

**MINUTES OF THE 665th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
SEPTEMBER 16, 2019**

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

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

Today, we have James Kennedy, who is here representing the Office of Budget and Management. Sitting next to him is our Deputy Chief Engineer, Chris Matta, who is filling in for Mr. Yacobucci. Lisa Mejac is sitting in for our acting Director, Deputy Executive Director/CFO/Comptroller, Marty Seekely, who is sitting in for the Executive Director, who is out of town.

Senator McColley and Mrs. Vickie Eaton Johnson will not be at today's meeting.

Will the Deputy Executive Director, Marty Seekely, please call the roll?

Deputy Executive Director, Marty Seekely: Chairman Hruby

Chairman, Jerry Hruby: Here

Deputy Executive Director: Vice Chairman Paradiso

Vice Chairman, Timothy Paradiso: Here

Deputy Executive Director: Secretary-Treasurer Peterson

Secretary-Treasurer, Michael Peterson: Here

Deputy Executive Director: Ms. Barber

Commissioner, Sandra Barber: Here

Deputy Executive Director: Mr. Coviello

Commissioner, Guy Coviello: Here

Deputy Executive Director: Mr. Pakush

Commissioner, ODOT Proxy, Myron Pakush: Here

Deputy Executive Director: Mr. Kennedy

Office of Budget and Management, James Kennedy: Here

Deputy Executive Director: Representative Greenspan

Representative Dave Greenspan: Here

Chairman: We have a quorum. This is the 665th Meeting of the Ohio Turnpike and Infrastructure Commission. We are meeting here at the Commission's headquarters, as provided for in the Commission's Code of Bylaws for a Commission Meeting.

Various reports will be received, and we will act on a few 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 August 19, 2019, Commission Meeting? Any questions, comments, or additions? Hearing none, please call the roll.

MOTION: A motion to adopt the Minutes of August 19, 2019, Commission Meeting was made by Mr. Coviello and seconded by Mr. Peterson. All Commission Members present voted to approve the Minutes, with the exception of Mr. Paradiso who abstained.

Chairman: The minutes are adopted. We will move on to the report of the Secretary-Treasurer, Mr. Peterson.

Secretary-Treasurer: The following items have been provided to the Members since the last scheduled meeting of the Commission on August 19, 2019:

1. Three Resolutions;
2. Draft Minutes of the August 19, 2019, 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 and Revenue Report, August 2019;
2. Total Revenue by Month and Year, August 2019;
3. Investment Report, August 2019;
4. Financial Statement, August 2019; and
5. Traffic Crash Summary Report, August 2019.

That concludes my report, Mr. Chairman.

Chairman: Thank you, Mr. Peterson. Any questions or comments? Hearing none, we will move on to the report of the Deputy Executive Director/CFO/Comptroller, Marty Seekely.

Deputy Executive Director/CFO/Comptroller, Marty Seekely: Thank you, Mr. Chairman. I would like to report on a few things that have occurred in the last month.

Let's begin with giving to a worthy cause. In the past, we have bought uniforms for maintenance employees and had them cleaned under a separate contract. We now contract with Cintas, who provides uniforms as part of their service, which is more cost effective and efficient for us. As a result, we were able to donate our excess uniform inventory to The City Mission. Hopefully, these uniforms will help those in need who are in unfortunate circumstances.

Our service plazas have been busy making improvements and rolling out new options for our customers. Auntie Anne's Pretzels, Oath Pizza and 7-Eleven are being added at a number of locations and Starbucks and Sbarro's are receiving improvements to their facilities and equipment.

Additionally, all service plazas received an installation of new, upgraded PNC Bank ATMs. These ATMs are provided for our customers who use them to get cash to spend at our service plazas or to pay their tolls. They are also a source of revenue for the Commission as we receive about \$350,000.00 per year from PNC Bank, as our share of the transaction fees generated by these machines.

Lastly, commercial fuel consumption at our service plazas has been rising since 2016. Over the last few years, we began selling dispensed diesel exhaust fluid that is required to be used by all trucks that have 2009 or newer engines and we have added electronic roadside signs that display the price of fuel sold at the service plazas. As a result of these initiatives, you can see that the average gallons of diesel fuel sold per commercial vehicle traveling on the Turnpike, has almost doubled from 1.37 gallons in 2015 to 2.58 gallons in 2019.

