

**MINUTES OF THE 674th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
MAY 18, 2020**

Chairman: Thank you. Good morning everyone. This morning we are presenting the Ohio Turnpike and Infrastructure Commission meeting. It is our regular monthly meeting. I would like to extend a good morning to all of you. I hope you are doing well. I am Jerry Hruby. I am the Chairman of the Ohio Turnpike and Infrastructure Commission. The time is 10:00 a.m. Please stand and join me in reciting the *Pledge of Allegiance*.

The meeting will come to order. We are here on video conference – not in person as Governor DeWine has signed HB 197 into law allowing public meetings to proceed without having to gather in person. We are doing our part to help prevent the spread of COVID-19. Unfortunately, Representative Greenspan will not be with us this morning. Will the Assistant Secretary-Treasurer, Ferzan M. Ahmed, please call the roll.

Executive Director: Certainly, Chairman good morning. Good morning Commission members.

Assistant Secretary-Treasurer: Chairman Hruby

Chairman, Jerry Hruby: Here

Assistant Secretary-Treasurer: Vice Chairman Paradiso

Vice Chairman, Timothy Paradiso: Here

Assistant Secretary-Treasurer: Secretary-Treasurer Peterson

Secretary-Treasurer, Michael Peterson: Here

Assistant Secretary-Treasurer: Mrs. Barber

Commissioner, Sandra Barber: Here

Assistant Secretary-Treasurer: Mr. Coviello

Commissioner, Guy Coviello: Here

Assistant Secretary-Treasurer: Ms. Eaton Johnson

Commissioner, Vickie Eaton Johnson: Here

Assistant Secretary-Treasurer: Dr. Marchbanks

Commissioner, ODOT Proxy, Dr. Jack Marchbanks: Present

Assistant Secretary-Treasurer: Mr. Kennedy

Office of Budget and Management, James Kennedy: Here

Assistant Secretary-Treasurer: Senator McColley

Senator Rob McColley: Here, having audio issues. Senator Rob McColley sent Ferzan Ahmed a text that he is on and having audio issues.

Chairman: Okay, thank you. Does that complete the role?

Executive Director: Yes Sir. Representative Greenspan is not here but everybody else is here.

Chairman: We have a quorum. Thank you. This is the 674th Meeting of the Ohio Turnpike and Infrastructure Commission. We are holding a meeting today via Microsoft Teams.

As mentioned at the beginning, the new law signed by Governor DeWine allows public meetings to be held by video conference. State law will allow us to use video conferencing for all public meetings only until December 1, 2020 (unless the state legislature extends it). Accordingly, we can check in with our Technology team after the meeting and confirm that this was available by live stream to the public.

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

May I have a motion to adopt the Minutes of the April 20, 2020, Commission Meeting.

MOTION: A motion to adopt the Minutes of April 20, 2020, Commission Meeting was made by Vice Chairman Paradiso and seconded by Mr. Peterson. Any questions or comments or additions to the minutes? Hearing none. Roll call on the motion, please. All Commission Members present voted to approve the Minutes.

Chairman: The April 20, 2020 Commission Meeting Minutes are adopted. We will move on to the report of the Secretary-Treasurer, Mr. Peterson.

Assistant Secretary-Treasurer: Thank you Mr. Chairman. Mr. Chairman, the following items have been provided to the Members since the last scheduled meeting of the Commission on April 20, 2020:

1. Seven Resolutions;
2. Draft Minutes of the April 20, 2020 Special 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, April 2020;
2. Traffic and Revenue Report, April 2020;
3. Total Revenue by Month and Year, April 2020;
4. Investment Report, April 2020; and
5. Financial Statement, April 2020.

Mr. Chairman, that concludes the reading of the Secretary-Treasurer's report.

Chairman: Thank you. Any questions or comments regarding Mr. Peterson's report?

Hearing none, we will move on to the report from the Executive Director, Ferzan M. Ahmed.

Executive Director, Ferzan M. Ahmed: Thank you, Mr. Chairman. I have several operational items to report on. I would like to start by recognizing all turnpike staff for their outstanding patience and resilience during the pandemic and for making certain that the Commission business has gone uninterrupted even while teleworking.

Since March 18, 2020, we have been operating on a modified staffing schedule to manage the greatly reduced traffic on the Turnpike and to keep our employees safe. In conjunction with Governor DeWine's Responsible Restart Ohio plan, manufacturing, construction, and distribution businesses resumed normal operations on May 4, 2020, while retail businesses resumed normal operations on May 12th. To be able to provide quality customer service to the resulting higher volume of traffic, we resumed normal field staffing on May 10, 2020. .

Our goals remain unchanged: to keep our employees safe while providing an essential service to our customers. We are following the guidelines of CDC and the ODH by monitoring the health of our team members, by providing them physical separation when possible so that they can do their work in a safe manner. Our maintenance department has resumed normal operations across all ten facilities. The fifteen toll plazas that were unstaffed since March are now staffed to manage increased traffic volumes. All toll booths have been equipped with plastic shields to protect our toll collectors as well as our customers.

Our service plaza outdoor patios re-opened on May 15, 2020 with patio seating. Every other outdoor table will be closed off to ensure social distancing guidelines. Food court seating inside the plazas is scheduled to be restored beginning on May 21, 2020, by initially re-installing a quarter to one-third of the total seating; resulting in at least ten feet of spacing between tables. Additional tables will be added in phases, while maintaining the prescribed social distancing guidelines.

Our concession contracts at the Portage and Brady's Leap Service Plazas were set to expire on May 31st. We tried to work with our concessionaires to extend that time. Unfortunately, they were not able to do so due to decreased sales. We do not believe that the current environment is suitable for soliciting new concessions. Therefore, we have proposed temporary occupancy of the retail store to 7-Eleven. They have agreed to provide limited concession services through at least August 31, 2020 and month to month thereafter. This provides limited but continuing food service to our customers and gives us time to solicit a concessionaire as traffic increases and financial conditions improve.

As teleworking got underway mid-March cyber-attacks were also on the rise. Recently the Ohio Department of Administrative Services sent out an email requiring all state employees to complete several online courses as part of a statewide cybersecurity training. Agencies, Boards and Commissions are required to complete this training by November 1, 2020. Our Human Resources and Technology Departments quickly rolled the training classes out and I am happy to share that almost half of our employees have already completed the required training courses.

April kicked-off construction season for new 2020 projects. Current active projects include work on sixteen bridges with seven of them getting new deck surfaces. Some of the other bridge work includes bridge painting, minor structure rehabilitation, and removal of two existing bridges. On the pavement side, there are three resurfacing projects in Ottawa, Sandusky, Erie, and Summit Counties. There are also two pavement replacement projects, one in Cuyahoga and Summit Counties, and the other one related to the new Toll Collection System (TCS) in Fulton and Lucas Counties. Also, in conjunction to the Toll Collection System the first new toll facility building project is expected to have bids open toward the end of May and there are three additional pavement replacement projects expected to be awarded in 2020.

Now, I would like to give you an update on some of the events that we typically observe. April 20-24th marked the National Work Zone Awareness week. We had a "Go Orange Day," when we changed our logo to orange and produced a short video to display the official National Work Zone Awareness week graphic to remind motorists about the important role they play in protecting workers and themselves. The Commission honored all Administrative Professional's with a message sent on April 22, 2020 honoring and thanking them for their service. This group was also recognized in a social media post on Friday, April 24, 2020.

