

**MINUTES OF THE 700th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
SEPTEMBER 19, 2022**

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

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

Vice Chairman, Tim Paradiso, is unable to attend today's meeting and is excused. Senator Bill Reineke and Representative Haraz Ghanbari are unable to attend today's meeting and are excused. Dr. Marchbanks, of ODOT, is unable to attend today's meeting, so Myron Pakush is here representing ODOT.

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

Assistant Secretary-Treasurer: Chairman Hruby

Chairman, Jerry Hruby: Here

Assistant Secretary-Treasurer: Secretary-Treasurer Barber

Secretary-Treasurer, Sandra Barber: Here

Assistant Secretary-Treasurer: Mr. Coviello

Commissioner, Guy Coviello: Here

Assistant Secretary-Treasurer: Mr. Pakush

Commissioner, ODOT Proxy, Myron Pakush: Here

Assistant Secretary-Treasurer: Mr. Kennedy

Office of Budget and Management, James Kennedy: Here

Chairman: We have a quorum of voting members, which means that any piece of legislation introduced must be adopted unanimously or it will not pass. This is the 700th Meeting of the Ohio Turnpike and Infrastructure Commission. We are here today at the Commission's Administration Building.

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

May I have a motion to adopt the Minutes of the August 15, 2022, Commission Meeting? Any corrections, additions, or questions regarding the Minutes? Hearing none, please call the roll.

MOTION: A motion to adopt the Minutes of the August 15, 2022, Commission Meeting was made by Mr. Coviello, seconded by Mr. Pakush and approved by all Commission Members present.

Chairman: The August 15, 2022, Commission Meeting Minutes are adopted unanimously. We will move on with the report of the Secretary-Treasurer, Mrs. Barber.

Secretary-Treasurer: The following items have been provided to the Members since the last scheduled meeting of the Commission on August 15, 2022:

1. Six (6) Resolutions;
2. Draft Minutes of the August 15, 2022, Commission Meeting; and
3. Agenda for today's meeting.

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

1. Traffic Crash Summary Report, August 2022;
2. Traffic and Revenue Report, August 2022;
3. Total Revenue by Month and Year, August 2022;
4. Investment Report, August 2022; and
5. Financial Statements, August 2022.

That completes my report, Mr. Chairman.

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

Director Ahmed: Thank you, Mr. Chairman. Today, I want to talk about the marketing area at the Commission. You may have noticed an increased Ohio Turnpike/*E-ZPass*[®] presence on your local radio stations. Our Marketing and Communications Department utilizes paid media advertising to promote our *E-ZPass*[®] retail program and reinforce important safety messages. Our experience has shown that radio provides the best return on investment. We use influencer campaigns during drivetime weather and traffic reports. Influencer campaigns are paid endorsements by local radio personalities.

We have partnered with well-known radio hosts in the Cleveland and Toledo markets. These radio personalities have a broad regional reach with loyal followers and happen to be

frequent Ohio Turnpike *E-ZPass*[®] users themselves. Our current influencers include Scott Miller on Toledo's 104.7 WIOT, Ken Carman on Cleveland's 92.3 The Fan, and Paula Balish on 98.5 WNCX in Cleveland.

We will be expanding our influencer advertising in the Toledo market by adding 94.5 WXKR's "Pyke in the Morning" host Jeremy "Pyke" Peterson. These segments will be branded "Pyke on the Pike" and will provide frequent commercials advertising *E-ZPass*[®] during his morning radio show and include a once-per-week on-air prize giveaway. I had the opportunity to deliver a road safety message with "Pyke" when he broadcasted live from our Indian Meadow Customer Appreciation Event on August 5th, and I look forward to our continued partnership with him.

