

**MINUTES OF THE 653<sup>rd</sup> MEETING OF THE  
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION  
AUGUST 20, 2018**

**Chairman:** Good morning. 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.

Will the Assistant Secretary-Treasurer please call the roll?

**Assistant Secretary-Treasurer Randy Cole:** Chairman Hruby

**Chairman Jerry Hruby:** Here

**Assistant Secretary-Treasurer:** Vice Chairman Paradiso

**Vice Chairman Timothy Paradiso:** Here

**Assistant Secretary-Treasurer:** Secretary-Treasurer Barber

**Secretary-Treasurer Sandra Barber:** Here

**Assistant Secretary-Treasurer:** Mr. Coviello

**Commissioner Guy Coviello:** Here

**Assistant Secretary-Treasurer:** Ms. Johnson

**Commissioner Vickie Eaton Johnson:** Here

**Assistant Secretary-Treasurer:** Mr. Peterson

**Commissioner Michael Peterson:** Here

**Assistant Secretary-Treasurer:** Mr. Pakush

**Commissioner Myron Pakush:** Here

**Assistant Secretary-Treasurer:** Mr. Potter

**Commissioner Quentin Potter:** Here

**Assistant Secretary-Treasurer:** Senator LaRose

**Senator Frank LaRose:** Here

**Assistant Secretary-Treasurer:** Representative Patton

**Representative Thomas Patton:** Here

**Chairman:** We have a quorum. This is the 653<sup>rd</sup> Meeting of the Ohio Turnpike and Infrastructure Commission. We are meeting at the Commission's headquarters, as provided for in the Commission's Code of Bylaws for a Commission Meeting.

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

May I have a motion to adopt the Minutes of the June 18, 2018, Commission Meeting? Any questions, comments, or additions? Hearing none, please call the roll.

**MOTION:** A motion to adopt the Minutes of the June 18, 2018, Commission Meeting was made by Chairman Hruby and seconded by Mr. Peterson. All Commission Members present voted to approve the Minutes.

**Chairman:** The Minutes are adopted. I want to comment.

I am sure all of you have had opportunities this summer to travel around and many of you on the Turnpike or toll roads in other areas here and I want to tell you that I am so proud of the job that our staff does in the maintenance of our roadway, how well the lanes are marked in construction areas and, of course, how wonderful our places are to eat, our rest stops, they are all rather remarkable compared to states around us. I want to commend the staff. It is noticeable, very, very noticeable when you are in Ohio compared to these other roads. Congratulations and thank you for your good work.

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

**Secretary-Treasurer:** The following items have been provided to the Members since the last scheduled meeting of the Commission on June 20, 2018:

1. Ten Resolutions;
2. Draft Minutes of the June 18, 2018, Commission Meeting; and
3. Agenda for today's meeting.

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

1. Traffic Crash Summary Report, June and July 2018;

2. Traffic and Revenue Report, June and July 2018;
3. Total Revenue by Month and Year, June and July 2018;
4. Investment Report, June and July 2018;
5. Financial Statement, June and July 2018;
6. Budget Report – Six Months; and
7. Various News articles.

That concludes my report, Mr. Chairman.

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

**Director Cole:** Good morning, Mr. Chairman and Commission Members. We have a lot of resolutions and items on the agenda I want to get to. I do want to report to the Commission that the annual status report of our workflow committee has been submitted. David Miller and Tony Yacobucci have affirmed that all of our standard operating procedures for the year have been updated and revised and are on file on the Commission's computer system. Good work to everyone that participated. We are keeping things running smoothly.

You mentioned the service plazas, you mentioned the fine work that goes on out there. All of the work that we do, there have been so many times that I've called out, Commission Members have called out the fine work we do on the job in what happens with our maintenance staff and the great work and customer service by our toll collectors, the work that is done here in the Administration building, but every once in a while, people are at work and we talk about "see something, say something." We talk about safety, we talk about security, but every once in a while, an employee or employees here go above and beyond the call of duty and sometimes that can even be lifesaving. Today, Cory is here to make a few remarks and to honor two of our employees for what they did in the field on what was supposed to be a normal day at work that turned into something much more than that.

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

The first resolution for your consideration is to honor the distinguished service of Chris Merillat for his heroic actions on July, 25 2018. Chris began working at the Turnpike in 2000 and is currently the Western Division Building Checkman in the Maintenance Department. Mr. Merillat was performing his normal duties at the Indian Meadows Service Plaza when he caught wind of a patron having a heart attack. Chris sprang into action and retrieved the AED from inside of the Service Plaza. He assisted with the patron suffering from a heart attack and initiated the shock from the AED. The quick thinking of Mr. Merillat was a major factor in saving a life that

day. The ER doctor stated that the patron would have most likely not made it if the AED was not used.

Unfortunately, Mr. Merillat was not able to be in attendance today as he is on vacation. With your permission, may the General Counsel please read the title of the resolution?

**General Counsel:** Resolution Honoring the Distinguished Service of Chris Merillat for His Heroic Actions on July 25, 2018.

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

**MOTION:** A motion to adopt *Resolution Honoring the Distinguished Service of Chris Merillat for His Heroic Actions on July 25, 2018*, was made by Chairman Hruby, seconded by Mrs. Barber, and approved by all Commission Members present. Resolution No. 42-2018.

**Safety Services Manager, Cory Skoczen:** The second resolution for your consideration is to honor the distinguished service of Donald Shantz for his heroic actions on July, 25 2018. Donald began working at the Turnpike in 2006 and is currently a staff member at the Commission and holds the position of Human Resource Generalist. Don had just arrived at the Indian Meadows Service Plaza to conduct interviews when he noticed a man lying on the ground being tended to. He wasted no time and took immediate action and began to administer CPR for the patron who was suffering from a heart attack. The selfless and courageous actions displayed by Donald Shantz helped preserve a life. The patron that suffered from a heart attack on that day is doing well and is expected to make a full recovery.

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

**General Counsel:** Resolution Honoring the Distinguished Service of Donald Shantz for His Heroic Actions on July 25, 2018.

**Director Cole:** Mr. Chairman, before we vote on it, we also had several other customers who were there who didn't provide immediate aid, but were very supportive in making sure everyone knew what was going on, alerting 911 when they got there, Highway Patrol assisted and did a very nice job. It is not just what happened then, I read the Highway Patrol reports of what happened and the follow-up. He was hospitalized, full recovery though, and his wife was so appreciative, she said "you know the people who are here and what they did, we are thinking of moving to northwest Ohio because if this is the way people are, this is where we want to live." That is a huge statement. That's quite a testament to not just what they did, but how everyone conducted themselves. We use the hashtag #TurnpikeProud all of the time but, you know, sometimes it means a little bit more than others and, in all seriousness, I don't think we could be more proud of our community and our employees acting the way they did. Thank you, Mr. Chairman.

**Chairman:** Very good. Any other comments? Hearing none, please call the roll.

**MOTION:** A motion to adopt *Resolution Honoring the Distinguished Service of Donald Shantz for His Heroic Actions on July 25, 2018*, was made by Chairman Hruby, seconded by Mrs. Barber, and approved by all Commission Members present. Resolution No. 43-2018.

**Chairman:** Anything else, Mr. Skoczen?

**Safety Services Manager, Cory Skoczen:** No, Mr. Chairman. Thank you.

**Chairman:** It only takes a few minutes to say thank you and I just want to encourage the Director and all of the staff that when things like this take place, it is important to bring it to light. We appreciate you doing that.

We will move on to the report of our Chief Engineer, Tony Yacobucci.

**Chief Engineer:** Good morning, Mr. Chairman and Commission Members. Prior to presenting the five 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 2018-2019 snow and ice season. Under Resolution 26-2018, the Commission authorized our participation in ODOT's Cooperative Purchasing Program for the procurement of Sodium Chloride for the 2018/2019 winter season. The Resolution required the Deputy Chief Engineer to issue a report back to the Commission indicating the results of the ODOT bidding process. A spreadsheet labeled "2018/2019 Sodium Chloride Contract – Actual Bid Pricing" was included in your packets and reflects the actual bid prices received by ODOT for the Summer Pre-Fill and Winter Use Contracts. The Cooperative Purchasing Program contracts for the procurement of rock salt requires the Commission to purchase 100% of the summer pre-fill bid quantity, as well as 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. As you will note on the spreadsheet, the Commission's total expenditure for rock salt for the 2018/2019 winter season will be a minimum of \$3,541,101.80, and up to a maximum of \$4,168,732.20. I would like to thank ODOT for extending their purchasing agreement to us, and for obtaining the very favorable pricing. I would be happy to answer any questions relating to the rock salt procurement, otherwise I will begin presenting the five resolutions for consideration.

**Chairman:** Any questions or comments? Myron, anything you wish to say on behalf of ODOT?

**Mr. Pakush:** No, Mr. Chairman.

**Mr. Paradiso:** What do we do with the salt we have left? Do we sell it? Do we give it to townships? The last two years we have been way under our salt usage.

**Chief Engineer:** Mr. Chairman and Commission Member Paradiso, rock salt for the most part does not go bad, so we use it year after year and that is how we base our quantities for the following year. In other words, if we have a lot in our domes our purchase will be less for the following year.

**Mr. Paradiso:** I understand that, but we seem to have been piling it up. I was just wondering do we still just pile it up? We have places to put it, correct?

**Chief Engineer:** That is correct.

**Representative Patton:** Some few years back, there was a case brought against Cargill and Morton for price fixing. The headlines, of course, talked about the case. I didn't know if there was a resolution. If so, are we trying to look outside of these two major suppliers? Some people down in southern Ohio told me they have had some success bringing it up the river from Texas. I am just a little concerned and I used to be the biggest defender of Cargill and Morton because they are both Ohio-based companies, but then in the same token when they were accused and I think plead out to their price fixing is something you want to make sure you discuss or talk about.