Along with the State of Ohio, The Commission recognized employees during the Public Service Appreciation week from May 3, 2020 through May 9, 2020. Full-time and part-time employees reaching a service milestone in 2020 received an email honoring their service. Many employees shared personal perspectives on why they serve, and their responses can be found on our social media website. We do have a part-time employee that will reach 55 years of service in 2020. It is Harland Adkins. Thank you, Harland, for your commitment and longevity at the Ohio Turnpike and Infrastructure Commission. Last week, we lit up the Administration Building with blue lights each night to show our support for law enforcement during the Light Ohio Blue campaign May 8-15, 2020.

This week will kick-off the 3rd annual “W82TXT” teen video contest. The contest is for students in grades 9-12 to submit 6-60 second videos promoting and encouraging their peers to drive safely. This coincides with Memorial Day as the start of the 100 deadliest days of summer.

Also, the month of May marks National Military Appreciation month and our Marketing and Communications teams are planning to recognize this group via social media.

On the people side, I would like to conclude by sharing that we have a few members of our team who are embarking on new journeys. I would like to congratulate Susan Reed, Marval Kear, and Philip Jennings in our toll operations that will be embarking upon new retirement journeys as of May 31, 2020. I would like to thank them for their dedicated service and wish them the best.

Mr. Chairman, that concludes my rather lengthy report for today.

Chairman: Thank you, Mr. Ahmed. I just want to again thank you, personally. I was very aware of all that you have been doing to keep everything together and keeping our people safe. I want you to know how much we appreciate the work of the staff. These are unusual times and they are really doing an extraordinary effort. So, thank you and thank them all. Any other comments or questions regarding the report of our Executive Director?

Hearing none, we will move on to the report of the Chief Engineer, Tony Yacobucci.

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

The first resolution for your consideration seeks the Commission’s authorization to modify the Agreement for Project No. 71-19-04 with TranSystems Corporation of Ohio (“TranSystems”) of Cleveland, Ohio relating to the Deck Repair and Rehabilitation of the Edgerton Road bridge over the Ohio Turnpike at Milepost 169.6 and the State Route 21 bridge over the Ohio Turnpike at Milepost 172.9, in Cuyahoga and Summit Counties. The Commission, under Resolution No. 44-2019, awarded a Contract to TranSystems for Phase 1 Services, which included Site Inspection and Engineering Report for both bridges as well as the Design and Plan Preparation services for the Edgerton Road Bridge in an amount not-to-exceed \$198,169.00. Phase 1 Services required TranSystems to investigate whether to redeck or replace the State Route 21 bridge over the Ohio Turnpike at Milepost 172.9. Their investigation indicated the most economical option is to replace the bridge with a shorter and narrower structure. The deck joints and scuppers will be eliminated improving long term maintenance and the new bridge will be raised to improve vertical clearance over the mainline. A contract modification is required because the final design and plan preparation for the State Route 21 bridge was not included in the previous authorization since the scope could not be clearly defined at the time. On April 9, 2020, TranSystems submitted a fee proposal to perform Phase 1B Services which includes Final Design and Plan Preparation for the removal and replacement of the State Route 21 bridge over the Ohio Turnpike at Milepost 172.9 in an amount of \$216,607.00. The additional costs to obtain the necessary Phase 1B Services for Project No. 71-19-04 will both increase the cost of the contract in excess of the Executive Director’s contracting authority and exceed 10% of the original contract amount, therefore requiring Commission authorization of the contract modification. Therefore, we are requesting

Commission authorization to amend the Agreement for Project No. 71-19-04 with TranSystems Corporation of Ohio of Cleveland, Ohio in the not-to-exceed amount of \$216,607.00. With your permission, may the General Counsel please read the title of the resolution.

Chairman: Please, Jennifer.

General Counsel: Resolution Authorizing TranSystems Corporation to Perform Phase 1B Services of Project No. 71-19-04 in the Amount of \$216,607.00.

Chairman: Any questions or comments?

Mr. Coviello: The amount that we are talking about here of \$216,607.00. Is that the new amount of the contract or is that amount of the increase?

Chief Engineer: Mr. Chairman and Commission Member Coviello, that is the amount of the increase. The original contract of \$198,169.00. The total contract will be that plus the amount of \$216,607.00.

Mr. Coviello: Okay. Then I do not see anything in here about SBE participation. Do the percentages have to be changed according to the new amount?

Chief Engineer: Mr. Chairman and Commission Member Coviello, typically, the statement of intent is provided with the contract modification and I do not recall if that was included in your packet or not. If Diana Anthony is on and if she could help answer that question it would be greatly appreciated.

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

MOTION: A motion to adopt *Resolution Authorizing TranSystems Corporation to Perform Phase 1B Services of Project No. 71-19-04 in the Amount of \$216,607.00* was made by Secretary-Treasurer Peterson, seconded by Vice Chairman Paradiso, and approved by all Commission Members. Resolution No. 36-2020.

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

Chief Engineer: The second resolution for your consideration seeks the Commission's authorization to award a Contract for Project No. 71-20-01 (Rebid) for the Slope Repair at Milepost 132.6 Westbound in Lorain County. This work is included in the 2020 Capital Improvement Budget. On April 28, 2020, Procurement received four (4) bids in response to this Project. The apparent low bid was submitted by The Great Lakes Construction Company ("Great Lakes"), of Hinckley, Ohio, in the amount of \$1,648,416.80, which is below the Engineer's Estimate of \$2,250,000.00. Commission staff evaluated the unit bid prices and found them to be reasonable and the bid tabulation did not appear to contain any errors or anomalies. Great Lakes has satisfactorily performed projects of similar scope for the Commission in the past and based on previous years' work volume and work presently under contract, it appears Great Lakes has

sufficient capacity to perform this project. In addition, Great Lakes has committed to exceed the 5% SBE goal as set by the Office of Equity and Inclusion. Therefore, it is recommended that the Commission award Contract No. 70-20-01 (Rebid) to The Great Lakes Construction Company, Inc. of Hinckley, Ohio in the amount of \$1,648,416.80. This resolution also contains provisions to assign AECOM Technical Services, Inc. of Akron, Ohio, to perform construction administration and inspection services, and to assign Resource International, Inc. of Cleveland, Ohio, a Commission certified SBE, to perform material testing and inspection services. With your permission, may the General Counsel please read the title of the resolution?

Chairman: Jennifer, please.

General Counsel: Resolution Approving the Selection of The Great Lakes Construction Company Under Project No. 70-20-01 (Rebid) in the Amount of \$1,648,416.80 and Approving the Assignment of AECOM Technical Services, Inc. and Resource International, Inc. to Perform Professional Services on the Project.

Chairman: Are there any questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt Resolution *Approving the Selection of The Great Lakes Construction Company Under Project No. 70-20-01 (Rebid) in the Amount of \$1,648,416.80 and Approving the Assignment of AECOM Technical Services, Inc. and Resource International, Inc. to Perform Professional Services on the Project* was made by Chairman Hruby, seconded by Commissioner, Mrs. Barber and approved by all Commission Members. Resolution No. 37-2020.

Chairman: The resolution passes unanimously. The next item on the agenda was to be a resolution regarding the Toll Collection and System Implementation and Maintenance Contract. We are going to remove that from the agenda and move onto the next item. Please continue, Tony.