This week we will celebrate the service and accomplishments of the three Internal Task Forces made up of team members from across the Turnpike. Each team member stepped up and out of their role at times to make a difference at the Turnpike. Their many accomplishments include upgrades to our internal systems, the implementation of the DocuSign electronic signature process, which came in extremely handy during COVID, the new cameras installed at Toll Plaza 173 and the Middle Ridge Service Plaza. These two locations were the proof-of-concept projects and once the supply chain delays subside, we look forward to installing the remaining cameras at the Service Plazas and Toll Plazas that were approved by the Commission.

Now, I would like to congratulate Anna Barrios from Toll Operations, on her promotion to Assistant Toll Plaza Supervisor.

Finally, I offer a warm welcome to our new team members. In the Maintenance Department, we have Richard Larson and Tim Tarter at Hiram and Jacob Hostottle at Elmore. In the Toll Operations Department, we have eight new part-time toll collectors Chyann Berendsen, Logan Hickerson, Kristina Short, Emma Clair, Lacey Houpt, Lakesha Reese, Andrea Kirkham, and Tema Frantz. In the Service Plaza Department, with Dan Sengstock, as Assistant Service Plaza Manager at the Erie Islands/Commodore Perry Service Plaza. Welcome and best wishes to all our new team members.

Mr. Chairman this ends my report, and I will be happy to answer any questions.

Chairman: Congratulations to everyone. I know our employees work very hard and we appreciate that effort. We wish our new ones well.

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

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

My first resolution for your consideration seeks the Commission's authorization to modify the Agreement for Project No. 71-21-07 with Michael Baker International, Inc. ("Michael Baker"), of Cleveland, Ohio, relating to the deck replacement of the mainline bridge over State Route 99 at Milepost 111.2 and the bridge deck overlay of the State Route 13 overhead bridge at Milepost

119.3 in Erie County. The Commission, under Resolution No. 9-2022, awarded a Contract to Michael Baker for Phase IA Services, which included Bridge Inspection and Load Ratings, Survey and Base Mapping, and Preliminary Roadway and Maintenance of Traffic Tasks in an amount not-to-exceed \$169,194.00. On August 3, 2022, Michael Baker submitted a revised fee proposal to perform Phase IB Services which includes Final Design and Plan Preparation for these two bridges in an amount of \$260,753.00. The additional costs to obtain the necessary Phase IB Services for Project No. 71-21-07 will increase the cost of the contract in excess of the Executive Director's contracting authority and exceed 10% of the original contract amount, therefore requiring Commission authorization of the contract modification. Therefore, we are requesting Commission authorization to amend the Agreement for Project No. 71-21-07 with Michael Baker International, Inc., of Cleveland, Ohio, in the aggregate not-to-exceed amount of \$429,947.00. With your permission, may the General Counsel please read the title of the resolution.

General Counsel: Resolution Authorizing Modification to the Contract with Michael Baker International, Inc. to Perform Phase IB Services Under Project No. 71-21-07 for an Aggregate Not-to-Exceed Amount of \$429,947.00.

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

MOTION: A motion to adopt a *Resolution Authorizing Modification to the Contract with Michael Baker International, Inc. to Perform Phase IB Services Under Project No. 71-21-07 for an Aggregate Not-to-Exceed Amount of \$429,947.00* was made by Mr. Pakush, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 69-2022.

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

Chief Engineer: My second resolution for your consideration seeks the Commission's authorization of continuing expenditures for the Contract with Fishbeck, Thompson, Carr, and Huber, Inc., ("Fishbeck"), of Perrysburg, Ohio, for two Bridge Deck Replacements and one bridge removal in Sandusky County. Fishbeck submitted the highest-ranking proposal for Project No. 71-18-07 and was authorized to perform Phase IA and Phase IB design services under Commission Resolutions No. 46-2018 in August of 2018 and 57-2019 in November of 2019. Fishbeck completed final design, the construction project was advertised as Project No. 43-21-02, and was awarded to Kokosing Construction Company in March of 2021 by Resolution No. 13-2021. A second modification was made to the contract under Resolution No. 22-2021 authorizing Fishbeck to perform Phase II Construction Administration and Inspection Services for the construction project and a third modification was made to the contract, within the Chief Engineer's approval authority, for Fishbeck to perform Survey work that was required in anticipation of a transfer of right-of-way to the Ohio Department of Transportation. The bridge removal portion of the work was anticipated to be completed by last fall. However, the project got extended and wasn't wrapped up until late this summer, resulting in additional construction and administration costs. Fishbeck submitted a fee proposal dated January 22, 2022, in the not-to-exceed amount of \$123,684, to perform additional Phase II construction Administration and Inspection Services to August of 2022. This proposal was authorized by the Executive Director as it was within his authorization limits. As additional services are required through September of 2022, Fishbeck submitted a fee proposal dated August 31, 2022, in the not-to-exceed amount of