**Chairman:** Myron?

**Mr. Pakush:** My understanding, the bidding process of salt procurement is an open process, anyone can bid on it and there are suppliers from southern Ohio that get all of their salt delivered by barges on the Ohio River, so that is true. ODOT gets a lot of barged deliveries but anyone can bid on these and these are the best bids that come through. It is an open process. Cargill and Morton are big suppliers and they pretty much dominate the market because all of the salt mines are up here under Lake Erie. These are open process, annual contracts. From my understanding, the past collusion that was identified, I do not have a lot of information on what came out of those investigations, but we feel like we have an open process now and all those past problems are gone.

**Director Cole:** Mr. Chairman, to follow-up, Attorney General Mike DeWine did come to a full settlement on that. We did receive both cash payments and reduced salt prices a couple years ago related to that. Since then, I think there have been more bidders, again as Mr. Pakush indicated a very open process with more bidders, except for those periods of time where we had some salt shortage and then we found suppliers from outside of the region to make up those deficits. I think bringing in salt on Lake Erie on barges.

**Chairman:** Any other questions or comments?

**Senator LaRose:** As the increased use of brine has built up over the last decade or two, has there been a commensurate decrease in the use of rock salt?

**Deputy Chief Engineer, Chris Matta:** Mr. Chairman and Commission Members, to answer that question, yes. We have continued to use wetting our salt solids. It reduces bounce and scatter, which allows you to use less salt per lane mile. We continue to increase our salt usages on our bridges or icy areas on an interchange ramp. We continue to look at different liquid products that are out there. In probably seventeen years of doing this, I want to say we have tried out six or seven different products and right now we have narrowed it down to two, which was both like a 50% brine and they are also cut back with another deicing chemical that can lower the freeze point depression of that salt.

**Director Cole:** Mr. Chairman, in addition, if you remember the Commission authorized our fleet modernization and safety notification project utilizing connected vehicle technology, so thirty-eight of our Commission vehicles, the majority of those are snow plows have been outfitted with onboard devices to communicate with the fifteen roadside units, we now have that system just about fully operational, but when we get into this winter, we will be able to check exactly where each of those trucks in this fifty mile section here in the central Turnpike exactly where they are dropping salt, which materials they are delivering, if we are just pretreating we will know that and be able to monitor to make sure the equipment is functioning properly, if we are just treating bridges we will be able to see whether the salt was put just on the bridges or not, so we are looking for additional efficiencies through that to help us manage our snow and ice operations, both from a labor and materials standpoint. We hope through the winter next year to be able to report to you some of the findings we found from that and how it affects our operations and compares with the other sections of the Turnpike that aren't lit up yet with the connected vehicle technology. Anything you want to add to that, Chris?

**Deputy Chief Engineer:** No, there will still be an operational user interface that our foremen out in the field will be able to see exactly where those trucks are, when they are there, what salt spread rate they are actually putting down versus in the past, it was basically communications over the radio from a foreman telling a roadway worker to put salt down at two hundred pounds per lane mile. They will be able to visually verify that is in fact what is going down on the road.

**Chairman:** Any questions for Mr. Matta? Hearing none, please continue, Tony.

**Chief Engineer:** The first resolution for your consideration seeks authorization for additional expenditures for Project No. 71-17-05 for the Engineering Services relating to the deck replacement and widening of the Ohio Turnpike mainline bridges over Poland-Unity Road (County Route 175) at Milepost 237.8 and the Ohio Turnpike mainline bridges over Columbiana-New Castle Road (County Route 62) at Milepost 238.1 in Mahoning County. Previously, under Resolution No. 15-2018, the Commission authorized the award of a Contract to Jobes Henderson and Associates, Inc., of Bedford, Ohio ("Jobes Henderson") for Phase I Services, consisting of a Site Inspection, Engineering Report, Evaluation, Design and Plan Preparation for the deck replacement, widening and rehabilitation of these structures in the amount not-to-exceed \$367,579.00. On July 30, 2018, Jobes Henderson submitted a fee proposal, in an amount not-to-exceed \$59,433.00, to perform additional Phase 1 Design Services related to adding permanent third lane pavement adjacent to these widened structures, in lieu of temporary pavement for maintaining traffic. The scope of work for the permanent third lane pavement was originally planned to be performed as part of the Toll Collection System Modernization and Pavement Replacement Project in 2020, but by moving it forward will save the Commission the cost to place and remove the temporary pavement needed for maintaining traffic on this Project. The expenditures for the additional Phase I Services will be in excess of ten percent of the original contract award, and therefore, in accordance with Article V Section 1.00 of the Commission's Code of Bylaws, such expenditures require Commission approval. Therefore, we are requesting Commission authorization for additional expenditures with Jobes Henderson Associates, Inc. of Bedford, Ohio, for additional Phase I Services in the amount of \$59,433.00. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Approving a Modification to the Contract with Jobs Henderson & Associates, Inc. Under Project No. 71-17-05 for the Additional Not-to-Exceed Amount of \$59,433.00.

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

**MOTION:** A motion to adopt *Resolution Approving a Modification to the Contract with Jobs Henderson & Associates, Inc. Under Project No. 71-17-05 for the Additional Not-to-Exceed Amount of \$59,433.00* was made by Mr. Paradiso, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 44-2018.

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

**Chief Engineer:** The next resolution for your consideration seeks authorization to award Project No. 71-18-06 for Engineering Services relating to the deck replacement and rehabilitation of the Tedrow-Morenci Road Bridge over the Ohio Turnpike at Milepost 31.4, the Winnameg-Lyons Road Bridge over the Ohio Turnpike at Milepost 38.3, and the Heller-Lyons Road Bridge over the Ohio Turnpike at Milepost 39.3 all in Fulton County. On March 26, 2018, Procurement received eleven Letters of Interest for Project No. 71-18-06, from which three firms were deemed most qualified and invited to submit technical proposals. Engineering staff reviewed the technical proposals and concluded that E. L. Robinson Engineering of Ohio Company, of Cleveland, Ohio (“E.L. Robinson”), was most qualified to perform the services. Fee negotiations commenced between E.L. Robinson and our Engineering staff, and on August 6, 2018, a final fee proposal was submitted in the amount of \$238,488.00 for Phase I services. The services for Phase I include the Site Inspection, Engineering Report, Evaluation, Design and Plan Preparation for the deck replacement and rehabilitation of these structures. Therefore, we are requesting Commission authorization for the award of Project No. 71-18-06 to E. L. Robinson Engineering of Ohio Company, of Cleveland, Ohio, for Phase I of this Project in the amount of \$238,488.00. Commission authorization may be requested in the future for Construction Administration and Inspection Services of the Project. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Selecting E.L. Robinson Engineering of Ohio Co. to Perform the Engineering and Construction Administration and Inspection Services and Authorizing the Executive Director to Execute an Agreement to Obtain Design Services for a Fee Not-To-Exceed \$238,488.00 (Project No. 71-18-06).

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

**MOTION:** A motion to adopt *Resolution Selecting E.L. Robinson Engineering of Ohio Co. to Perform the Engineering and Construction Administration and Inspection Services and Authorizing the Executive Director to Execute an Agreement to Obtain Design Services for a Fee Not-To-Exceed \$238,488.00 (Project No. 71-18-06)* was made by Mr. Pakush, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 45-2018.



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

**Chief Engineer:** The third resolution for your consideration seeks authorization to award Project No. 71-18-07 for Engineering Services relating to the deck replacement and rehabilitation of the Dischinger Road Bridge over the Ohio Turnpike at Milepost 81.5, the Ohio Turnpike Ramp Bridge over the Ohio Turnpike at Milepost 91.6, and Ohio Turnpike Ramp Bridge over State Route 53 at Milepost 92.0 in Ottawa and Sandusky Counties. On March 26, 2018, Procurement received twelve Letters of Interest for Project No. 71-18-07, from which four firms were deemed most qualified and invited to submit technical proposals. Engineering staff reviewed the technical proposals and concluded that Northwest Consultants, Inc., of Toledo, Ohio (“Northwest Consultants”) was most qualified to perform the services. Prior to the commencement of fee negotiations between Northwest Consultants and our Engineering staff, the Commission’s Bridge Engineer determined that Fangboner Road over the Ohio Turnpike at Milepost 91.1 was in greater need of a deck replacement and rehabilitation than the Dischinger Road Bridge, and requested the revision to swap the Fangboner Road and Dischinger Road bridges. The scope of the project essentially remains the same, and Fangboner Road is in closer proximity to the other structures in the contract. On August 3, 2018, a final fee proposal was submitted in the amount of \$193,231.00 for Phase I services. The services for Phase I include the Site Inspection, Engineering Report, Evaluation, Design and Plan Preparation for the deck replacement and rehabilitation of these structures. Therefore, we are requesting Commission authorization for the award of Project No. 71-18-07 to Northwest Consultants, Inc., of Toledo, Ohio, a Commission certified MBE/DBE/SBE firm, for Phase I of this Project in the amount of \$193,231.00. Commission authorization may be requested in the future for Construction Administration and Inspection Services of the Project. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Selecting Northwest Consultants, Inc. to Perform the Engineering and Construction Administration and Inspection Services Authorizing the Executive Director to Execute an Agreement to Obtain Design Services for a Fee Not-To-Exceed \$193,231.00 (Project No. 71-18-07).

**Chairman:** Any questions or comments?

**Mr. Coviello:** Could the changing of the roads have affected the previous bids?

**Chief Engineer:** Mr. Chairman and Commission Member Coviello, it is not our belief that it would have. The actual scope of the work for the project basically remains the same. It is just swapping Dischinger Road and Fangboner Road. They are basically the same overhead structures. I do not see anything that would have made us believe anything different if we were to change that during the original process.

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

**MOTION:** A motion to adopt *Resolution Selecting Northwest Consultants, Inc. to Perform the Engineering and Construction Administration and Inspection Services Authorizing the Executive Director to Execute an Agreement to Obtain Design Services for a Fee Not-To-Exceed*

\$193,231.00 (Project No. 71-18-07) was made by Mr. Peterson, seconded by Mr. Paradiso, and approved by all Commission Members present. Resolution No. 46-2018.