Chief Engineer: The next resolution for your consideration seeks the Commission's authorization to modify the Agreement for Project No. 71-19-10 with Stantec Consulting Services, Inc. ("Stantec"), of Cleveland, Ohio, relating to the Project Management Services for modernizing the Ohio Turnpike's Toll Collection System and implementing the Strategic Plan, as adopted by the Commission under Resolution No. 57-2017. The Commission, under Resolution No. 48-2019, awarded a Contract to Stantec and authorized an agreement, dated November 21, 2019, for Stantec to provide Project Management services under Project No. 71-19-10 in the not-to-exceed amount of \$500,000.00. On April 29, 2020, Stantec submitted a fee proposal to perform Task 3 Services which includes the oversight of the development, implementation, testing, installation, and integration of the modernized Toll Collection System (TCS) during the 3-year TCS implementation schedule in an amount not to exceed \$1,995,000.00. The Task 3 services includes an on-site tolling engineer to provide oversight of the TCS construction and installation activities, extensive reviews of project plans, preliminary and final design development, testing plans, witness and reviewing all testing and commissioning requirements, as-built documentation review, and coordination among the infrastructure design engineers, TCS integrator (Conduent), and various infrastructure construction contractors. The additional costs to obtain the necessary Task 3 Services for Project No. 71-19-10 will both increase the cost of the contract in excess of the Executive Director's contracting authority and exceed 10% of the original contract amount,

therefore requiring Commission authorization of the contract modification. Therefore, we are requesting Commission authorization to amend the Agreement for Project No. 71-19-10 with Stantec Consulting Services, Inc. of Cleveland, Ohio in the not-to-exceed amount of \$1,995,000.00 With your permission, may the General Counsel please read the title of the resolution.

Chairman: Jennifer, please.

General Counsel: A Resolution Authorizing Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services- Task 3 Under Project No. 71-19-10 in the Not-To-Exceed Amount of \$1,955,000.00.

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

MOTION: A motion to adopt *Resolution Authorizing Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services- Task 3 Under Project No. 71-19-10 in the Not-To-Exceed Amount of \$1,955,000.00* was made by Commissioner, Vickie Eaton Johnson, seconded by Secretary-Treasurer Peterson, and approved by all Commission Members. Resolution No. 38-2020.

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

Chief Engineer: The next three resolutions for your consideration declare that the acquisition of property is necessary to construct new toll plazas, both eastbound and westbound, along with access ramps from the toll plazas merging to and from the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near Milepost 211 in connection with the new Toll Collection System. The property acquisition is necessary for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 39-20-03 under the Toll Collection System and Customer Service Center Strategic Plan for modernizing the Ohio Turnpike Toll Collection System as adopted by the Commission under Resolution No. 57-2017. In connection with the Strategic Plan, the Commission has undertaken the planning and design of new toll plazas along with access ramps at or near Milepost 211 for the new toll collection system. In furtherance of and necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining, and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire the following six parcels, as depicted on the slide shown on your monitor:

- 1.) a 2.898 acre parcel owned by Theda L. Boyer, Successor Trustee of the William H. Stocker Family Trust No. One, adjacent to the Ohio Turnpike in Newton Township, Trumbull County, which 2.898 acre parcel is a portion of the real estate currently designated as Trumbull County Auditor's Permanent Parcel No. 51-653250, and recorded as Instrument No. 202002240003703 in the official Trumbull County Records. As you look at the slide on the monitor, this parcel is designated as 10-WL1 and is highlighted in light red, it is north of the turnpike and is located on the left side of the exhibit. (Resolution No. 5)
- 2.) an 11.384 acre parcel owned by Theda L. Boyer, Successor Trustee of the William H. Stocker Family Trust No. One, adjacent to the Ohio Turnpike in Newton

Township, Trumbull County, which 11.384 acre parcel is a portion of the real estate currently designated as Trumbull County Auditor's Permanent Parcel No. 51-653250, and recorded as Instrument No. 202002240003703 in the official Trumbull County Records. As you look at the slide on the monitor, this parcel is designated as 10-WL2 and is highlighted in light blue, it is south of the turnpike and is displayed across most of the exhibit. (Resolution No. 6)

- 3.) a 0.050 acre parcel owned by Theda L. Boyer, Successor Trustee of the William H. Stocker Family Trust No. One, adjacent to the aforementioned property designated 10-WL2 and the Ohio Turnpike in Newton Township, Trumbull County, which 0.050 acre parcel is a portion of the real estate currently designated as Trumbull County Auditor's Permanent Parcel No. 51-653250, and recorded as Instrument No. 202002240003703 in the official Trumbull County Records. As you look at the slide on the monitor, this parcel is designated as 10-CH and is highlighted in orange, it is south of the turnpike and is located towards the center of the exhibit. (Resolution No. 6)
- 4.) a 1.224 acre parcel owned by Jennie Sharp, adjacent to the Ohio Turnpike in Newton Township, Trumbull County, which 1.224 acre parcel is a portion of the real estate currently designated as Trumbull County Auditor's Permanent Parcel No. 51-284272, and recorded as Instrument No. 200204250015599 in the official Trumbull County Records. As you look at the slide on the monitor, this parcel is designated as 12-WL1 and is highlighted in green, it is north of the turnpike and is located towards the center of the exhibit. (Resolution No. 7)
- 5.) a 0.241 acre parcel owned by Jennie Sharp, adjacent to the Ohio Turnpike in Newton Township, Trumbull County, which 0.241 acre parcel is a portion of the real estate currently designated as Trumbull County Auditor's Permanent Parcel No. 51-284270, and recorded as Instrument No. 200204250015599 in the official Trumbull County Records. As you look at the slide on the monitor, this parcel is designated as 12-WL2 and is highlighted in purple, it is north of the turnpike and is located towards the right side of the exhibit. (Resolution No. 7)
- 6.) a 0.023 acre parcel owned by Jennie Sharp, adjacent to the aforementioned property designated 12-WL2 and the Ohio Turnpike in Newton Township, Trumbull County, which 0.023 acre parcel is a portion of the real estate currently designated as Trumbull County Auditor's Permanent Parcel No. 51-284272, and recorded as Instrument No. 200204250015599 in the official Trumbull County Records. As you look at the slide on the monitor, this parcel is designated as 12-CH and is highlighted in dark pink, it is north of the turnpike and is located towards the right side of the exhibit. (Resolution No. 7)

The proposed Resolutions authorize and direct the Executive Director or the General Counsel to negotiate for a reasonable time, and if possible, enter into an agreement, for the purchase of the aforementioned properties. In addition, if negotiations fail, the Executive Director or the General Counsel shall begin proceedings to appropriate and prosecute the appropriation of

fee title to the properties and any necessary easements. With your permission, may the General Counsel please read the title of each resolution and allow for the Commission act upon each resolution independently?

Chairman: Jennifer, if you would please.

General Counsel: A Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 51-653250 designated as Parcel No. 10-WL1 in Relation to the Toll Collection System (TCS) Modernization Project.

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

MOTION: A motion to adopt *Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 51-653250 designated as Parcel No. 10-WL1 in Relation to the Toll Collection System (TCS) Modernization Project* was made by Chairman Hruby, seconded by Dr. Jack Marchbanks, and approved by all Commission Members. Resolution No. 39-2020.

Chairman: The resolution passes unanimously. Jennifer, the next resolution.

General Counsel: A Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 51-653250 designated as Parcel No. 10-WL2 and Parcel No. 10-CH in Relation to the Toll Collection System (TCS) Modernization Project.

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

MOTION: A motion to adopt *Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 51-653250 designated as Parcel No. 10-WL2 and Parcel No. 10-CH in Relation to the Toll Collection System (TCS) Modernization Project* was made by Chairman Hruby, seconded by Mrs. Barber, and approved by all Commission Members. Resolution No. 40-2020.