That completes my report, Mr. Chairman

Chairman: Thank you, Marty, for the update. Obviously, we are continuing to upgrade the experience for our customers. I appreciate that very much. We will move on next to the report of our Deputy Chief Engineer, Chris Matta.

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

The first resolution for your consideration seeks the Commission's authorization to award Project No. 71-19-03 for Engineering Services relating to the deck replacements of the Interchange 151 Eastbound deceleration ramp bridge over French Creek at Milepost 151.3, the Interchange 152 ramp bridge over Lorain Road at Milepost 152.3, and the Jennings Road Bridge over the Ohio Turnpike at Milepost 153.9 in Lorain and Cuyahoga Counties. On February 26, 2019, Procurement received twenty (20) Letters of Interest for Project No. 71-19-03, from which four (4) firms were deemed most qualified and invited to submit technical proposals. Engineering staff reviewed the technical proposals and concluded that LJB, Inc. ("LJB"), of Fairview Park, Ohio, was most

qualified to perform the services. Fee negotiations commenced between LJB and our engineering staff, and on September 3, 2019, a final fee proposal was submitted in the amount of \$193,216.00 for Phase I services. The services for Phase I include the Site Inspection, Engineering Report, Design and Plan Preparation for the bridge deck replacement of these structures. Therefore, we are requesting Commission authorization for the award of Project No. 71-19-03 to LJB, Inc., of Fairview Park, Ohio, for Phase I of this Project in the amount of \$193,216.00. With your permission, may the General Counsel please read the title of the Resolution.

Chairman: Chris, when will that be done?

Deputy Chief Engineer: In 2021.

Chairman: In 2021, is when the work will be done. Any further questions? Hearing none, please call the roll.

MOTION: A motion to *Resolution Authorizing an Agreement with LJB Inc. for a Fee Not-To-Exceed \$193,216.00 (Project No. 71-19-03, Phase I)* was made by Mr. Pakush, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 43-2019.

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

Deputy Chief Engineer: The next resolution for your consideration seeks the Commission's authorization to award Project No. 71-19-04 for Engineering Services relating to the deck replacements of the East Edgerton Road Bridge over the Ohio Turnpike at Milepost 169.6 and the Brecksville Road (State Route 21) Bridge over the Ohio Turnpike at Milepost 172.9 in Cuyahoga and Summit Counties. On February 26, 2019, Procurement received twenty (20) Letters of Interest for Project No. 71-19-04, from which four (4) firms were deemed most qualified and invited to submit technical proposals. Engineering staff reviewed the technical proposals and concluded that TranSystems, Inc. ("TranSystems"), of Cleveland, Ohio, was the most qualified to perform the services. Fee negotiations commenced between TranSystems and our Engineering staff, and on September 3, 2019, a final fee proposal was submitted in the amount of \$198,169.00 for complete Phase I services for the East Edgerton Road Bridge and Phase IA services for the Brecksville Road Bridge. The services for Phase I include the Site Inspection, Engineering Report, Design and Plan Preparation for the bridge deck replacement of these structures. Therefore, we are requesting Commission authorization for the award of Project No. 71-19-04 to TranSystems, Inc., of Cleveland, Ohio, for Phase I of this Project in the amount of \$198,169.00. With your permission, may the General Counsel please read the title of the Resolution.

General Counsel: Resolution Authorizing an Agreement with TranSystems, Inc. for a Fee Not-To-Exceed \$198,169.00 (Project No. 71-19-04, Phase I).

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

MOTION: A motion to *Resolution Authorizing an Agreement with TranSystems, Inc. for a Fee Not-To-Exceed \$198,169.00 (Project No. 71-19-04, Phase I)* was made by Mr. Peterson, seconded by Mrs. Barber, and approved by all Commission Members present. Resolution No. 44-2019.

Chairman: Same thing, Chris? The project is scheduled to be complete in 2021?

Deputy Chief Engineer: Yes, Mr. Chairman.

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

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

Chairman: Thank you. We will move on to the report of the Assistant Comptroller, Lisa Mejac.

Assistant Comptroller: Thank you, Mr. Chairman. I have a brief update on our traffic and revenue.

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 1.6% from August of last year.

Commercial traffic was 2.7% lower in August as the economy continues to moderate from its strong growth over the last few years. In addition, August had one less weekday this year than last year.

The decrease in passenger car traffic combined with an increase in *E-ZPass*[®] use partially offset the toll rate increase and as a result passenger car toll revenue increased 0.9% August.