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

**Chief Engineer:** The fourth resolution for your consideration seeks authorization to award Contract No. 59-18-04 for Pavement Repairs to the Eastbound and Westbound Roadway between Milepost 80.5 and Milepost 86.15 in Ottawa and Sandusky Counties. On July 3, 2018, Procurement received four (4) bids for this Project, with the apparent low bid being submitted by Burton Scot Contractors, LLC (“Burton Scot”), of Newbury, Ohio, in the amount of \$265,306.13. This bid is below the Engineer’s Estimate and is deemed to be a responsive and responsible bid. Although Burton Scot has previously performed limited work for the Commission, additional due diligence was performed. The CFO/Comptroller reviewed the Financial Statement of Burton Scot, and advises that their financial condition is acceptable, but qualifies the assessment based on the limited scope and duration of the project. Engineering staff contacted several references and all reported satisfactory performance by Burton Scot. Based on a review of previous years’ work volume and work presently under contract, it appears that Burton Scot has sufficient capacity to perform this project. In addition, Burton Scot has committed to exceed the 10% SBE goal with 11.3% SBE participation, or \$30,000.00. Therefore, it is recommended that the Commission award Contract No. 59-18-04 to Burton Scot Contractors, LLC, of Newbury, Ohio, in the amount of \$265,306.13. This resolution also contains provisions to assign TTL Associates, Inc., of Toledo, Ohio, a Commission certified MBE/DBE, to perform construction administration and inspection services as well as material testing services. With your permission, may the General Counsel please read the title of the resolution?

**General Counsel:** Resolution Approving the Selection of Burton Scot Contractors, LLC to Repair the Pavement Under Project No. 59-18-04 for the Total Amount of \$265,306.13 and Approving the Assignment of TTL Associates, Inc. to Perform Professional Services on the Project.

**Chairman:** What is the estimate if you have a percentage of setting up a project like this with maintenance and traffic? The contractor has the responsibility of setting up the zones, correct?

**Chief Engineer:** Correct, Mr. Chairman. Unfortunately, I do not have that number in front of me. The bid documents are not here.

**Chairman:** Okay. I will talk to you later about it. Any other questions or comments? Hearing none, please call the roll.

**MOTION:** A motion to adopt *Resolution Approving the Selection of Burton Scot Contractors, LLC to Repair the Pavement Under Project No. 59-18-04 for the Total Amount of \$265,306.13 and Approving the Assignment of TTL Associates, Inc. to Perform Professional Services on the Project* was made by Mr. Paradiso, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 47-2018.

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

**Chief Engineer:** The final resolution for your consideration seeks authorization to award Contract No. 69-18-02 for erosion repairs to the drainage ditch adjacent to the westbound turnpike mainline roadway at Milepost 228.5 in Mahoning County. On August 8, 2018, Procurement received three (3) bids for this Project, with the apparent low bid being submitted by J.S. Bova Excavating, LLC (“J.S. Bova”), of Struthers, Ohio, in the amount of \$278,453.22. This bid is about three (3%) percent higher than the Engineer’s Estimate and is deemed to be a responsive and responsible bid. J.S. Bova has not previously performed work for the Commission, therefore additional due diligence was performed. The CFO/Comptroller reviewed the Financial Statement of J.S. Bova, and advises that their financial condition is acceptable. Engineering staff contacted several references and all reported satisfactory performance by J.S. Bova. Based on a review of previous years’ work volume and work presently under contract, it appears that J.S. Bova has sufficient capacity to perform this project. In addition, J.S. Bova has committed to exceed the 5% SBE goal with 6.7% SBE participation, or \$18,742.50. Therefore, it is recommended that the Commission award Contract No. 69-18-02 to J.S. Bova Excavating, LLC, of Struthers, Ohio, in the amount of \$278,453.22. This resolution also contains provisions to assign ACA Engineering, Inc., of Boardman, Ohio, to perform construction administration and inspection services as well as material testing services. With your permission, may the General Counsel please read the title of the resolution?

**General Counsel:** Resolution Approving the Selection of J.S. Bova Excavating LLC for Erosion Repair Under Project No. 69-18-02 for the Total Amount of \$278,453.22 and Approving the Assignment of ACA Engineering, Inc. to Perform Professional Services on the Project.

**Chairman:** Any questions or comments?

**Senator LaRose:** Probably fairly obvious but this is for erosion repair? One would think prevention is in part of that to make sure that this does not happen again, whatever caused this erosion, is that built into this project?

**Chief Engineer:** Mr. Chairman and Senator LaRose, you are correct. There is rock channel protection being put in place so that we don’t have to do this a second time.

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

**MOTION:** A motion to adopt *Resolution Approving the Selection of J.S. Bova Excavating LLC for Erosion Repair Under Project No. 69-18-02 for the Total Amount of \$278,453.22 and Approving the Assignment of ACA Engineering, Inc. to Perform Professional Services on the Project* was made by Mr. Peterson, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 48-2018.

**Chairman:** The motion passes unanimously. Anything further, Tony?

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

**Chairman:** Good work, Tony. The reason I brought that up is if you are driving through one of these sites at night, especially, and you look at all of the barricades and all of the markers, all that goes into setting those up, I would imagine it is very costly. We really do a good job in doing that compared to the other states. I just want to know how much we are paying to get that done.

**Chief Engineer:** Thank you, Mr. Chairman. I will get you that number and I appreciate the kind comments.

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

**CFO/Comptroller/DED:** Thank you, Mr. Chairman. I have a brief update on our traffic and revenue for the months of June and July and one resolution for your consideration this morning.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past two years. Passenger car vehicle miles traveled were down 2.2% in June and 3.8% in July. July was negatively impacted by the July 4<sup>th</sup> holiday falling on a Wednesday this year which eliminated long weekend travel.

Commercial traffic continued to benefit from the strong economy and was 3.4% higher in June and 7.8% higher in July. In addition, June had one less weekday this year than last year while July had one more weekday this year than last year.

The decrease in passenger car traffic combined with the increase in *E-ZPass*<sup>®</sup> use more than offset the toll rate increase and as a result passenger car toll revenue decreased 0.6% in June and 1.6% in July.

The increase in commercial traffic combined with the toll rate increase caused commercial vehicle toll revenues to increase 5.8% in June and 10.8% in July.

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 \$6.5 million or 3.9% above the amount from last year.

That completes my report on traffic and revenue. Next, I have a resolution approving the selection of Brink's Incorporated to perform currency and coin courier service for a three (3) year term in the estimated amount of \$243,048.00 per year.

On June 19, 2018, the Commission issued a Request for Proposals for Currency and Coin Courier Services to ten firms and posted it on the Commission's website. In response two proposals were received.

The specifications for this service were reviewed and revised in an effort to reduce the Commission's costs of the armored car services. The liability limit was reduced to our expected maximum exposure during any given day, and the number of pickups per week were reduced for most plazas.

The RFP requested proposals and pricing for pickup and delivery services for thirteen toll plazas for five days per week, nine toll plazas for three days per week and for nine toll plazas 1 day per week.

An Evaluation Team conducted the technical review of the proposals, without being informed of the respective costs. As a result of this review, Brink's Incorporated, of Coppell, Texas, was judged to have the highest technical score by the Evaluation Team.

The Director of Contracts and Compliance separately evaluated the projected costs of each proposal. Of the two firms, Brink's had the lowest projected annual fees.

Brink's Incorporated has been the Commission's carrier for currency and coin pickup and delivery since 1999 and has satisfactorily performed the terms of each successive contract to-date.

The proposed fees for the initial term of the contract are expected to save the Commission more than \$130,000 per year, or a reduction of 30% from the current contract pricing.

Based on the foregoing, it is recommended that an agreement for Currency and Coin Courier Services be executed with Brink's Incorporated for a term of three years in the initial annual amount of \$243,048 with two, two-year renewal options.

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

**General Counsel:** Resolution Approving the Selection of Brink's Incorporated to Perform Currency and Coin Courier Services for Three Years in the Initial Estimated Amount of \$243,048.00 Per Year.

**Chairman:** Any questions or comments?

**Director Cole:** Mr. Chairman, if I could add prospective to what Marty just said. When we decided to reduce the number of stops and visits, putting in context that it is not a penny pinching measure. It is a recognition that we have developed this extensive *E-ZPass*<sup>®</sup> distribution network. We continue each year to exceed our projections for *E-ZPass*<sup>®</sup> penetration. In addition, it is a recognition that customers continue to want to pay with credit cards and not cash. So, the total volume of cash we have out there on the Turnpike continues to decrease every year, both because of the credit cards and *E-ZPass*<sup>®</sup> penetration. So, in one of our on-going efforts to analyze our operations the way we do our business this is one of those cases where it made no sense to continue doing business as usual just because that is the way we have always done it, so I applaud Sharon Isaac, Lisa Mejac, and Marty Seekely for their work in evaluating our operations and

making what is just a prudent business decision that yields significant savings to the Turnpike without any negative impact on our operations.

**Chairman:** I didn't see it in there Marty, maybe it is there, but who is our current contractor?

**CFO/Comptroller/DED:** Brink's Incorporated.

**Chairman:** Any problems, anything at all, any incidents with them?

**CFO/Comptroller/DED:** No, not really. They usually pick up on time every week. Occasionally, maybe once in a while, maybe once over the term of the contract they may have not picked up because of manpower shortage or because of the weather. They are very reliable.

**Chairman:** The point system that you are using, is that pretty well set for the awarding of points or is that pretty much up to the grader?

**CFO/Comptroller/DED:** It is pretty well set. I think they used a consensus scoring, so the Evaluation Team gets together and talk about each of the bidders and then they assign points based on the categories we are looking at.

**Chairman:** Any questions or comments? Mr. Peterson, any comment? I know your background in security.

**Mr. Peterson:** No, Brink's is a very good company. I have heard good things about them.

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

**MOTION:** A motion to adopt *Resolution Approving the Selection of Brink's Incorporated to Perform Currency and Coin Courier Services for Three Years in the Initial Estimated Amount of \$243,048.00 Per Year* was made by Mr. Pakush, seconded by Chairman Hruby, and approved by all Commission Members present. Resolution No. 49-2018.

