construction quality. Our third award, this is the big one, is also a nationwide award, but all of the projects that meet those national exemplary qualifications are then thrown into the hopper and are reevaluated. Only ten projects nationwide are awarded this Quality and Construction Award. Ironically, it is called the Lemon Award, but it is for the best of the best projects and this is one of the top ten projects throughout the nation. Our pavements continue to be extremely smooth when they are complete. For example, the International Ride Index that we evaluate them on, that's the smoothness, we require that all of the pavements are less than forty-five on the smoothness chart and we typically get our smoothness to even less than forty, which is a phenomenal number. So, with that Mr. Chairman, that concludes my presentation.

Chairman: Thank you very much. Any questions? Hearing none, back to you Mr. Engineer.

Chief Engineer: The first Resolution for your consideration is for the award of Contract No. 43-14-04 for the Rehabilitation of fourteen bridges over the Ohio Turnpike from Milepost 22.7 to Milepost 62.8 in Fulton and Lucas Counties, Ohio. This Project is included in the 2014 Capital Improvement Budget. On April 4, 2014, Procurement received three bids, via Bid Express, for the performance of this Contract with the apparent low bid submitted by Suburban Maintenance and Construction, Inc., of North Royalton, Ohio, in the amount of \$1,757,604.00. Engineering evaluated the complete bid tabulation and no irregularities were noted. The bid submitted by Suburban is approximately 9.8% more than the Engineer's Estimate of \$1,600,000.00. The difference between the apparent low bid and the second bidder amounted to about \$64,000.00 or 3.6%. Suburban has extensive experience performing bridge work for ODOT and other public entities, and has satisfactorily performed this type of work for the Commission. Based on previous years' work volume and work presently under contract, it appears that Suburban has sufficient capacity to perform this Project. Therefore, it is recommended that the Commission award Contract No. 43-14-04 to Suburban Maintenance and Construction, Inc., of North Royalton, Ohio, in the amount of \$1,757,604.00. This Resolution also contains provisions for KS Associates, Inc., of Elyria, Ohio, (an ODOT Certified DBE Firm) to provide inspection and construction administrative services, and Somat Engineering of Ohio, Inc., of Brooklyn Heights, Ohio (an Ohio Turnpike Certified MBE Firm), to provide material testing services. With your permission, may the General Counsel please read the Resolved?

General Counsel: RESOLVED that the bid of **Suburban Maintenance & Construction, Inc., of North Royalton, Ohio**, in the amount of **\$1,757,604.00** for the performance of Contract No. 43-14-04 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 non-winning 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 Chief Engineer to assign **KS Associates, Inc.**, of **Elyria, Ohio**, to Contract No. 43-14-04 for the purpose of performing construction inspection services in accordance with the Agreement specific to this Project as previously authorized under Resolution No. 29-2013, and to assign **Somat Engineering of Ohio, Inc.**, of **Brooklyn Heights, Ohio** (a Commission certified MBE), for the purpose of performing materials testing and inspection, with such assignment in accordance with the 2013-2014 Miscellaneous Engineering Services Agreement between the Ohio Turnpike and Infrastructure Commission and said engineering firm; and

FURTHER RESOLVED that Project No. 43-14-04 is designated a System Project under the Commission's 2013 Master Trust Agreement.

Chairman: Thank you. You've heard the Resolved. May I have Motion?

Mr. Paradiso: So moved.

Chairman: Moved by Mr. Paradiso. Seconded by Vice Chairman Balog. Any discussions, questions? Hearing none, roll call.

Director Hodges: Commissioner Paradiso

Mr. Paradiso: Yes

Director Hodges: Vice Chairman Balog

Mr. Balog: Yes

Director Hodges: Chairman Hruby

Chairman: Yes

Director Hodges: Secretary-Treasurer Barber

Mrs. Barber: Yes

Director Hodges: Ms. Townley

Ms. Townley: Yes

Director Hodges: Unanimous.

RESOLUTION NO. 26-2014

**Resolution Awarding Contract No. 43-14-04,
Bridge Rehabilitations in Fulton and Lucas Counties**

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Bridge Rehabilitation of fourteen bridges over the Ohio Turnpike from Milepost 22.7 to Milepost 62.8 in Fulton and Lucas Counties, Ohio, herein designated **Contract No. 43-14-04**; and

WHEREAS, expenditures for the award to be made under Contract No. 43-14-04 will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for said Contract award; and

WHEREAS, the Commission received three bids via Bid Express for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission's Chief Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 43-14-04 was submitted by **Suburban Maintenance & Construction, Inc.**, of **North Royalton, Ohio**, in the amount of **\$1,757,604.00**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the Director of Contracts Administration that bids for Contract No. 43-14-04 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Suburban Maintenance & Construction, Inc., for Contract No. 43-14-04 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 Suburban Maintenance & Construction, Inc.; and