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

General Counsel: A Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 51-284272 and Parcel No. 51-284270 in Relation to the Toll Collection System (TCS) Modernization Project.

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

MOTION: A motion to adopt *Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for*

Permanent Parcel No. 51-284272 and Parcel No. 51-284270 in Relation to the Toll Collection System (TCS) Modernization Project was made by Chairman Hruby, seconded by Commissioner, Mrs. Barber, and approved by all Commission Members. Resolution No. 41-2020.

Chairman: The resolution passes unanimously. Is there anything else Tony?

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

Chairman: Thank you. I appreciate your report and your good work. We will now move on to the report of our CFO/Comptroller/DED, Martin Seekely.

CFO/Comptroller/DED: Thank you, Mr. Chairman. I have a brief update on our traffic and revenue for the month of April this morning.

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 down 68.2% from April of last year, due to the effect of COVID-19.

Commercial traffic was down 17.2% from April of last year, also due to the effect of COVID-19. The decrease in passenger car traffic combined with the toll rate increase caused Passenger car toll revenue to decrease 67.7% for the month of April. The decrease in commercial traffic for the month combined with the toll rate increase caused Commercial vehicle toll revenues to decrease 13.9% in April.

This chart shows the weekly percentage change in total toll revenue from the corresponding week of last year. You can see that toll revenue was up 3.1% for the first week of March and then declined each week until week ended April 18, 2020 when it was down 38.1% from last year. Since then the decline from last year has lessened each week. It was down 35.8% week ending April 25, 2020, 31.8% week ending May 2, 2020, and 29.2% week ending May 9, 2020. Last week, which is not on the chart, toll revenue was down 26.2%.

This chart shows year to date toll revenues through the month of April during each year over the past decade. Year-to-date total toll revenues were \$9.5 million or 10.4% below the amount from last year. If you subtract February 29, 2020 from this year's total, total toll revenues are down \$10.1 million or 11.1% from last year.

That completes my report, Mr. Chairman.

Chairman: Thank you Marty. Are there any questions for Marty? Hearing none, we will move on to the report of our General Counsel, Jennifer.

General Counsel: No report this morning Mr. Chairman.

Chairman: Thank you. Next, we will move on to the report the Ohio State Highway Patrol, Staff Lieutenant William Haymaker.

Staff Lieutenant Haymaker: Good morning, Mr. Chairman and Commission Members. I have three items to report on.

On April 12, 2020, a pickup truck struck a concrete barrier near the Blue Heron Wyandot Service Plaza and then fled the scene. Swanton Post Trooper Cheryl Myers responded, located, and then stopped the vehicle near Milepost 102. Upon contact with the driver and two passengers it was discovered that the vehicle was reported stolen from the Hellam Township Police Department in Pennsylvania.

On April 27, 2020, Trooper Pham, from the Hiram Post, stopped a vehicle for a construction zone speed violation near Milepost 173. The odor of raw marijuana was coming from the vehicle during the traffic stop. A probable cause search revealed a vacuum sealed bag containing suspect illegal contraband.

The last item I have is from units all over District 2, the Ohio Turnpike, and other agencies including Vermillion PD gathered for a parade to drive by Trooper Rebecca Missigs house. Trooper Missig is assigned to our commercial section out of the Milan Patrol Post and is battling stage 4 pancreatic cancer. The parade was for support of Trooper Missig and to raise her spirits as she has been off work due to a compromised immune system.

That concludes my report. Thank you.

Chairman: Thank you Lieutenant. We are very sorry to hear about that and she will be in our prayers. Any questions or comments for the Lieutenant? Hearing none. Are there any other comments or questions about anything from anyone?

The next meeting will be held on Monday, June 15, 2020 at 10:00 a.m. If there is no further business, I will accept a motion to adjourn the 674th Commission Meeting.

MOTION: A motion to adjourn the 674th Commission Meeting is made by Mrs. Barber, seconded by Chairman Hruby, and unanimously approved by all Commission Members present.

I want to notify the Commission that our May 18, 2020 Workshop that was to begin this morning has been cancelled. We will reconvene the workshop next month and we will also be joined next month via Microsoft Teams. Our next meeting will be June 15, 2020 at 10:00 a.m.

Time of adjournment: 10:42 a.m.

Attendees for Record Keeping Purposes:

Commission Members: Chairman Jerry Hruby, Vice Chairman, Timothy Paradiso, Secretary-Treasurer Michael Peterson, Commission Member Sandra Barber, Commission Member Guy Coviello, Commission Member Vickie Eaton Johnson, Office of Budget and Management Representative James Kennedy, Commission Member Dr. Jack Marchbanks, and Senator Rob McColley.

Other Attendees: Staff Lieutenant William Haymaker, Ohio State Highway Patrol; Bethany Pugh, PFM; Myron Pakush, Ohio Department of Transportation; Ferzan M. Ahmed, P.E., Executive Director, Ohio Turnpike; Jennifer Stueber, Ohio Turnpike; Anthony Yacobucci, Ohio Turnpike; Marty Seekely, Ohio Turnpike; Andrew Herberger, Ohio Turnpike; Michelle Marquard, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; David Miller, Ohio Turnpike; Chris Matta, Ohio Turnpike; Heather Veljkovic, Ohio Turnpike; Aimee Lane, Ohio Turnpike; Kevin Golick, Ohio Turnpike; Chriss Pogorelc, Ohio Turnpike; Chad Armstrong, Ohio Turnpike; Brian Newbacher, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

Approved as a correct record of the May 18, 2020
Meeting of the Ohio Turnpike and Infrastructure
Commission

Secretary-Treasurer, Michael A. Peterson

EXHIBITS

1. Resolution No. 36-2020 – Resolution Authorizing TranSystems Corporation to Perform Phase 1B Services for Project No. 71-19-04 in the Amount of \$216,607.00;
2. Resolution No. 37-2020 – Resolution Approving the Selection of The Great Lakes Construction Company Under Project No. 70-20-01 (Rebid) in the Amount of \$1,648,416.80 and Approving the Assignment of AECOM Technical Services, Inc. and Resource International, Inc. to Perform Professional Services on the Project;
3. Resolution No. 38-2020 – Resolution Authorizing Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services- Task 3 Under Project No. 71-19-10 in the Not-To-Exceed Amount of \$1,955,000.00;
4. Resolution No. 39-2020 – Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 51-653250 designated as Parcel No. 10-WL1 in Relation to the Toll Collection System (TCS) Modernization Project;
5. Resolution No. 40-2020 – Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 51-653250 designated as Parcel No. 10-WL2 and Parcel No. 10-CH, in Relation to the Toll Collection System (TCS) Modernization Project;
6. Resolution No. 41-2020 – Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 51-284272 and Parcel No. 51-284270 in Relation to the Toll Collection System (TCS) Modernization Project.

