

**MINUTES OF THE 699th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
AUGUST 15, 2022**

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

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

Commission Member, Guy Coviello is unable to attend today's meeting and is excused. Senator Bill Reineke and Representative Haraz Ghanbari are unable to attend today's meeting and are excused. Dr. Marchbanks, of ODOT, is unable to attend today's meeting, so Myron Pakush is here representing ODOT.

Will the Assistant Secretary-Treasurer, Ferzan M. Ahmed, P.E., please call the roll?

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 Barber

Secretary-Treasurer, Sandra Barber: Here

Assistant Secretary-Treasurer: Ms. Eaton Johnson

Commissioner, Vickie Eaton Johnson: Here

Assistant Secretary-Treasurer: Mr. Pakush

Commissioner, ODOT Proxy, Myron Pakush: Here

Assistant Secretary-Treasurer: Mr. Kennedy

Office of Budget and Management, James Kennedy: Here

Chairman: We have a quorum. This is the 699th Meeting of the Ohio Turnpike and Infrastructure Commission. We are here today at the Commission's Administration Building.

Various reports will be received, and we will act on several resolutions. Draft copies have been sent to the Members prior to this meeting. The resolutions will be explained, questions and answers will be taken during the appropriate reports.

May I have a motion to adopt the Minutes of the June 21, 2022, Commission Meeting? Any corrections, additions, or questions regarding the Minutes? Hearing none, please call the roll.

MOTION: A motion to adopt the Minutes of the June 21, 2022, Commission Meeting was made by Vice Chairman Paradiso, seconded by Mr. Pakush and approved by all Commission Members present.

Chairman: The June 21, 2022, Commission Meeting Minutes are adopted unanimously. We will move on with the report of the Secretary-Treasurer, Mrs. Barber.

Secretary-Treasurer: The following items have been provided to the Members since the last scheduled meeting of the Commission on June 21, 2022:

1. Thirteen (13) Resolutions;
2. Draft Minutes of the June 21, 2022, Commission Meeting; and
3. Agenda for today's meeting.

The following additional documents have been made available to Commission Members:

1. Traffic Crash Summary Reports, June and July 2022;
2. Traffic and Revenue Reports, June and July 2022;
3. Total Revenue by Month and Year, June and July 2022; and
4. Investment Report, June and July 2022;
5. Financial Statements, June and July 2022; and
6. Budget Report, Six Months.

Chairman: Thank you. Any questions or comments concerning the report? Hearing none, we will move on to the report of the Executive Director, Ferzan Ahmed.

Director Ahmed: Thank you, Mr. Chairman. Good morning, Commission Members, and audience. Welcome back after the summer break it is great to see everyone back here. Mr. Chairman, I have a rather lengthy report that covers many different things.

I will start my report with a story that started out in a tragic manner but had a very good outcome. As we all know, unfortunately human trafficking is an evil in our society.

On July 6th, a patron contacted the OSHP stating that she had been approached by a young woman who was being transported against her will. Sergeant Mandi Rodriguez, from the OSHP Milan Post, contacted Jen Diaz, who was able to use our newly installed cameras to locate the perpetrator, who was later apprehended by the Highway Patrol. Staff Lieutenant Reeder will give details from the law enforcement aspect in his report. I will share some information from the operations aspect. Our Internal Technology Task Force had come up with the idea of installing cameras at various locations in our service plazas. In today's world these cameras play a vital role in increasing safety. We piloted the first set of cameras at the Middle Ridge Service Plaza, which were installed in July of 2021. Based on the success of the pilot project, the Commission approved a resolution in October 2021 to install cameras at the remaining Service Plazas.

After this incident, many of our team members who are either a part of the State of Ohio Human Trafficking Task Force, or the External Technology Task Force, felt a sense of pride. Mr. Chairman and Commission Members, I wanted to thank you because this project would not have been possible without your support.

OTIC employees that are a part of the State of Ohio Human Trafficking Task Force are Chad Armstrong, Matt Cole, Jen Diaz, Laurie Davis, Bryan Emery, Adam Greenslade, Lauren Hakos, Drew Herberger, Joe Mannion, and Chris Matta.

The IBTTA Maintenance & Engineering Conference was held in Cleveland at the end of June. After two years of virtual gatherings, this was IBTTA's comeback conference, and the Ohio Turnpike was the host agency for this international meeting. This conference also provided the opportunity to give back to the community. More than 80 members from IBTTA volunteered their time to improve the recreation complex at the Broadway Boys & Girls Clubs of Northeast Ohio. The Chief Engineer and Chief Meeting Organizer, Chris Matta, recapped the service project in a recent "*News From The Big Road*" video. I would like to play that for you before moving on to the next item. I would also like to add that Myron Pakush also participated in the service event and with his love of baseball, he volunteered all day cleaning up that baseball field with many others. For Chris' efforts as the Chief Meeting Organizer for organizing the meeting since a conference like this takes a lot of work and a lot of people. Chris led the effort and of course because this was comeback conference it needed more work. The IBTTA did award him with this recognition award which I wanted to share with the Commission Members.

As we all know, the Ohio Turnpike, is a very busy and safe road. However, there are numerous traffic related incidents which are expertly handled by our maintenance team members. Handling these incidents is just part of their regular assignment, but there was an incident for which I would like to recognize a few team members.

In mid-June of this year, we had an unfortunate incident where a livestock hauler overturned near the Indiana boarder line. This truck was carrying approximately 200 live hogs and around 50 animals perished because of the accident. This was a hot summer day, and our dedicated maintenance workers came to the scene to rescue the animals. The following Turnpike team members from the Kunkle Maintenance Building responded to this incident: Don Imm, Pete Muehlfeld, Paul Reinbolt, Matt Rupp, Rick Seaman, Aaron Siebenaler, and Ben Walter. These

kind and caring employees worked together to physically carry and remove the remaining injured animals out of the overturned trailer. The OSHP and our Disabled Vehicle Service provider worked with our employees. In addition, a local farmer volunteered his barn to temporarily house the rescued animals until the owner could come and retrieve them.

Now, I would like to congratulate the team members that have recently been promoted. In the Maintenance Department, Jeffrey Horner was promoted to Foreman at the Castalia Maintenance Building, Michael Oberdorf was promoted to Assistant Foreman at Castalia, Patrick Stout was promoted to Assistant Foreman at Amherst, and Tibi Jovica was promoted to Fleet and Equipment Manager. In Toll Operations, Robert Moore II was promoted to Assistant Toll Plaza Supervisor. Lisa Mejac was promoted to be our new Chief Financial Officer. Lisa began her career with the Ohio Turnpike in 2004 as an Accountant. Over the years she worked as Accounting Manager, Assistant Comptroller and then Comptroller. Lisa has her Master's in Business Administration and is a Certified Public Accountant. Our congratulations and best wishes to all our recently promoted team members.

Now, I'd like to offer a warm welcome to our new team members. In the Maintenance Department we have John Simon at Swanton. In the Toll Operations Department, we have nine new part-time toll collectors Jacob Bryant, Shauna Lemmerbrock, Tiffany Nieves, Ryan Terry, Wendy Robertson, Ricardo Hernandez Jr, Austin Obermeyer, Nancy Colvin, Lauren Moore and Robert Hagstrom has joined us as an Assistant Toll Plaza Supervisor. Finally, in the Technology Department, Jake Daum is our Project Manager and Brianne Vogelpohl is our new Helpdesk Specialist. In the Service Plaza Department, Terry Tompkins and Michelle Garcia have joined us as Assistant Service Plaza Managers.

To close, Mr. Chairman & Commission Members, I would like to thank our retirees as they begin a new chapter. In the Toll Operations Department George Peiffer, Kimberly Johnson, Susan O'Connor, George Haag, Joanne Rogers, and David Presutto. In the Engineering Department John Gentile. In the Auditing Department Ruth Meinyk and in the Maintenance Department, Patrick Reckner and Robert Canter. In State Government, anyone retiring with at least 35 years of service receives a certificate from the Governor. At the Commission we honor employees that have at least 35 years of service with a Resolution. Robert is retiring after 43 years of service, and we have a Resolution to honor his long service. May the General Counsel read the title of the resolution.

General Counsel: Resolution Honoring the Distinguished Service of Robert Canter.

Chairman: Well, this is an easy one. Forty-three years. How old were you when you started?

Mr. Canter: I was 19 years old.

Chairman: Congratulations and thank you so very much for your service. We really appreciate it. That is quite a record. Please call the roll.

MOTION: A motion to adopt a *Resolution Honoring the Distinguished Service of Robert Canter* was made by Secretary-Treasurer Barber, seconded by Vice Chairman Paradiso, and approved by all Commission Members present. Resolution No. 56-2022.

Chairman: The resolution passes unanimously. Anything further?

Director Ahmed: No, Mr. Chairman that completes my report. Thank you.

Chairman: We will now move on to the report of the Chief Engineer, Chris Matta.

Chief Engineer: Good morning, Mr. Chairman and Commission Members.

I would like to add one more thing about the IBTTA conference. My name is mentioned a lot in there, but without the Engineering and Maintenance staff that participated, Ferzan, and other staff from our own Turnpike Commission, as well as all of the other members that showed up, the conference could not have been what it was and definitely the service project would not have been what it was. They are the ones that deserve a lot of thanks.

Chairman: We know that. Chris, you can pass on the accolades. Good job, well done and everybody else good job.

Chief Engineer: Thank you. Prior to presenting the eight (8) resolutions I have for your consideration this morning I would like to provide you with an update on the procurement of rock salt for the 2022-2023 snow and ice season. Under Resolution 31-2022, adopted at the April 2022 meeting, the Commission authorized our participation in ODOT's Cooperative Purchasing Program for the procurement of Sodium Chloride for the 2022/2023 winter season. The Resolution required that we report back to the Commission indicating the results of the ODOT bidding process. The Cooperative Purchasing Program contract for the procurement of rock salt requires the Commission to purchase a minimum of 90% of the winter use bid quantity and provides the option to also purchase a maximum of 110% of the winter use bid quantity. The Commission's total expenditure for rock salt for the 2022/2023 winter season will be a minimum of \$2,358,175.50, and up to a maximum of \$2,882,214.50. The average price per ton is \$50.00 for the 2022-2023 winter season, as compared to \$43.84 per ton for the 2021/2022 winter season. I would like to thank ODOT for extending their purchasing agreement to us, and for obtaining the favorable pricing. I would be happy to answer any questions relating to the rock salt procurement, otherwise I will begin presenting the eight resolutions for consideration.

Chairman: Any questions? Hearing none, please continue.

My first resolution for your consideration seeks the Commission's authorization to award Project No. 71-22-01 for Engineering Services relating to the Bridge Deck Replacement of the Mainline Bridge over Lorain Road (County Route 12) at Milepost 152.3 and the Deck Overlay of the Bagley Road Bridge over the Mainline at Milepost 152.9, both in Lorain County. On March 7, 2022, Procurement received nine (9) Letters of Interest for the Request for Letters of Interest No. 3-2022 for the performance of professional engineering services for the bridge work. The LOI's were independently reviewed, evaluated, and scored by the LOI Evaluation Team in accordance

with the LOI requirements and determined that Carpenter Marty Transportation, (Carpenter Marty), of Columbus, Ohio, was the highest-ranking submittal. The Office of Equity and Inclusion confirmed that all Respondent's met or exceeded the 20% SBE goal as set by the Office of Equity and Inclusion. Fee negotiations commenced between Carpenter Marty and our Engineering staff, and on August 4, 2022, a final fee proposal was submitted in the amount of \$144,015.00 for Phase IA services. The services for Phase IA include bridge inspection, bridge inspection report, load rating, field survey, maintenance of traffic, deck cores, exaggerated profiles, and Toll Plaza 152 ramp analysis report. Engineering staff has reviewed and negotiated the fee proposal and finds it reasonable for the scope to be performed. Once the services for Phase IA are complete a subsequent proposal will be obtained for Phase 1B services, which will include final design plans for bidding of the required work. That proposal will be brought to the Commission for consideration at a future date if required. We are requesting Commission authorization for the award of Project No. 71-22-01 to Carpenter Marty Transportation, of Columbus, Ohio for Phase IA of this Project in the amount of \$144,015.00. With your permission, may the General Counsel please read the title of the resolution.

General Counsel: Resolution Approving the Selection of Carpenter Marty Transportation for Project No. 71-22-01 in the Total Amount of \$144,015.00.

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

MOTION: A motion to adopt a *Resolution Approving the Selection of Carpenter Marty Transportation for Project No. 71-22-01 in the Total Amount of \$144,015.00* was made by Mr. Pakush, seconded by Ms. Eaton Johnson, and approved by all Commission Members present. Resolution No. 57-2022.

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

Chief Engineer: My second resolution for your consideration seeks the Commission's authorization to award a contract for General Mechanical, Electrical, and Plumbing Engineering Services ("GES"). On April 27, 2022, the Procurement Department issued an invitation to respond to a Request for Letters of Interest to select a firm to perform general mechanical, electrical, and plumbing engineering services on a task order basis. On May 18, 2022, Procurement received three (3) Letters of Interest from firms expressing interest in performing these services. The LOI's were independently reviewed, evaluated, and scored by the LOI Evaluation Team in accordance with the LOI requirements and determined that Advanced Engineering Consultants, Limited (AEC), of Columbus, Ohio, was the highest-ranking submittal. This GES contract will provide an extension of staff to the Commission's Engineering and Maintenance Departments and will provide immediate access to numerous specialized disciplines that we do not possess internally, such as mechanical and electrical engineers. The term of the agreement is for a two-year period and the total amount payable for all task orders of the contract shall not exceed \$250,000.00 over the two-year period. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: Resolution Authorizing the Selection of Advanced Engineering Consultants, Limited for General Mechanical, Electrical and Plumbing Engineering Services Under Project No. 99-22-03 in the Not-to-Exceed Amount of \$250,000.00.

Chairman: Any questions or comments?

Vice Chairman Paradiso: Chris, explain this. Is this a new relationship, new idea, just kind of deepens your team, tell me a little bit about it.