WHEREAS, the Commission's Executive Director has reviewed the reports of the Chief Engineer and the Director of Contracts Administration and, predicated upon such analysis, has made his recommendation to the Commission to award Contract No. 43-14-04 to the lowest responsive and responsible bidder, Suburban Maintenance & Construction, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Suburban Maintenance & Construction, Inc.**, of **North Royalton, Ohio**, in the amount of **\$1,757,604.00** for the performance of Contract No. 43-14-04 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 non-winning 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 Chief Engineer to assign **KS Associates, Inc.**, of **Elyria, Ohio**, to Contract No. 43-14-04 for the purpose of performing construction inspection services in accordance with the Agreement specific to this Project as previously authorized under Resolution No. 29-2013, and to assign **Somat Engineering of Ohio, Inc.**, of **Brooklyn Heights, Ohio** (a Commission certified MBE), for the purpose of performing materials testing and inspection, with such assignment in accordance with the 2013-2014 Miscellaneous Engineering Services Agreement between the Ohio Turnpike and Infrastructure Commission and said engineering firm; and

FURTHER RESOLVED that Project No. 43-14-04 is designated a System Project under the Commission's 2013 Master Trust Agreement.

(Resolution No. 26-2014 adopted April 21, 2014)

Chairman: Please continue Mr. Yacobucci.

Chief Engineer: My next Resolution for your consideration is for the award of Contract No. 4215 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 our 2014 Operating Budget. On March 24, 2014, Procurement received three bids in response to Invitation No. 4215. 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 \$637,000.00. Aero-Mark's bid is approximately 9% below the Engineer's Estimate of \$700,000.00, 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. 4215 to Aero-Mark, Inc., of Streetsboro, Ohio, in the amount of \$637,000.00. With your permission, may the General Counsel please read the Resolved?

General Counsel: RESOLVED that the bid of **Aero-Mark, Inc.**, of **Streetsboro, Ohio**, in the amount of **\$637,000.00**, for the performance of Contract No. 4215 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 the 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 non-winning 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.

Chairman: Move adoption of the Resolution. Is there a second?

Mr. Balog: Second

Chairman: Second by Vice Chairman Balog. Any questions? Hearing none, roll call.

Director Hodges: Chairman Hruby

Chairman: Yes

Director Hodges: Vice Chairman Balog

Mr. Balog: Yes

Director Hodges: Secretary-Treasurer Barber

Mrs. Barber: Yes

Director Hodges: Commissioner Paradiso

Mr. Paradiso: Yes

Director Hodges: Ms. Townley

Ms. Townley: Yes

Director Hodges: Unanimous.

RESOLUTION NO. 27-2014

Resolution Awarding Contract No. 4215 to Furnish and Apply Retro-Reflective Pavement Markings on the Ohio Turnpike Mainline Roadway and Interchange Ramps from Milepost 0.0 to 241.2

WHEREAS, the Commission has duly advertised, in accordance with law, 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, located in Williams, Fulton, Lucas, Wood, Ottawa, Sandusky, Erie, Lorain, Cuyahoga, Summit, Portage, Trumbull and Mahoning Counties, Ohio, herein designated **Contract No. 4215**; and

WHEREAS, expenditures for the award to be made under Contract No. 4215 will exceed \$150,000.00 and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for said Contract award; and

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

WHEREAS, the Chief Engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 4215 was submitted by **Aero-Mark, Inc.**, of **Streetsboro**,

Ohio, in the amount of **\$637,000.00**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the Director of Contracts Administration that bids for Contract No. 4215 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Aero-Mark, Inc. for Contract No. 4215 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, the Executive Director has reviewed the reports of the Chief Engineer and the Director of Contracts Administration and, predicated upon such analysis, concurs with the recommendation to award Contract No. 4215 to the lowest responsive and responsible bidder, Aero-Mark, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Aero-Mark, Inc.**, of **Streetsboro, Ohio**, in the amount of **\$637,000.00**, for the performance of Contract No. 4215 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 the 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 non-winning 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.

(Resolution No. 27-2014 adopted April 21, 2014)

Chairman: Please continue.

Chief Engineer: My next resolution 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 2014/2015 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 four years, Commission staff have observed that the pricing for rock salt has been significantly higher than the pricing bid by these same salt providers to ODOT and, for the 2013/2014 Snow and Ice Season, the Commission authorized the purchase of rock salt through the ODOT Cooperative Purchasing Program for the seven easternmost locations along the Turnpike. The purchase of rock salt through the ODOT Cooperative Purchasing Program saved the Commission significant dollars during the historic 2013/2014 Snow and Ice Season, and therefore, we are recommending that all of the Commission's rock salt should be purchased through the ODOT Cooperative Purchasing Program. Based upon our estimated quantities, we are requesting Commission approval for 18,800 tons of rock salt for summer fill and 63,400 tons of rock salt for winter use, at fifteen

delivery locations across the Turnpike, be submitted to ODOT for inclusion in that agency's bid invitation for the 2014/2015 Snow and Ice Season under the ODOT Cooperative Purchasing Program. 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. Based on the 2013/2014 average unit price, expenditures under the ODOT Cooperative Purchasing contracts for sodium chloride at the fifteen delivery locations are estimated to potentially exceed \$2,600,000.00 and, since they 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 ODOT Cooperative Purchasing Program for the procurement of Sodium Chloride (rock salt) for the 2014/2015 Snow and Ice Season. With your permission, may the General Counsel please read the Resolved?