**Chairman:** The resolution passes unanimously. Anything further, Marty?

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

**Chairman:** Any questions for Marty? Hearing none, we will move on to the report of our General Counsel, Jennifer Stueber.

**General Counsel:** Good morning, Mr. Chairman and Commission Members. I have two reports for you this morning. The first report is on the renewal of our property and casualty insurance policies. The second report is on our five-year rule review.

For the first report, Mr. Dan Buser from Crain Langner is here today to present on the recommended property and casualty insurance policies to be renewed for the 2018/2019 policy year.

**Dan Buser:** Good morning, Mr. Chairman and Commission Members. I am here to report on the property and casualty insurance policies and the renewal of them for the 2018/2019 year. These policies renew September 1, 2018, as they do every year.

We are in a second year of a three-year request for proposals process. That is consistent with how the Commission conducts its property and casualty insurance program. That is every three years, you go out and conduct an RFP. Market conditions remain stable. They are favorable to those entities or organizations, whether they are a public entity or private, who have sound loss control, risk management and loss history. We have seen on a macro basis in the United States and abroad, somewhat limited environmental losses, catastrophic losses of any size and shape which effect the global pricing of property and casualty insurance. We are a beneficiary of that in that sense. 2018 pricing for property and casualty insurance is largely stable. Property insurance, the insurance that covers the building in which we sit, the revenues that we receive from our tolls are largely flat. Those rates are largely flat. Again, we benefit from that and by way of our risk management and loss control for the buildings that we own and use. Our liability coverages, that's general liability, slip and fall, auto liability, and various others, there too, the rating on a macro basis is largely flat. Some entities are enjoying some slight decreases in those rating basis. Auto liability, the coverage which responds to auto accidents, liability borne out of those accidents, that segment or class of business, is indicating some modest increases in rates. We are not suffering from that type of rate increase. Executive risk, those are the coverages which include commercial crimes, directors and officers liability, public officials liability, and the like, are largely flat as well consistent with our experience both here at the Commission and elsewhere.

The policies terms and conditions, these insurance policies are thick. What are the insurance carriers' doing to us as buyers of these coverages? What are they giving to us? They are largely the same year over year. We are not experiencing at the Turnpike Commission or others a retraction or a material expansion of the coverage provided by the policies. That is nice to enjoy as well. What do we expect in the future? We can't entirely predict what to expect, but we know what will happen for the next year. We don't expect any reduction in the terms, conditions, and coverage. We don't expect material changes in the pricing, fixed or variable costs. We do expect the rates for auto liability insurance too; continue to creep upward. What are the driving factors that? They are: our vehicles are more expensive than they ever have been, repair costs are more expensive, and for those accidents that involve bodily injury, health care costs continue to rise. All insurance carriers are raising their rates.

The next slide depicts our program graph. This chart reflects the property and casualty coverages that the Commission purchases. This representation confirms for anyone that reads it that what we buy is consistent with what we do and with whom we do it.

It is a year-over-year summary of what our total premium costs are for the property and casualty insurance. The last column shows \$807,506.00 of insurance coverage. It also represents largely the seventh consecutive year in which the Commission has enjoyed largely flat rates for

the insurance coverage we buy. The vacillation that you see, the upward and downward movements in the blue tower, are consistent with changes in the amount of our rating basis. By that we mean, your revenue, vehicle, age of vehicle fleet, and your property values. The slight increase we are seeing of all the coverages that we buy are largely borne, that increases largely due to our increase in property values. We were up 5% in terms of the value of the buildings that we own.

**Director Cole:** Mr. Buser, that's a lot of bars on the last slide, to put it in numbers, we saved 16% last year from 2016. This year's increase is only about 1½ % in total.

**Dan Buser:** That is correct, Mr. Director. Two brokers provide the intermediary services for the placement of the property and casualty insurance for the Commission, Arthur J. Gallagher, a national brokerage and Jackson Dieken, a regional Ohio-based brokerage. Gallagher presents the proposals for and places the coverages on the Commission's behalf. The property including boiler and machinery, crime, pollution and cyber liability, bridges coverage for the eight highly valued bridges inside the system and our excess liability. Jackson Dieken provides coverage as an intermediary for general liability, abuse & molestation, employee benefits liability, employers liability, auto, public officials liability, employment practices liability and umbrella/excess liability. Those are the brokers who presented proposals for the 2017/2018 policy year superior to all others. They continue this year providing these proposals. We have every expectation that they will do the same for the 2019/2020 year – the third and final year of the RFP process.

The next slide lists out the coverages purchased, the broker, the insurance carrier, the AM Best Rating, and it confirms in the last column that each of these carriers submitted a proposal equal to or superior to that which they provided the prior year. Two remarks bear noting. The AM Best rating of the carriers for whom we buy our insurance is almost the highest you can receive from any insurance carrier-A++, AM Best is the Moody's or S&P-type of rating organization for property and casualty insurance carriers in the United States. The Commission has a long history of, if not requiring, requesting with extreme vehemence the purchase of property and casualty insurance from highly rated carriers. We absolutely support that decision. The fact that every carrier submitted a renewal proposal is a testament that the Commission continues to manage itself from a risk management perspective, the lens through which we look at the Commission in a sound and safe manner. What we do, our loss control, our loss prevention response when they do occur is sound and superior and the carriers understand that.

The next two slides review and show the actual renewal pricing by line of coverage. At the end of the day, our renewal total all-in premium, we call those fixed costs, are largely the same. The 1% increases is actually a decrease when you account for the fact that the property values inside the Commission, we enjoyed a *de facto* decrease in overall premium pricing and again, that is borne out of what we do and how well we do it.

The last slide is showing the \$807,000.00, that is consistent with the resolution to be presented to you. One of the policies, the pollution policy purchased from Ironshores, a two-year contract, the resolution, I believe asked for authority to prepay two years on that contract, a single year being \$14,886.00, that is the difference between \$807,506.00 and the resolution request.



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

**Chairman:** Any questions? Please read the title of the resolution.

**General Counsel:** Resolution Authorizing the Renewal of Insurance Policies for the Commission's Property and Casualty Insurance Program for the 2018/2019 Policy Year in the Aggregate Amount of \$822,392.00.

**Chairman:** Any questions or comments?

**MOTION:** A motion to adopt *Resolution Authorizing the Renewal of Insurance Policies for the Commission's Property and Casualty Insurance Program for the 2018/2019 Policy Year in the Aggregate Amount of \$822,392.00* was made by Mr. Paradiso, seconded by Mr. Peterson, and approved by all Commission Members present. Resolution No. 50-2018.

**Chairman:** The resolution passes unanimously. Thank you, Mr. Buser. We appreciate your good work. Please continue, Jennifer.

**General Counsel:** My second report today, Mr. Chairman, is on the pending rule reviews. If you recall, I reported to you at the April Commission Meeting on this topic and Ohio law requires the five-year rule review depending on when the rule was originally passed. We originally, in April, had twenty-two rules that I had recommended no change. I will report back to the Commission next month on those twenty-two rules. Of the five year rule review rules that were up in April, there was one rule that I had recommended to be modified and that was Ohio Administrative Code 5537-3-04 – Aircraft prohibited. With your authorization, we filed for that one rule change on April 30, 2018. On June 11, 2018, JCARR held a hearing on that rule. It is my understanding there were no comments and JCARR's jurisdiction ended on July 12, 2018. So, right now, I am recommending that that rule change be filed as "final." Also, there was no business impact analysis needed for the Governor's Common Sense Initiative. So, "OAC 5537-3-04 – Aircraft prohibited," we added the words "except as permitted by the commission." The Commission being the seven voting members, so that rule is ready to be filed in "final" form. In your packet you will find a resolution titled "Resolution Authorizing the Filing of the Final Ohio Administrative Rule for the Prohibition of Aircraft 5537-3-04."

**Chairman:** Any questions?

**Senator LaRose:** Maybe just because I formally chaired that Committee, this one caught my attention. So, the only change that you are recommending to this five-year rule review is something along the lines of "except as permitted by the commission?"

**General Counsel:** Correct.

**Senator LaRose:** Otherwise the rule is remaining intact as it has historically been?

**General Counsel:** Correct. Mr. Chairman and Commission Members, the only rule that we are talking about right now is the no aircraft prohibition rule. All of the other twenty-two rules that were up for the five-year rule review, we are still reviewing them. I hope to report back next month on those. OAC 5537-3-04 is the only one that is subject to this resolution. You are correct. We are only adding the words “except as permitted by the commission.”

**Senator LaRose:** Just briefly, what does that no aircraft do? Does it say that the Turnpike cannot be used as an aircraft facility?

**General Counsel:** The language is very general and broad. It has been on the books for a number of years and in my time here we have come in to a variety of situations where, typically emergency situations, where the aircraft does have to land on the Turnpike and the obvious one that comes to mind is when there is an incident and life flight is needed. So, there are circumstances where we call the aircraft out onto the Turnpike and that would be a circumstance where this language would absolutely be appropriate but it is also setting us up so that if there is any other future requests then it is up to you, the voting Members, to decide what happens with other aircraft that would be called to the Turnpike.

**Senator LaRose:** Would this include UAS-type systems that are used for inspections?

**Director Cole:** Mr. Chairman and Senator LaRose, I call this the “drone provision.”

**Senator LaRose:** Okay.

**Chairman:** That is what this is about?

**Director Cole:** Yes, that is what this is about, as well as life flight.

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

**MOTION:** A motion to adopt *Resolution Authorizing the Filing of the Final Ohio Administrative Rule for the Prohibition of Aircraft* was made by Mrs. Barber, seconded by Chairman Hruby, and approved by all Commission Members present. Resolution No. 51-2018.