The change in commercial traffic combined with the toll rate increase caused commercial vehicle toll revenues to decrease 0.5% in August.

This chart shows year-to-date toll revenues through the month of August during each year over the past decade. Year-to-date total toll revenues were \$984,000.00 or 0.5% above the amount from last year.

That completes my report, Mr. Chairman.

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

Staff Lieutenant Haymaker: Good morning, Mr. Chairman and Commission Members. Today, I want to highlight some of the officer safety concerns and some of the officer safety situations our Troopers get into on a daily basis on the Turnpike.

On August 15, 2019, Trooper Beyer attempted to stop a car for moving and vehicle defect violations. The vehicle fled and a pursuit ensued beginning at Milepost 122 heading Eastbound. The vehicle reached speeds of about 120 miles-per-hour. The pursuit lasted approximately forty miles before the suspect stopped and was taken into custody. The vehicle came to a stop in the left berm at Milepost 162.5. During the pursuit three of the occupants, a male driver, female

passenger and a fifteen year old male, ingested drugs. As the Troopers started getting the suspects out of the vehicle, they noticed the suspects were not acting appropriately. They were kind of confused, out of it, and through their experience, they determined that the suspects had ingested narcotics. Come to find out the driver had ingested about an ounce of meth and heroin. He started to lose consciousness. Our Troopers administered three doses of Narcan. Fire and EMS showed up on scene and they ended up giving another four doses of Narcan. The male passenger was actually a life threatening situation. They didn't know if he would make it. He was transported and come to find out he did make it. The male suspect was released from the hospital. He has a nationwide warrant out of Montana for forgery. The female suspect had a nationwide warrant out of Montana for escape. Right now, he is sitting at the Erie County jail. The juvenile was released to Child Protective Services. Various narcotics, drug abuse instruments and paraphernalia were located in the vehicle.

The next situation I want to talk about is an incident that happened on August 20, 2019. This was Trooper that was one year out of the academy. He had gotten called to a bicycle driving on the Turnpike. The Trooper made contact with the person that was riding this bicycle. Trooper Beyer did taser the suspect. It stopped him for a few seconds. He got released from the taser and ran across the Turnpike near a maintenance building. They lost sight of him. About an hour later, he was located riding another bicycle that he had stolen. After a short foot pursuit, they took him into custody. He also had warrants and was under the influence of drugs.

Those were just two really sticky situations our Troopers were involved in during the month of August. Trooper Beyer has one year on the Patrol. Actually, if you noticed when he was wrestling on the guardrail, his exterior vest was being pulled over his neck, in essence choking him out. After the incident, they had put out a statewide to all Patrol members to basically be cautious of that. That was the first time we have seen something like that, where that external vest was actually a detriment to us and could be used to choke a Trooper.

The next stop occurred on August 17, 2019, when Trooper Beyer had stopped a 2019 Nissan Altima for a speed violation. It was a rental vehicle out of Florida. When Trooper Beyer walked up to the vehicle, he noticed the odor of marijuana and criminal indicators were also present. During a search, he located eight pounds of vacuum sealed marijuana located in the spare tire compartment of the vehicle. The suspect refused to cooperate and will be charged.

That completes my report.

Chairman: Any questions for the Staff Lieutenant?

Mr. Peterson: I just have to say this, you just showed two videos and it really speaks to all the things you hear about law enforcement. Your level of commitment, your team's level of commitment is exceptional. In the first situation, here is a bad guy who put a lot of lives in danger going 120-miles-per-hour, but in the end those Troopers show compassion and concern trying to save his life. The second one is just how easy it is, even with a small stop with a guy on a bicycle, that it can turn bad. Your Trooper was very controlled. Please tell those men and women, thank you from all of us for what they do and how they go about doing it because it is not easy and the mindset they have is unbelievable.

Chairman: I echo Mr. Peterson's comments. We appreciate all that you do day-by-day. It takes a lot of training, a lot of preparation to deal with situations like this. We recently opened up our new police station. We have a training room in the basement which is filled with red man suits and all the stuff that we use to train in hand-to-hand combat. People don't understand and they have a lot of questions about why that is necessary. It is like that situation; you never know what that person is going to do that you encounter. You don't know if they have a gun, a knife, or what they are going to do. We commend you for what you do. It's a job that no one else would do, but the people of your caliber. Thank you so much.

Staff Lieutenant Haymaker: Thank you, Mr. Chairman. I appreciate the kind words. Looking at the Trooper's video when he did get punched, I am not sure if there are some Troopers that could have handled that punch. Luckily, he was able to handle it and fight through it.