Chief Engineer: Mr. Chairman and Vice Chairman Paradiso, this is a new type of contract for us. We've identified a few low hanging fruit type projects that our facilities group or engineers have said, "hey we need a little help on this." Even though we do have some general engineering service contracts already out there, they are more along the civil, architectural type contracts, where this one provides companies that can provide specific mechanical and electrical needs. AEC does work for ODOT and has done work for ODOT for a number of years and they've done work for Ohio State as well. Both came back with favorable reviews. Again, it is \$250,000.00 over two years, so it is not any major type projects, but it will just help get some of the items HVAC-type studies and maybe upgrades at our service plazas that we need to get done.

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

MOTION: A motion to adopt a *Resolution Authorizing the Selection of Advanced Engineering Consultants, Limited for General Mechanical, Electrical and Plumbing Engineering Services Under Project No. 99-22-03 in the Not-to-Exceed Amount of \$250,000.00* was made by Chairman Hruby, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 58-2022.

Chairman: I am sure that will be money well spent, no question about that, Chris. The resolution passes unanimously. Please continue, Chris.

Chief Engineer: My third resolution for your consideration seeks the Commission's authorization of continuing expenditures for the Contract with ms Consultants, I (ms), of Youngstown, Ohio, for a Bridge Deck Replacement and Widening Project in Mahoning County. Ms submitted the highest-ranking proposal for Project No. 71-18-08 and was authorized to perform Phase I design services under Commission Resolution No. 53-2018 in September of 2018 as well as a modification in September of 2020. Ms completed final design, the construction project was advertised as Project No. 43-20-03, and was awarded to The Ruhlin Company in November of 2020 by Resolution No. 70-2020. A second modification was made to the contract under that resolution authorizing ms to perform Phase II Construction Administration and Inspection Services for the construction project. The bridge deck widening and replacement work was anticipated to be completed by last fall. However, the project got extended and wasn't wrapped up until this summer, resulting in additional construction and administration costs. Ms submitted a fee proposal dated April 13, 2022, in the not-to-exceed amount of \$276,366.46, to perform these additional Phase II Construction Administration and Inspection Services. The Engineering staff has reviewed ms's proposal and finds it to be reasonable for the scope to be performed. These additional Phase II services to the ms Contract under Project No. 71-18-08 results in the aggregate not-to-exceed

amount for all services of \$1,273,351.58. With your permission, may the General Counsel please read the title of the resolution.

General Counsel: Resolution Authorizing a Modification to the Contract with ms consultants, inc. to Perform Additional Phase II Services Under Project No. 71-18-08 in the Aggregate Not-to-Exceed Amount of \$1,273,351.58.

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

MOTION: A motion to adopt a *Resolution Authorizing a Modification to the Contract with ms consultants, inc. to Perform Additional Phase II Services Under Project No. 71-18-08 in the Aggregate Not-to-Exceed Amount of \$1,273,351.58* was made by Vice Chairman Paradiso, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 59-2022.

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

Chief Engineer: My fourth resolution for your consideration seeks the Commission's authorization of continuing expenditures for the Contract with Jacobs Engineering Group ("Jacobs"), of Cincinnati, Ohio, for the Modernization of the Toll Collection System. Under Resolution No. 44-2016, the Commission awarded a Contract to Jacobs to perform the services necessary to create a Strategic Plan for the Toll Collection System and Customer Service Center. The Strategic Plan was adopted by the Commission through Resolution No. 57-2017. Subsequently, the Commission exercised the option to assign additional various Task 4 Services, including those under Resolution Nos. 18-2018, 28-2019, 37-2019, 52-2020, 2-2021, and 15-2021, which included preliminary and final design of the roadway portion of the new toll plaza located at Milepost 211 and the adjacent mainline pavement reconstruction, final and preliminary design of the roadway portion of the reconfigured Eastgate Toll Plaza located at Milepost 239, and also included miscellaneous construction phase services for projects associated with the four (4) new toll plazas. The work also included environmental, geotechnical and site-civil design services for the new and modernized mainline toll plazas at Mileposts 4, 49, 211 and 239. Portions of the assignments, originally made under Commission Resolutions 37-2019, 52-2020 and 2-2021, which cover four different projects plus environmental work, require additional funding. Jacobs has submitted a fee proposal dated April 19, 2022, in the not-to-exceed amount of \$173,000.00, to perform additional Task 4 Services. The additional services include, but are not limited to, mainline pavement replacement construction phase services for Project 39-20-03, construction phase services for the toll plaza sitework involved with Project 39-21-01, 39-20-02, and 39-21-03, the construction phase services for the mainline pavement reconstruction and toll plaza sitework for Project 39-20-04, and wetland monitoring and reporting for the wetland near TP 4. The Engineering staff has reviewed Jacob's proposal and finds it to be reasonable for the scope to be performed. With your permission, may the General Counsel please read the title of the resolution.

General Counsel: Resolution Authorizing a Modification to the Agreement with Jacobs Engineering Group, Inc. to Perform Additional Task 4 Construction and Wetland Monitoring Services to Implement the Strategic Plan for the Toll Collection System Modernization Project in an Amount Not-to-Exceed \$173,000 for a Total Aggregate Contract Amount of \$6,958,355.94.

Chairman: In the running totals of this project, where are we financially? Are we about where we were with what the projections were?

Chief Engineer: Mr. Chairman and Commission Members, I don't know that number off the top of my head. I know if we were very far off, I would have heard it from Marty before he left and from Lisa so far. Right now, I am reviewing our 50 year projected budget and I have to turn that over to Lisa by September, so I will be taking a hard look where those numbers are at. All in all, you know from what I have seen so far in our major projects, like the pavement replacement jobs that are \$40 to \$70 million dollars that we have across that state, the Capital Budget was set with those in 2020 capturing future costs as well and we are not very far off base. Our contracts with the others, like our integrator Conduent, and our consultants that are working on it, they are still in line. Obviously, Jacobs has been a very long contract, I think this is our twelfth resolution on it and this should be the last one. It is \$173,000.00 of I believe a \$6.5 million total in aggregate that they performed for us over the last almost six years now. So, I could definitely give you a rundown, a report back on where exactly the numbers are between all of the construction projects, consultant services, integrators, that sort of thing.

Chairman: If it is coming like it should be within that budget that you had thought, then you can get back to us. If there is something because of COVID or whatever reason, it is starting to get out of line, please let us know.

Director Ahmed: Mr. Chairman, I would just like to add that on a lot of these projects, we always have change orders because of changed conditions and of course, sometimes, it is not just changed conditions but we refine because of something that we would like to see on the project that we may not have thought about at the time of the scope. But we anticipate a budget in the planning phase. The projects had come in at a good price, so whereas we do have change orders, nothing stands out in a way that concerns us in terms of the budget. We will, as these projects come close to getting finalized, create a spreadsheet that shows where we were and what the change orders are. Obviously, at the end of the year I have to do a change order report for the Commission anyway and I will make sure that I include all of the toll collection service projects in that report.

Vice Chairman: Along with the cost and the budget and the forecast, can we layout timing when this project will get rolled out compared to the plan, how it is going to look. It is just nice to get an update, it has been an overwhelming project and I would like to have an update if we could. Again, not take a big part of the Commission Meeting but I think laying out the successes to-date and what the timing is for rolling out the new toll collection system would be great.

Director Ahmed: Mr. Chairman and Vice Chairman Paradiso, your comments are actually very timely because our General Counsel in her report is actually going to talk about the legal aspects of the toll collection system and that will cover some of the questions that you are asking and next month, we do plan to have a work session to go over some items that will require some Commission action and also some more use of your time because we will have to have some hearings in terms of developing work rules when it comes to the toll collection system. One thing that I can say to you, Mr. Vice Chairman and Mr. Chairman, in response to the Vice Chairman's question, that we have always looked at spring of 2023 as "go live" and I guess we have always associated March with spring of 2023. Our current schedule shows us getting done in the May timeframe. Given the complexity of the project and all of the different pieces that is really not that bad. We do need to work with our construction firms because none of these projects are totally independent. The toll collection system is related to the construction, which is related to some other things that are going on in Berea in the software area, so we do need to work with them and to make sure that these things can be done in a way that one project does not delay another project.

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

MOTION: A motion to adopt a *Resolution Authorizing a Modification to the Agreement with Jacobs Engineering Group, Inc. to Perform Additional Task 4 Construction and Wetland Monitoring Services to Implement the Strategic Plan for the Toll Collection System Modernization Project in an Amount Not-to-Exceed \$173,000 for a Total Aggregate Contract Amount of \$6,958,355.94* was made by Mr. Pakush, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 60-2022.

Chairman: The resolution passes unanimously. Inc. continue, Chris.

Chief Engineer: My fifth resolution for your consideration is to reject the lone bid received for Contract No. 43-22-09. This represented a contract for Bridge Repair and Rehabilitation on two bridges, the Westbound Ohio Turnpike over Royalton Road (S.R. 82) M.P. 165.4 and the Westbound Ohio Turnpike over York Road (C.R. 46) M.P. 165.5, in Cuyahoga County. On August 2, 2022, Procurement received one (1) bid in response to this Project. This bid was submitted by Suburban Maintenance and Construction, Inc., of Broadview Heights, Ohio, in the amount of \$800,291.00 which is double the Engineer's Estimate. The Commission's Bridge Engineer recommends this lone bid be rejected due to the extremely high amount over the Engineer's Estimate and variance from recent pricing. Furthermore, we are planning to include the repair work with a project being let for Spring 2023 construction. Any required maintenance will be performed by Commission Staff up until the time the new project is underway. The Commission may reject any and all bids (IB Section 3.4), which is also provided for in Section 5537.07(A) of the Ohio Revised Code. It is therefore recommended that the bid received for Contract No. 43-22-09 be rejected. With your permission, may the General Counsel please read the title of the resolution.

General Counsel: Resolution Rejecting the Sole Bid Received for Project No. 43-22-09.

Chairman: Any questions or comments?

Ms. Eaton Johnson: Is the higher bid the reality and the estimate was just off or what's thought around that?

Chief Engineer: Mr. Chairman and Commission Member Eaton Johnson, the bid, I think, is an anomaly itself. I think our estimate was pretty solid. I think it was a matter of timing of the project. It's late in the summer, contractors already have their work scheduled in front of them that they are trying to get completed, that they were awarded prior jobs on. It is a rather small job. It is basically some bridge deck patching of the two bridges and some of the surface course of that deck is falling apart. It is a little bit more than our maintenance crews can go in there and take care of efficiently. So, we figured it would be better if we got a contractor where that is their business to get in there and make some semi-permanent repairs. The one items that kind of jumped out was the maintenance of traffic because this job requires a traffic shift which can be quite pricy as well and that is usually a subcontractor too, so they may be tied up with getting other construction projects into various phases, as you know going into August and September. So, we have been working in the background, our Bridge Engineer and our Staff Bridge Engineer on two projects for next year that are like rehab projects where several of these types of bridges are maybe a little bit more than we can do as maintenance, but not very big bridge jobs individually and combining like a package out east and a package out west, so we are hoping of putting that in there will get us some pretty good pricing this winter when we bid it.

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

MOTION: A motion to adopt a *Resolution Rejecting the Sole Bid Received Project No. 43-22-09* was made by Vice Chairman Please, seconded by Chairman Hruby, and approved by all Commission Members present. Resolution No. 61-2022.

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

Chief Engineer: My sixth resolution for your consideration seeks authorization for the purchase of sixteen (16) 2023 model year Towmaster T-12D Trailers. The purchase of these trailers is included in the 2022 Capital Improvement Budget. The best unit pricing for the sixteen (16) Towmaster T-12D Trailers for the Commission's Roadway Maintenance Crews is available under the Sourcewell cooperative purchasing program Contract No. 121918-MNR from Ohio Cat, of Broadview Heights, Ohio. The price for the trailers from Ohio CAT under the Sourcewell Contract is \$232,736.00. The new trailers will replace model year 2005 trailers. This purchase will continue the systematic replacement of trailers and other equipment for roadway maintenance crews. In addition, this Resolution includes the disposal of the existing equipment in accordance with the Commission's Property Disposal Policy. We are requesting Commission authorization for the purchase of the trailers from Ohio CAT, of Broadview Heights, Ohio, in the total amount of \$232,736.00. With your permission, may the General Counsel please read the title of the resolution.

General Counsel: Resolution Authorizing the Purchase of Sixteen (16) 2023 Towmaster T-12D Trailers in the Total Amount of \$232,736.00 Under the Sourcewell Cooperative Purchasing Program.

Chairman: Good Ohio company. Good to see. Any other questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt a *Resolution Authorizing the Purchase of Sixteen (16) 2023 Towmaster T-12D Trailers in the Total Amount of \$232,736.00 Under the Sourcewell Cooperative Purchasing Program* was made by Secretary-Treasurer Barber, seconded by Ms. Eaton Johnson, and approved by all Commission Members present. Resolution No. 62-2022.

Chairman: The resolution passes unanimously. Inc. continue, Chris.

Chief Engineer: My seventh resolution for your consideration seeks authorization for the purchase of five (5) 2022 model year Ford Explorer sport utility vehicles (“SUVs”). These vehicles have a GVWR of less than 12,000 pounds. Inc. note that earlier this year, the Commission issued a purchase order for five (5) 2022 Ford Explorer SUVs under DAS Contract No. RS1006947, Index GDC093, Item 2AT, from Montrose Ford, Inc., of Akron, Ohio, in the amount of \$148,136.80. The purchase of such vehicles is governed by the Ohio Department of Administrative Services (DAS) under ORC Section 125.832. As a condition of these requirements, the Ohio Turnpike and Infrastructure Commission is required, on an annual basis, to submit to DAS a Fleet Plan for review and acceptance. The 2022 Fleet Plan, which was submitted and received by DAS, included the replacement of the five (5) SUVs. The purchase of these vehicles was also included in the 2022 Capital Improvement Budget. In 2021, we issued a purchase order under the 2021 DAS Contract for Nissan Rogue SUV’s. However, Nissan canceled the order in mid-May of 2022 due to chip shortages. Therefore, we need to replace that standing order of replacement SUVs. Currently, the best unit pricing for the replacement vehicles in this resolution is under DAS State DAS Contract No. RS1006947 Index GDC093. Under that contract, the five (5) 2022 model year Ford Explorers for the Commission’s Administrative staff is available under Item 2AT. Montrose Ford, Inc., of Akron, Ohio, was awarded the DAS Contract and the total price of the five (5) Ford Explorers is \$145,275.36. The total of the purchase of these SUVs from Montrose Ford, along with the five (5) purchased under the purchase order issued earlier this year will be in the total amount of \$293,412.16. The new sport utility vehicles will replace model year 2014 through 2020 model year vehicles with mileage estimated to be over 125,000 on average when the new vehicles are placed in service. This purchase will continue the systematic replacement of vehicles for the Commission’s administrative staff. In addition, this resolution includes the disposal of the existing vehicles in accordance with the Commission’s Property Disposal Policy. We are requesting Commission authorization for the purchase of the sport utility vehicles from Montrose Ford, Inc., of Akron, Ohio, in the total amount of \$293,412.16. With your permission, may the General Counsel please read the title of the resolution.