General Counsel: RESOLVED that the Executive Director and the Director of Contracts Administration, or either of them, are authorized to forward a certified copy of this Resolution to the Director of Transportation indicating the Commission's assent and commitment to participate in the ODOT Cooperative Purchasing contract(s) for the purchase of sodium chloride in the counties where the following delivery sites are located, and in the following estimated quantities for the 2014/2015 Snow & Ice Season:

<u>Delivery Location</u>	<u>Summer Fill</u>	<u>Winter Use</u>
Kunkle MB (Williams Cty.)	1,200 Tons	3,400 Tons
Interchange 34 (Williams Cty.)	600 Tons	500 Tons
Swanton MB (Fulton Cty.)	1,400 Tons	2,600 Tons
TP 59 (Lucas Cty.)	1,000 Tons	500 Tons
Elmore MB (Ottawa Cty.)	2,200 Tons	5,500 Tons
River Road (Sandusky Cty.)	1,200 Tons	1,700 Tons
Castalia MB (Erie Cty.)	1,200 Tons	4,700 Tons
Humm Road (Erie Cty.)	1,200 Tons	3,400 Tons
Amherst MB (Lorain Cty.)	1,300 Tons	8,900 Tons
TP 161 (Cuyahoga Cty.)	1,000 Tons	4,900 Tons
Boston MB (Summit Cty.)	1,700 Tons	9,200 Tons
TP 187 (Portage Cty.)	600 Tons	3,200 Tons
Hiram MB (Portage Cty.)	1,800 Tons	5,600 Tons
TP 218 (Mahoning Cty.)	600 Tons	4,200 Tons
<u>Canfield MB (Mahoning Cty.)</u>	<u>1,800 Tons</u>	<u>5,100 Tons</u>
TOTAL	18,800 Tons	63,400 Tons

FURTHER RESOLVED, that the Executive Director and the Director of Contracts Administration, or either of them, are authorized to agree, in the name of the Ohio Turnpike and Infrastructure Commission, to purchase the minimum quantities prescribed by the Director of Transportation, to be responsible for direct payments to any selected vendor for the quantities purchased under the contract(s), and to otherwise agree to be bound by all terms and conditions of the contract(s) as prescribed by the Director of Transportation; and

FURTHER RESOLVED, that the Ohio Turnpike and Infrastructure Commission agrees to be responsible for resolving all claims or disputes arising out of its participation in the ODOT

Cooperative Purchasing Program under Section 5513.01(B) of the Ohio Revised Code, and agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the Cooperative Purchasing Program that the Commission may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees; and

FURTHER RESOLVED, that the Assistant Chief Engineer, Highway and Maintenance, shall issue a report back to the Commission indicating the results of the ODOT bidding process.

Chairman: May I have a Motion?

Mr. Paradiso: So moved

Chairman: Moved by Mr. Paradiso. Is there a second?

Mrs. Barber: Second

Chairman: Seconded by Mrs. Barber. Any discussion or questions?

Mr. Balog: It's the first day of Spring today, and we are buying rock salt today already.

Chairman: I would imagine the squirrels are gathering their nuts already. Any other questions or bits of wisdom? Hearing none, roll call.

Director Hodges: Commissioner Paradiso

Mr. Paradiso: Yes

Director Hodges: Secretary-Treasurer Barber

Mrs. Barber: Yes

Director Hodges: Chairman Hruby

Chairman: Yes

Director Hodges: Vice Chairman Balog

Mr. Balog: Yes

Director Hodges: Ms. Townley

Ms. Townley: Yes

Director Hodges: Unanimous.

RESOLUTION NO. 28-2014

**Resolution Authorizing Participation in the ODOT Cooperative Purchasing Program
for Sodium Chloride for the 2014/2015 Snow & Ice Season**

WHEREAS, in years past, at the conclusion of the previous Snow & Ice Season, the Commission has advertised an Invitation soliciting Bids for the furnishing of sodium chloride (rock salt) at fifteen different salt storage locations along the Turnpike, with such Invitation including a request for quotations for rock salt and freight charges to the designated delivery locations delineated in the Bid Schedule; and

WHEREAS, over the past four years, Commission staff have observed that the pricing for rock salt has been significantly higher than the pricing bid by these same salt providers to ODOT and, for the 2013/2014 Snow & Ice Season, the Commission authorized the purchase of rock salt through the ODOT Cooperative Purchasing for the seven easternmost locations along the Turnpike; and