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing TranSystems Corporation to Perform Phase IB Services for Project No. 71-19-04 in the Amount of \$216,607.00

WHEREAS, on March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D declaring a State of Emergency for the entire State of Ohio in response to the COVID-19 pandemic; and

WHEREAS, on March 22, 2020, Amy Acton, MD, MPH, Director of Health, issued a “Stay at Home Order” which expired on May 1, 2020, requiring individuals to stay home unless engaged in Essential Activities, Essential Governmental Functions or to operate Essential Businesses and Operations; and

WHEREAS, under the Stay at Home Order, the Ohio Turnpike and Infrastructure Commission (“Commission”) continued operations as Essential Infrastructure and Essential Governmental Functions and further determined that its contractors and service providers must continue to perform services and supply goods and materials to the Commission as Essential Infrastructure, Critical Trades, Supplies for Essential Business and Operators and/or Essential Critical Infrastructure Workers; and

WHEREAS, on April 30, 2020, Director Acton issued the “Director’s Stay Safe Ohio Order,” in effect through May 29, 2020, which permits governmental entities to continue operations subject to Sector Specific COVID-19 Information and Checklist for Businesses/Employees requiring measures such as, ensuring 6 feet between employees, daily symptom assessments of employees, wearing face coverings, regular handwashing, disinfecting work stations and common areas, changing shift patterns, working from home when possible, among others; and

WHEREAS, the Chief Engineer has issued a memorandum to the Commission’s contractors regarding required work site measures that comply with the Director’s Stay Safe Ohio Order and this memorandum is available on the Commission’s website at <https://www.ohioturnpike.org/business/doing-business-with-us/construction-projects>; and

WHEREAS, the Commission finds that the contract modification approved pursuant to this Resolution is necessary for the Commission to continue its operations and complies with the Director’s Stay Safe Ohio Order and that the work to be performed under the contract modification shall comply with the requirements of the Director’s Stay Safe Ohio Order and the Commission’s work site memorandum, as may be amended from time to time, unless or until the order is lifted entirely; and

WHEREAS, the Commission, under Resolution No. 44-2019 adopted September 16, 2019, selected TranSystems Corporation of Ohio, of Cleveland, Ohio, to perform the professional engineering services for the Bridge Deck Repair and Rehabilitation at Edgerton Road over the Ohio Turnpike, Milepost 169.6 and at State Route 21 over the Ohio Turnpike, Milepost 172.9, in Cuyahoga and Summit Counties, Ohio (“Project 71-19-04”) and authorized Phase I Services – Site Inspection, Engineering Report, Design and Plan Preparation Services (“Phase I Services”) in the not-to-exceed amount of \$198,169.00 under an Agreement dated October 28, 2019; and

WHEREAS, the original scope of services called for TranSystems Corporation of Ohio to investigate whether to redeck or replace the bridge at Milepost 172.9 that carries State Route 21 over

the mainline and TranSystems Corporation of Ohio's investigation found that the most economical option is to replace the bridge; and

WHEREAS, based on the findings of TranSystems Corporation of Ohio, the Chief Engineer determined it was necessary to modify the Phase I services for Project 71-19-04 to include the final design and preparation of plans for the bridge replacement at Milepost 172.9 ("Phase 1B Design Services"); and

WHEREAS, TranSystems Corporation of Ohio has submitted a fee proposal dated April 9, 2020, in the not-to-exceed amount of \$216,607.00, to perform the Phase IB Design Services which fee proposal the Chief Engineer deemed reasonable and necessary; and

WHEREAS, the amount set forth in the fee proposal to perform the required Phase IB Design Services will increase the contract by an amount that exceeds the Executive Director's contracting authority under Article V, Section 1.00 of the Commission's Code of Bylaws, and Commission approval is necessary to authorize the modification to the Agreement incorporating the fee proposal; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize TranSystems Corporation of Ohio to perform the Phase IB Design Services under Project No. 71-19-04; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the proposal from TranSystems Corporation of Ohio, dated April 9, 2020, to perform the Phase IB Design Services, specifically to complete the final design and plans for the bridge replacement at Milepost 172.9, under Project No. 71-19-04 in Summit County, in the not-to-exceed amount of \$216,607.00 is approved, and the Executive Director is authorized to modify the Agreement with TranSystems Corporation of Ohio, to perform such additional services in accordance with the terms and conditions of the existing Agreement and TranSystems Corporation of Ohio's fee proposal dated April 9, 2020.

FURTHER RESOLVED that the approval of this contract modification for Project No. 71-19-04 is necessary to continue the operations of the Ohio Turnpike and complies with the Director's Stay Safe Ohio Order and the work to be performed under the contract modification shall comply with the requirements of the Director's Stay Safe Ohio Order and the Commission's work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely.

(Resolution No. 36-2020 adopted May 18, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of The Great Lakes Construction Co. Under Project No. 70-20-01(Rebid) in the Amount of \$1,648,416.80 and Approving the Assignment of AECOM Technical Services, Inc. and Resource International, Inc. to Perform Professional Services on the Project

WHEREAS, on March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D declaring a State of Emergency for the entire State of Ohio in response to the COVID-19 pandemic; and

WHEREAS, on March 22, 2020, Amy Acton, MD, MPH, Director of Health, issued a “Stay at Home Order” which expired on May 1, 2020, requiring individuals to stay home unless engaged in Essential Activities, Essential Governmental Functions or to operate Essential Businesses and Operations; and

WHEREAS, under the Stay at Home Order, the Ohio Turnpike and Infrastructure Commission (“Commission”) continued operations as Essential Infrastructure and Essential Governmental Functions and further determined that its contractors and service providers must continue to perform services and supply goods and materials to the Commission as Essential Infrastructure, Critical Trades, Supplies for Essential Business and Operators and/or Essential Critical Infrastructure Workers; and

WHEREAS, on April 30, 2020, Director Acton issued the “Director’s Stay Safe Ohio Order,” in effect through May 29, 2020, which permits governmental entities to continue operations subject to Sector Specific COVID-19 Information and Checklist for Businesses/Employees requiring measures such as, ensuring 6 feet between employees, daily symptom assessments of employees, wearing face coverings, regular handwashing, disinfecting work stations and common areas, changing shift patterns, working from home when possible, among others; and

WHEREAS, the Chief Engineer has issued a memorandum to the Commission’s contractors regarding required work site measures that comply with the Director’s Stay Safe Ohio Order and this memorandum is available on the Commission’s website at <https://www.ohioturnpike.org/business/doing-business-with-us/construction-projects>; and

WHEREAS, the Commission finds that the contract approved pursuant to this Resolution is necessary for the Commission to continue its operations and complies with the Director’s Stay Safe Ohio Order and that the work to be performed under the contract shall comply with the requirements of the Director’s Stay Safe Ohio Order and the Commission’s work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely; and

WHEREAS, the Commission previously advertised for bids to repair the slope at Milepost 132.6 Westbound, in Lorain County, Ohio, designated as Project No. 70-20-01, and received three

bids which were rejected pursuant to Commission Resolution No. 10-2020 dated February 24, 2020 because the bids were greater than ten percent over the Engineer's estimate; and

WHEREAS, the Commission rebid Project No. 70-20-01 by publishing a notice, in accordance with law, advertising an Invitation for Bids upon a contract to repair the slope at Milepost 132.6, Westbound, in Lorain County, Ohio, designated as Project No. 70-20-01 (Rebid) (the "Project"); and

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

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations report that The Great Lakes Construction Co., of Hinckley, Ohio, submitted the lowest responsive and responsible bid to perform the Contractor's obligations under the Project in the amount of \$1,648,416.80, which they recommend the Commission accept and approve authorization for the Executive Director to select; and

WHEREAS, the Staff Attorney has determined that the bids for the Project were solicited on the basis of the same terms, conditions and specifications, that The Great Lakes Construction Co. submitted a bid guarantee and performance bond with good and sufficient surety, and that the bid of The Great Lakes Construction Co. conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54; and

WHEREAS, the Office of Equity and Inclusion Manager found that The Great Lakes Construction Co. has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 5.2% which exceeds the SBE participation goal of 5% for the Project; and

WHEREAS, Commission action is necessary to approve the contract for Project No. 70-20-01 (Rebid) in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws because the amount of the bids received require an expenditure that will exceed \$150,000.00; and

WHEREAS, the Commission's Executive Director concurs with the recommendations of the Chief Engineer and Deputy Chief Engineer/Director of Field Operations that the Commission approve the award of the Project to The Great Lakes Construction Co. 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 The Great Lakes Construction Co. in the amount of \$1,648,416.80 for Project No. 70-20-01 (Rebid) 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 Chief Engineer assigning AECOM Technical Services, Inc. to perform the necessary construction inspection and administration services for the Project and Resource International, Inc. to perform the necessary material testing and inspection services on the Project in accordance with the 2019-2020 Miscellaneous Professional Services Agreement between the Ohio Turnpike and Infrastructure Commission and said firms; and

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

FURTHER RESOLVED that awarding the contract for Project No. 70-20-01 (Rebid) to The Great Lakes Construction Co. is necessary to continue the operations of the Ohio Turnpike and complies with the Director's Stay Safe Ohio Order and this Commission further requires that the work to be performed under the contract shall comply with the requirements of the Director's Stay Safe Ohio Order and the Commission's work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely.