**Chairman:** The resolution passes unanimously. Anything further, Jennifer?

**General Counsel:** No, Mr. Chairman that completes my report. Thank you.

**Chairman:** Thank you very much. You did a great job, as always. We will move on to the report of Staff Lieutenant Travis Hughes.

**Staff Lieutenant Hughes:** Good morning, Chairman and Commission Members. The first thing I want to share with you are a few details surrounding a fatal crash that occurred July 17, 2018, in Ottawa County. Initially, our Troopers responded to a single vehicle crash. Upon arrival, the driver was not located. After processing the scene, the responders which included the fire department, emergency medical workers and our folks, scoured the area but couldn't locate

the driver. Several hours later, we received a call of a gentleman laying in a ditch. Upon our arrival there, he was dead. While piecing everything together, obviously I am relaying this to you very quickly, but obviously over the course of the morning it took everything to fit all of the pieces together. So, what had occurred was this gentleman wrecked. He was, in fact, the driver of that one vehicle crash that we initially responded to. He fled the scene. Later, he went back up and was walking along the Turnpike and it turns out he was in the roadway and then was struck by an eastbound semi-tractor trailer. He was involved in a domestic incident earlier in the night in the City of Toledo. Again, there was a lot things at play with this. We are awaiting the toxicology report. Again, it was an odd series or chain of events that played out over the course of that morning.

Normally, I go chronologically but as I said earlier there is going to be quite a lead up to the last one because it is pretty significant. On June 29, 2018, one of our Troopers stopped a vehicle in Sandusky County for speeding. A probable cause search of that vehicle led to the discovery of 11½ pounds of marijuana gummies, 10 grams of medical marijuana, 5½ ounces of THC oil, 5 grams of hash and other miscellaneous drug paraphernalia. The approximate street value was just over \$30,000.00.

The next seizure where over 17 pounds of cocaine was seized in Trumbull County on June 26, 2018. I am not at liberty to share too many more details about this stop because it is part of an ongoing investigation in cooperation with the DEA. The street value for this seizure is just over \$280,000.00.

On July 31, 2018, our Troopers stopped a vehicle in Wood County for a traffic violation. A probable cause search revealed 75 kilos of cocaine in the vehicle. The equates to 165 pounds. The load originated in California and was destined for Quebec, Canada. The street value for this seizure was \$6.3 million. That is over \$6 million worth of cocaine that never made it to Canada and didn't hit the streets.

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

**Chairman:** That is really outstanding work. Congratulations. It is unfortunate what happened in that first situation. How far away was he from the actual scene?

**Staff Lieutenant Hughes:** I believe he was under a mile. We are talking .7 to .8 of a mile from the original crash scene.

**Mr. Peterson:** I am going to give an accolade. We always talk about how important your job is and how dangerous, I hope you share with the men and women in your department how much we appreciate them. The level of professionalism they have in today's world especially with amount of danger, just getting out of a car onto a highway with cars going 75 miles-per-hour just says a lot. So, please let them know from us we appreciate what they do and wish them all well and prayers.

**Staff Lieutenant Hughes:** Mr. Chairman and Commission Member Peterson, I certainly will and, as always, I do because I tell them they make this job of reporting very easy and

I thank them. Again, they do hard and dangerous work every day. I appreciate your kind comments as well.

**Chairman:** How much medical marijuana are you encountering since the legalization?

**Staff Lieutenant Hughes:** We are now in these new waters of medical marijuana and we just received some further direction last week about how to deal with it and those that are actually under a physician's care and have that actual medical card from outside states. It is not very often that we are encountering it, but again, in instances such as this one, the first seizure I noted, when you have the medical marijuana, the gummies, and all that stuff, often is the case that they don't have the doctor's note or are under the care of a physician. But as for the legitimate user or just medical marijuana in general, it hasn't been too noteworthy yet and I say yet.

**Chairman:** I think your yet is a big yet. I think that is to come. Thank you very much for everything that you do. We say it meeting after meeting and we mean it sincerely. We know what a good job you do and the safety aspect of it, but this enforcement is extraordinary. Congratulations.

**Mr. Coviello:** Quick question and I am not sure who to address it to, but is there a way to get GPS to match our reduced speed limits in the construction zones? When I am on my way here and the speed drops to 50 miles-per-hour, my GPS still tells me it is 70 miles-per-hour.

**Director Cole:** Mr. Chairman and Commission Member Coviello, I do not know of all the GPS services themselves, but we do coordinate all of our construction zones with *Waze*. So, if you use the Google Map-backed service called *Waze*, we do mark all of our construction zones, both temporary and permanent. As a certified community partner with that service and that application, we map out all of our construction zones and the posted speed limits with that app itself. I do not know about the rest of the GPS providers.

**Mr. Coviello:** I noticed it on my way up here this morning and thought I would ask.

**Chairman:** Any other questions or comments? Hearing none, the next meeting shall be held on Monday, September 17, 2018, at 10:00 a.m. right here. If there is no further business, I will accept a motion to adjourn.

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

Time of adjournment: 11:06 a.m.

**Attendees for Record Keeping Purposes:**

Michael Burgess, Prime AE; Maureen Shildwachter, Huntington; Ed Adamczyk, Arcadis; Todd Majidzadeh, Resource International; Jake Siesel, IUOE Local 18; Dan Buser, Crain Langner; Bill Crowley, AECOM; Richard Bloch, TranSystems; Bethany Pugh, PFM; Brian Regueiro, PFM; Anthony Yacobucci, Ohio Turnpike; Martin Seekely, Ohio Turnpike; Jennifer Stueber,

Ohio Turnpike; Matt Cole, Ohio Turnpike; Denise Criscuolo, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Mark Musson, Ohio Turnpike; Diana Anthony, Ohio Turnpike; David Miller, Ohio Turnpike; Chris Matta, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Brian Kelley, Ohio Turnpike; Joe Mannion, Ohio Turnpike; Sharon Isaac, Ohio Turnpike; Adam Greenslade; Donald Shantz, Ohio Turnpike; Joseph Disantis, Ohio Turnpike; and Brian Newbacher, Ohio Turnpike.

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

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Sandra K. Barber, Secretary-Treasurer

# **EXHIBITS**

1. Resolution No. 42-2018 – Resolution Honoring the Distinguished Service of Chris Merillat for His Heroic Actions on July 25, 2018;
2. Resolution No. 43-2018 – Resolution Honoring the Distinguished Service of Donald Shantz for His Heroic Actions on July 25, 2018;
3. Resolution No. 44-2018 – Resolution Approving a Modification to the Contract with Jobes Henderson & Associates, Inc. Under Project No. 71-17-05 for the Additional Not-to-Exceed Amount of \$59,433.00;
4. Resolution No. 45-2018 – Resolution Selecting Northwest Consultants, Inc. to Perform the Engineering and Construction Administration and Inspection Services Authorizing the Executive Director to Execute an Agreement to Obtain Design Services for a Fee Not-To-Exceed \$193,231.00 (Project No. 71-18-07);
5. Resolution No. 46-2018 – Resolution Selecting E.L. Robinson Engineering of Ohio Co. to Perform the Engineering and Construction Administration and Inspection Services and Authorizing the Executive Director to Execute an Agreement to Obtain Design Services for a Fee Not-To-Exceed \$238,488.00 (Project No. 71-18-06);
6. Resolution No. 47-2018 – Resolution Approving the Selection of Burton Scot Contractors, LLC to Repair the Pavement Under Project No. 59-18-04 for the Total Amount of \$265,306.13 and Approving the Assignment of TTL Associates, Inc. to Perform Professional Services on the Project;
7. Resolution No. 48-2018 – Resolution Approving the Selection of J.S. Bova Excavating LLC for Erosion Repair Under Project No. 69-18-02 for the Total Amount of \$278,453.22 and Approving the Assignment of ACA Engineering, Inc. to Perform Professional Services on the Project;
8. Resolution No. 49-2018 – Resolution Approving the Selection of Brink’s Incorporated to Perform Currency and Coin Courier Services for Three Years in the Initial Estimated Amount of \$243,074.00 Per Year;
9. Resolution No. 50-2018 – Resolution Authorizing the Renewal of Insurance Policies for the Commission’s Property and Casualty Insurance Program for the 2018/2019 Policy Year in the Aggregate Amount of \$822,392.00 (including Power Point Presentation by Dan Buser of Crain Langner); and

10. Resolution No. 51-2018 – Resolution Authorizing Filing of the Final Ohio Administrative Rule for the Prohibition of Aircraft.

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### Resolution Honoring the Distinguished Service of Chris Merillat for His Heroic Actions on July 25, 2018

WHEREAS, on December 4, 2000, Chris Merillat began his career with the Ohio Turnpike and Infrastructure Commission (“Commission”) as a roadway worker, and currently holds the position of Building Checkman for Division I Maintenance; and

WHEREAS, the Members of the Commission wish to acknowledge and publicly recognize the valiant and courageous actions taken by Mr. Merillat; and

WHEREAS, Mr. Merillat took immediate action in an emergency situation which occurred at the Indian Meadows Service Plaza on July 25, 2018; and

WHEREAS, Mr. Merillat’s fast, skilled and courageous actions on July 25, 2018 at Indian Meadows Service Plaza helped save the life of a patron who had just suffered a heart attack and was in full cardiac arrest; and

WHEREAS, the Members of the Commission commend Mr. Merillat’s extraordinary efforts when he retrieved the AED from inside of the Indian Meadows Service Plaza and assisted a patron whose emergency required immediate medical attention.

NOW, THEREFORE, BE IT

RESOLVED, that the Ohio Turnpike and Infrastructure Commission, by the adoption of this Resolution, hereby expresses its deep appreciation for the courageous actions by Mr. Chris Merillat who assisted with performing lifesaving efforts at the Indian Meadows Service Plaza on July 25, 2018; and

FURTHER RESOLVED, that Mr. Chris Merillat, while performing his duties as a Building Checkman, exhibited extraordinary bravery and courage in an effort to preserve a life; and

FURTHER RESOLVED, that 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 Secretary-Treasurer be, and hereby she is, directed to send a certified copy of this Resolution to Mr. Merillat.