General Counsel: Resolution Authorizing the Purchase of Five (5) Ford Explorer Sport Utility Vehicles from Montrose Ford, Inc. in the Total Amount of \$145,275.36 Under the DAS Cooperative Purchasing Program.

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

MOTION: A motion to adopt a *Resolution Authorizing the Purchase of Five (5) Ford Explorer Sport Utility Vehicles from Montrose Ford, Inc. in the Total Amount of \$145,275.36 Under the DAS Cooperative Purchasing Program* was made by Chairman Hruby, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 63-2022.

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

Chief Engineer: My eighth and final resolution for your consideration seeks the Commission's authorization to issue a change order to Concord Road Equipment Manufacturing, Inc. ("Concord"), of Painesville, Ohio, in relation to the purchase of sixteen (16) 2022 Patriot SDS Nor-Easter 11-foot single axle snow and ice truck bodies and associated equipment. The Commission, at the March 15, 2021 meeting under Resolution No. 17-2021, awarded the purchase of these truck bodies to Concord in the total amount of \$2,296,156.18 through DAS Contract No. 800860 Index No. STS515. The DAS Contract contains language that allows for price increases based on increases in the prices of raw materials. Concord has requested a change order in the amount of \$251,233.28 or \$15,702.08 per truck to cover increased costs of raw materials such as steel, stainless steel, AR400 steel and the additional cost of furnishing and installing green warning lights. Maintenance Staff has performed a detailed review of this request and find it to be reasonable.

Since the amount of the modifications will require an expenditure that will exceed \$150,000.00, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission authorization is required. Therefore, we are requesting the Commission's authorization to issue a change order in the amount of \$251,233.28 to Concord Road Equipment Manufacturing, Inc., of Painesville, Ohio. With your permission, may the General Counsel please read the title of the resolution.

General Counsel: Resolution Authorizing a Change Order in the Amount of \$251,233.28 for Sixteen Snow and Ice Truck Bodies Purchased from Concord Road Equipment Manufacturing, Inc. Under the DAS Cooperative Purchasing Program.

Chairman: Any questions or comments?

Vice Chairman: Are these trucks going to be delivered this year?

Chief Engineer: Mr. Chairman and Vice Chairman, I believe I heard a mid-November date for the first few to come in. When they are building sixteen of them it is not like, okay here is all sixteen truck bodies, they are built by hand by Concord for us.

Vice Chairman: We have trucks in use now? We aren't going to be behind the eight ball for snow season, right? These would come in and replace current trucks, correct?

Chief Engineer: Yes, that is correct and what usually happens is once they are delivered to the maintenance facility and they are checked in by the mechanics, they start going

through them, they are specialty equipment so they may find some quirks or whatever and work those out and maybe put a few additional safety features on them for us and then we will start incrementally putting them in service through the fleet. Then, yes, once we are like, okay these are good to go, we will start disposing the other trucks.

Vice Chairman: Lisa, this is for you again, another increase? Seems like a few resolutions this month have been on increases. How does that play with our budget? Are you concerned at all about this for this year?

Chief Financial Officer: Mr. Chairman and Vice Chairman, we look at that when Chris presents the budget information. It is loaded into the system. It isn't in line with what we have put in part of the Capital Plan, but I don't foresee any additional changes coming your way for it. So, I think we are in good shape.

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

MOTION: A motion to adopt a *Resolution Authorizing a Change Order in the Amount of \$251,233.28 for Sixteen Snow and Ice Truck Bodies Purchased from Concord Road Equipment Manufacturing, Inc. Under the DAS Cooperative Purchasing Program* was made by Mr. Pakush, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 64-2022.

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

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

Chairman: Thank you. We will move on to the report of the Director of Audit and Internal Control, David Miller.

Director of Audit and Internal Control: Good morning, Mr. Chairman and Commission Members.

The Ohio Turnpike became a full member of the *E-ZPass*[®] Interagency Group – commonly referred to as the “IAG” – in 2008. Through this membership, we joined the world of transponder-based interoperable electronic tolling when we deployed the current toll collection system on October 1, 2009.

In basic terms, *E-ZPass*[®] interoperable electronic tolling occurs when, for example, a traveler with an *E-ZPass*[®] transponder issued by the Ohio Turnpike travels on a toll facility operated by another IAG Member such as the Pennsylvania Turnpike. Pennsylvania sends Ohio the details of that trip, we charge the toll against the customer's account, and then send Pennsylvania the toll payment. Conversely, when a traveler with a Pennsylvania transponder travels on the Ohio Turnpike, we send Pennsylvania the details of the trip and they remit the toll payment to us.

Since the initial formation of the IAG in the 1990's, the methodology for sharing the transactional data required to support interoperable electronic tolling has been achieved with a dedicated T-1 "peer to peer" network. This architecture is antiquated by 21st century standards. It is slow in transmission speed and cumbersome in that it requires each member to send files of information back and forth with each other member. Over the years, the growth in IAG membership and electronic transaction volume has increased substantially, leading to decreased reliability, inefficiencies, and limited possibility for expanding interoperability and other enhancements to electronic tolling.

Recognizing that the current file-sharing methodology has outlived its useful life, over the last few years the IAG explored alternatives for upgrading it. This process ultimately resulted in the identification of a hub-based solution for interoperability.

Development and implementation of a new hub-based technology is expected to:

- Provide better centralized reporting and support
- Enhance processing and error checking
- Increase security, reliability, and availability of Information
- Support third-party provider initiatives and
- Promote future national interoperability with other regional hubs

With hub-based technology, each IAG member will send and receive one transactional file as opposed to sending and receiving files individually with each and every other IAG member.

In May 2020, the Triborough Bridge and Tunnel Authority (TBTA) issued an RFP for development and operation of an *E-ZPass*[®] Interoperable Hub on behalf of the IAG as a whole. From this competitive process, in September 2021, the IAG selected Electronic Transaction Consultants (ETC) to provide development, deployment, operation and maintenance of the Hub and determined that TBTA would serve as the "host agency" for the ensuing contract.

The approved IAG total budget for building and operating the hub is \$21,543,452 for the initial ten-year contract with ETC from 2022 through 2031. Each Member Agency's share of the cost will be determined by annual base assessments as well as per transaction charges for delivery and operations phases.

The Commission's share of the cost is currently estimated to range from approximately \$50,000 to \$110,000 annually over the ten-year term of the contract, for a total of approximately \$734,000. Actual year-to-year cost will vary from these estimates based upon the actual number of transactions processed through the hub.

Based upon the anticipated improvements in IAG operations, as well as long-term benefits to the Commission's customers, it is hereby recommended that the Commission join the other IAG members in formally acknowledging participation in the hub by executing the TBTA *E-ZPass*[®] Interoperable Hub Third-Party Beneficiary Agreement.

With your permission, may I ask the General Counsel to please read the title of the proposed resolution.

General Counsel: Resolution Authorizing the Triborough Bridge and Tunnel Authority EZIOP Hub Third-Party Beneficiary Agreement in a Total Amount Not-to-Exceed \$733,782.00.

Chairman: Any questions or comments?

Vice Chairman: A few dozen members of this association or affiliation, if a few of them don't join does it change both the infrastructure and the cost? Are there cost savings by leaving what we are currently doing and going into a new one? Are these all just new costs on top of our current costs? More importantly, if all of the members don't sign up, does it affect our costs and our effectiveness in this new system?

Director of Audit and Internal Control: Excellent question. Mr. Chairman and Vice Chairman, first let me start with pretty much for the continued future success of the IAG, all member agencies are going to have to participate in the methodology. So, if there, and this has been going on for a number of years and each member has representatives involved in a committee that has established that this is the route that must be undertaken and considerable time was dedicated determining the cost and how that cost would be fairly allocated among the individual members. So, I would say that for an individual member to elect not to participate in the hub strategy going forward would be a signal that they are no longer going to continue in the *E-ZPass*[®] Consortium for electronic tolling. So, I think that answers first part of your question. As to whether these are new costs, yes, they are. This is a new structure for the way we are going to conduct business. The cost that I have just outlined are over and above annual membership costs that we pay to support the administrative structure of the interagency group, I believe our current membership fee is \$75,000.00 per year and that came into being in 2008. As far as, whether or not the pursuit of the Hub should lead to economic savings for the Commission, the benefits are what I outlined in my remarks, I think will it, will that cost change if another member was to leave, certainly the overall cost is going to have to be reassessed periodically throughout the coming ten years. A greater factor that could lead to changes in an individual member's share of the cost would be the actual number of transactions processed by each member through the Hub. I think I answered your questions.

Vice Chairman: Yes, you did. Thank you.

Secretary-Treasurer : Just for informational purposes, how many other vendors are there in the United States that uses something similar to *E-ZPass*[®]?

Director of Audit and Internal Control: How many other vendors use something similar to *E-ZPass*[®]?

Director Ahmed: Like the SunPass or something similar.

Secretary-Treasurer: Yes, another vendor that I know some states do not have *E-ZPass*[®], they have something else, which I found out. So, that is why I am curious and will they be doing the same thing, getting this Hub and maybe working together with us on this?

Director of Audit and Internal Control: Mr. Chairman and Secretary-Treasurer, yes in short answer. So, with the clarification that there are other electronic tolling protocols out there. *E-ZPass*[®] is essentially the protocol that is utilized here in the northeast and now the eastern half of the United States. There are other flavors of electronic tolling in the southwest and on the west coast. What is key about all of that is the ultimate desire as Congress a number of years ago tried to further with the movement to national interoperability. It appears that the best chance for a national program of electronic tolling interoperability is a hub-based approach and, in fact, there are already regional hubs for interoperability established in the southwest and on the west coast. Given the existing size and participation of the IAG it seemed the natural solution for us to take care of this antiquated system by which we were trading in the nation, create our own hub and then use that as a springboard to interact with these other growing hubs around the country. The ultimate goal here is national interoperability. If you could imagine the other hubs that are emerging in the country they don't want to deal with the member of the *E-ZPass*[®] group on a peer-to-peer basis. It has just too many different technical rules to satisfy to make that transactional exchange occur. So, it appears that movement towards a hub is the soundest solution.

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

MOTION: A motion to adopt a *Resolution Authorizing the Triborough Bridge and Tunnel Authority EZIOP Hub Third-Party Beneficiary Agreement in a Total Amount Not-to-Exceed \$733,782.00* was made by Mr. Pakush, seconded by Ms. Eaton Johnson, and approved by all Commission Members present. Resolution No. 65-2022.

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

Director of Audit and Internal Control: No, that completes my report, Mr. Chairman.

Chairman: Excellent job. Thank you. We will move on to the report of the Chief Information Officer, Chriss Pogorelc.

Chief Information Officer: Good morning, Mr. Chairman and Members of the Commission. I have two resolutions for your consideration this morning.

You may recall that in January I was here to present Resolution 10-2022 for the purchase of Toll Plaza Cameras for the 20 Toll Plazas between MPs 52 and 209 that will make up the ticketed portion of our new Toll Collections System. I am happy to report that an initial proof of concept installation at TP 173 was successfully completed in mid-April and as we are here today work is currently underway at TP 59 to install the new system at that location. The remaining plazas are scheduled over the next few months, and even though we experienced several supply chain delays, we remain on schedule to have all these locations completed by the end of the year.

Since the last time I was before you, members of the External Technology Task Force Camera group have continued to work with Toll Operations and the Toll Collection System Project Team to finalize a camera plan specific to the new TP 4 Barrier Plaza and the TP 49 and 211 Mainline Plazas.

This plan continues our support of the Commission's Key Objective to Improve Safety and Enhance Security by improving the monitoring of Commission Facilities using cameras and expounds upon our goal of pulling all the Commission's camera systems into a single Video Management platform with uniformity in camera models to ease operations, support, and future maintenance efforts.

Unlike the Toll Plazas previously presented that already had an existing camera system installed, these three locations are newly constructed and consist of a building on both the north and south side of the road and a pedestrian bridge which spans across the Turnpike connecting the two buildings together. These facilities are much larger in size than our existing plazas and careful consideration was taken to ensure that all areas including points of ingress/egress from the building, stairwells, and the pedestrian bridge were appropriately covered, while also providing appropriate coverage of Automated Toll Payment Machines to assist with oversight.

Northwestern Ohio Security Systems, Inc. (NWOSS), of Lima, Ohio, who has assisted us with our previous Toll Plaza and Service Plaza camera installations, submitted a proposal to furnish all required hardware, which includes 105 cameras across the three buildings, the software licensing, professional services for installation at all locations, along with one year of Milestone Dashboard monitoring in the amount of \$330,072.01.

This pricing is from NWOSS's State of Ohio Master Maintenance Agreement #7635 which is discounted between 25% and 30% off the manufacturer's list pricing, and they have included an additional 2% discount on all hardware from their MMA list price for this purchase.

With your permission, would the General Counsel please read the title of the resolution.

General Counsel: Resolution Authorizing the Purchase and Installation of Cameras for Toll Plazas 4, 49 and 211 from Northwestern Ohio Security Systems I in the Total Amount of \$330,072.01.

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

MOTION: A motion to adopt a *Resolution Authorizing the Purchase and Installation of Cameras for Toll Plazas 4, 49 and 211 from Northwestern Ohio Security Systems I in the Total Amount of \$330,072.01* was made by Vice Chairman, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 66-2022.

Chairman: The resolution passes unanimously. I continue, Chriss.

Chief Information Officer: The second resolution that I have for your consideration is for an Alarm Monitoring Solution.

The legacy SONET Fiber Optic Network includes built-in alarm monitoring capabilities via contact closures that indicate issues with the devices attached to it such as power sources, HVAC units responsible for cooling our Communications Rooms, and tower beacons. When alarms occur, staff in our 24 hour Comm Center are alerted, and they then take steps to notify the proper Technology or Trades personnel following the defined incident notification list for appropriate actions or repairs to be made.