(Resolution No. 37-2020 adopted May 18, 2020)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services – Task 3 Under Project No. 71-19-10 in the Not-To-Exceed Amount of \$1,955,000.00

WHEREAS, on March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D declaring a State of Emergency for the entire State of Ohio in response to the COVID-19 pandemic; and

WHEREAS, on March 22, 2020, Amy Acton, MD, MPH, Director of Health, issued a “Stay at Home Order” which expired on May 1, 2020, requiring individuals to stay home unless engaged in Essential Activities, Essential Governmental Functions or to operate Essential Businesses and Operations; and

WHEREAS, under the Stay at Home Order, the Ohio Turnpike and Infrastructure Commission (“Commission”) continued operations as Essential Infrastructure and Essential Governmental Functions and further determined that its contractors and service providers must continue to perform services and supply goods and materials to the Commission as Essential Infrastructure, Critical Trades, Supplies for Essential Business and Operators and/or Essential Critical Infrastructure Workers; and

WHEREAS, on April 30, 2020, Director Acton issued the “Director’s Stay Safe Ohio Order,” in effect through May 29, 2020, which permits governmental entities to continue operations subject to Sector Specific COVID-19 Information and Checklist for Businesses/Employees requiring measures such as, ensuring 6 feet between employees, daily symptom assessments of employees, wearing face coverings, regular handwashing, disinfecting work stations and common areas, changing shift patterns, working from home when possible, among others; and

WHEREAS, the Chief Engineer has issued a memorandum to the Commission’s contractors regarding required work site measures that comply with the Director’s Stay Safe Ohio Order and this memorandum is available on the Commission’s website at <https://www.ohioturnpike.org/business/doing-business-with-us/construction-projects>; and

WHEREAS, the Commission finds that the contract amendment approved pursuant to this Resolution is necessary for the Commission to continue its operations and complies with the Director’s Stay Safe Ohio Order and that the work to be performed under the contract modification shall comply with the requirements of the Director’s Stay Safe Ohio Order and the Commission’s work site memorandum, as may be amended from time to time, unless or until the order is lifted entirely; and

WHEREAS, pursuant to Resolution 48-2019, adopted October 21, 2019, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected Stantec Consulting Services, Inc. (“Stantec”) to perform project management services for the Toll Collection System Modernization (the “Project”) and authorized an agreement, dated November 21, 2019, for Stantec

to provide Task 1 and Task 2 services under Project No. 71-19-10 in the not-to-exceed amount of \$500,000.00; and

WHEREAS, the next phase of services for the Project is Task 3 which includes oversight of the development, implementation, testing, installation and integration of the modernized Toll Collection System, and the Commission's selected Integrator, Conduent State and Local Solutions, LLC. The Task 3 services include, but are not limited to:

- Management and coordination during the 3-year implementation schedule; kick-off meeting and requirements review workshop; extensive reviews (project plans, preliminary and final design, testing plans); witnessing and reviewing all testing and commissioning requirements; ticket transition oversight; and, as-built documentation reviews;
- On-site Toll Engineer to provide oversight of the TCS construction and installation activities and design coordination assistance among the infrastructure design engineers, TCS integrator, and the various infrastructure construction contractors; and
- Services are anticipated to begin on or about June 1, 2020 and extend through the 3-year implementation schedule, concluding with the conversion and recommissioning of the Eastgate Toll Plaza and the closeout of the Project in the summer of 2023 ("Task 3"), the complete scope of work being more fully described in Stantec's fee proposal dated April 29, 2020; and

WHEREAS, Stantec has submitted a fee proposal dated April 29, 2020, in the not-to-exceed amount of \$1,955,000.00, to perform the Task 3 services which amount the Chief Engineer has deemed to be reasonable and necessary; and

WHEREAS, the amount set forth in the fee proposal from Stantec, dated April 29, 2020, to perform Task 3 will increase the contract by an amount that exceeds the Executive Director's contracting authority under Article V, Section 1.00 of the Commission's Code of Bylaws, and Commission approval is necessary to authorize the amendment of the Agreement incorporating the fee proposal; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize Stantec to perform Task 3 under Project No. 71-19-10; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the proposal from Stantec dated April 29, 2020 to perform Task 3, specifically the services described in the recitals, under Project No. 71-19-10 in the not-to-exceed amount of \$1,955,000.00 is approved, and the

Executive Director is authorized to amend the Agreement with Stantec to perform such services in accordance with the terms and conditions of the existing Agreement and Stantec's fee proposal dated April 29, 2020, in the not-to-exceed amount of \$1,955,000.00 for the Task 3 services.

FURTHER RESOLVED that the approval of this contract amendment for Project No. 71-19-10 is necessary to continue the operations of the Ohio Turnpike and complies with the Director's Stay Safe Ohio Order and the work to be performed under the contract modification shall comply with the requirements of the Director's Stay Safe Ohio Order and the Commission's work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely.

(Resolution No. 38-2020 adopted May 18, 2020)

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 51-653250 (10-WL1) in Relation to the Toll Collection System (TCS) Modernization Project

WHEREAS, on March 9, 2020, Governor Mike DeWine issued an Executive Order declaring a State of Emergency for the entire State of Ohio in response to the COVID-19 pandemic; and

WHEREAS, on March 22, 2020, Amy Acton, MD, MPH, Director of Health, issued a “Stay at Home Order” requiring individuals to stay home unless engaged in Essential Activities, Essential Governmental Functions or to operate Essential Businesses and Operations and, on April 2, 2020, amended the Stay at Home Order so that it shall be in effect through May 1, 2020 and, on April 30, 2020, further amended the Stay at Home Order so that it shall be in effect through May 29, 2020; and

WHEREAS, under the Stay at Home Order, Essential Activities, Essential Governmental Functions and Essential Businesses and Operations include:

- Essential Infrastructure (Par. 9) – “[I]ndividuals may leave their residence to provide any service or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure,” which includes construction, building management and maintenance, and highways.
- Essential Governmental Functions (Par. 10) – “[A]ll services provided by the State or any...political subdivision, board, commission or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, including contractors performing Essential Functions.”
- Essential Businesses and Operations (Par. 12) –
 - Critical Trades (Par. 12(k)) – “Building and Construction Tradesmen and Tradeswoman...and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations.”
 - Supplies for Essential Businesses and Operations – “Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate....”
 - Essential Critical Infrastructure Workers – The Cybersecurity and Infrastructure Security Agency (CISA) Advisory Memorandum on Identification of Essential Critical Infrastructure During COVID-19 Response, dated March 28, 2020, identifies the following as essential critical infrastructure workers: (1) Transportation and Logistics – “Employees supporting or enabling transportation functions...”; (2) Public Works and Infrastructure Support Services – “Workers who support the operation,

inspection, and maintenance of essential public works facilities and operations...”; and (3) Government-Based Operations and Essential Functions – “Workers supporting essential maintenance, manufacturing, design, operation, inspection, security, and construction for essential products, services, and supply chain and COVID 19 relief efforts;” and