**(Resolution No. 42-2018 adopted August 20, 2018)**



# OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

## Resolution Honoring the Distinguished Service of Donald Shantz for His Heroic Actions on July 25, 2018

WHEREAS, Donald Shantz began his employment with the Ohio Turnpike and Infrastructure Commission (“Commission”) as a roadway worker on April 17, 2006 and currently holds the position of Human Resources Generalist in the Commission’s Human Resources Department; and

WHEREAS, the Members of the Commission wish to acknowledge and publicly recognize the valiant and courageous actions taken by Donald Shantz; and

WHEREAS, Mr. Shantz took immediate action in an emergency situation which occurred at the Indian Meadows Service Plaza on July 25, 2018; and

WHEREAS, Mr. Shantz’s fast, skilled and courageous actions on July 25, 2018 at Indian Meadows Service Plaza helped save the life of a patron who had just suffered a heart attack and was in full cardiac arrest; and

WHEREAS, the Members of the Commission commend Mr. Shantz’s extraordinary efforts by administering CPR to a patron whose emergency required immediate medical attention.

NOW, THEREFORE, BE IT

RESOLVED, that the Ohio Turnpike and Infrastructure Commission, by the adoption of this Resolution, hereby expresses its deep appreciation for the courageous actions by Mr. Donald Shantz who assisted with performing lifesaving efforts at the Indian Meadows Service Plaza on July 25, 2018; and

FURTHER RESOLVED, that Mr. Donald Shantz, while performing his duties as a Human Resources Generalist, exhibited extraordinary bravery and courage in an effort to preserve a life; and

FURTHER RESOLVED, that 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 Secretary-Treasurer be, and hereby she is, directed to send a certified copy of this Resolution to Mr. Shantz.

**(Resolution No. 43-2018 adopted August 20, 2018)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Approving a Modification to the Contract with Jobes Henderson & Associates, Inc. Under Project No. 71-17-05 for the Additional Not-to-Exceed Amount of \$59,433.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected Jobes Henderson & Associates, Inc., of Bedford, Ohio (“Jobes Henderson”), through Resolution No. 15-2018, adopted February 26, 2018, to perform the professional engineering services necessary for the Deck Replacements and Widening of the Ohio Turnpike Bridges over Poland-Unity Road (County Route 175) at Milepost 237.8 and the Ohio Turnpike Bridges over Columbiana-New Castle Road (County Route 62) at Milepost 238.1 in Mahoning County (“Project No. 71-17-05”), and authorized the performance of Phase 1 – Site Inspection, Engineering Report, Design and Plan Preparation Services (“Phase 1 Services”) for the not-to-exceed amount of \$367,579.00; and

WHEREAS, the Chief Engineer determined that additional Phase 1 Services are necessary to add permanent third lane pavement adjacent to the deck replacement and widening of the bridges, which scope of services was not included in the original Phase 1 Services authorized under Resolution No. 15-2018; and

WHEREAS, Jobes Henderson has submitted an additional fee proposal dated July 30, 2018 in the not-to-exceed amount of \$59,433.00 to perform the additional Phase 1 Services, which amount the Chief Engineer has deemed to be reasonable and appropriate; and

WHEREAS, the Executive Director reviewed the recommendation submitted by the Chief Engineer and approved the recommendation to authorize Jobes Henderson to perform the additional Phase 1 Services under Project No. 71-17-05; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the proposal from Jobes Henderson & Associates, Inc., dated July 30, 2018, to perform the additional Phase 1 Services under Project No. 71-17-05 that are necessary to add permanent third lane pavement adjacent to the deck replacement and widening of the bridges spanning Poland-Unity Road (County Route 175) at Milepost 237.8 and Columbiana-New Castle Road (County Route 62) at Milepost 238.1 is approved, and the Executive Director is authorized to modify the Agreement with Jobes Henderson to perform such additional services for the additional not-to-exceed amount of \$59,433.00; and

FURTHER RESOLVED, that the Executive Director has the authority under Article V, Section 1.00 of the Commission’s Code of Bylaws to further amend the contract to perform additional Phase 1 and Phase 2 services necessary for Project 71-17-05 that does not exceed the greater of the Executive Director’s contracting authority or ten percent of the approved contract amount, and authorize such extra work or change orders under said contract as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of

original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the project or increase its costs.

**(Resolution No. 44-2018 adopted August 20, 2018)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Resolution Selecting E.L. Robinson Engineering of Ohio Co. to Perform the Engineering and Construction Administration and Inspection Services and Authorizing the Executive Director to Execute an Agreement to Obtain Design Services for a Fee Not-To-Exceed \$238,488.00 (Project No. 71-18-06)**

WHEREAS, on March 12, 2018, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice of its Request for Proposals (“RFP”) for Project No. 71-18-06 seeking Engineering and Construction Administration and Inspection Services relating to the Rehabilitation of Three Bridges at Tedrow-Morenci Road (County Road 17-3) over Ohio Turnpike at Milepost 31.4, Winnameg-Lyons Road (County Road 11) over the Ohio Turnpike at Milepost 38.3 and Heller-Lyons Road (Township Road 10) over the Ohio Turnpike at Milepost 39.3 in Fulton County (“Project No. 71-18-06”); and

WHEREAS, on March 26, 2018, Letters of Interest were received from twelve firms expressing their readiness to serve as the Commission’s Engineering Consultant for Project No. 71-18-06, three of which were deemed most qualified and invited to submit proposals in response to the RFP, which were due on May 16, 2018; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that E.L. Robinson Engineering of Ohio Co., of Cleveland, Ohio (“E.L. Robinson”), is the most qualified firm to perform the necessary services for Project No. 71-18-06, and conducted a Scope of Services meeting to confirm a mutual understanding of the Phase I Services for the Project consisting of Site Inspection, Engineering Report, Design and Plan Preparation Services (“Phase I Services”); and

WHEREAS, E.L. Robinson submitted its fee proposal dated August 6, 2018, to perform Phase I Services in the not-to-exceed amount of \$238,488.00 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 for Project No. 71-18-06 and fee proposal for Phase I Services; and

WHEREAS, the Director of Contracts Administration advises that the RFP process and the selection of E.L. Robinson conformed 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 that the recommended firm made a good faith effort to achieve the Business Inclusion Program participation goals; and

WHEREAS, the Executive Director has also reviewed the recommendation submitted by the Chief Engineer and the Director of Contracts Administration, and concurs that the Commission should approve the selection of E.L. Robinson to perform Phase I Services for Project No. 71-18-06; 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 E.L. Robinson Engineering of Ohio Co., of Cleveland, Ohio, is approved as the most qualified firm to perform the professional engineering design and construction administration and inspection services necessary for Project No. 71-18-06, and that the Executive Director is authorized to execute a Contract with E.L. Robinson Engineering of Ohio Co., on the basis of the Commission's Request for Proposals and E.L. Robinson's technical response and fee proposal for Phase I Services in the not-to-exceed amount of \$238,488.00; and

FURTHER RESOLVED, that the Executive Director has the authority under Article V, Section 1.00 of the Commission's Code of Bylaws to further amend the contract to perform additional Phase 1 and Phase 2 services necessary for Project 71-17-05 that does not exceed the greater of the Executive Director's contracting authority or ten percent of the approved contract amount, and authorize such extra work or change orders under said contract as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the project or increase its costs.

**(Resolution No. 45-2018 adopted August 20, 2018)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Selecting Northwest Consultants, Inc. to Perform the Engineering and Construction Administration and Inspection Services Authorizing the Executive Director to Execute an Agreement to Obtain Design Services for a Fee Not-To-Exceed \$193,231.00 (Project No. 71-18-07)**

WHEREAS, on March 12, 2018, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice of its Request for Proposals (“RFP”) for Project No. 71-18-07 seeking Engineering and Construction Administration and Inspection Services relating to the Rehabilitation of Three Bridges at Dischinger Road (County Road 70) Bridge over the Ohio Turnpike at Milepost 81.5, Ohio Turnpike Ramp Bridge over the Ohio Turnpike at Milepost 91.6 and Ohio Turnpike Ramp Bridge over State Route 53 at Milepost 92.0 (“Project No. 71-18-07”); and

WHEREAS, on March 26, 2018, Letters of Interest were received from twelve firms expressing their readiness to serve as the Commission’s Engineering Consultant for Project No. 71-18-07, four of which were deemed most qualified and invited to submit proposals in response to the RFP, which were due on May 16, 2018; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that Northwest Consultants, Inc., of Toledo, Ohio (“Northwest Consultants”), is the most qualified firm to perform the necessary services for Project No. 71-18-07, and conducted a Scope of Services meeting to confirm a mutual understanding of the Phase I Services for the Project consisting of Site Inspection, Engineering Report, Design and Plan Preparation Services (“Phase I Services”) when the parties determined that the scope of services are most beneficially applied to Fangboner Road Bridge at Milepost 81.5 over the Ohio Turnpike at Milepost 91.1 rather than Dischinger Road (County Road 70); and

WHEREAS, Northwest Consultants submitted its fee proposal dated August 3, 2018, to perform the Phase I Services in the not-to-exceed amount of \$193,231.00 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 for Project No. 71-18-07 and fee proposal for Phase I Services; and

WHEREAS, the Director of Contracts Administration advises that the RFP process and the selection of Northwest Consultants conformed 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 that the recommended firm made a good faith effort to achieve the Business Inclusion Program participation goals; and

WHEREAS, the Executive Director has also reviewed the recommendation submitted by the Chief Engineer and the Director of Contracts Administration, and concurs that the Commission should approve the selection of Northwest Consultants to perform Phase I Services for Project No. 71-18-07; 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 Northwest Consultants, Inc., of Toledo, Ohio, is approved as the most qualified firm to perform the professional engineering design and construction administration and inspection services necessary for Project No. 71-18-07, and that the Executive Director is authorized to execute a Contract with Northwest Consultants, Inc., on the basis of the Commission's Request for Proposals and Northwest Consultant's technical response and fee proposal for Phase I Services in the not-to-exceed amount of \$193,231.00; and

FURTHER RESOLVED, that the Executive Director has the authority under Article V, Section 1.00 of the Commission's Code of Bylaws to further amend the contract to perform additional Phase 1 and Phase 2 services necessary for Project 71-17-05 that does not exceed the greater of the Executive Director's contracting authority or ten percent of the approved contract amount, and authorize such extra work or change orders under said contract as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the project or increase its costs.