\$48,025.00, to perform these additional Phase II Construction Administration and Inspection Services. The Engineering staff has reviewed Fishbeck's proposal and finds it to be reasonable for the scope to be performed. These additional Phase II services to the Fishbeck Contract under Project No. 71-18-07 results in the aggregate not-to-exceed amount for all services of \$1,105,667.00. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: Resolution Authorizing Modification to the Contract with Fishbeck, Thompson, Carr & Huber, Inc. to Perform Additional Phase II Services Under Project No. 71-18-07 for an Aggregate Not-to-Exceed Amount of \$1,105,667.00.

Chairman: Any questions?

Mr. Coviello: The requirement to get our approval is based on cumulative change orders?

Director Ahmed: Mr. Chairman and Commission Member Coviello, yes. The Bylaws require that if the change exceeds the higher of either \$150,000.00 or 10% than it comes to the Commission and it is cumulative going back to the original cost of the contract.

Chairman: So, that is why it is before us. Any other questions? Legal you have reviewed this and you signed off and it is all accordance with our Bylaws?

General Counsel: Yes, Mr. Chairman.

Chairman: Thank you. Anything further? Hearing none, please call the roll.

MOTION: A motion to adopt a *Resolution Authorizing Modification to the Contract with Fishbeck, Thompson, Carr & Huber, Inc. to Perform Additional Phase II Services Under Project No. 71-18-07 for an Aggregate Not-to-Exceed Amount of \$1,105,667.00* was made by Chairman Hruby, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 70-2022.

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

Chief Engineer: The third resolution for your consideration seeks the Commission's authorization to modify a contract with Ports Petroleum Company, Inc. ("Ports Petroleum"), of Wooster, Ohio, for supplying Gasoline/Ethanol Blend fuel for our four (4) maintenance buildings in the Eastern Division. This fuel is used by our maintenance vehicles and equipment, patrol vehicles, and our staff and pool vehicles. The Commission, under Resolution No. 61-2020, awarded a Contract to Ports Petroleum to perform the services for an initial period of twelve months in an amount not-to-exceed \$470,000.00, and authorized the Executive Director to exercise up to two, one-year options to renew the contract. The first renewal was exercised in August of 2021 in the amount of \$545,000 which brought the new contract amount to \$1,015,00.00. We are requesting to exercise the second extension with this Resolution. Due to fuel price increases it is

anticipated that an additional amount of \$800,000 will be needed during the extended term, resulting in a total contract value of \$1,815,000.00. The \$800,000 increase requested for the second one-year extension exceeds the greater of \$150,000 or 10% of the original contract amount so Commission approval is required. Therefore, we are requesting the Commission authorization to modify the Contract with Ports Petroleum Company, Inc., of Wooster, Ohio, in the aggregate not-to-exceed amount of \$1,815,000. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: Resolution Approving Change Order No. 2 Under Contract with Ports Petroleum Company, Inc. for Unleaded Gasoline/Ethanol Blend for an Aggregate Not-to-Exceed Amount of \$1,815,000.00.

Chairman: Any questions?

Mr. Coviello: So, I am having trouble following pricing. So, the \$1.8 million is over three years dating back to 2020?