WHEREAS, being the fastest east-west corridor in northern Ohio, the Ohio Turnpike performs a critical role in our state and national economy as a vital part of Ohio’s transportation network and a nationally ranked freight corridor and this role is more important now than ever before so that essential medical supplies, food and other necessary goods can reach their destinations to those in need during this COVID-19 pandemic; and

WHEREAS, based on the foregoing orders and guidance, the Ohio Turnpike and Infrastructure Commission (the “Commission”) finds that it must continue operations under the Stay at Home Order as Essential Infrastructure and as Essential Governmental Functions to maintain the supply chain and that the Commission’s contractors and service providers must continue to perform services and supply goods and materials to the Commission as Essential Infrastructure, Critical Trades, Supplies for Essential Business and Operators and/or Essential Critical Infrastructure Workers; and

WHEREAS, based on the foregoing, the Commission finds that the contract approved pursuant to this Resolution is necessary for the Commission to continue operations as Essential Infrastructure and as Essential Governmental Functions and complies with the requirements of and exceptions to the Stay at Home Order; and

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

WHEREAS, in connection with the Strategic Plan, the Chief Engineer has caused the design and planning for new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound exit ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 211 in connection with the new toll collection system in 2021-2022; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 2.898 acre parcel adjacent to the Ohio Turnpike in Newton Township, Trumbull County, which 2.898 acre parcel (as legally described on Exhibit A attached hereto and incorporated herein as the “Property” which is referred to as 10-WL1 on the ROW plans) is a portion of the real estate currently designated as Trumbull County Auditor’s Permanent Parcel No. 51-653250, and recorded as Instrument No. 202002240003703 in the official Trumbull County Records.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby declares that said acquisition of the Property is necessary to construct new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound exit ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 211 in connection with the new toll collection system, all for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 39-20-03A under the Strategic Plan; and

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

Theda L. Boyer, Successor Trustee of the William H. Stocker Family Trust No. One, 5080 Winthrop Drive, Austintown, Ohio 44515

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

FURTHER RESOLVED that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title to the Property and any necessary easements on and over Parcel No. 51-653250 or neighboring parcels; and

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

FURTHER RESOLVED that Project No. 39-20-03A is a designated System project under the Master Trust Agreement; and

FURTHER RESOLVED that the appropriation of property is necessary to continue the operations of the Ohio Turnpike and complies with the Director's Stay Safe Ohio Order and this Commission further requires that any activity necessary and appropriate for the appropriation of property shall comply with the requirements of the Director's Stay Safe Ohio Order and the Commission's work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely.

(Resolution No. 39-2020 adopted May 18, 2020)

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel No. 51-653250 (10-WL2 and 10-CH) in Relation to the Toll Collection System (TCS) Modernization Project

WHEREAS, on March 9, 2020, Governor Mike DeWine issued an Executive Order declaring a State of Emergency for the entire State of Ohio in response to the COVID-19 pandemic; and

WHEREAS, on March 22, 2020, Amy Acton, MD, MPH, Director of Health, issued a “Stay at Home Order” requiring individuals to stay home unless engaged in Essential Activities, Essential Governmental Functions or to operate Essential Businesses and Operations and, on April 2, 2020, amended the Stay at Home Order so that it shall be in effect through May 1, 2020 and, on April 30, 2020, further amended the Stay at Home Order so that it shall be in effect through May 29, 2020; and

WHEREAS, under the Stay at Home Order, Essential Activities, Essential Governmental Functions and Essential Businesses and Operations include:

- Essential Infrastructure (Par. 9) – “[I]ndividuals may leave their residence to provide any service or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure,” which includes construction, building management and maintenance, and highways.
- Essential Governmental Functions (Par. 10) – “[A]ll services provided by the State or any...political subdivision, board, commission or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, including contractors performing Essential Functions.”
- Essential Businesses and Operations (Par. 12) –
 - Critical Trades (Par. 12(k)) – “Building and Construction Tradesmen and Tradeswoman...and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations.”
 - Supplies for Essential Businesses and Operations – “Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate....”
 - Essential Critical Infrastructure Workers – The Cybersecurity and Infrastructure Security Agency (CISA) Advisory Memorandum on Identification of Essential Critical Infrastructure During COVID-19

Response, dated March 28, 2020, identifies the following as essential critical infrastructure workers: (1) Transportation and Logistics – “Employees supporting or enabling transportation functions...”; (2) Public Works and Infrastructure Support Services – “Workers who support the operation, inspection, and maintenance of essential public works facilities and operations...”; and (3) Government-Based Operations and Essential Functions – “Workers supporting essential maintenance, manufacturing, design, operation, inspection, security, and construction for essential products, services, and supply chain and COVID 19 relief efforts;” and

WHEREAS, being the fastest east-west corridor in northern Ohio, the Ohio Turnpike performs a critical role in our state and national economy as a vital part of Ohio’s transportation network and a nationally ranked freight corridor and this role is more important now than ever before so that essential medical supplies, food and other necessary goods can reach their destinations to those in need during this COVID-19 pandemic; and

WHEREAS, based on the foregoing orders and guidance, the Ohio Turnpike and Infrastructure Commission (the “Commission”) finds that it must continue operations under the Stay at Home Order as Essential Infrastructure and as Essential Governmental Functions to maintain the supply chain and that the Commission’s contractors and service providers must continue to perform services and supply goods and materials to the Commission as Essential Infrastructure, Critical Trades, Supplies for Essential Business and Operators and/or Essential Critical Infrastructure Workers; and

WHEREAS, based on the foregoing, the Commission finds that the contract approved pursuant to this Resolution is necessary for the Commission to continue operations as Essential Infrastructure and as Essential Governmental Functions and complies with the requirements of and exceptions to the Stay at Home Order; and

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

WHEREAS, in connection with the Strategic Plan, the Chief Engineer has caused the design and planning for new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound exit ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 211 in connection with the new toll collection system in 2021-2022; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 11.384 acre parcel adjacent to the Ohio Turnpike in Newton Township, Trumbull County, which 11.384 acre

parcel (as legally described on Exhibit A attached hereto and incorporated herein as “Property A” which is referred to as 10-WL2 on the ROW plans) is a portion of the real estate currently designated as Trumbull County Auditor’s Permanent Parcel No. 51-653250, and recorded as Instrument No. 202002240003703 in the official Trumbull County Records; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 0.050 acre parcel for a channel easement necessary to construct the Project adjacent to Property A and the Ohio Turnpike in Newton Township, Trumbull County, which 0.050 acre parcel (as legally described on Exhibit B attached hereto and incorporated herein as “Property B” which is referred to as 10-CH on the ROW plans) (Property A and Property B are collectively referred to herein as the “Properties”) is a portion of the real estate currently designated as Trumbull County Auditor’s Permanent Parcel No. 51-653250, and recorded as Instrument No. 202002240003703 in the official Trumbull County Records.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby declares that said acquisition of the Properties are necessary to construct new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound exit ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 211 in connection with the new toll collection system, all for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 39-20-03A under the Strategic Plan; and

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

Theda L. Boyer, Successor Trustee of the William H. Stocker Family Trust No. One, 5080 Winthrop Drive, Austintown, Ohio 44515

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

FURTHER RESOLVED that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title to the Properties and any necessary easements on and over Parcel No. 51-653250 or neighboring parcels; and

FURTHER RESOLVED that the Executive Director or the General Counsel be, and he/she is hereby instructed to do or cause to be done all things that may be reasonably necessary so that

proceedings for the appropriation of the Properties described herein may be commenced and completed; and

FURTHER RESOLVED that Project No. 39-20-03A is a designated System project under the Master Trust Agreement; and

FURTHER RESOLVED that the appropriation of property is necessary to continue the operations of the Ohio Turnpike and complies with the Director's Stay Safe Ohio Order and this Commission further requires that any activity necessary and appropriate for the appropriation of property shall comply with the requirements of the Director's Stay Safe Ohio Order and the Commission's work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely.