WHEREAS, engaging in the purchase of rock salt through the ODOT Cooperative Purchasing Program saved the Commission significant dollars during the historic 2013/2014 Snow & Ice Season, and the Assistant Chief Engineer, Highway and Maintenance, has, therefore, recommended that all of the Commission's rock salt should be purchased through the ODOT Cooperative Purchasing Program, and that the following estimated quantities of rock salt be submitted to ODOT for inclusion in that agency's bid invitation for the 2014/2015 Snow & Ice Season under the ODOT Cooperative Purchasing Program for the counties where the following delivery sites are located:

Delivery Location	Summer Fill	Winter Use
Kunkle MB (Williams Cty.)	1,200 Tons	3,400 Tons
Interchange 34 (Williams Cty.)	600 Tons	500 Tons
Swanton MB (Fulton Cty.)	1,400 Tons	2,600 Tons
TP 59 (Lucas Cty.)	1,000 Tons	500 Tons
Elmore MB (Ottawa Cty.)	2,200 Tons	5,500 Tons
River Road (Sandusky Cty.)	1,200 Tons	1,700 Tons
Castalia MB (Erie Cty.)	1,200 Tons	4,700 Tons
Humm Road (Erie Cty.)	1,200 Tons	3,400 Tons
Amherst MB (Lorain Cty.)	1,300 Tons	8,900 Tons
TP 161 (Cuyahoga Cty.)	1,000 Tons	4,900 Tons
Boston MB (Summit Cty.)	1,700 Tons	9,200 Tons
TP 187 (Portage Cty.)	600 Tons	3,200 Tons
Hiram MB (Portage Cty.)	1,800 Tons	5,600 Tons
TP 218 (Mahoning Cty.)	600 Tons	4,200 Tons
<u>Canfield MB (Mahoning Cty.)</u>	<u>1,800 Tons</u>	<u>5,100 Tons</u>
TOTAL	18,800 Tons	63,400 Tons

WHEREAS, the ODOT contract or contracts will require that a minimum of 90% of the estimated quantities set forth in the Bid Schedule be purchased and, because the severity of the snow and ice season is unpredictable, the Bidding Documents will also allow for the Commission to purchase up to 110% of the estimated quantities bid for each designated delivery location; and

WHEREAS, the Director of Contracts Administration advises that, in accordance with Section 5513.01(B) of the Ohio Revised Code, the Commission is eligible to participate in contracts into which the Director of Transportation has entered for the purchase of machinery, materials, supplies, or other articles, provided that the Commission shall file with the Director a certified copy of bylaws or a resolution of the Board requesting authorization to participate in such contract(s) and agreeing to be bound by such terms and conditions as the Director prescribes; and

WHEREAS, based on the 2013/2014 average unit price, expenditures under the ODOT Cooperative Purchasing contract(s) for sodium chloride at the fifteen aforementioned delivery locations are estimated to potentially exceed \$2,600,000.00 and, as they will exceed \$150,000.00, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary to authorize participation in said ODOT contract(s); and

WHEREAS, the Executive Director has reviewed the reports of both the Assistant Chief Engineer, Highway and Maintenance, and the Director of Contracts Administration and, predicated upon such analysis, has made his recommendation that the Commission authorize participation in the ODOT Cooperative Purchasing contract(s) for sodium chloride in the counties where the aforementioned delivery sites are located; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director and the Director of Contracts Administration, or either of them, are authorized to forward a certified copy of this Resolution to the Director of Transportation indicating the Commission's assent and commitment to participate in the ODOT Cooperative Purchasing contract(s) for the purchase of sodium chloride in the counties where the following delivery sites are located, and in the following estimated quantities for the 2014/2015 Snow & Ice Season:

<u>Delivery Location</u>	<u>Summer Fill</u>	<u>Winter Use</u>
Kunkle MB (Williams Cty.)	1,200 Tons	3,400 Tons
Interchange 34 (Williams Cty.)	600 Tons	500 Tons
Swanton MB (Fulton Cty.)	1,400 Tons	2,600 Tons
TP 59 (Lucas Cty.)	1,000 Tons	500 Tons
Elmore MB (Ottawa Cty.)	2,200 Tons	5,500 Tons
River Road (Sandusky Cty.)	1,200 Tons	1,700 Tons
Castalia MB (Erie Cty.)	1,200 Tons	4,700 Tons
Humm Road (Erie Cty.)	1,200 Tons	3,400 Tons

Amherst MB (Lorain Cty.)	1,300 Tons	8,900 Tons
TP 161 (Cuyahoga Cty.)	1,000 Tons	4,900 Tons
Boston MB (Summit Cty.)	1,700 Tons	9,200 Tons
TP 187 (Portage Cty.)	600 Tons	3,200 Tons
Hiram MB (Portage Cty.)	1,800 Tons	5,600 Tons
TP 218 (Mahoning Cty.)	600 Tons	4,200 Tons
<u>Canfield MB (Mahoning Cty.)</u>	<u>1,800 Tons</u>	<u>5,100 Tons</u>
TOTAL	18,800 Tons	63,400 Tons