**(Resolution No. 46-2018 adopted August 20, 2018)**

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Approving the Selection of Burton Scot Contractors, LLC to Repair the Pavement Under Project No. 59-18-04 for the Total Amount of \$265,306.13 and Approving the Assignment of TTL Associates, Inc. to Perform Professional Services on the Project**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice in accordance with law advertising its invitation to bid upon a contract for Pavement Repairs between Milepost 80.50 and Milepost 86.15 in Ottawa and Sandusky Counties, Ohio, designated as Project No. 59-18-04 (the “Project”); and

WHEREAS, the Commission received four bids to perform the Contractor’s obligations on the Project, and the Chief Engineer and the Acting Deputy Chief Engineer reviewed and evaluated the bids received, and whose report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer and Acting Deputy Chief Engineer report that Burton Scot Contractors, LLC, of Newbury, Ohio (“Burton Scot”), submitted the lowest responsive and responsible bid to perform the Contractor’s obligations on the Project for the total amount of \$265,306.13, which they recommend the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration advises that bids for Project No. 59-18-04 were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of Burton Scot for Project No. 59-18-04 conforms to the requirements of Ohio Revised Code Sections 5537.07 and 9.312, and Burton Scot submitted a performance bond with good and sufficient surety and made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project; and

WHEREAS, the Commission’s Executive Director has reviewed the reports of the Chief Engineer, Acting Deputy Chief Engineer and the Director of Contracts Administration and concurs that the Commission should approve the award of Project No. 59-18-04 to Burton Scot as the lowest responsive and responsible bidder; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the amount of the bids received will require expenditures under Project No. 59-18-04 that will exceed \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of Burton Scot Contractors, LLC for Project No. 59-18-04 in the total amount of \$265,306.13 is approved as the lowest responsive and responsible bid received, and the Executive Director is authorized to execute a contract on the basis of said bid; and



FURTHER RESOLVED that the Commission approves the Executive Director and the Chief Engineer assigning TTL Associates, Inc., of Toledo, Ohio, to perform the necessary construction inspection, administration and material testing services in accordance with its Miscellaneous Engineering Services Agreement; and

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under said contracts as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

**(Resolution No. 47-2018 adopted August 20, 2018)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Approving the Selection of J.S. Bova Excavating LLC for Erosion Repair Under Project No. 69-18-02 for the Total Amount of \$278,453.22 and Approving the Assignment of ACA Engineering, Inc. to Perform Professional Services on the Project**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice in accordance with law advertising its invitation to bid upon a contract for Erosion Control at Milepost 228.5 in Mahoning County, Ohio, designated as Project No. 69-18-02 (the “Project”); and

WHEREAS, the Commission received three bids to perform the Contractor’s obligations on the Project, and the Chief Engineer and the Deputy Chief Engineer reviewed and evaluated the bids received, and whose report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer report J.S. Bova Excavating LLC, of Struthers, Ohio (“J.S. Bova”), submitted the lowest responsive and responsible bid to perform the Contractor’s obligations on the Project for the total amount of \$278,453.22, which they recommend the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration advises that bids for Project No. 69-18-02 were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of J.S. Bova for Project No. 69-18-02 conforms to the requirements of Ohio Revised Code Sections 5537.07 and 9.312, and J.S. Bova submitted a performance bond with good and sufficient surety and made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project; and

WHEREAS, the Commission’s Executive Director has reviewed the reports of the Chief Engineer, Deputy Chief Engineer and the Director of Contracts Administration and concurs that the Commission should approve the award of Project No. 69-18-02 to J.S. Bova as the lowest responsive and responsible bidder; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the amount of the bids received will require expenditures under Project No. 69-18-02 that will exceed \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of J.S. Bova Excavating LLC for Project No. 69-18-02 in the total amount of \$278,453.22 is approved as the lowest responsive and responsible bid received, and the Executive Director is authorized to execute a contract on the basis of said bid; and

FURTHER RESOLVED that the Commission approves the Executive Director and the Chief Engineer assigning ACA Engineering, Inc., of Boardman, Ohio, to perform the necessary construction inspection, administration and material testing services in accordance with its Miscellaneous Engineering Services Agreement; and

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under said contracts as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

**(Resolution No. 48-2018 adopted August 20, 2018)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Approving the Selection of Brink’s Incorporated to Perform Currency and Coin Courier Services for Three Years in the Initial Estimated Amount of \$243,048.00 Per Year**

WHEREAS, the Commission issued its Request for Proposals (“RFP”) for Currency and Coin Courier Services at its thirty-one toll plaza locations on June 19, 2018 for a three-year Contract term commencing October 1, 2018, with two possible two-year renewal periods; and

WHEREAS, the Commission received two Proposals on July 20, 2018 to perform the Currency and Coin Courier Services from Brink’s, Incorporated, of Coppell, Texas, and Garda CL Great Lakes, Inc., of Boca Raton, Florida; and

WHEREAS, an Evaluation Team reviewed the Proposals submitted and awarded Technical Scores before the Price Proposals submitted were unsealed and scored; and

WHEREAS, as a result of this process, the Evaluation Team has recommended that the Contract be awarded to Brink’s, Incorporated, which submitted the following Price Proposal:

<u>Term</u>	<u>Term Year 1</u>	<u>Term Year 2</u>	<u>Term Year 3</u>	<u>Term Total</u>
<b>Initial Term</b>	\$243,048.00	\$243,048.00	\$243,048.00	\$729,144.00
<b>First Renewal</b>	\$247,988.00	\$247,988.00	NA	\$495,976.00
<b>Second Renewal</b>	\$252,902.00	\$252,902.00	NA	\$505,804.00

WHEREAS, the Executive Director has reviewed the Evaluation Team’s analysis and concurs with the recommendation to approve awarding the Contract for Currency and Coin Courier Services to Brink’s, Incorporated; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the Proposal of Brink’s, Incorporated to perform Currency and Coin Courier Services for a period of three years in the initial annual amount of \$243,048.00 is selected as the best Proposal received in response to the Commission’s Request for Proposals, and the Executive Director is authorized to execute a contract on the basis of said bid;

FURTHER RESOLVED that the Executive Director may exercise the Commission’s options to renew the contract with Brink’s, Incorporated for two additional renewal terms in the estimated amounts of \$247,988.00 per year during the first renewal term and \$252,902.00 per year during the second renewal term and otherwise take any actions necessary to execute the terms of the Contract.

**(Resolution No. 49-2018 adopted August 20, 2018)**

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Authorizing the Renewal of Insurance Policies for the Commission's Property and Casualty Insurance Program for the 2018/2019 Policy Year in the Aggregate Amount of \$822,392.00**

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 2018/2019 policy year as described below whereby the Commission will continue to maintain coverage for Commercial General Liability, Automobile Liability, Public Officials Errors & Omissions, 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 1.5% increase in premium as compared to the cost paid for the same insurance coverage during the 2017/2018 policy year; and

WHEREAS, the General Counsel and the Risk Management Coordinator have recommended that the Commission accept the proposals received for the purchase of said insurance policies 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 Errors and Omissions, Employment Practices Liability, Employers Liability, Employee Benefits Liability, and Umbrella Liability Insurance coverage proposed by Jackson, Dieken & Associates on behalf of the U.S. Specialty Insurance Company for an annual premium of \$297,515.00 beginning on September 1, 2018;
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 \$183,530.00 beginning on September 1, 2018;
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 \$142,000.00 beginning on September 1, 2018;

4. Broad Form Money and Securities/Crime Insurance proposed by Arthur J. Gallagher Risk Management Services, Inc. on behalf of Travelers Casualty & Surety of America for an annual premium of \$36,300.00 Beginning on September 1, 2018;
5. Excess Liability Insurance Coverage, including terrorism coverage, proposed by Arthur J. Gallagher Risk Management Services, Inc. on behalf of The North River Insurance Company and Great American Insurance Company for a total annual premium of \$103,340.00 beginning on September 1, 2018;
6. Pollution Liability Insurance, including terrorism coverage, proposed by Arthur J. Gallagher Risk Management Services, Inc. on behalf of Ironshore Specialty Insurance Company, under a two-year premium of \$29,772.00 beginning September 1, 2018; and
7. Cyber Liability Insurance, including terrorism coverage, proposed by Arthur J. Gallagher Risk Management Services, Inc. on behalf of Ironshore Specialty Insurance Company, for an annual premium of \$29,935.00 beginning September 1, 2018.

WHEREAS, the Executive Director has reviewed the recommendations submitted by the General Counsel and the Risk Management Coordinator 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, General Counsel and Risk Management Coordinator; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director and the General Counsel, each alone or together, to purchase the above-specified insurance policies for the aggregate premium amount of \$822,392.00 from the following brokers:

- 1) Jackson, Dieken & Associates., for Public Entity General and Automobile Liability Insurance, Public Officials/Employment Practices Insurance, first layer of Umbrella/Excess Liability Insurance; and
- 2) Arthur J. Gallagher Risk Management Services, Inc., for second and third layers of Umbrella/Excess Liability Insurance, Bridge and Use & Occupancy Insurance, Multi-Peril Property Insurance, Pollution Liability Insurance, Broad Form Money and Securities/Crime Insurance and Cyber Liability Insurance.