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

MOTION: A motion to adjourn into Executive Session was made by Chairman Hruby, seconded by Mr. Peterson, and approved by all Commission Members present.

Chairman: I want you to know that we will be back out in a little bit once we finish our discussions. We may act on a resolution. We are in Executive Session.

Time: 10:22 a.m.

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

MOTION: A motion to conclude the Executive Session was made by Chairman Hruby, seconded by Mr. Paradiso, and approved by all Commission Members present.

Time of adjournment of Executive Session: 10:55 a.m.

Chairman: We are adjourned from Executive Session and will continue with our open meeting. General Counsel, Jennifer Stueber.

General Counsel: Thank you, Mr. Chairman. I have prepared a resolution for your consideration this morning. May I please read the title of the resolution?

Chairman: Yes.

General Counsel: Resolution Authorizing the Final Payment on Contract No. 43-15-05, Bridge Deck Replacement and Rehabilitation in Fulton and Lucas Counties.

MOTION: A motion to *Resolution Authorizing the Final Payment on Contract No. 43-15-05, Bridge Deck Replacement and Rehabilitation in Fulton and Lucas Counties* was made by Chairman Peterson, seconded by Mrs. Barber, and approved by all Commission Members present. Resolution No. 45-2019.

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

General Counsel: No, Mr. Chairman, that concludes my report.

Chairman: The next meeting will be held on October 21, 2019, at 10:00 a.m. If there is no further business, I will accept a motion to adjourn.

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

Time of adjournment: 10:54 a.m.

Attendees for Record Keeping Purposes:

Adam Adamczyk, Arcadis; Jim Kell, RBC; Andrew Madden, RBD; Carlos Pineiro, RBC; Nabil Farah, TranSystems; Scott Buchanan, AECOM; Todd Majidzadeh, Resource International; Preston Yuzma, IUOE 18; Jake Siesel, IUOE 18; Ron McMillan, Calfee, Halter, Griswold; Jason Watson, MSG; Bethany Pugh, PFM; Maureen Shildwachter, HNB; Dennis Albrecht, LJB; Hamid Homae, KS Associates; Martin Seekely, Ohio Turnpike; Jennifer Stueber, Ohio Turnpike; Matt Cole, Ohio Turnpike; Michelle Marquard, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Diana Anthony, Ohio Turnpike; David Miller, Ohio Turnpike; Chris Matta, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Sharon Isaac, Ohio Turnpike; Joseph Mannion, Ohio Turnpike; Brian Kelley, Ohio Turnpike; Brian Newbacher, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

EXHIBITS

1. Resolution Authorizing an Agreement with LJB Inc. for a Fee Not-To-Exceed \$193,216.00 (Project No. 71-19-03, Phase I); and
2. Resolution Authorizing an Agreement with TranSystems, Inc. for a Fee Not-To-Exceed \$198,169.00 (Project No. 71-19-04, Phase I).
3. Resolution Authorizing the Final Payment on Contract No. 43-15-05, Bridge Deck Replacement and Rehabilitation in Fulton and Lucas Counties

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing an Agreement with LJB Inc. for a Fee Not-To-Exceed \$193,216.00 (Project No. 71-19-03, Phase I)

WHEREAS, on February 12, 2019, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice seeking letters of interest in responding to its Request for Proposals (“RFP”) for Engineering and Construction Administration and Inspection Services relating to the Deck Replacement of the deck replacement of two ramp bridges (one over French Creek at Milepost 151.3 and the other over Lorain Road at Milepost 152.3) in Lorain County and one overhead bridge (Jennings Road (CR234) at Milepost 153.9) in Cuyahoga County (“Project No. 71-19-03”); and

WHEREAS, on February 26, 2019, Letters of Interest were received from twenty (20) firms expressing their readiness to serve as the Commission’s Engineering Consultant for Project No. 71-19-03, four (4) of which were deemed most qualified and invited to submit proposals in response to the RFP, which were due on May 24, 2019; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that LJB Inc. (“LJB”), of Fairview Park, Ohio, is the most qualified firm to perform the necessary services for Project No. 71-19-03, 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, LJB submitted its final fee proposal dated September 3, 2019, to perform the Phase I Services in the not-to-exceed amount of \$193,216.00 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. 71-19-03 and fee proposal for Phase I Services; and