FURTHER RESOLVED, that the Executive Director and the Director of Contracts Administration, or either of them, are authorized to agree, in the name of the Ohio Turnpike and Infrastructure Commission, to purchase the minimum quantities prescribed by the Director of Transportation, to be responsible for direct payments to any selected vendor for the quantities purchased under the contract(s), and to otherwise agree to be bound by all terms and conditions of the contract(s) as prescribed by the Director of Transportation; and

FURTHER RESOLVED, that the Ohio Turnpike and Infrastructure Commission agrees to be responsible for resolving all claims or disputes arising out of its participation in the ODOT Cooperative Purchasing Program under Section 5513.01(B) of the Ohio Revised Code, and agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the Cooperative Purchasing Program that the Commission may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees; and

FURTHER RESOLVED, that the Assistant Chief Engineer, Highway and Maintenance, shall issue a report back to the Commission indicating the results of the ODOT bidding process.

(Resolution No. 28-2014 adopted April 21, 2014)

Chairman: Go ahead Sir.

Chief Engineer: My final Resolution for your consideration is for the award of Contract No. 4216 for the Furnishing of Retro-reflective and Non-Reflective Sheeting and Electronic Cuttable Overlay Film. This is included our 2014 Operating Budget and the material is used by our sign shop for production of roadway signage. Procurement received five bids in response to this Invitation. Engineering has reviewed the bid tabulations and determined that the lowest responsive and responsible bid was submitted by Avery Dennison Corporation of Niles, Illinois, in the total annual amount of \$68,910.00 based on the estimated quantities. This amount is below the estimate for this material and this bidder has satisfactorily furnished similar material and services to the Commission in the past. The term of this contract is for a one-year period, with the possibility of two, one-year renewal terms that may be exercised by the Commission. Since the material quantities are estimated, we are recommending the Commission award the Contract to Avery Dennison Corporation of Niles, Illinois, in an annual amount of \$80,000.00 with the potential annual renewals to occur upon satisfactory performance of the services and a recommendation by the Engineering staff. With your permission, may the General Counsel please read the Resolved?

General Counsel: RESOLVED that the bid of **Avery Dennison Corporation**, of **Niles, Illinois**, under Invitation No. 4216 is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted, and the Executive Director or the Director of Contracts Administration, or either of them, is hereby authorized to: 1) execute a Contract in the annual blanket amount of \$80,000.00 with said successful bidder for a one-year period in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation, 2) exercise either or both of two possible, one-year renewal options upon satisfactory performance evaluations by the Engineering Department; and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract.

Chairman: Is there action to be taken by the Commission?

Mrs. Barber: Move for adoption.

Chairman: Moved by Mrs. Barber. Is there a second?

Mr. Balog: Second

Chairman: Seconded by Mr. Balog. Any questions or comments? Hearing none, roll call.

Director Hodges: Secretary-Treasurer Barber

Mrs. Barber: Yes

Director Hodges: Vice Chairman Balog

Mr. Balog: Yes

Director Hodges: Chairman Hruby

Chairman: Yes

Director Hodges: Commissioner Paradiso

Mr. Paradiso: Yes

Director Hodges: Ms. Townley

Ms. Townley: Yes

Director Hodges: Unanimous

RESOLUTION NO. 29-2014

Resolution Awarding Contract No. 4216 for the Furnishing of Retro-Reflective and Non-Reflective Sheeting and Electronic Cuttable Overlay Film

WHEREAS, the Commission has duly advertised, in accordance with law, an Invitation for Bids upon a Contract for the furnishing of retro-reflective and non-reflective sheeting and electronic cuttable overlay film for a one-year period, with two possible, one-year renewal terms, herein designated **Contract No. 4216**; and

WHEREAS, Invitation No. 4216 was divided into six different Groups listing estimated quantities and various sizes of retro-reflective, non-reflective sheeting and electronic cuttable overlay film to be used in the Commission's Sign Shop; and

WHEREAS, expenditures for the award to be made under Contract No. 4216 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 five bids for the performance of said Contract, and said bids have been reviewed and analyzed by the Commission's Assistant Chief Engineer, Highway and Maintenance, whose report concerning such analysis is before the Commission; and

WHEREAS, the Assistant Chief Engineer, Highway and Maintenance, reports that the lowest responsive and responsible bid received for all six Groups under Invitation No. 4216 was submitted by **Avery Dennison Corporation**, of **Niles, Illinois**, in the total annual amount of \$68,910.00; and

WHEREAS, the Assistant Chief Engineer, Highway and Maintenance, further reports that Avery Dennison Corporation proposes to furnish materials and services in accordance with the Specifications and has satisfactorily furnished similar materials to the Commission in the past, and, inasmuch as the material quantities are estimated, he recommends that the Commission award a Contract to Avery Dennison Corporation in an annual blanket amount of **\$80,000.00**; and