Chief Engineer: Yes, Mr. Chairman and Commission Member Coviello, yes, the \$1,815,000.00 is the aggregate amount to cover the three years of supplying the fuel.

Mr. Coviello: So, the first year was \$470,00.00, the second year was \$545,000.00, and then the next year is going to be \$800,00.00?

Chief Engineer: Yes, that sounds correct.

Director Ahmed: The numbers don't add up. Mr. Coviello, the original amount as you mentioned is \$1.8 million somewhere in that range, what is the exact number?

Chief Engineer: The original three years were provided for \$470,00.00 per year which was the estimate at that time. .

Director Ahmed: There is a provision in the contract that when the price of oil goes up then what we pay also goes up. The first year was \$477,000.00 and the second year the price did go up by about \$75,000.00, which was within my authority so I approved it. This year the price is going up by \$330,000.00 which is why it is before the Commission and that is why the numbers don't add up to \$1.8 million.

Chief Engineer: I can clarify that a little bit more if you would like. So, \$470,000.00 was the first contract year amount for Ports Petroleum. The second, the extension for the second year, we added \$545,000.00 to that amount which brought it to \$1,015,000.00 and then with this third one, we are adding \$800,000.00 to that amount.

Mr. Coviello: Okay. Given how volatile that is, what happens if the price goes down?

Chief Engineer: Mr. Chairman and Commission Member Coviello, it is a blanket order and we simply pay for their services that we get and the invoices that come in. As Director Ahmed said, we base this price on what is called the oil price and information service, it is written into the contract. Once a week the prices are checked for a local market and that is your raw fuel costs and each vendor when they bid these jobs bids what is called a “price differential” so say the raw fuel cost is \$3.00 and they may have a price differential of \$.20 or something to that affect which covers their delivery fees and any other administration fees they may have for it, so no matter who the vendor is you have a raw fuel cost for gasoline, raw fuel cost for diesel and they basically bid how much it would cost them to deliver the fuel and cover their company costs for that. At the end of the day, if the price drops, so the purchase order will have a total value of \$1,815,000.00 and if the price continues to go down, which it has, there will basically be money sitting left on the blanket when the contract ends.

Chairman: We have the same type of contract in our city. There is no possible way to get a cap on it, you just pay what the going rate is. Yours is weekly?

Chief Engineer: Yes.

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

MOTION: A motion to adopt a *Resolution Approving Change Order No. 2 Under Contract with Ports Petroleum Company, I for Unleaded Gasoline/Ethanol Blend for an Aggregate Not-to-Exceed Amount of \$1,815,000.00* was made by Secretary-Treasurer Barber, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 71-2022.

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

Chief Engineer: My fourth and final resolution for your consideration seeks the Commission’s authorization to award a Contract under Bid Invitation No. 4419 for the furnishing of LED Light Fixtures and Brackets for ramp and parking area lighting upgrades at Toll Plaza 71, Toll Plaza 152, the Erie Islands Service Plaza, and the Commodore Perry Service Plaza. On August 24, 2022, Procurement received six (6) bids to furnish this material to the Commission under this Bid Invitation. The apparent low bid was submitted by Mars Electric Company, of Mayfield Village, Ohio, in the total amount of \$237,257.23, which was below the estimate for this Bid Invitation. Mars Electric proposes to furnish the LED lights in accordance with the Specifications. Additionally, Mars Electric has furnished similar material to the Commission in the past and has performed satisfactorily. Therefore, I am recommending that an award be made to Mars Electric Company, of Mayfield Village, Ohio, in the amount of \$237,257.23. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: Resolution Authorizing the Selection of Mars Electric Company for Furnishing LED Light Fixtures and Brackets Under Invitation No. 4419 in the Total Amount of \$237,257.23.

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

MOTION: A motion to adopt a *Resolution Authorizing the Selection of Mars Electric Company for Furnishing LED Light Fixtures and Brackets Under Invitation No. 4419 in the Total Amount of \$237,257.23* was made by Chairman Hruby, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 72-2022.