Replacement of this network equipment was approved in June of 2021 through resolution 37-2021, and this functionality is no longer available in the next generation network equipment that we are in the process of migrating to. This necessitates the need for a stand-alone alarm monitoring system to help ensure that important network connectivity can be maintained, and that adverse power or other issues can be remedied as quickly as possible to help avoid potential disruptions in network provided services.

In the summer of 2021, our Telecom Team leader, Bill Anderson, led efforts to investigate such systems and find a solution that would meet the Turnpike needs of monitoring our AC and DC Rectifiers, AC and DC Inverters, 48v VDC Battery packs, AC power sources, Emergency Generators and associated Transfer Switches, Building UPS's, Tower Beacons, Room Cooling Systems, and also provide the opportunity to tie in other systems in the future. After looking at several solutions, it was determined that the system provided by DPS Telecom was the best option for our needs and a proof-of-concept installation for our new Mainline Toll Plaza located at MP 49 was procured in the fall of last year.

Following installation, this stand-alone system has proved to be superior to our existing legacy solution in that it provides more visibility into alarms, maintains historic logs, and can automatically send e-mail and text notifications to technicians when defined conditions exist.

Following the successful proof of concept implementation, quotes were sought for system expansion into the Commission remaining 56 buildings.

A quote for this solution which includes the necessary hardware, installation services and five years of Maintenance was received from DPS Telecom, of Fresno, California, in the amount of \$185,083.96. This quote was through The Interlocal Purchasing System – better known as TIPS – which is a National Purchasing Cooperative that offers competitively bid purchasing contracts to state and local governments entities and non-profit organizations.

With your permission, would the General Counsel please read the title of the resolution.

General Counsel: Resolution Authorizing the Purchase of an Alarm Monitoring Solution from DPS Telecom Under The Interlocal Purchasing System Cooperative Purchasing Program in the Total Aggregate Amount of \$233,454.10.

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

MOTION: A motion to adopt a *Resolution Authorizing the Purchase of an Alarm Monitoring Solution from DPS Telecom Under The Interlocal Purchasing System Cooperative Purchasing Program in the Total Aggregate Amount of \$233,454.10* was made by Secretary-Treasurer Barber, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 67-2022.

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

Chief Information Officer: Mr. Chairman, that completes my report.

Chairman: Thank you. We will move on to the report of the Chief Financial Officer, Lisa Mejac.

Chief Financial Officer: Thank you, Mr. Chairman. I have a brief update on our traffic and revenue for the month of July this morning.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike since the beginning of 2019. Passenger car vehicle miles traveled were down 5.8% from July of last year and down 3.7% from July of 2019. There was one more weekend days this year than there was in 2021 and two more weekend days than there was in 2019.

Commercial traffic decreased in July and was down 0.7% from July of last year. It was up 11.8% from July of 2019. There was one less weekday this year than there was in in 2021 and two less weekdays than there was in 2019.

The change in passenger car traffic caused passenger car toll revenues to decrease 4.8% from July of last year and increase 0.9% from July of 2019.

The increase in commercial traffic combined with the toll rate increases caused commercial vehicle toll revenues to increase 2.1% from July of last year and 20.5% from July of 2019.

This chart shows year-to-date toll revenues through the month of July during each year over the past decade. Year-to-date total toll revenues were \$10.1 million or 5.2% above the amount from last year and \$25.2 million or 14.3% above the amount from 2019.

That completes my report, Mr. Chairman.

Chairman: Thank you very much. We will now move on to the report of the Ohio State Highway Patrol, Staff Lieutenant Richard Reeder.

Staff Lieutenant Reeder: Good morning, Mr. Chairman and Commission Members. I have a few items to report on today.

First, on July 17, 2022, at approximately 10:00 p.m., the Hiram Post responded to a fatal traffic crash that occurred on the Turnpike near MP 237. A 2002 GMC envoy was traveling westbound on the Turnpike in a construction zone when the driver went off the left side of the

roadway, overturned back onto the roadway striking construction barrels. The driver was not wearing his seatbelt and was ejected from the vehicle. The driver was pronounced deceased on scene. One thing that I didn't add in there, they were able to locate some open containers and we suspect there may have been some alcohol consumption prior to the crash. Toxicology is still pending on that, but another key point there is that he was not wearing his seatbelt. Historically our seatbelt surveys on the Turnpike are very high, typically above 95% compliance rates. It is really sad when you see these because it is so preventable.

On August 5, 2022, at approximately 1:30 a.m., the Swanton Post responded to a fatal crash that occurred on the Turnpike near MP 41 in Fulton County. A 2019 Freightliner utility truck was eastbound on the Turnpike when the vehicle exited the left side of the roadway and entered the median. The vehicle re-entered the westbound lanes and overturned, ejecting the passenger. Both the driver and passenger were not wearing their seatbelts. The passenger was pronounced deceased at the scene. The driver suffered serious, but non-life threatening injuries.

Now, to the good news. Twenty-four years ago, when I started, Chairman Hruby can relate, my goal was to get the big marijuana piled on the hoods of cars, I wanted to make that big bust. Times have changed. We all know that human trafficking is a very serious offense that we try to do our best to deter that and that is kind of my goal now. I want to make that stop and save some child that is being trafficked. Unfortunately, I am in an administrative role and I can't really do that as much anymore, but it is still my goal. If Sergeant Mandi Rodriguez would please come up. She typically is not shy, but she is being very shy today. She was very reluctant to come up here today, but I do want to give credit where credit is due. As the Executive Director stated, we had an incident that we suspect is human trafficking and I will preface this with it is an on-going investigation, I can't get too deep into what's going on as the suspect is not charged yet and obviously, we do not want to release anything on the victim. I just want to talk about what happened and how it got to where it did.

On July 6, 2022, at approximately 2:13 a.m., the reporting party contacted our dispatch center. She advised that a very scared child, she suspected 16-years old approached her in the women's bathroom, she was trying to very quiet and eventually they started communicating with the reporting party's cell phone. She said that the young lady, the victim typed in her phone, "please find me" and then she also was able to give her picture of a vehicle identification number. At that point in time, the reporting party said she could hear man outside of the bathroom yelling for her to come out. So clearly it was a very tense situation. Just to get approached by a child like that who is in fear for her life, type the words "please find me," I mean she did the right thing. Thankfully, she called 911. Unfortunately, the two of them left and it took us about twenty minutes to get to the scene of the initial incident, which was at the Commodore Perry Service Plaza. It just so happened that morning I stopped at the Milan Post on my way in to work and Sergeant Rodriguez was there. So, she quickly kind of gave me an appraisal of what was going on. What I will say is that Sergeant Rodriguez came to the Milan Post with a very specific skill set when she was one of our plain clothes investigators, so she has got access to Facebook and all these other means that I don't have, so I am so thankful that things kind of aligned that morning and happened the way that they did. So, Sergeant Rodriguez did her thing, she started contacting our Fusion Center, our Intel Unit, insuring that we had all these BOLOs out and I said, "hey, why don't you contact Jen Diaz with the Commission I know that we have cameras now in our plazas." So, she

did and it worked out great. She was able to get some photos of the victim and our suspect in the plaza. She then informed me that some of our law enforcement counterparts have facial recognition software, so now I am thinking great because at this time we are thinking, you know the timeframe they are probably in Pennsylvania. We suspected they were headed east, we weren't sure where they were at, but we wanted to ensure if we can get more legwork into this this is great. So, we got the pictures and with the vehicle identification number we were able to determine the vehicle, we basically sent that BOLO out again to our Units and long story short, the vehicle didn't leave Ohio yet. It was down at the Brady's Leap Service Plaza and our victim approached another person. Once again, they were able to leave, but thankfully Troopers from the Hiram Post located the vehicle, made a stop, safely arrested the suspect, had our victim recovered, reached out to their family, which Sergeant Rodriguez had already did through Facebook, we were able to make contact with the victim's father and kind of another point there this victim, though 19-years old, had a lower level mentality, she was essentially a child and again, I think that coincides with our initial reports estimate that this child was 16-years old. Long story short, we got our Federal Partners involved because of the seriousness of the offense and some other stuff, but they are going to continue the case, but I can't thank Sergeant Rodriguez enough for her skillset, what she did, I can't thank Jen Diaz enough getting on it first thing in the morning to get us those photos, and ultimately, I know these cameras that we've talked about a couple times a day, I know they are an investment, but I am telling you, it is an investment that is worthwhile. Moving forward, we are going to have so many things we can do with these and this is a perfect example of something with the facial recognition software that I wasn't aware of that we can do. I know the resolution is much better than some of the older cameras that we had, but even the cameras at our plazas, the toll gates, everywhere we would utilize these to do better investigations and find more suspects, and like I said, you just really say everything that we get into with these. I want to thank the Commission for that investment, I think it is going to pay us dividends.

Sergeant Rodriguez: Thank you. Just going back on the whole camera situation had we not had a very good photo, we were under the impression that this young female was with a "Shawn Bellamy," the name didn't even really come back to anyone. That is all we knew. We had no idea of the race, age, nothing, so when phenomenal Jen, and she is phenomenal, was able to send out several photos of very clear photos of him, very much kind of like holding her, it was very distinct, what he looked like, what they were wearing, phenomenal that I was able to send that, they were put on a BOLO and we thought that they were out of Ohio, so it was very pertinent that we got it to the East and, again, thankfully they hadn't left but, we were under the impression that it was a certain person by a certain name and it wasn't and I can't say enough that, that photo alone could have helped had she made it out of Ohio, it would have been phenomenal. So, thank you.

Chairman: Thank you both.

Staff Lieutenant Reeder: That concludes my presentation, Mr. Chairman.

Chairman: Congratulations and thank you very much. It is good information to know and we realize that these investments are necessary and although they may be high, does it matter when life is worth one camera.

Vice Chairman: Thank you so much for all you do. That's the other thing about it and you know Lieutenant, you can buy all the equipment you want, you can buy the very best of everything, if you don't have the staff and there isn't the desire and the expertise there, it means nothing, so congratulations to you, Sergeant Rodriguez and congratulations to you, Lieutenant.

Staff Lieutenant Reeder: Again, we can't thank you enough. I joke around if I try to log-in to Facebook I can't even through the computer do it. I was like, how did you do that? She said she wouldn't tell me.

Chairman: That is why you have Lieutenants and Sergeants. Thank you both.

Director Ahmed: I just want to shout out to Jen as well and her partner, Joe Mannion. You did a lot of work with these cameras.

Chairman: Thank you, Jen. Next, we will move on to the report of the General Counsel, Jennifer Rieker.

General Counsel: Thank you, Mr. Chairman and Commission Members. Certainly, a very large report to follow after that. I can share with you that, the morning that this all happened, when I showed up to the Commission that morning, Jen Diaz had already taken care of everything. The picture was out and being circulated and the wheels were in motion and it was truly a privilege to be able to watch this happen in real time and see her communication and Mr. Mannion's communication with the Ohio State Highway Patrol and then to be able to celebrate that phenomenal outcome. It was an amazing day to be a member here. So, I just wanted to carry it on with that.

I would like to start off with a discussion of the Commission's insurance coverage. As you are aware, the Commission is currently in its last renewal term under a three year procurement cycle, which means that we have to renew our current insurance coverage to maintain the current coverage we have, not only on our properties, on our vehicles, our buildings, but also with cyber insurance. Our goal this year was to maintain that same level of coverage and, if not, even increase it a little bit in certain specific areas. We were aware going into the process that the insurance market is very volatile and has seen a lot of changes in the past couple of years. Working with Crain Langner we did solicit new policy costs and I would for them to give a presentation with regard to what we were able to obtain for coverage for the Commission. As you will hear during their presentation, we will be maintaining the same level of coverage, as well as increasing some coverage in our cyber liability area. This is certainly not without cost though. There will be an increase this year of approximately \$168,829.00 or roughly 15.7% more than our expiring program. However, after a detailed discussion with Crain Langner we see that this is in line with current market conditions and provides us additional coverage. At this time, Mr. Chairman with your permission, I would like to invite Dan Buser, of Crain Langner, to further address this in a short presentation and to answer any questions the Commission may have.

Mr. Buser: Good morning, Mr. Chairman and Members of the Commission. My name is Dan Buser and I am the Managing Partner at Crain Langner Company. We serve at the Commission's pleasure. We are the outsourced insurance risk management consultants and have

served in this role for a number of years. As General Counsel explained, we are the in the last year of a three year cycle. Today, we would like to go through the program as it exists and what our renewal expectations are, the pricing changes, the causes of those changes, we will review some comparative data, and talk about what is 2022 and 2023 expectations. So, this is the summary sheet of the coverages. Jennifer's remark is spot on in that the terms and conditions and the retention of our coverages are not changing more or less. By that I mean, terms and conditions are the scope and breadth of the coverage we buy, what types of coverage we buy, from whom we buy them, the limits of liability that we buy for both property and for the liability pieces of the coverage and the retention, those deductibles, we take on significant retentions here. This chart reflects in a very summary fashion the ten types of coverage we buy, the carrier that provides it, the quoted premium and the change, dollars and cents and the percentage change by line of coverage. We start with the end in mind. We buy everything that we should buy, we buy what we would expect we should be. For instance, in 2012 the Commission added two coverages, pollution and cyber liability. Prior to that in 2012, we didn't have those coverages inside our portfolio. That is another way of saying there isn't coverage we don't buy as a Commission given what we do for a living which while it changes from year-to-year it stays remarkably the same, there isn't a coverage that we don't buy or buy enough of relative to what our peers may do. The pink denotes what we consider an increase in some cases and in some cases a significant increase. I will comment on what we call the "drivers" of those increases, what is causing those, are they germane only to us, are they industry driven or a little bit of both?

This graphic we use every year. It reflects the cycle of coverage, the premium costs the Commission has paid going back to 2005-2006. You can see that there is a little bit of a valley and then an increase which coincides with the market changes in 2012-2014, a decrease and then an increase. The last column is the current year premium. The green columns denote the year in which, every three years the Commission has been on a cycle to conduct a request for marketing, request for proposal process and you will often see and it is not surprising, but it is not necessarily always the case, as shown in 2020-2021, the competitive marketing processes that are conducted every year, they neutralize our ability to negotiate coverages, prices and terms and conditions via the brokers and underwriters. So, oftentimes and you see that here a bit as well, remarkably In 2016-2018, a significant decrease in coverage. The Commission is a marquee account, absolutely, it has always been a marquee account, it is driven by who we are, what we are and what we do, why we do it and our mission. As important as anything are the results that we have, our property results, our liability results, administration results because insurance is not nearly as exciting as most of the other things you get to talk about in the last hour or so. It is critical because it protects what we do and our stakeholders. That is why I do what I do here and we have a lot of stakeholders. We are very deliberate about how we manage this insurance program. We are not the agents or brokers. Every three years we want to compel that marketplace to give us their very best. We will recommend that the Commission conduct a request for proposal process next summer.