WHEREAS, the Director of Contracts Administration has advised the Commission that Avery Dennison Corporation qualifies for consideration under the Commission's "Domestic and Ohio Preference" Policy; and

WHEREAS, the Commission has also been advised by the Director of Contracts Administration that bids for Contract No. 4216 were solicited on the basis of the same terms and conditions and the same specifications, and that the bid of Avery Dennison Corporation for Contract No. 4216 conforms to the requirements of Ohio Revised Code Sections 5537.07 and 9.312; and

WHEREAS, the Executive Director has reviewed the reports of the Assistant Chief Engineer, Highway and Maintenance, and the Director of Contracts Administration and, predicated upon such analysis, concurs with the recommendation to award Contract No. 4216 to the lowest responsive and responsible bidder, Avery Dennison Corporation; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Avery Dennison Corporation**, of **Niles, Illinois**, under Invitation No. 4216 is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted, and the Executive Director or the Director of Contracts Administration, or either of them, is hereby authorized to: 1) execute a Contract in the annual blanket amount of \$80,000.00 with said successful bidder for a one-year period in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation, 2) exercise either or both of two possible, one-year renewal options upon satisfactory performance evaluations by the Engineering Department; and 3) take any and all action necessary or proper to carry out the terms of said bid and of said Contract.

(Resolution No. 29-2014 adopted April 21, 2014)

Chairman: Anything else Mr. Yacobucci?

Chief Engineer: That completes my report Mr. Chairman.

Chairman: Thank you very much. We will move on to the report of our award winning CFO/Comptroller, Mr. Seekely.

CFO/Comptroller: I have a brief update on our traffic and revenue for the month of March and our financial results for the first quarter.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past two years. Last March benefited from an early Easter. As a result, passenger car vehicle miles traveled were 7.1% lower than March of last year. Commercial traffic continues to improve and was 2.9% higher than March of last year.

This chart shows the total vehicle miles traveled through the month of March during each year over the past decade. Total vehicle miles traveled for the first three months of this year were 3.5% less than the amount from last year. The 7.1% decrease in traffic and an increase in E-ZPass[®] use more than offset the 2.7% toll rate increase on January 1. As a result, passenger car toll revenue decreased 6.3% from March of last year. The increase in commercial traffic combined with the toll rate increase resulted in commercial vehicle toll revenues increasing 5.2% from last year.

This chart shows the year-to-date toll revenues through the month of March during each year over the past decade. Toll revenues through March were \$52,000.00 or .1% below the amount from last year.

This report shows the actual and budgeted revenues, expenditures and transfers for the General Fund for the first three months of the year. Total revenues for the first quarter of the year are \$2.2 million or 3.6% lower than budget and \$.4 million or .6% above last year. The revenue shortfall from budget is due to lower toll revenues. Most of the revenue increase from last year is due to higher concession revenue due to the opening of the Mahoning Valley and Glacier Hills Service Plazas last year. Other revenues are higher due to higher *E-ZPass*[®] account fee revenue.

Expenditures for the first three months of the year for Operations, Maintenance and Administration were \$800,000.00 or 2.7% higher than budgeted, and \$2.8 million or 9.5% higher than last year. Most of the increases in costs from budget were related to higher snow and ice removal costs due to the bad winter weather we experienced. The increase in costs from last year are primarily due to higher snow and ice removal costs, higher employee health insurance costs, higher service plaza operations costs due to the opening of the Mahoning Valley and Glacier Hills Service Plazas in May of last year, and the payment of the one-time union employees bonus in February of this year. Debt service payments are \$7.8 million higher than last year due to the additional debt service payments associated with last year's debt issuance.

After paying our operating expenses and debt service, the balance of the revenue is used to fund our 2014 Capital expenditures. \$4.8 million was transferred to our Capital funds in the first three months of the year, which is \$3.3 million lower than budget. That completes my report Mr. Chairman.

Chairman: Thank you. Any questions for Marty?

Director Hodges: Mr. Chairman, if I may clarify that the revenue shortfall in March was also due to the fact that for passenger vehicles, Easter was in March last year and this year it's in April.

CFO/Comptroller: That's correct. Easter was in March last year. In April, we are seeing traffic for passenger cars increasing, so we should be higher than last year in April.

Chairman: Okay. Thank you. Any other questions or comments? Thanks for your report, and again, congratulations, seriously, I appreciate your good work.

CFO/Comptroller: Thank you very much.

Chairman: We will move on to the report of the General Counsel, Kathleen Weiss.

General Counsel: No report Mr. Chairman.

Chairman: Thank you. Move on to our other reports. Financial Advisor, Brian Quinn?

Mr. Quinn: No report Mr. Chairman.

Chairman: General Consultant, Mr. Buchanan?