(Resolution No. 40-2020 adopted May 18, 2020)

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Declaring the Necessity of Appropriating Properties and Directing That Proceedings to Effect Such Appropriation Begin and be Prosecuted for Permanent Parcel Nos. 51-284272 and 51-284270 in Relation to the Toll Collection System (TCS) Modernization Project

WHEREAS, on March 9, 2020, Governor Mike DeWine issued an Executive Order declaring a State of Emergency for the entire State of Ohio in response to the COVID-19 pandemic; and

WHEREAS, on March 22, 2020, Amy Acton, MD, MPH, Director of Health, issued a “Stay at Home Order” requiring individuals to stay home unless engaged in Essential Activities, Essential Governmental Functions or to operate Essential Businesses and Operations and, on April 2, 2020, amended the Stay at Home Order so that it shall be in effect through May 1, 2020, and, on April 30, 2020, further amended the Stay at Home Order so that is shall be in effect through May 29, 2020; and

WHEREAS, under the Stay at Home Order, Essential Activities, Essential Governmental Functions and Essential Businesses and Operations include:

- Essential Infrastructure (Par. 9) – “[I]ndividuals may leave their residence to provide any service or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure,” which includes construction, building management and maintenance, and highways.
- Essential Governmental Functions (Par. 10) – “[A]ll services provided by the State or any...political subdivision, board, commission or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, including contractors performing Essential Functions.”
- Essential Businesses and Operations (Par. 12) –
 - Critical Trades (Par. 12(k)) – “Building and Construction Tradesmen and Tradeswoman...and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations.”
 - Supplies for Essential Businesses and Operations – “Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate....”
 - Essential Critical Infrastructure Workers – The Cybersecurity and Infrastructure Security Agency (CISA) Advisory Memorandum on

Identification of Essential Critical Infrastructure During COVID-19 Response, dated March 28, 2020, identifies the following as essential critical infrastructure workers: (1) Transportation and Logistics – “Employees supporting or enabling transportation functions...”; (2) Public Works and Infrastructure Support Services – “Workers who support the operation, inspection, and maintenance of essential public works facilities and operations...”; and (3) Government-Based Operations and Essential Functions – “Workers supporting essential maintenance, manufacturing, design, operation, inspection, security, and construction for essential products, services, and supply chain and COVID 19 relief efforts;” and

WHEREAS, being the fastest east-west corridor in northern Ohio, the Ohio Turnpike performs a critical role in our state and national economy as a vital part of Ohio’s transportation network and a nationally ranked freight corridor and this role is more important now than ever before so that essential medical supplies, food and other necessary goods can reach their destinations to those in need during this COVID-19 pandemic; and

WHEREAS, based on the foregoing orders and guidance, the Ohio Turnpike and Infrastructure Commission (the “Commission”) finds that it must continue operations under the Stay at Home Order as Essential Infrastructure and as Essential Governmental Functions to maintain the supply chain and that the Commission’s contractors and service providers must continue to perform services and supply goods and materials to the Commission as Essential Infrastructure, Critical Trades, Supplies for Essential Business and Operators and/or Essential Critical Infrastructure Workers; and

WHEREAS, based on the foregoing, the Commission finds that the contract approved pursuant to this Resolution is necessary for the Commission to continue operations as Essential Infrastructure and as Essential Governmental Functions and complies with the requirements of and exceptions to the Stay at Home Order; and

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

WHEREAS, in connection with the Strategic Plan, the Chief Engineer has caused the design and planning for new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound exit ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 211 in connection with the new toll collection system in 2021-2022; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 1.224 acre parcel adjacent to the Ohio Turnpike in Newton Township, Trumbull County, which 1.224 acre

parcel (as legally described on Exhibit A attached hereto and incorporated herein as “Property A”) is a portion of the real estate currently designated as Trumbull County Auditor’s Permanent Parcel No. 51-284272, and recorded as Instrument No. 200204250015599 in the official Trumbull County Records; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 0.241 acre parcel adjacent to the Ohio Turnpike in Newton Township, Trumbull County, which 0.241 acre parcel (as legally described on Exhibit B attached hereto and incorporated herein as “Property B”) is a portion of the real estate currently designated as Trumbull County Auditor's Permanent Parcel No. 51-284270, and recorded as Instrument No. 200204250015599 in the official Trumbull County Records; and

WHEREAS, in furtherance of, and as necessary for public use in implementing the Strategic Plan, and for the overall public purpose of modernizing, maintaining and operating the Ohio Turnpike in a safe and efficient manner, the Commission desires to acquire a 0.023 acre parcel for a channel easement necessary to construct the Project adjacent to Property B and the Ohio Turnpike in Newton Township, Trumbull County, which 0.023 acre parcel (as legally described on Exhibit C attached hereto and incorporated herein as “Property C”) (Property A, Property B and Property C are collectively referred to herein as the “Properties”) is a portion of the real estate currently designated as Trumbull County Auditor’s Permanent Parcel No. 51-284270, and recorded as Instrument No. 200204250015599 in the official Trumbull County Records.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby declares that said acquisition of the Properties are necessary to construct new toll plazas (both eastbound and westbound), along with an eastbound access ramp from the Ohio Turnpike to the southern toll plaza, a westbound access ramp from the Ohio Turnpike to the northern toll plaza, an eastbound exit ramp merging from the southern toll plaza on to the Ohio Turnpike, and a westbound access ramp merging from the northern toll plaza on to the Ohio Turnpike, to implement both open road tolling and toll collection by traditional cash payment at or near MP 211 in connection with the new toll collection system, all for the modernization, proper operation, and maintenance of the Ohio Turnpike, as part of Project No. 39-20-03A under the Strategic Plan; and

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

Jennie Sharp, 3814 Newton Falls Bailey Road SW, Warren, Ohio 44481-9718

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

FURTHER RESOLVED that the Executive Director or the General Counsel begin proceedings to appropriate and prosecute the appropriation of fee title to the Properties and any necessary easements on and over Parcel Nos. 51-284272 and 51-284270 or neighboring parcels; and

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

FURTHER RESOLVED that Project No. 39-20-03A is a designated System project under the Master Trust Agreement; and

FURTHER RESOLVED that the appropriation of property is necessary to continue the operations of the Ohio Turnpike and complies with the Director's Stay Safe Ohio Order and this Commission further requires that any activity necessary and appropriate for the appropriation of property shall comply with the requirements of the Director's Stay Safe Ohio Order and the Commission's work site memorandum, as may be amended from time to time, unless or until such order is lifted entirely.

(Resolution No. 41-2020 adopted May 18, 2020)