So, for most accounts, including the Commission, what we like to do is little ratio analysis. We are not going to pour over this in great detail, but we would like to see not only how we are doing the raw numbers, but we also like to see what our ratios look like. Are we spending more of our revenue dollars on insurance, the answer is "yes" or are we spending a larger percentage of our asset base on the property and casualty insurance? The answer is "yes" as well. Those increases are consistent with the marketplace as a whole. We are not being punished; we are not

being treated better than other insureds. We are, frankly, much better off than a lot of other insureds. Our job is to try and understand and calculate these asset ratios and understand what we can do better to contain and then improve these types of results. To foretell next year, I don't suspect we are going to see a decline in either of these ratios. We are seeing an improvement in the rate of increase, but the increase in pricing is slowing, but it is still increasing, nonetheless.

This graphic is a parallel to the first graph we showed. The first graphs listed the ten coverages. We use this graphic to reflect the coverages that the Commission buys that protects its buildings, people, property and assets. The Commission buys a significant total limit of liability for its liability insurance coverages. It has for a long time. It does not use those umbrella and excess liability limits, which is a testament to our outcome and results. We do buy considerable limits of liability and we will continue to recommend that those limits be sustained to the extent financial resources permit.

So, let's look at conditions. Why are we looking at a 15.7% increase on pricing despite the fact that what we are buying is more or less the same and what we do is more or less the same? Three keys here and they have a little less to do with the Commission uniquely unto itself than with the macro world of Ohio, the United States and commercial insurance all together, and it starts with capacity and that is noted under market conditions. By capacity it means how much can the insurance industry, which is a subset of the financial industry. Carriers are writing less limit or narrow coverage that they would have few years ago. They are willing to take on a lower risk for the same amount of premium. That's not a surprise and that is true for property coverage whether you are dealing with an earthquake, wildfires have changed the playing field for that and you say, well are not in a wildfire zone, it is a magnet, we are pulled together, we don't suffer the fate, we are not penalized for having folks out west who are suffering wildfires, or in Miami that have a high hazard wind exposure, but the property market looks at it in a much broader sense. Our rates are much lower of course. So, they are willing to write less and they have increased their premium for it to some degree and that is true for property coverage and your liability coverages. The second piece is catastrophic losses. The number, frequencies, and severity for catastrophic property losses continues to increase. The causes are subject of discussion well beyond this type of gathering, but the fact of the matter is the number of wildfires, high hazard winds, Superstorm Sandy caused about \$17 billion of loss, or a snowfall that can result in losses. The trend is going probably going to continue in 2023. Again, it has little less to do with the Commission than the broader marketplace as a whole. We are containing those costs for sure.

We track pricing trends and I think the positive part of my remarks, if there are any, is that the rate of increases is declining. We would like to think it peaked about eighteen months ago and that the increase in pricing, just raw pricing for almost every line of coverage was growing. Not only was it growing, but the rate of its growth was also increasing. We would like to think with the exception of cyber liability every one of those coverages, the rate of increases is going to go up. As the prices of things go up, so does the insurance for it because if we suffer a loss, we want this building rebuilt and it is not going to cost the same per square foot as it did ten years ago and that is just our reality. We would like to think that trendline will continue, but world events can affect that.

Let's talk about what the drivers are. It depends on the line of coverage. For property it is the severity and/or frequency of catastrophic losses. Worldwide losses affect everybody. We have a pretty significant, what we call "TIV" which is total insurable value here at the Commission. All of our service plazas, the building we are in and the like. That value grows a little bit every year, naturally because the cost of our buildings increase. Some of our other assets increase such as the number of vehicles own and the like. 2022 inflation caused building, this is both labor and materials, this is not just a supply chain shortage resulting in increased costs on a temporary basis, labor rates have increased, and it is true for everything that we do here at the Commission and the cost of materials has increased. It has increased considerably, so that is the property segment, we expect that so the severity of frequency and the cost of replacing your buildings. The casualty is driven by a number of things and by casualty we mean general liability, slip and fall, and auto liability principally, but there are others as well. The number of lawsuits has increased on a per capita basis. The cost of defending or prosecuting those cases has increased. When you think of auto liability something as mundane as that, your vehicles cost more, they cost more to fix, the healthcare cost when you are involved in an accident has increased, and there is what we call "social inflation" which is the concept that jury verdict awards are awarding more to the causing party of the loss than it did a few years ago and that is a phenomenon of the United States and that is not likely to change. Consequently, we work very hard and I know you do as well, to contain the opportunity for loss and when the loss occurs respond as quickly as possible and in the most meaningful fashion. Why? Because it keeps the insurance carriers interested in us. I want to remain a marquee account. It is a pleasure going to the markets every three years and on a renewal basis like now, and to have us explain who we are and what we do again on our results, financial and the otherwise, because they want to write us. That competition gives us superior terms, conditions, and pricing. So, the property market has got some cost drivers and the casualty lines, as well. We don't expect, we don't see, and we monitor this on a very macro basis, not just the couple hundred clients we serve, but through a number of different vendors that provide the data and give us data and track the data. All client, including the Commission, want to know where we are at relative to others, where are we going to be in a year from now, should we be doing something different, and that question gets raised every year as well.

So, this slides speaks to policy terms and conditions and future market conditions. It is a truth that we are buying, we are recommending we renew coverages today and those coverages will be virtually identical to, not identical, nearly identical to that of which we have today. That is a good thing. Consistency is critical. That is not to say that we don't ask for more or do more, whether it is a reduced deductible or retention or an increase supplement. One notable supplement is cyber liability. I commented on the fact that cyber liability is very volatile class of business of coverage type. Cyber liability does two things for us in a very rough sense. It protects us in a first party basis if someone penetrates our system and ransoms us and then the liability component, third party liability. If something we do or don't do results in a third party suffering a loss and they blame us for being a participant or cause are contributed to that, an errant email, a third party liability situation. The reality is this that coverage is only ten years old for us, the coverage itself is only about twenty years old. We have been buying auto liability for hundreds of years. So, the insurance carriers that write this stuff don't fully understand the activities much less the loss exposures, as well as they do workers' compensation. Something as mundane as workers' compensation, which we know really well. We know those numbers and auto liability; we know those real well. So, the carriers are doing several things. They are raising their rates straight up,

they are increasing your required retentions, they reduce the amount of capacity, and they might reduce the sublimit within a policy. In our case, we purchased coverage for ransomware, so if he receive a ransom request, we had a relatively small limit given the size of this operation and we've increased the considerably. It is about as well as we can do in a non-marketing scenario. Fast forward to next year, I think I can stand here and tell you every coverage we buy with the exception of cyber liability, should walk, talk and cost more or less what we are looking at today. You are still going to see those price increases. We might see some compression, some reductions, without a reduction in coverage. You can always buy less, pay less, but you might get less. The cyber liability may be a bit different, which also means we will continue to have conversations. Should we stand back and contemplate having a slightly different program? Should we buy something more or certain types of coverages or less of others? Should we retain more risk? Can we? What would it look like? Again, think of the parallel of your own personal insurance. Should I have a higher deductible, can I do it, can I accrue for it, should I accrue for it, am I obligated to accrue, what can I withstand and still have budget certainty or consistency? We have a \$100,000.00 retention right now for a number of lines, including general liability, auto liability, and public officials. Should we retain more risk? In return you say, well that maybe fine but what do I get for that? The objective is to pay a lower premium if you retain more risk and then we do a cost benefit analysis on that.

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

Chairman: Thank you. Any questions?

Mr. Pakush: I didn't hear anything in your presentation regarding the changes in the environment now with people working from home, with our employees working from home. Any changes in the insurances with employees working at home?

Mr. Buser: Mr. Chairman and Commission Member Pakush, regarding work from home loss exposures is a very good question and rather astute and it is relevant. It is not affected the way we expect any of these coverages to respond to us. I will tell you that the insurance industry wasn't fully prepared for that massive shift regardless of what we do for a living and it is not necessarily just a temporary shift. Those who went and worked from home, a large percentage of them will continue to that perhaps on a macro sense and at the Commission here as well. But, for your workers' compensation, your auto liability and a lot of what we do isn't in isolation even if you are working from home. But, instead of sitting at your desk and your cubicle down the hall, you are doing it via Teams or Zoom. So, you still are setting aside your physical environment, you still are going through the decision making analysis with your colleague or with an outside vendor or customer in a very similar fashion. The insurance industry does not have its head fully wrapped around some of it and, frankly, one of the most mundane is the workers' compensation piece because if you are here and you are here for that eight or ten hours, and you walked in fine but you can't walk out, chances are, absent going out for lunch, you did it here on the staircase. But if you are at home, we don't have the ability to monitor and we are not going to necessarily go down that path as a society or an industry to monitor how and where. So, we have to have a significant amount of reliance, trust and faith that they will self-report that I did it water skiing on Sunday and not on Monday when I walked down the stairs.

General Counsel: Mr. Chairman, if I may for the Commission Members, Mr. Pakush that was a great question. We are self-insured for workers' compensation so none of the numbers that you are seeing today take into account workers' compensation claims. On another layer that when our employees who do have the ability to work from home, we do disclaim accidents that occur in their home premise from workers' compensation claims. If you were to look at the majority of the Commission's employees, they are not ones that have the ability to work from home and they are not the ones that have the higher workers' compensation claims. I just wanted to make that clear to the Commission. None of the numbers that are being presented today have any impact on our workers' compensation coverage.

General Counsel: With your permission, may I please read the title of the resolution.

Chairman: Yes, please do.

General Counsel: Resolution Authorizing the Renewal of Insurance Policies for the Commission's Property and Casualty Insurance Program for the 2022/2023 Policy Year in the Aggregate Amount of \$1,228,783.

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

MOTION: A motion to adopt a *Resolution Authorizing the Renewal of Insurance Policies for the Commission's Property and Casualty Insurance Program for the 2022/2023 Policy Year in the Aggregate Amount of \$1,228,783* was made by Chairman Hruby, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 68-2022.

Chairman: Thank you. The resolution passes unanimously.

General Counsel: As Director Ahmed discussed earlier, I would like to touch briefly on the toll collection system. Over the course of the next three Commission Meetings, we will be discussing changes to the Ohio Administrative Code that the Legal Department and the Commission will be bringing to your attention. I would like to explain almost like a fine meal. This meeting we are going to be looking at this in the form of the appetizer. So, a very high level overview, just a sampling of what we will be discussing. At the September meeting we will be holding a workshop to go into detail, not only as the proposed Administrative Code changes but also the SOPs, the business rules, how this will affect our daily operations. Then finally in the following month of October, I will be bringing to you a resolution requesting the permission to start that rule making process to make the changes to the Ohio Administrative Code.

Now, as you are all aware last March, Senate Bill 132 modified the Ohio Revised Code Sections which effect the Ohio Turnpike in anticipation of the new toll collection system. These modifications will allow for the modernization of the toll collection and the open road tolling we've been discussing. The Ohio Revised Code sets forth the law that as it applies to the Ohio Turnpike and to those who utilize the Turnpike. The Ohio Administrative Code on the other hand is its counterpart and is a compilation of administrative rules that must be adopted by state agencies. As such, with that change in the Ohio Revised Code, we in turn need to make changes to the Ohio Administrative Code. I wanted to provide to you and what you can see on the screen

is a short snapshot of some of these administrative rules which we are looking at changing. You can see based on the numbers that they translate directly from the Ohio Revised Code numbers to a subset of the Ohio Administrative Code. These are just a brief overview of some of the changes, but I would like to direct your attention in particular to 5537-4.02 in which we are looking to add language for operators of vehicles who knowingly attempt to defraud the Commission or avoid paying tolls. We will be delving more into that in the coming months. 5537-4-07 is the one where we see a lot of activity as well. This will be a brand new section that we will be bringing to the Commission to discuss next month as well as ask for permission to start the rulemaking process. This new section will address how the Commission can use electronic monitoring to determine the owners of vehicles, how we will invoice owners of vehicles with unpaid tolls. So, essentially those individuals who inadvertently go through one of the *E-ZPass*[®] lanes but do not have either the transponder or the appropriate amount of funds tied to their transponder. We will then address how we will invoice those individuals and then how many more invoices will be sent out after the first invoice as well as any administrative fees and charges that we may put onto those invoices. We will also be talking about the appeal process and the dispute process for individuals who receive those invoices who have questions and want to address those with the Commission. So, as you can see this again is just a very high level overview and preview of what I hope to bring to this Commission in the following months.

Chairman: Very good. Any questions or comments? Thank you very much. We appreciate your report.

I move that we hold an Executive Session to discuss litigation matters under the provisions of Ohio Revised Code Section 121.22(G)(3). At the end of such Executive Session, the Commission shall resume its open meeting.

11:53 a.m. – MOTION: A motion to adjourn into Executive Session was made by Chairman Hruby, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present.

Chairman: I move that we conclude the Executive Session pursuant to the provisions of Ohio Revised Code Section 121.22(G)(3) and resume the open meeting of the Commission.

12:25 p.m. - MOTION: A motion to adjourn Executive Session was made by Chairman Hruby, seconded by Dr. Marchbanks, and approved by all Commission Members present.

Chairman: It is 12:25 p.m. and we are adjourned from Executive and will resume the Commission Meeting.

The next meeting of the Ohio Turnpike and Infrastructure Commission will be held on September 19, 2022, at 10:00 a.m. here at the Commission's Administration Building located in Berea, Ohio.

If there is no further business, I will accept a motion to adjourn the 699th Commission Meeting.

MOTION: A motion to adjourn the 699th Commission Meeting is made by Secretary Treasurer Barber, seconded by Vice Chairman Paradiso, and unanimously approved by all Commission Members present.

Time of adjournment: 12:25 p.m.