Mr. Buchanan: No report Mr. Chairman.

Chairman: Our Trustee from Huntington, Mr. Lamb?

Mr. Lamb: No report Mr. Chairman.

Chairman: Ohio State Highway Patrol, Lt. Sivak?

Lieutenant Sivak: Good morning Mr. Chairman. To start off today, we talked about the Turnpike buying salt, squirrels gathering nuts, and I was out looking for a snow blower this week. I don't know if we are all pessimists or experienced Northeast Ohio residents. I apologize on behalf of Lieutenant Gockstetter, our Commander of the Milan Post, he was not able to be here today. I have talked with him in detail, and I think I have a good handle on the events of March 12. I was here in the building gathering information, but also have some familiarity of what took place and what the present status is. I brought with me today, as a tip of the iceberg, five of the reports of the seventy-four crashes that were dispatched and handled by Troopers on March 12, and that's just the ones that people stuck around for. There were probably some other minor ones that we weren't aware of. Again, tragically, three of the accidents resulted in fatalities and one of them resulted in a serious injury to one of our Troopers. Initially, the update on Trooper Clouser, is that he was released from Firelands Hospital on April 3, and he is currently undergoing physical therapy at his home for the next few weeks. After progressing through the home therapy, he will go to Firelands Hospital in Sandusky to undergo more intense physical therapy. Currently, we do not have an expected return to work date, but we do anticipate he will come back full duty in late summer of this year, so we are very happy about that. In regards to the crashes that occurred out there, specifically the fatalities, one of them involved a commercial driver that was killed. He was at fault in that crash and, as we discussed at past meetings, that the investigation has been concluded with him being the at-fault party. The other ones that we are looking at involved a husband and wife from Indiana with the wife being the fatality, and the last one was twenty-year old, Ms. Matheny, from Parma, who lost her life in the crash. Both of those cases were presented to the Grand Jury on April 15. We have not heard back yet as far as indictments, charges, and what's going on with that. We do not anticipate that any charges will be forthcoming out of the crash where the wife and husband from Indiana were together in the vehicle, but we are anticipating charges stemming from the commercial vehicle that struck Ms. Matheny's vehicle and when we have that information, I will pass it on to the Commission. Another accident out there, was the nine vehicle crash involving eight commercials that tied up traffic for quite some time. Fortunately, there were not any serious injuries or fatalities out of that. The investigation has been concluded and, with any crash that we have, we do our best to piece together physical evidence at the scene, statements from people that are there and any other evidence that we may have. In fact, we are probably going to change

statewide how we gather information on crashes. We usually rely on our own photography, etc., but with the advent of cell phones, cameras that are out there, etc., we did receive some individual cell phone pictures of some of these crashes that were taken right after the initial impact happened, and then the multiple crashes that happened after that, so that did help us piece things together. With this particular crash with all of the commercials that shut down traffic for quite some time, I am going to read: "Unit 1 was driving westbound on the Ohio Turnpike. Unit 1 jackknifed, and came to rest in the roadway. After coming to rest, Unit 1 was then involved in a nine vehicle crash from which the sequence of events cannot be determined." Because of the number of vehicles involved, the rapid fire, for lack of a better description, of vehicles coming in one after another, with the snow, there's not much evidence that is on the roadway and, with that particular crash, it was just impossible to determine and say this vehicle did that, this vehicle did that, etc. There are detailed reports on all of these, specifically some other ones that may be out there. I know Captain Hannay has been in contact with Legal from the Turnpike as far as gathering other information. In lieu of going into each specific crash, I would assume everybody would not prefer to do that today, that information is out there and anything that the Ohio State Highway Patrol can do, myself, Captain Hannay, or our individual Post Commanders, are willing to sit down with whomever to go over these. I have never been one in my twenty-nine years with the Patrol to blame a crash on the weather or road conditions, etc., it's always vehicle speed and driver inattention, and I stand by that even with this particular day. When I was here after most of these happened, I saw firsthand out the building here that Maintenance did an outstanding job with the conditions that were there. You can only do so much when so much precipitation comes down so quickly and then when conditions change on the roadway so rapidly. We continued to do everything we can to control vehicle speed throughout the year and promote that presence to drivers out there, to somewhat act as their conscience, to get people to behave when they are driving, to slow down, etc., but you know in a job security standpoint, that is never going to fully change everybody's behavior. Again, I saw that firsthand looking at the conditions that were out here and just seeing the traffic continue to travel at sixty to sixty-five miles-per-hour. Again, warnings were out there, we had signs posted, either the small message boards, or other moveable signs, etc., but you can only do so much and, in this case here, and when I say you can only do so much, by no way, shape, or form does anybody sit here and say well we should have done this, we could have done this, etc., I believe everything was done that could have possibly been done to prevent these in the first place and, then once they occurred, to make them less serious. Until everybody gets in their head, and I know Chad will do it with Marketing, that just because the speed limit is seventy, or sixty, or whatever it is, that speed limit may not be the prudent speed to travel. We will have to continue the work on this road, as well as other parts of the state to get that message out to avoid a repeat of the events we had back in March. So, with that, again, I do have all of the other reports here, I just talked briefly overall.