Chairman: The resolution passes unanimously. Anything further.

Chief Engineer: No, Mr. Chairman, that completes my report. Thank you.

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

Director of Audit and Internal Control: Good morning, Mr. Chairman and Commission Members. I'm before you this morning to seek your approval for the procurement of *E-ZPass*[®] transponders through 2023.

As you are aware, the Ohio Turnpike offers interoperable electronic tolling to its customers through its membership in the *E-ZPass*[®] Interagency Group, or "IAG." Customers who sign up for *E-ZPass*[®] electronic tolling through the Ohio Turnpike establish prepaid accounts and receive radio frequency identification transponders from our customer service center.

Electronic tolling interoperability is dependent upon the use of consistent equipment and communication protocols among all IAG members. Further, the equipment used must satisfy stringent performance standards to achieve the reliability travelers expect from the *E-ZPass*[®] brand. IAG members work together to establish these standards and the testing procedures to confirm compliance with them.

Since the beginning of the IAG in the 1990's through November 2021, IAG members procured transponders and other equipment from Kapsch TrafficCom USA, Incorporated, at prices negotiated from time to time through the collective buying power of the group.

In June 2021, to encourage advancement of tolling technologies and spur competition, the IAG launched a comprehensive "Next Generation" procurement process through the issuance of an RFP for transponders and other electronic tolling equipment. This competitive RFP process was completed in April 2022 and resulted in the selection of four vendors from which equipment may be purchased following successful testing: Kapsch, TransCore, Neology, and Star Systems. As of this writing, only Kapsch and TransCore have products that have been successfully tested and certified for IAG use.

Like many other IAG members, after the expiration of the IAG agreement with Kapsch in November 2021, the Commission executed short-term contracts for transponders directly with Kapsch at a unit price of \$6.69. This unit price was consistent with the expired IAG agreement. With completion of the IAG's Next Generation Procurement, it is now recommended that the Commission execute a new contract for the purchase of transponders through that mechanism. This course of action provides the Commission with the best long-term pricing and flexibility.

Through the IAG's Next Generation Procurement, the Commission currently has the choice of purchasing approved transponders from Kapsch or TransCore. Based upon review by Commission personnel including Toll Collection Systems Manager, Brian Kelley, and myself, it is recommended that the Commission continue to procure transponders from Kapsch for the following reasons:

- Proven long-term reliability of their equipment
- Longstanding favorable customer service experience
- Consistent reliability in meeting the Commission's delivery needs
- The ability to continue using current Kapsch transponder programming and testing equipment, and
- The ability to continue using current transponder labeling and retail packaging

Under the Next Generation Procurement, the unit cost of transponders from Kapsch is currently \$6.20. This price is guaranteed through January 2023, whereupon Kapsch may elect to adjust the price for the next 12-month period. A not-to-exceed unit price cap of \$7.75 is in place for the initial seven-year life of the agreement.

The unit cost of the TransCore transponder under the Next Generation Procurement is currently \$6.69, however it is likely that TransCore would reduce this price to match Kapsch.

Based upon analysis by Commission personnel and consultants from Stantec, it is estimated that the Commission will need to purchase 145,000 transponders to support the needs of our *E-ZPass*[®] program for the remainder of 2022 through the end of 2023. Given uncertainties in longer-term transponder needs caused by implications of the toll system modernization projects, the pending approval of equipment offered by Neology and Star Systems, as well as the possibility of migration to a transponder communication protocol that uses less expensive transponders, it is recommended that authorization for procurement be limited in duration to December 31, 2023.

From this point forward, it is anticipated that an update on the quantities and amount spent for transponders purchased and issued will be provided to Commission Members on an annual basis.

Accordingly, it is hereby recommended that the Commission authorize the purchase of an estimated quantity of 145,000 transponders at a total price not to exceed \$1,123,750.00 through December 31, 2023, from Kapsch TrafficCom USA, Incorporated under the terms of the IAG Next Generation Equipment Procurement mechanism.