Attendees for Record Keeping Purposes:

Commission Members: Chairman Jerry Hruby; Vice Chairman Timothy Paradiso; Secretary-Treasurer Sandra Barber; Commission Member Vickie Eaton Johnson, Commission Member Myron Pakush; and Office of Budget and Management Representative James Kennedy.

Other Attendees: Hamid Homae, TBD Advisors; Maureen Murman, Huntington; Maureen Schildwachter, Huntington; Dan Buser, Crain Langner; Brad Weber, Crain Langner; Art Rometo, GAI Consultants; Jacob Siesel, IUOE Local 18; Adam Adamczyk, Arcadis; Allen Biehl, TranSystems; Jeff Broadwater, Michael Baker, International; and Mike Woodring, AECOM

Ohio Turnpike and Infrastructure Commission Personnel: Ferzan M. Ahmed, P.E., Ohio Turnpike; Staff Lieutenant Richard Reeder, Ohio State Highway Patrol; Sergeant Mandi Rodriguez, Ohio State Highway Patrol; Jennifer Monty Rieker, Ohio Turnpike; Heather Veljkovic, Ohio Turnpike; Marty Seekely, Ohio Turnpike; Chris Matta, Ohio Turnpike; Laurie Davis, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Aimee Lane, Ohio Turnpike; Sue Coleman, Ohio Turnpike; Brian Kelley, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Matt Cole, Ohio Turnpike; Chriss Pogorelc, Ohio Turnpike; Chuck Cyrill, Ohio Turnpike; Jackie Dohoda Herberger, Ohio Turnpike; Andrew Herberger, Ohio Turnpike; Lisa Drozdowski, Ohio Turnpike; David Miller, Ohio Turnpike; Robert Canter, Ohio Turnpike; William Anderson, Ohio Turnpike; Tibi Jovica, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

Approved as a correct record of the August 15, 2022 Meeting of the Ohio Turnpike and Infrastructure Commission

Sandra K. Barber, Secretary-Treasurer

EXHIBITS

- Resolution No. 56-2022 – Resolution Honoring the Distinguished Service of Robert Canter
- Resolution No. 57-2022 – Resolution Approving the Selection of Carpenter Marty Transportation for Project No. 71-22-01 in the Total Amount of \$144,015.00
- Resolution No. 58-2022 – Resolution Authorizing the Selection of Advanced Engineering Consultants, Limited for General Mechanical, Electrical and Plumbing Engineering Services Under Project No. 99-22-03 in the Not-to-Exceed Amount of \$250,000.00
- Resolution No. 59-2022 – Resolution Authorizing a Modification to the Contract with ms consultants, inc. to Perform Additional Phase II Services Under Project No. 71-18-08 in the Aggregate Not-to-Exceed Amount of \$1,273,351.58
- Resolution No. 60-2022 – Resolution Authorizing a Modification to the Agreement with Jacobs Engineering Group, Inc. to Perform Additional Task 4 Construction and Wetland Monitoring Services to Implement the Strategic Plan for the Toll Collection System Modernization Project in an Amount Not-to-Exceed \$173,000 for a Total Aggregate Contract Amount of \$6,958,355.94
- Resolution No. 61-2022 – Resolution Rejecting the Sole Bid Received Project No. 43-22-09
- Resolution No. 62-2022 – Resolution Authorizing the Purchase of Sixteen (16) 2023 Towmaster T-12D Trailers in the Total Amount of \$232,736.00 Under the Sourcewell Cooperative Purchasing Program
- Resolution No. 63-2022 – Resolution Authorizing the Purchase of Five (5) Ford Explorer Sport Utility Vehicles from Montrose Ford, Inc. in the Total Amount of \$145,275.36 Under the DAS Cooperative Purchasing Program
- Resolution No. 64-2022 – Resolution Authorizing a Change Order in the Amount of \$251,233.28 for Sixteen Snow and Ice Truck Bodies Purchased from Concord Road Equipment Manufacturing, Inc. Under the DAS Cooperative Purchasing Program
- Resolution No. 65-2022 – Resolution Authorizing the Triborough Bridge and Tunnel Authority EZIOP Hub Third-Party Beneficiary Agreement in a Total Amount Not-to-Exceed \$733,782.00

- Resolution No. 66-2022 – Resolution Authorizing the Purchase and Installation of Cameras for Toll Plazas 4, 49 and 211 from Northwestern Ohio Security Systems Inc. in the Total Amount of \$330,072.01
- Resolution No. 67-2022 – Resolution Authorizing the Purchase of an Alarm Monitoring Solution from DPS Telecom Under The Interlocal Purchasing System Cooperative Purchasing Program in the Total Aggregate Amount of \$233,454.10
- Resolution No. 68-2022 – Resolution Authorizing the Renewal of Insurance Policies for the Commission’s Property and Casualty Insurance Program for the 2022/2023 Policy Year in the Aggregate Amount of \$1,228,783

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Honoring the Distinguished Service of Robert Canter

WHEREAS, on June 1, 1979, Robert Canter began his service with the Ohio Turnpike and Infrastructure Commission (“Commission”) as a Part-Time Structural Painter; and

WHEREAS, on January 31, 1980, Mr. Canter was promoted to a Full-Time Roadway Maintenance Worker out of the Amherst Maintenance Building, and whereas, he continued in this position for the remainder of his distinguished career with the Commission; and

WHEREAS, Mr. Canter has been a highly regarded employee whose time with the Commission has served Ohio Turnpike motorists well; and

WHEREAS, the Commission wishes to formally acknowledge Mr. Canter’s distinguished service to the Commission and the traveling public; 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 Robert Canter.

NOW, THEREFORE, BE IT

RESOLVED, that the Ohio Turnpike and Infrastructure Commission hereby acknowledges and expresses its gratitude to Mr. Canter for his forty-three years and two months of dedicated service, and the Commission also considers that the people of the State of Ohio have been fortunate in receiving the unselfish services that he rendered; and

FURTHER RESOLVED, that the Commission extends its best wishes to Mr. Canter, his wife, and Scott (Son, who also works at the Boston Maintenance Building), and desires that Mr. Canter have much success and well-being in all matters and activities that he shall undertake in the future; and

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

(Resolution No. 56-2022 adopted August 15, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Carpenter Marty Transportation for Project No. 71-22-01 in the Total Amount of \$144,015.00

WHEREAS, on February 14, 2022, the Commission issued Request for Letters of Interest No. 3-2022 seeking letters of interest for design services and engineering support during construction for Project No. 71-22-01, Bridge Deck Replacement of the Mainline Bridge over Lorain Road (County Route 12) at Milepost 152.3 and the Deck Overlay of the Bagley Road Bridge over the Mainline at Milepost 152.9 in Lorain County (the “Project”); and

WHEREAS, on March 7, 2022, Letters of Interest were received from nine (9) firms expressing their readiness to serve as the Commission’s engineering consultant for the Project; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that Carpenter Marty Transportation (“Carpenter Marty”), of Columbus, Ohio, was the most qualified to perform the necessary services for the Project and conducted a Scope of Services meeting to confirm a mutual understanding of the Phase IA Services for the Project consisting of bridge inspection, bridge inspection report, load rating, field survey, maintenance of traffic, deck cores, exaggerated profiles, and Toll Plaza 152 ramp analysis report, (“Phase IA Services”); and

WHEREAS, Carpenter Marty submitted its fee proposal dated August 4, 2022, to perform the Phase IA Services in the not-to-exceed amount of \$144,015.00 which fee proposal the Chief Engineer deemed reasonable and appropriate, and recommends that the Commission approve the award of the contract based on its technical proposal and fee proposal for Project No. 71-22-01; and

WHEREAS, the Commission’s Director of Contracts Administration has determined that the LOI process and the selection of Carpenter Marty conform with the requirements of Ohio Revised Code Sections 153.65 to 153.71, that all legal requirements were performed and that the proposals were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Office of Equity and Inclusion determined that Carpenter Marty 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 20% which meets the SBE participation goal of 20% for the Project; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Engineer and concurs that the Commission should approve the selection of Carpenter Marty to perform the Phase IA Services for Project No. 71-22-01; and

WHEREAS, this Resolution seeks authorization of Phase IA Services in the not-to-exceed amount of \$144,015.00 but the contract includes additional Phase I Services and Phase II Services, and Commission staff will modify the contract in accordance with the Commission’s contracts

policy to include those additional services at the time they are necessary for successful completion of the Project, including presenting a resolution to the Commission if required; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the selection of Carpenter Marty Transportation is approved as the most qualified firm to perform the design services and engineering support during construction for Project No. 71-22-01 and that the Executive Director is authorized to execute a contract with Carpenter Marty Transportation for Phase IA Services in the not-to-exceed amount of \$144,015.00.

(Resolution No. 57-2022 adopted August 15, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Selection of Advanced Engineering Consultants, Limited for General Mechanical, Electrical and Plumbing Engineering Services Under Project No. 99-22-03 in the Not-to-Exceed Amount of \$250,000.00

WHEREAS, on April 27, 2022, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice of its Request for Letters of Interest (“LOI”) 10-2022 for General Mechanical, Electrical and Plumbing Engineering Services for Various Turnpike Projects, designated as Project No. 99-22-03; and

WHEREAS, on May 18, 2022, Letters of Interest were received from three (3) firms expressing their desire to serve as the Commission’s general consultant for mechanical, electrical and plumbing engineering services for Project No. 99-22-03; and

WHEREAS, an Evaluation Team consisting of the Maintenance Operations Engineer, Facilities Engineer and Staff Engineer – Facility Operations convened to independently review, evaluate, and score the submissions in accordance with the LOI Evaluation Process and the Commission’s Contracts Policy in order to rank the submissions; and

WHEREAS, on the basis of the Letters of Interest received, the Evaluation Team concluded that Advanced Engineering Consultants, Limited (“AEC”), of Columbus, Ohio, is the most qualified firm to perform the necessary services for Project No. 99-22-03; and

WHEREAS, the Evaluation Team recommends that an agreement be established for performance of the services as set forth in LOI 10-2022 as it relates to Project No. 99-22-03, for a period of two years that shall continue through the completion of all assignments, in the not-to-exceed amount of \$250,000.00 for all assignments issued therefrom; and

WHEREAS, the Commission’s Director of Contracts Administration has determined that the LOI process and the selection of AEC conform with the requirements of Ohio Revised Code Sections 153.65 to 153.71, that all legal requirements were performed and that the Letters of Interest were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Office of Equity and Inclusion has found that AEC 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 25% which exceeds the SBE participation goal of 15% for the Project; and

WHEREAS, the Executive Director has reviewed the recommendations submitted by the Evaluation Team and Chief Engineer, and concurs that the Commission should approve the selection of AEC to perform the general mechanical, electrical and plumbing engineering services for Project No. 99-22-03; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount estimated to perform the required general mechanical, electrical and plumbing engineering services is anticipated to exceed \$150,000.00;

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the selection of Advanced Engineering Consultants, Limited is approved as the most qualified firm to perform the required general mechanical, electrical and plumbing engineering services under Project No. 99-22-03, and that the Executive Director is authorized to execute a contract with Advanced Engineering Consultants, Limited in the not-to-exceed amount of \$250,000.00 for all assignments issued therefrom.

(Resolution No. 58-2022 adopted August 15, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing a Modification to the Contract with ms consultants, inc. to Perform Additional Phase II Services Under Project No. 71-18-08 in the Aggregate Not-to-Exceed Amount of \$1,273,351.58

WHEREAS, the Commission and ms consultants, inc. entered into a Contract for Professional Engineering Services necessary for the deck replacement and widening of two bridges at Milepost 222.7 and Milepost 222.8 in Mahoning County, Ohio, known as Design Project No. 71-18-08 (the “Project”), and the Commission authorized Phase I-Site Inspection, Engineering Report, Design and Plan Preparation Services (“Phase I Services”) on the Project for the not-to-exceed amount of \$381,079.00 under Resolution No. 53-2018, approved September 17, 2018; and

WHEREAS, the Chief Engineer determined it was necessary to modify the scope of the Phase I Services to include additional field survey work and revisions to the roadway plans, bridge plans and the bid form and engineer’s estimate (“Additional Phase I Services”), and ms consultants, inc. submitted a fee proposal dated July 14, 2020, in the not-to-exceed amount of \$29,607.00, which the Chief Engineer approved as reasonable and appropriate and accepted for incorporation into the Contract under the authority of Article V, Section 1.00 of the Code of Bylaws; and

WHEREAS, the Commission selected a contractor to make the public improvements that ms consultants, inc. designed as part of its Phase I Services, and ms consultants, inc. submitted a fee proposal dated December 8, 2020, in the not-to-exceed amount of \$586,299.12, to perform the necessary Phase II – Construction Administration and Inspection Services (“Phase II Services”) under Design Project No. 71-18-08 for Construction Project No. 43-20-03, which the Chief Engineer deemed reasonable and appropriate, the Executive Director approved, and the Commission authorized for incorporation into the Contract under Resolution No. 70-2020, approved on November 16, 2020; and

SERVICES/FEES APPROVED TO DATE

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract dated October 22, 2018	Phase I Services – Deck replacement and widening of two bridges at MP 222.7 and MP 222.8 in Mahoning County, Ohio	September 5, 2018	Res. 53-2018	\$381,079.00
First Modification September 1, 2020	Additional Phase I Services – additional field survey work and revisions to the roadway plans, bridge plans and the bid form	July 14, 2020	Chief Engineer	\$29,607.00
Second Modification January 19, 2021	Phase II – Construction Administration and Inspection Services – Project No. 43-20-03	December 8, 2020	Res. 70-2020	\$586,299.12

TOTAL AMOUNT OF MODIFICATIONS TO DATE: \$996,985.12

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
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CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Third Modification	Additional Phase II Services for Construction Administration and Inspection Services – Project No. 43-20-03	April 13, 2022	<i>Proposed</i>	\$276,366.46

TOTAL AMOUNT OF MODIFICATIONS TO DATE: \$1,273,351.58

WHEREAS, ms consultants, inc. submitted a fee proposal dated April 13, 2022, in the not-to-exceed amount of \$276,366.46 to perform additional Phase II Services, including procuring and using the ProCore Construction Management Software Program, hours worked during the Winter period, and additional personnel and hours required during the Spring, which the Chief Engineer finds reasonable and appropriate; and

WHEREAS, Commission action is necessary to approve the modification to the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the amount described in the fee proposal from ms consultants, inc., dated April 13, 2022, to perform the Additional Phase II Services will increase the Contract by an amount that exceeds the greater of 10% or \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and concurs that the Commission should approve and authorize obtaining the Additional Phase II Services from ms consultants, inc. as described in the Fee Proposal dated April 13, 2022; 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 ms consultants, inc. dated April 13, 2022, to perform the Additional Phase II Services, specifically described in the Recitals, under Contract No. 71-18-08, Construction Project No. 43-20-03, in the not-to-exceed amount of \$276,366.46 is approved; and

FURTHER RESOLVED, the Executive Director is authorized to amend the Contract with ms consultants, inc. to perform such additional services in accordance with the terms and conditions of the existing Contract and ms consultants, inc.’s fee proposal dated April 13, 2022, in the aggregate not-to-exceed amount of \$1,273,351.58.