WHEREAS, the General Counsel advises that the RFP process and the selection of LJB conformed with the requirements of Ohio Revised Code Sections 153.65 to 153.71, 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 concurs that the Commission should approve the selection of LJB to perform Phase I Services for Project No. 71-19-03; 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 LJB Inc. is approved as the most qualified firm to perform the professional engineering design and construction administration and inspection services necessary for Project No. 71-19-03, and that

the Executive Director is authorized to execute a Contract with LJB Inc. on the basis of the Commission's Request for Proposals and LJB technical response and fee proposal for Phase I Services in the not-to-exceed amount of \$193,216.00; 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 I services necessary for Project 71-19-03 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. 43-2019 adopted September 16, 2019)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing an Agreement with TranSystems, Inc. for a Fee Not-To-Exceed \$198,169.00 (Project No. 71-19-04, Phase I)

WHEREAS, on February 12, 2019, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice seeking letters of interest in responding to its Request for Proposals (“RFP”) for Engineering and Construction Administration and Inspection Services relating to the Deck Replacement and Structural Repairs of the East Edgerton Road Bridge over the Ohio Turnpike at Milepost 169.6 and Brecksville Road (State Route 21) Bridge over the Ohio Turnpike at Milepost 172.9 in Cuyahoga and Summit Counties (“Project No. 71-19-04”); and

WHEREAS, on February 26, 2019, Letters of Interest were received from twenty (20) firms expressing their readiness to serve as the Commission’s Engineering Consultant for Project No. 71-19-04, four (4) of which were deemed most qualified and invited to submit proposals in response to the RFP, which were due on May 24, 2019; and

WHEREAS, on the basis of the proposals received, the Engineering staff concluded that TranSystems, Inc. (“TranSystems”), of Cleveland, Ohio, is the most qualified firm to perform the necessary services for Project No. 71-19-04, 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, TranSystems submitted its final fee proposal dated September 3, 2019, to perform the Phase I Services in the not-to-exceed amount of \$198,169.00 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. 71-19-04 and fee proposal for Phase I Services; and

WHEREAS, the General Counsel advises that the RFP process and the selection of TranSystems conformed with the requirements of Ohio Revised Code Sections 153.65 to 153.71 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 concurs that the Commission should approve the selection of TranSystems to perform Phase I Services for Project No. 71-19-04; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the selection of TranSystems, Inc., is approved as the most qualified firm to perform the professional engineering design and construction administration and inspection services necessary for Project No. 71-19-04, and that the Executive Director is authorized to execute a contract with TranSystems, Inc. on

the basis of the Commission's Request for Proposals and TranSystems' technical response and fee proposal for Phase I Design Services for the deck replacement at MP 169.6 and Phase 1A Design Services for the rehabilitation of the MP 172.9 bridge, in the aggregate not-to-exceed amount of \$198,169.00; 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 I and Phase II services necessary for Project 71-19-04 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. 44-2019 adopted September 16, 2019)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Final Payment on Contract No. 43-15-05, Bridge Deck Replacement and Rehabilitation in Fulton and Lucas Counties

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) adopted Resolution No. 18-2015 on April 20, 2015 awarding a Contract to BECDIR Construction Company, of Berlin Center, Ohio, in the amount of \$2,394,498.29 for Bridge Deck Replacement and Rehabilitation of the Ohio Turnpike Ramp over the Ohio Turnpike at Milepost 34.9, Liberty-Adrian Road over the Ohio Turnpike at Milepost 41.1, and Key Street over the Ohio Turnpike at Milepost 60.8, located in Fulton and Lucas Counties, Ohio (“Contract No. 43-15-05”); and

WHEREAS, expenditures for the award to be made under Contract No. 43-15-05 will exceed the original amount of \$2,394,498.29 due to change orders and such added costs will also exceed the Executive Director’s authority of \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws, action by the Commission is necessary for said Contract expenditures; and

WHEREAS, the Executive Director and the General Counsel recommend that the Commission make a final payment on the Contract in an amount of \$555,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby authorizes the Executive Director or the General Counsel to pay to BECDIR Construction Company the amount of \$555,000.00 for the performance of Contract No. 43-15-05; and

FURTHER RESOLVED that the Commission hereby authorizes the Executive Director or the General Counsel to take any and all further action necessary or reasonable to complete the final payment of \$555,000.00 as determined by the General Counsel in her sole discretion.

(Resolution No. 45-2019 adopted September 16, 2019)