With your permission, Mr. Chairman, may I request that the General Counsel please read the title of the resolution?

General Counsel: Resolution Authorizing the Selection of Kapsch TrafficCom USA, Inc. for the Purchase of Transponders in the Not-to-Exceed Amount of \$1,123,750.00 Under the *E-ZPass®* Interagency Group Next Generation Technology Contract.

Chairman: Any questions or comments?

Secretary-Treasurer Barber: As to the life of these new transponders, will they last longer than the earlier ones that we were using?

Director of Audit and Internal Control: Mr. Chairman and Secretary-Treasurer Barber, I believe the life expectancy of the transponders is expected to be consistent with those that we use today. I believe the advertised guarantee is ten years.

Chairman: Are these going to be any different in their design?

Director of Audit and Internal Control: Mr. Chairman, the transponders we are expecting to be procuring throughout the duration of the authorization we seek today will be the same as what we have. They are what we call the “hard case G4 transponders” and for personal vehicles they will still be pearl or off-white in color. The possibility exists that in the coming years they may be transitioning to a sticker base transponder.

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

MOTION: A motion to adopt a *Resolution Authorizing the Selection of Kapsch TrafficCom USA, Inc. for the Purchase of Transponders in the Not-to-Exceed Amount of \$1,123,750.00 Under the E-ZPass® Interagency Group Next Generation Technology Contract* was made by Secretary-Treasurer Barber, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 73-2022.

Chairman: The resolution passes unanimously. Thank you, Mr. Miller. Anything further?

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

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

Chief Information Officer: Good morning, Mr. Chairman and Members of the Commission. I have one really charged up resolution for your consideration this morning for power related equipment.

This equipment is necessary as it provides both clean and uninterrupted AC and DC power to our communications rooms, which hold vital equipment to our network and help ensure that we can provide uninterrupted services critical to operations and help ensure a quality experience for our customers.

This request includes a variety of different components from full power plants for a few locations, to rectifiers and Inverters. Essentially everything just shy of the Flux Capacitor necessary for time travel!

Work to develop this overall request has been underway for a couple of years. It has taken several turns as we looked to properly size equipment and meet the required power needs of not only the new Toll Collection System equipment and the recently built new Toll Plazas, but also the network upgrade that we are currently installing.

Today's request in the not to exceed amount of \$960,000 for purchases from Anxiter, Inc. (a Wesco Company), of Glenview, Illinois, under their Sourcewell Cooperative Purchasing Program Contract consists of three main components:

1. Item 1: The full Power Plants for TP4, 49 and 211 in the amount of \$177,345.93. Due to the timing of their issuance, these items were not able to be included in the Engineering plans for the building as the final power needs and equipment to be installed was still being determined. A variation of this equipment is currently installed in our Communications Rooms at all our other facilities. Included is all necessary equipment, installation hardware, and installation services for the:
 - DC Power Plant consisting of the Rectifier and associated 48v battery strings for the Main Toll Plaza Building
 - An Exeltech Inverter which converts DC to AC power
 - A Lithium Ion UPS with addon capacity and network monitoring for the Toll Plaza Utility Building
 - And necessary Bypass Switching
 2. Item 2: Rectifiers in the amount of \$418,180.60 – with \$193,180.60 of that being for the replacement of current aged Rectifier Equipment at 20 of our existing Toll Plaza Locations (TP 52, 59, 64, 71, 81, 91, 110, 118, 135, 140, 142, 145, 152, 161, 173, 180, 187, 193, 209, 239) in 2022 and the remaining \$225,000 being the estimated future spend for similar replacements at 22 additional sites (14 Service Plazas and 8 Maintenance Buildings) in 2023. This includes all the necessary equipment, hardware for installation and installation services. These Rectifiers allow us to take incoming AC power and convert it to DC to power our Fiber Optic Network equipment.
- And finally
3. Item 3: Inverters in the amount of \$366,473.47 – with (\$90,750.00) of that being spent in 2022 for 10 - 120V Exeltech Inverters and the remaining \$275,723.47 being the estimated future spend in 2023 and 2024 for similar installation at additional sites. These inverters are an additional component that we currently have

solely at our Maintenance Buildings and are going to be added to our Toll Plaza and Service Plaza facilities. This will allow us to convert the potential power of our 48v DC batteries we have at each location to AC power and better protect the Ethernet and Analog Voice Switches we have at each location. This purchase is for hardware only and installation will be completed by the Technology Team with the help of our Trades Team upon delivery.