(Resolution No. 59-2022 adopted August 15, 2022)

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing a Modification to the Agreement with Jacobs Engineering Group, Inc. to Perform Additional Task 4 Construction and Wetland Monitoring Services to Implement the Strategic Plan for the Toll Collection System Modernization Project in an Amount Not-to-Exceed \$173,000 for a Total Aggregate Contract Amount of \$6,958,355.94

WHEREAS, the Commission selected Jacobs Engineering Group, Inc. (“Jacobs”) to perform professional services, specifically implementation services for the Toll Collection System and Customer Service Center Strategic Plan (the “Strategic Plan”) pursuant to the adopted resolution, on the date noted and for the scope of work identified below:

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
Original Contract	Task 1, 2 and 3	June 8, 2016	44-2016	\$615,660.89
First Modification	Task 1, 2 and 3	June 8, 2017	34-2017	\$99,120.00
Second Modification	Partial Task 4 - Procurement	Jan. 11, 2018	6-2018	\$695,510.00
Second Modification	Partial Task 4 - TP 180 Expansion	Jan. 16, 2018	6-2018	\$401,516.00
Third and Seventh Modification	Partial Task 4 - Project 71-18-03	Feb. 16, 2018 & May 7, 2019	18-2018	\$952,966.00
Third and Seventh Modification	Partial Task 4 - Project 71-18-04	Feb. 16, 2018 & May 7, 2019	28-2019	\$951,226.00
Third and Eighth Modification	Partial Task 4 - Project 71-18-05	Feb. 16, 2018, June 10, 2019 & August 9, 2019	37-2019	\$1,585,660.00
Fourth Modification	Partial Task 4 - Westgate Diversion	March 27, 2018	Not applicable	\$13,000.00
Fifth Modification	Partial Task 4 - TP 180 CA&I Services	Oct. 30, 2018	54-2018	\$368,507.05
Sixth Modification	Partial Task 4 - CSC System Implementation	March 7, 2019	20-2019	\$384,316.00
Ninth Modification	39-20-03 Part A Construction Phase Services 39-20-04 Construction Phase Services 39-20-(01,02,03) Part B Construction Phase Services	February 4, 2021	52-2020	\$79,470.00
		February 4, 2021	2-2021	\$100,474.00
		February 4, 2021	NA	\$24,888.00
		February 4, 2021		
Ninth Modification	Additional Task 4 Implementation Services,	January 14, 2021	15-2021	\$513,042.00

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
	including 71-18-03 (Part 2 Final Design), 71-18-04 (Part 2 Final Design), and 71-18-05 (Part 2 Final Civil/Site Design and miscellaneous professional services)			
TOTAL EXPENDED:				\$6,785,355.94

CONTRACT ITERATION	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
<i>Tenth Modification</i>	<i>Additional Task 4 Implementation Services including Additional Construction Phase Services for 39-20-03 Part A Construction Phase Services 39-20-04 Construction Phase Services 39-20-(01,02,03) Part B Construction Phase Services; and Wetland Monitoring Services for 39-20-01</i>	<i>April 19, 2022</i>	<i>proposed</i>	<i>\$173,000.00</i>
TOTAL WITH 10TH MODIFICATION:				\$6,958,355.94

WHEREAS, Jacobs submitted a fee proposal dated April 19, 2022, for a Modification to Task 4 – for Additional Construction Phase Services for Project Nos. 39-20-03, Part A, 39-20-04, and 39-20-(01, 02, 03), Part B, and Wetland Monitoring Services for Project No. 39-20-01 (Toll Collection System Implementation Services for Projects 71-18-05, 71-18-04, and 71-18-03) in the total not-to-exceed amount of \$173,000.00; and

WHEREAS, Jacobs also proposed reallocating funds from Project No. 71-18-05 to Project No. 71-18-04 to close out these design contracts and Engineering staff reports that reallocating \$30,000 from Project No. 71-18-05 to Project No. 71-18-04 will allow Jacobs to close out both contracts with final invoices; and

WHEREAS, the Executive Director has reviewed the recommendations submitted by the Chief Engineer and concurs that the Commission should approve and authorize obtaining the

additional Task 4 Services from Jacobs as described in the fee proposal dated April 19, 2022, including the reallocation of funds for the purpose of contract closeout, as the projects are in furtherance of and are necessary for implementing the Strategic Plan.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the fee proposal from Jacobs Engineering, Inc., dated April 19, 2022, to perform the additional Task 4 Implementation Services for the Toll Collection System and Customer Service Center Strategic Plan, for the not-to-exceed amount of \$173,000.00 is accepted and approved, for a total maximum contract amount of \$6,958,355.94; and

FURTHER RESOLVED, that the Executive Director is authorized to amend the Contract with Jacobs Engineering, Inc. to incorporate the proposal dated April 19, 2022 and increase the total not-to-exceed amount payable under the agreement to \$6,958,355.94 and to approve the reallocation of \$30,000 from Project 71-18-05 to 71-18-04 for contract closeout, in accordance with the terms and conditions of the Commission's Request for Proposals and Jacobs Engineering's technical responses and accepted fee proposals to perform consulting services identified therein in furtherance of the Strategic Plan.

(Resolution No. 60-2022 adopted August 15, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Rejecting the Sole Bid Received Project No. 43-22-09

WHEREAS, the Commission published notice in accordance with law advertising its invitation to bid upon a contract for Bridge Repair and Rehabilitation, Westbound Ohio Turnpike over Royalton Road (S.R. 82) M.P. 165.4, Westbound Ohio Turnpike over York Road (C.R. 46) M.P. 165.5, in Cuyahoga County, Ohio, designated as Project No. 43-22-09 (hereinafter the “Project”); and

WHEREAS, the Commission received one (1) bid to perform the Contractor’s obligations on the Project, and the Chief Engineer’s report analyzing the sole bid is before the Commission; and

WHEREAS, Section 5537.07(A) of the Ohio Revised Code, as well as the Instructions to Bidders, provide that the Commission may reject any and all bids; and

WHEREAS, the Chief Engineer reports that the sole bid received is 100% above the Engineer’s Estimate and because the sole bid is such a high percentage above the Engineer’s Estimate, he recommends that the Commission reject the bid and rebid the Project; and

WHEREAS, based on the foregoing, the Executive Director concurs with the recommendation that the Commission reject the sole bid on the Project; and

WHEREAS, the Commission has duly considered said recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the sole bid received in response to Project No. 43-22-09 is rejected.

(Resolution No. 61-2022 adopted August 15, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of Sixteen (16) 2023 Towmaster T-12D Trailers in the Total Amount of \$232,736.00 Under the Sourcewell Cooperative Purchasing Program

WHEREAS, the Commission is authorized to participate in contracts awarded by Sourcewell, a political subdivision cooperative purchasing program, for the purchase of equipment, materials, supplies or services under Ohio Revised Code Section 9.48, and the Commission authorizes its continued membership in the Sourcewell Cooperative Purchasing program; and

WHEREAS, the Chief Engineer has determined that the purchase of sixteen (16) trailers is necessary to replace sixteen (16) similar existing trailers used for operating and maintaining the Ohio Turnpike that have reached the end of their viable economic life, and which the Chief Engineer recommends for disposal under the Commission's Property Disposal Policy; and

WHEREAS, the Maintenance Department staff has recommended that the best equipment available to perform its operations is sixteen (16) 2023 Towmaster T-12D Trailers with standard features and options which are available for acquisition through the Sourcewell Cooperative Purchasing Program, under Sourcewell Contract No. #121918-MNR from Ohio CAT of Broadview Heights, in the total amount of \$232,736.00; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the expenditure required to purchase the sixteen trailers exceeds \$150,000.00; and

WHEREAS, the Executive Director and Chief Engineer have reviewed the recommendation of the Maintenance Department and concur with the recommendation that the Commission approve the purchase of the sixteen (16) Towmaster trailers from Ohio CAT through the Sourcewell Cooperative Purchasing Program.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of sixteen (16) 2023 Towmaster T-12D Trailers with standard features and options, from Ohio CAT through the Sourcewell Cooperative Purchasing Program under Contract No. 121918-MNR in the total amount of \$232,736.00, is approved; and

FURTHER RESOLVED, that the sixteen (16) existing trailers may be disposed as per the Commission's Property Disposal Policy.

(Resolution No. 62-2022 adopted August 15, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of Five (5) Ford Explorer Sport Utility Vehicles from Montrose Ford, Inc. in the Total Amount of \$145,275.36 Under the DAS Cooperative Purchasing Program

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

WHEREAS, the Chief Engineer has determined that the purchase of five (5) 2022 Ford Explorer AWD Sport Utility Vehicles (SUVs) with all the standard features is necessary to replace five (5) similar SUVs used for operating and maintaining the Ohio Turnpike, that have reached the end of their viable economic life and which the Chief Engineer recommends for disposal under the Commission’s Property Disposal Policy; and

WHEREAS, the Chief Engineer recommends that the best equipment available to perform its operations is the 2022 Ford Explorer AWD SUV with all the standard features; and

WHEREAS, the 2022 Ford Explorer AWD SUV with all the standard features is available for acquisition through the DAS Cooperative Purchasing Program under DAS Contract No. RS1006947 (Index No. GDC093, Item 2AT) from Montrose Ford, Inc., of Akron, Ohio, in the total amount of \$145,275.36; and

WHEREAS, the Commission previously purchased five (5) 2022 Ford Explorer AWD SUVs with standard equipment and options from Montrose Ford Inc. under the same DAS Contract No. RS1006947 (Index No. GDC093) in the total amount of \$148,136.80; and

WHEREAS, the additional purchase of five (5) 2022 Ford Explorer AWD SUVs with all the standard features under DAS Contract No. RS1006947 (Index No. GDC093) will result in a total aggregate amount to date under this DAS Contract with Montrose Ford, Inc. of \$293,412.16; and

WHEREAS, the Executive Director concurs with the recommendation that the Commission approve the purchase of five (5) 2022 Ford Explorers AWD SUVs with all the standard features from Montrose Ford Inc. under the DAS Cooperative Purchasing Program; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the expenditure exceeds \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of five (5) 2022 Ford Explorers AWD SUVs with all the standard features from Montrose Ford Inc. under DAS Contract No. RS1006947 (Index No. GDC093, Item No. 2AT) in the total amount of \$145,275.36, is approved, resulting in a total aggregate amount approved to date under this DAS Contract with Montrose Ford, Inc. of \$293,412.16; and

FURTHER RESOLVED, that the five (5) existing SUVs may be disposed as per the Commission's Property Disposal Policy.

(Resolution No. 63-2022 adopted August 15, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing a Change Order in the Amount of \$251,233.28 for Sixteen Snow and Ice Truck Bodies Purchased from Concord Road Equipment Manufacturing, Inc. Under the DAS Cooperative Purchasing Program

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

WHEREAS, pursuant to Resolution No. 17-2021 adopted March 15, 2021, the Commission authorized the purchase of sixteen (16) 2022 Patriot SDS Nor-Easter 11-foot Single Axle Snow and Ice Truck Bodies with plow system, hydraulic system and grease systems under DAS Schedule No. 800860 (Index No. STS515) (“DAS Contract”) from Concord Road Equipment Manufacturing, Inc. of Painesville, Ohio, in the total amount of \$2,296,156.18; and

WHEREAS, the DAS Contract allows for price increases based on increases in the prices of raw materials and Concord Road Equipment Manufacturing, Inc. has requested a change order in the amount of \$251,233.28 or \$15,702.08 per truck to cover increased costs of raw materials such as steel, stainless steel, AR400 steel and the additional cost of installing green warning lights; and

WHEREAS, the Chief Engineer finds the Change Order to be reasonable and recommends that the Commission approves the Change Order for Concord Road Equipment Mfg., Inc. in the amount of \$251,233.28 due to price increases for raw materials and green warning light installation and his report is currently before the Commission; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and concurs with the recommendation to approve the Change Order as described above; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the expenditure exceeds \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Change Order requested by Concord Road Equipment Mfg., Inc. due to price increases for raw materials and green warning light installation as set forth in the recitals above in the amount of \$251,233.28 (\$15,702.08 per truck) is approved, and the Executive Director or his designee is authorized to issue a Change Order to Concord Road Equipment Manufacturing, Inc., subject to the terms and

conditions of the existing contract (DAS Schedule No. 800860 (Index No. STS515)), which together with all amendments, shall be in the total aggregate amount not to exceed \$2,547,389.46.