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director or the General Counsel, 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 General Counsel 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. 50-2018 adopted August 20, 2018)**

**POWERPOINT PRESENTATION BY DAN BUSER OF CRAIN LANGNER:**

The slide features a yellow L-shaped graphic on the left side. The main title is "Ohio Turnpike & Infrastructure Commission" in a dark red serif font. Below this is a thick blue horizontal bar. The subtitle "Risk Management & Insurance Issues Update" is centered in a dark red serif font. Below the subtitle is "Commission Meeting" in a dark red serif font. The date "August 20, 2018" is centered in a dark red serif font. In the bottom left corner, "Crain, Langner & Co." is written in a dark red serif font. In the bottom right corner is the official seal of the Ohio Turnpike and Infrastructure Commission, which is circular and green, containing the text "OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION" and "1949".

Ohio Turnpike &  
Infrastructure Commission

Risk Management  
&  
Insurance Issues  
Update

Commission Meeting

August 20, 2018

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## Current Property & Casualty Marketplace

- Market Conditions – Overall continues to show signs of a stable, somewhat soft market
  - Few recent catastrophic losses
  - Abundant capital supply
- Overall Stable Pricing in 2018
  - Property – Largely flat or moderate increases; some larger increases for accounts with losses on properties in high hazard locations
  - General Liability and Umbrella – Flat to slight decreases (favorable loss histories)
  - Auto Liability – Slight to moderate increases
  - Executive Risk – Flat to slight increases

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## Current Property & Casualty Marketplace – cont'd.

- Policy Terms
  - Remain the same or have improved in select areas
- Future Market Conditions
  - Do not expect carriers to reduce coverage terms/conditions
  - Certain market segments are more volatile than others
  - Auto Liability rates may continue to rise

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# Property and Casualty Renewal Information

Policy Period – Sept. 1, 2018 to Sept. 1, 2019

- Proposals Received

**Arthur J. Gallagher**

- Travelers Property, including Boiler & Machinery, and Crime
- Ironshore Pollution and Cyber Liability
- CNA Bridges, Use & Occupancy
- North River and Great American Excess Liability

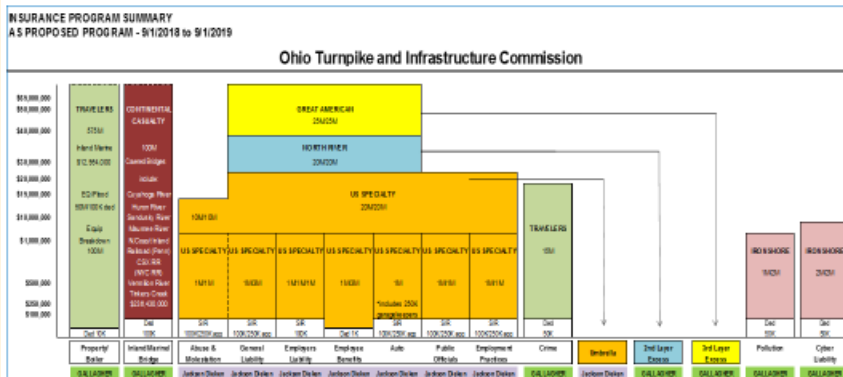
**Jackson Dieken & Associates**

- U.S. Specialty/Tokio Marine General Liability, including Abuse & Molestation, Employee Benefits Liability, Employers Liability, Auto, Public Officials Liability, Employment Practices Liability and Umbrella/Excess Liability

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## Insurance Program Graph



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## Year over Year Premium Summary



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## 2018 Renewal

Coverage	Broker	Insurer	AM Best Rating	Renewal Proposal Received
General Liability	Jackson Dieken	U.S. Specialty	A++ (Superior) XV	Yes
Employee Benefits Liability	Jackson Dieken	U.S. Specialty	A++ (Superior) XV	
Employers Liability	Jackson Dieken	U.S. Specialty	A++ (Superior) XV	
Auto	Jackson Dieken	U.S. Specialty	A++ (Superior) XV	Yes
Public Officials Liability and EPLI	Jackson Dieken	U.S. Specialty	A++ (Superior) XV	Yes
Employee Dishonesty and Crime	Gallagher	Travelers	A++ (Superior) XV	Yes
Umbrella Liability – 1 <sup>st</sup> Layer – 20M	Jackson Dieken	U.S. Specialty	A++ (Superior) XV	Yes
Umbrella Liability – 2 <sup>nd</sup> Layer – 20M	Gallagher	North River	A (Excellent) XIII	Yes
Umbrella Liability – 3 <sup>rd</sup> Layer – 25M	Gallagher	Great American	A+ (Superior) XIV	Yes
Bridge Use and Occupancy	Gallagher	C.N.A.	A (Excellent) XV	Yes
Property, Boiler Machinery	Gallagher	Travelers	A++ (Superior) XV	Yes
Site Pollution Liability (2yr policy)	Gallagher	Ironshore	A (Excellent) XV	Yes
Cyber Liability Breach Response	Gallagher	Ironshore	A (Excellent) XV	Yes

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## 2018 Renewal – Detail

Coverage	Expiring	Renewal	\$ Change	%Change
General Liability	\$132,322	\$132,550		
Employee Benefits Liability	included	included		
Employers Liability	included	included		
Auto	\$ 48,234	\$ 45,521		
<b>TOTAL GL &amp; AUTO</b>	<b>\$180,556</b>	<b>\$178,071</b>	<b>\$(2,485)</b>	<b>(1.38%)</b>
Public Officials Liability and EPLI	\$ 37,884	\$ 37,878		
Employee Dishonesty and Crime	\$ 36,300	\$ 36,300		
<b>TOTAL EXEC RISK &amp; CRIME</b>	<b>\$ 74,184</b>	<b>\$ 74,178</b>	<b>\$(6)</b>	<b>&lt; (1%)</b>
Umbrella – 1 <sup>st</sup> Layer – 20M	\$ 51,461	\$ 51,400		
Umbrella – 2 <sup>nd</sup> Layer – 20M	\$ 65,780	\$ 65,840		
Umbrella – 3 <sup>rd</sup> Layer – 25M	\$ 37,500	\$ 37,500		
<b>TOTAL UMBRELLA</b>	<b>\$154,741</b>	<b>\$154,740</b>	<b>\$(1)</b>	<b>&lt; (1%)</b>

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## 2018 Renewal – Detail cont'd.

Coverage	Expiring	Renewal	\$ Change	%Change
Property, Boiler Machinery	\$171,278	\$183,530		
Bridge Use and Occupancy	\$142,000	\$142,000		
<b>TOTAL PROPERTY</b>	<b>\$313,278</b>	<b>\$325,530</b>	<b>\$ 12,252</b>	<b>3.91%</b>
Site Pollution Liability*	\$ 14,125*	\$ 14,886*		
Cyber Liability Breach Response	\$ 28,796	\$ 29,935		
<b>TOTAL OTHER LIABILITY</b>	<b>\$ 42,921</b>	<b>\$ 44,821</b>	<b>\$ 1,900</b>	<b>4.43%</b>

\*Annual amount shown for comparison purposes, two year policy, premium prepaid (2016-2018)  
2018-2020 total premium is \$29,772

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## Premium Totals Year over Year

<u>Policy Year</u>	<u>Total Premium</u>	<u>\$ Change</u>	<u>% Change</u>
● 2014 - 2015	\$ 941,020	\$ ( 6,088)	(<1%)
● 2015 - 2016	\$ 958,829	\$ 17,809	2%
● 2016 - 2017	\$ 943,493	\$ 15,336	(1.5%)
● 2017 - 2018	\$ 795,680	\$(147,813)	(15.7%)
● 2018 - 2019	\$ 807,506	\$ 11,826	1%

Exposures slightly higher in 2018

- Property TIV up 5%
- Bridges TIV up 4%

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## Questions & Answers

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# **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

## **Resolution Authorizing Filing of the Final Ohio Administrative Rule for the Prohibition of Aircraft**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) has previously adopted administrative rules for the control and regulation of traffic, operation of vehicles, the collection of tolls and for the protection and preservation of property under its jurisdiction in accordance with the authority granted to it under Section 5537.16 of the Ohio Revised Code, as promulgated in the provisions of Sections 5537-1-01 through 5537-10-01 of the Ohio Administrative Code; and

WHEREAS, the General Counsel further advised the Commission that, as a result of the periodic administrative rule review required every five years pursuant to the requirements set forth in Section 111.15 of the Ohio Revised Code, one rule was identified as requiring a minor revision; and

WHEREAS, the Commission adopted Resolution No. 30-2018 authorizing the Executive Director and General Counsel to initiate the process of submitting proposed amendment to Section 5537-3-04 of the Ohio Administrative Code in order to comply with the statutory rule-making requirements imposed by the Joint Committee on Agency Rule Review (“JCARR”), all in accordance with Sections 111.15 of the Ohio Revised Code; and

WHEREAS, in submitting the rules to JCARR, it was determined that the proposed amendment for 5537-3-04 required the review of the Common Sense Initiative (“CSI”) in accordance with Ohio Revised Code Section 107.54, to ensure that there was an opportunity for comment by any stakeholder groups that might experience an “adverse business impact” as a result of the existing or new rule; and

WHEREAS, once the CSI signed off, the proposed amendment to 5537-3-04 of the Ohio Administrative Code was filed in proposed form with JCARR in accordance with Section 111.15 of the Ohio Revised Code, which has now heard the rule and approved the amended administrative rule; and

WHEREAS, on June 11, 2018, a hearing was held before JCARR and no questions were presented to the Commission pertaining to its amendment to OAC 5537-3-04; and

WHEREAS, JCARR’s jurisdiction on its rule review of OAC 5537-3-04 ended July 12, 2018.

WHEREAS, having performed all of the statutory requirements, it is now time for the Commission to file 5537-3-04 in final form with JCARR, the Legislative Service Commission and the Secretary of State, and the Commission concurs that these actions should be taken.

**NOW, THEREFORE, BE IT**

RESOLVED, that the Commission hereby authorizes the Executive Director and General Counsel to submit Ohio Administrative Code 5537-3-04 in final form to JCARR, the Legislative Service Commission and the Secretary of State in accordance with Section 111.15 of the Ohio Revised Code.

**(Resolution No. 51-2018 adopted August 20, 2018)**