With your permission, would the General Counsel please read the title of the Resolution?

General Counsel: Resolution Authorizing the Purchase of Power Plants, Rectifiers and Inverters from Anixter Inc. in the Total Not-to-Exceed Amount of \$962,000.00 Under the Sourcewell Cooperative Purchasing Program.

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

MOTION: A motion to adopt a *Resolution Authorizing the Purchase of Power Plants, Rectifiers and Inverters from Anixter Inc. in the Total Not-to-Exceed Amount of \$962,000.00 Under the Sourcewell Cooperative Purchasing Program* was made by Mr. Pakush, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 74-2022.

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

Chief Information Officer: No, Mr. Chairman that completes my report. Thank you.

Chairman: We will now move on to the report of the General Counsel, Jennifer Monty Rieker.

General Counsel: Thank you, Mr. Chairman and Members of the Commission. I wanted to report briefly with regard to the Legal Department's activities since we last met. As you have seen through some of the information that has been shared with you, the Legal Department continues to work with the Customer Service Center, as well as the Finance Department to work through and prepare for the new toll collection system and upcoming changes. I will be providing further information to you during the Workshop following this meeting.

That completes my report, Mr. Chairman.

Chairman: Thank you. Any questions for the General Counsel? Hearing none, we move on to the report of the Ohio State Highway Patrol, Staff Lieutenant Richard Reeder.

Staff Lieutenant Reeder: Good morning, Mr. Chairman and Commission Members. Unfortunately, we have had three fatal crashes to report on today.

On August 28, 2022, at approximately 1201 hours the Cleveland Dispatch Center received a call reporting a multi-vehicle crash on the Ohio Turnpike (I-76) at milepost 239.3. The caller also advised that a young child inside one of the vehicles was unresponsive. Three vehicles were

stopped in traffic and a fourth vehicle (Cadillac Escalade) failed to stop in time and struck one of the vehicles (Chevy Traverse) in the rear pushing it into the vehicle in front of it. A 23-month old female occupant in the Chevy Traverse was life flighted from the scene to Akron Children's Hospital for treatment. She died as a result of her injuries. The investigation is still pending. We are doing everything we can to figure out speeds and all the other factors involved in that.

In addition to that, the Ohio State Highway Patrol is investigating two other fatal crashes that occurred last month. Both of these crashes involved pedestrians who were struck in the right lane while tending to disabled vehicles on the Ohio Turnpike. The crash pictured here occurred on August 22, 2022, at approximately 1146 hours near milepost 162.9 westbound. A subject from a non-contracted DVS company was completing roadside maintenance to the commercial vehicle on the right shoulder. A subject driving a commercial vehicle approached the disabled vehicle and went over the fog line striking the pedestrian and disabled commercial vehicle. The pedestrian was transported to Southwest General for treatment and later died as a result of his injuries.

On July 29, 2022, at approximately 1128 hours, Trooper Matt Boyer stopped a 2021 Toyota Tacoma for following too close on the Ohio Turnpike eastbound near milepost 174 in Summit County. While speaking to the driver, the odor of raw marijuana was coming from the pick-up truck. A probable cause search revealed six large trash bags in the rear cargo area that contained a total of 140 pounds of marijuana. The driver was issued a Summons to appear in court.