(Resolution No. 64-2022 adopted August 15, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Triborough Bridge and Tunnel Authority EZIOP Hub Third-Party Beneficiary Agreement in a Total Amount Not-to-Exceed \$733,782.00

WHEREAS, pursuant to Resolution 19-2008, in May 2008 the Commission joined the Inter Agency Group (“IAG”), which is the consortium of all toll authorities that offer *E-ZPass*[®], and which utilize transponder technology that is integral to the *E-ZPass*[®] electronic toll collection system; and

WHEREAS, the Full Members of the IAG, as defined in the Amended and Restated Operations Interagency Agreement, as amended that are participating in the E-ZPass Interoperability Hub (the “EZIOP Hub Members”) determined that it was necessary and in their best interests for the Triborough Bridge and Tunnel Authority to enter into Contract 19-IAG-2975 (the “Contract”) for the design, build, operation and maintenance of the entire E-ZPass Interoperability Hub (the “EZIOP Hub”); and

WHEREAS, in furtherance of the development of the EZIOP Hub, the Triborough Bridge and Tunnel Authority at the request of the EZIOP Hub Members engaged a consultant to provide development, deployment, operation, and maintenance of an EZIOP Hub to revise the present IAG Toll Reciprocity architecture and processes, provide a robust, flexible, and easily scalable platform upon which evolving IAG business needs can be addressed, and to facilitate National Toll Interoperability; and

WHEREAS, Electronic Transaction Consultants (“ETC”) has been identified via competitive procurement issued by the Authority as the consultant to provide the EZIOP Hub under the Contract; and

WHEREAS, Director of Internal Audit David Miller and Chief Technology Officer Brian Kelley represent the Commission on the EZIOP Hub Committee and recommend that the Ohio Turnpike and Infrastructure Commission (“Commission”) enter into an EZIOP Hub Third-Party Beneficiary Agreement (“3PBA”) in furtherance of these objectives; and

WHEREAS, the new EZIOP Hub to be developed will benefit EZIOP Hub Members with better centralized reporting and support, enhanced processing and error checking, increased security, reliability, and availability, support for third-party providers, and future national interoperability with other regions; and

WHEREAS, Ohio Revised Code Section 5537.04(A)(11) authorizes the Commission to enter into such contracts as are necessary to the performance of its duties, including such actions as are necessary to participate in the multi-jurisdiction electronic toll collection agreement and collection or remittance of tolls, fees, or other charges to or from entities or agencies that participate in such an agreement; and

WHEREAS, the approved budget for the Contract is \$21,543,452.00 for the initial term of ten (10) years; and

WHEREAS, the Commission's pro rata share of these costs for delivery and operations of the Hub are projected not to exceed \$733,782.00 over the term of the Contract; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount to participate in the 3BPA exceeds \$150,000.00 over the term of the Contract; and

NOW, THEREFORE, BE IT

RESOLVED, that the Executive Director is hereby authorized to execute the Triborough Bridge and Tunnel Authority EZIOP Hub Third-Party Beneficiary Agreement; and

FURTHER RESOLVED, the Executive Director is authorized to take any and all actions necessary to implement and effectuate the terms of the Triborough Bridge and Tunnel Authority EZIOP Hub Third-Party Beneficiary Agreement.

(Resolution No. 65-2022 adopted August 15, 2022)

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase and Installation of Cameras for Toll Plazas 4, 49 and 211 from Northwestern Ohio Security Systems Inc. in the Total Amount of \$330,072.01

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

WHEREAS, pursuant to Resolution No. 10-2022 adopted January 24, 2022, the Commission authorized the purchase of a Toll Plaza Camera System for the Commission’s toll plazas, specifically at twenty (20) toll plazas between Milepost 52 and Milepost 209 which will make up the ticketed portion of the new Toll Collection System (“TCS”); and

WHEREAS, the Toll Plaza Camera System was purchased from Northwestern Ohio Security Systems, Inc. (“NWOSS”) of Lima, Ohio through the DAS Purchasing Program under State of Ohio Master Maintenance Agreement No. 7635, in the total amount of \$1,139,995.12; and

WHEREAS, the Toll Plaza Camera System was purchased based on the Commission’s External Task Force’s determination that the NWOSS camera system best meets the needs of the Commission for a uniform camera system to improve the coverage of the current system and improve safety and security at the toll plaza buildings as well as other Commission facilities; and

WHEREAS, the installation of the Toll Plaza Camera System at the twenty (20) toll plazas between Milepost 52 and Milepost 209 is ongoing; and

WHEREAS, the Commission authorized the construction of new Toll Plaza 4, the Westgate barrier plaza under Resolution No. 24-2021 adopted May 17, 2021, under Project No. 58-21-01, as part of the TCS, and additional cameras and related equipment must be purchased and installed at new Toll Plaza 4;

WHEREAS, the Commission authorized the construction of new Toll Plaza 49 under Resolution No. 50-2020 adopted August 17, 2020, under Project No. 58-20-01 as part of the TCS, and additional cameras and related equipment must be purchased and installed at new Toll Plaza 49; and

WHEREAS, the Commission previously authorized the construction of new Toll Plaza 211 and renovation of existing Toll Plaza 239 under Resolution No. 47-2021 adopted August 16, 2021, for Project 58-21-02 as part of the TCS, and additional cameras and related equipment must be purchased and installed at Toll Plaza 211; and

WHEREAS, NWOSS submitted proposals to furnish all required hardware and software components, professional services for cabling and installation for the cameras needed for new Toll Plazas 4, 49 and 211 and one year of Milestone Dashboard monitoring services from State of Ohio Master Maintenance Agreement No. 7635 in the total amount of \$330,072.01 (\$109,813.50 for Toll Plaza 4, \$110,445.01 for Toll Plaza 49 and \$109,813.50 for Toll Plaza 211); and

WHEREAS, the additional cameras and related equipment are compatible with the Administration Building, Service Plaza, Maintenance Building and other Toll Plaza installations; and

WHEREAS, the Chief Information Officer and the Task Force recommend that the Commission approve the purchase of hardware and software components, professional and one year of Milestone Dashboard monitoring services for cameras to be installed at new Toll Plazas 4, 49 and 211 in the total amount of \$330,072.01; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the expenditures required to purchase and install the additional cameras exceeds \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Information Officer and concurs that the Commission should approve the purchase of hardware and software components, professional services for cabling and installation of cameras at new Toll Plazas 4, 49 and 211 and one year of Milestone Dashboard monitoring services from State of Ohio Master Maintenance Agreement No. 7635 under the DAS Purchasing Program; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of additional cameras for new Toll Plazas 4, 49 and 211 is necessary for maintaining and improving the security and safety of the Commission, its customers and staff; and

FURTHER RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of the hardware and software components, professional services for cabling and installation of additional cameras and related equipment at new Toll Plazas 4, 49 and 211 and one year of Milestone Dashboard monitoring services from Northwestern Ohio Security Systems Inc. of Lima, Ohio, through the DAS Purchasing Program under State of Ohio Master Maintenance Agreement No. 7635, in the total not-to-exceed amount of \$330,072.01, is approved.

(Resolution No. 66-2022 adopted August 15, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of an Alarm Monitoring Solution from DPS Telecom Under The Interlocal Purchasing System Cooperative Purchasing Program in the Total Aggregate Amount of \$233,454.10

WHEREAS, the Commission is authorized to participate in contracts awarded by The Interlocal Purchasing System (TIPS) Cooperative Purchasing Program, a political subdivision cooperative purchasing program, for the purchase of equipment, materials, supplies or services under Ohio Revised Code Section 9.48; and

WHEREAS, the Commission is in the process of upgrading its fiber network and the new fiber network requires contact closure monitoring capabilities or an alarm monitoring system to provide Commission personnel with notifications for network issues, such as:

- DC Rectifier Output Power Failures
- DC Rectifier Module Failures
- DC Shelf Breaker Trips
- DC Rectifier AC Power Source Failures
- Inverter Module Failures
- Inverter Failures
- Inverter AC Power Source Failures
- Emergency Generator Power Transfers
- Emergency Generator Operational
- Tower Beacon Failures
- Room Temperature High Alarm
- Building UPS Problems
- Building UPS Failures

WHEREAS, the Chief Information Officer and Technology Staff researched available alarm monitoring systems and identified the Alarm Monitoring Solution from DPS Telecom of Fresno, California under TIPS Contract No. 210101 as the best solution to meet the Commission's needs and tested the system at new Toll Plaza 49 with an initial purchase in the amount of \$48,370.14; and

WHEREAS, the Chief Information Officer reports that the testing of the alarm monitoring system at Toll Plaza 49 has been satisfactory and the Technology Department is ready to expand the system to the Commission's remaining buildings; and

WHEREAS, DPS Telecom has submitted a proposal to furnish and install the Alarm Monitoring Solution, which includes a 5-year maintenance agreement, under TIPS Contract No. 210101 in the not to exceed amount of \$185,083.96; and

WHEREAS, the Chief Information Officer recommends that the Commission approve the purchase of the Alarm Monitoring System from DPS Telecom under TIPS Contract No. 210101 in the not to exceed amount of \$185,083.96; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the expenditure required for the Alarm Monitoring Solution exceeds \$150,000.00; and

WHEREAS, the Executive Director considered the recommendation of the Chief Information Officer and concurs that the Commission should approve the selection of DPS Telecom through the TIPS Cooperative Purchasing Program.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of an Alarm Monitoring System through the TIPS Cooperative Purchasing Program, pursuant to Contract No. 210101 under an agreement with DPS Telecom to furnish and install the system, including a 5-year maintenance agreement, in the total amount of \$185,083.96, is approved, resulting in an total aggregate amount of \$233,454.10.

(Resolution No. 67-2022 adopted August 15, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Renewal of Insurance Policies for the Commission's Property and Casualty Insurance Program for the 2022/2023 Policy Year in the Aggregate Amount of \$1,228,783

WHEREAS, the Ohio Turnpike and Infrastructure Commission ("Commission") is required to maintain comprehensive property and casualty insurance coverage in accordance with Article 5, Sections 5.05, 5.06 and 5.07 of the Master Trust Agreement dated April 8, 2013, as amended, as well as the Junior Lien Master Trust Agreement dated August 1, 2013 (collectively, the "Trust Agreements"); and

WHEREAS, the Commission has received proposals for the renewal of the Property and Casualty Insurance Program for the 2022/2023 policy year as described below whereby the Commission will continue to maintain coverage for Commercial General Liability, Automobile Liability, Public Officials Liability, Employment Practices Liability, Employers Liability, Employee Benefits Liability, Bridge and Use & Occupancy, Multi-Peril Property, Data Processing, Maintenance/Contractor's Equipment, Boiler & Machinery, Money and Securities/Crime Insurance, Umbrella/Excess Liability, Pollution Liability and Cyber Liability Insurance coverage, which will result in an overall 16% increase in premium as compared to the cost paid for the same insurance coverage during the 2021/2022 policy year; and

WHEREAS, the General Counsel/Director of Risk Management, and the Commission's independent insurance consultant, Crain Langner & Co. have recommended that the Commission accept the proposals received for the purchase of said insurance policies offered by the following agent/brokerage firms on behalf of insurance carriers at the corresponding premium quotes:

1. Commercial General Liability including terrorism coverage, Automobile Liability, Public Officials Liability, Employment Practices Liability, Employers Liability, Employee Benefits Liability, Umbrella Liability Insurance coverage, and agency fee proposed by Jackson, Dieken & Associates on behalf of the U.S. Specialty Insurance Company for an annual premium of \$265,955, including the agency fee, beginning on September 1, 2022;
2. Multi-Peril/Property Insurance, including terrorism coverage and engineering fees, proposed by Arthur J. Gallagher Risk Management Services, Inc. on behalf of Travelers Indemnity Company for an annual premium of \$313,261 beginning on September 1, 2022;
3. Bridge and Use & Occupancy Insurance, including terrorism coverage, proposed by Arthur J. Gallagher Risk Management Services, Inc. on behalf of the Continental Casualty Company for an annual premium of \$178,300 beginning on September 1, 2022;
4. Broad Form Money and Securities/Crime Insurance proposed by Arthur J. Gallagher Risk Management Services, Inc. on behalf of Travelers Casualty &

Surety Co. of America for an annual premium of \$48,250 beginning on September 1, 2022;

5. Excess Liability Insurance Coverage, including terrorism coverage, proposed by several brokers including but limited to a) Jackson, Dieken & Associates, on behalf of U.S. Specialty Insurance Company (first excess layer), for an annual premium of \$42,499; b) Arthur J. Gallagher Risk Management Services, Inc. on behalf of Homesite Insurance Company of Florida (second excess layer), for an annual premium of \$123,373; and The North River Insurance Company (third excess layer), for an annual premium of \$97,691; and Great American Insurance Company (fourth excess layer), for an annual premium of \$47,000; c) Britton Gallagher & Associates on behalf of Cincinnati Insurance Company (fifth excess layer), for an annual premium of \$39,018 beginning on September 1, 2022;
6. Pollution Liability Insurance, including terrorism was purchased in 2020 under a three-year policy term starting September 1, 2020, for a three-year premium of \$39,080 that was paid in 2020 so there will be no charge for this renewal. This coverage is provided by Ironshore Specialty Insurance Company through Arthur J. Gallagher Risk Management Services, Inc.; and
7. Cyber Liability Insurance, including terrorism coverage, proposed by Arthur J. Gallagher Risk Management Services, Inc. on behalf of Crum & Forster Specialty Insurance Company, or other like underwriters with similar or improved terms and conditions for an annual premium not to exceed \$85,935 beginning September 1, 2022.

WHEREAS, the Executive Director has reviewed the recommendations submitted by the General Counsel/Director of Risk Management and concurs with their recommendations; and

WHEREAS, the Commission has duly considered such recommendations,

NOW, THEREFORE, BE IT

RESOLVED, that the Commission, in accordance with the Trust Agreements, which require it to maintain comprehensive property and casualty insurance coverage, has duly considered the recommendations of its independent insurance consultant and General Counsel/Director of Risk Management; and

FURTHER RESOLVED, that the Commission hereby authorizes the Executive Director and the General Counsel/Director of Risk Management, each alone or together, to purchase the above-specified insurance policies for the aggregate premium amount of \$1,228,783 from the following agencies:

- 1) Jackson, Dieken & Associates., for Commercial General Liability Insurance, Employee Benefits Liability Insurance, Employers Liability Insurance, Automobile

Liability Insurance, Public Officials Liability Insurance, Employment Practices Liability Insurance, and Umbrella Liability Insurance;

- 2) Arthur J. Gallagher Risk Management Services, Inc., for second, third, and fourth layers of Excess Liability Insurance, Bridge and Use & Occupancy Insurance, Multi-Peril Property Insurance, Broad Form Money and Securities/Crime Insurance and Cyber Liability Insurance; and
- 3) Britton Gallagher & Associates for fifth layer of Excess Liability Insurance.

FURTHER RESOLVED, that the Commission hereby authorizes the Executive Director or the General Counsel/Director of Risk Management, together or individually, to execute such additional documentation or certificates and to take any and all further action that may be necessary or appropriate in the opinion of the General Counsel/Director of Risk Management to the Commission, in order to effect the purchase of the above-described insurance policies and the intent of this Resolution; and

FURTHER RESOLVED, that a certified copy of this Resolution shall be transmitted to the Trustee for the bondholders in accordance with the requirements of our Trust Agreements.

(Resolution No. 68-2022 adopted August 15, 2022)