Our stops along the Turnpike remain consistent where they have been in years past. In fact, there is a slight increase, but there has been a dramatic jump in the number of traffic crashes that we have investigated. I don't attribute that to anything other than weather related and driver speed in these poor weather conditions. Now that we are emerging from that, we are faced with a new issue for drivers to pay attention to and that is construction. So, whether it's wet, dry, etc., construction adds another area of problems and we are preparing ourselves, we are working with Ed Miller, Dennis, Tony, everybody here, to make sure that everything is safe for everybody. With that, if anybody has any questions about anything I discussed?

Chairman: Any questions?

Director Hodges: May I just add one thing to the Lieutenant's report?

Chairman: Please.

Director Hodges: On the Turnpike side, we are looking at a lot of different options. Unfortunately, many of them cost money and we have to plan and budget for them. One thing we are going to do is be more aggressive about diverting traffic after accidents occur, not only because of the result of accidents, but as the Lieutenant pointed out with the heavy construction season that we have, which will be unprecedented for us. We want to keep traffic moving, so we are going to divert more aggressively than we did in the past and some of the investments that we are going to make, particularly out there in that area, we will bring to the Commission at a later date after we have been able to plan them out a little better.

General Counsel: Mr. Chairman, if I might add. Lieutenant Sivak mentioned that Legal will be reviewing each of the seventy-four reports that were a result of that day from a risk management perspective. Traditionally, if there is a single accident and fault can be attributed and there's a claim, basically the Commission has the ability to recover for labor, property damage, and lost toll revenue. This is going to be a difficult task, but we are going to endeavor to try to pick apart those seventy-four reports to determine if fault can be attributable to the proximate cause of an accident, to any particular party. While this will be a real task, we are going to engage in that and the Patrol is going to be helping us do that.

Chairman: Thank you very much for that. Anything else Lieutenant?

Lieutenant Sivak: If I may just add one thing along the lines of what Director Hodges said about diverting traffic, when I came here on the March 12th and got together with Tony and Adam, the number one thing that we tried to accomplish was what can we do to lessen the volume of traffic back-up, and I just want to say publicly, I am very appreciative of the work that Tony did in ensuring that along the lines of getting traffic off where we can, and doing unconventional things that we may not have done in the past. We just didn't sit there and say, okay, let's cross our fingers and hope somebody doesn't hit, so again, thank you for the work that they did. You know I haven't had the amount of time that Captain Hannay had here. I was here eight months, but that time and the continued time that I stop by here, etc., the work that goes along here is truly amazing, and you know it's a true concern from everybody from the top down to all of the workers on the Turnpike of making this a safe road and, that incident aside, it's a very safe roadway and will continue to be so.

Chairman: Thank you very much. I know that I speak on behalf of the entire Commission when I thank you again and I thank all of the staff, Tony and everyone for the great job that they did on that day, and especially you Lieutenant and your staff, that was a remarkable turnout of manpower, and a remarkable job done by a remarkable group of people, so thank you. Anything else gentleman? Ladies? Hearing nothing further. We will announce that the next

meeting will be on Monday, May 19, 2014, at 10:00 a.m., here in this room. If there is no further business, I move to adjourn. Is there a second?

Mr. Balog: Second

Chairman: All those in favor of adjourning signify by saying “aye.”

Voting Members: Aye

Chairman: Anyone opposed? We are adjourned.

Time of Adjournment: 11:55 a.m.

Attendees for Record Keeping Purposes:

Scott Buchanan, URS; Beth Fulton, URS; Brian Quinn, PFM; Jennifer Townley, ODOT; Tim McDonald, ODOT; Russ Critelli, Mannik & Smith Group; Toby Fritz, Hill Int'l.; Frank Lamb, Huntington Bank; David Russell, IUOE Local 18; Joe Casto, IUOE Local 18; Christopher Camino, IUOE Local 18; Captain Hannay, OSHP; Lieutenant Sivak, OSHP; Rick Hodges, Ohio Turnpike; Marty Seekely, Ohio Turnpike; Tony Yacobucci, Ohio Turnpike; Kathleen Weiss, Ohio Turnpike; Robin Carlin, Ohio Turnpike; Sharon Isaac, Ohio Turnpike; Mark Musson, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Helen Guggenbiller, Ohio Turnpike; Dave Miller, Ohio Turnpike; Dennis Albrecht, Ohio Turnpike; Chad Armstrong, Ohio Turnpike; Adam Greenslade, Ohio Turnpike; Brian Newbacher, Ohio Turnpike; Andrea Martinson, Ohio Turnpike; Donna Fritz, Ohio Turnpike.

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

Sandra K. Barber, Secretary-Treasurer