At approximately 1138 hours on September 5th, the Cleveland Dispatch Center received a call of a reckless operation entering the turnpike westbound from Milepost 151. Shortly after broadcasting the description of the vehicle, Sergeant Dave Dylag located the vehicle and observed several marked lanes violations and conducted a traffic stop at the 131 MP. As the vehicle was pulling over, dispatch advised the vehicle was entered stolen from Pennsylvania earlier in the day. Sergeant Dylag waited for back-up units to arrive and subsequently took the suspect into custody without incident. It was also discovered the suspect had been involved in an aggravated robbery a short time earlier in the Ravenna, Ohio, area. The suspect was charged with OVI, receiving stolen property, driving under suspension, marked lanes and was incarcerated in the Erie County Jail.

On August 26, 2022, at 1349 hours the Milan Post received a call of a male subject that exited his vehicle and was jumping in and out of traffic eastbound on the Ohio Turnpike at MP 123. Sergeant Dave Dylag quickly arrived and observed the male on the left shoulder against the median wall and his vehicle pulled off on the shoulder ahead. Sergeant Dylag stopped on the left shoulder behind the suspect and attempted to converse with him. The suspect immediately displayed erratic behavior and signs of excited delirium, walking toward the patrol car, then back toward his own vehicle and flailing his hands and arms. He then began to walk into the eastbound lanes and was almost struck. He continued into the road and laid down on his back, bringing all three lanes of traffic to a stop. The suspect got back to his feet and began to walk away, still in the road. Sergeant Dylag deployed the taser and the subject fell forward onto the road. Sergeant Dylag was able to hold the suspect secure in the road until Trooper Nick Smart arrived and assisted with handcuffing. The suspect then was moved back off the road and traffic was able to continue. North Central EMS arrived and transported the subject to Fisher-Titus Hospital. No injuries were suffered by any patrol personnel on scene.

That completes my report, Mr. Chairman.

Chairman: Excellent job as always. Any questions or comments?

Director Ahmed: The general public doesn't see these types of things that Law Enforcement Officers do. He could have just stayed on the side of the road and called for back-up and that person instead of lying in the middle of the road, instead this Sergeant walked into the middle of the roadway. These types of things should be advertised.

Staff Lieutenant Reeder: I think I am going to have it reviewed and see if we can get some sort of recognition for what they did that day in saving that man's life. Clearly, he was not of right mind and, ultimately, they got him the help that he needed that day.

Chairman: No question about it. Thank you.

The next meeting of the Ohio Turnpike and Infrastructure Commission will be held on October 17, 2022, at 10:00 a.m. here at the Commission's Administration Building located in Berea, Ohio.

We are going to have a Workshop immediately following this meeting.

Chief Financial Officer: Excuse me, Mr. Chairman.

Chairman: I didn't do the financial report. What if we are out of money?

Chief Financial Officer: That would not be good. I don't want to report that.

Director Ahmed: It's okay, she is still on probation.

Chief Financial Officer: It's okay.

Chairman: When you reach the rank of avenger, I will recognize you always.

Chief Financial Officer: Sounds good.

Chairman: Sorry about that. We will move back to the report of the Chief Financial Officer, Lisa Mejac.

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

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike since the beginning of 2019. Passenger car vehicle miles traveled were down 6.6% from August of last year and down 8.0% from August of 2019. There was one less weekend day this year than there was in 2019 and 2021.

Commercial traffic increased in August and was up 3.4% from August of last year. It was up 16.4% from August of 2019. There was one more weekday this year than there was in 2019 and 2021.

The change in passenger car traffic caused passenger car toll revenues to decrease 5.7% from August of last year and decrease 4.4% from August of 2019.

The increase in commercial traffic combined with the toll rate increases caused commercial vehicle toll revenues to increase 5.8% from August of last year and 24.4% from August of 2019.

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 approximately \$10.4 million or 4.6% above the amount from last year and approximately \$28.7 million or 13.82% above the amount from 2019.

That completes my report, Mr. Chairman.

Chairman: Thank you. Any questions? I apologize that I overlooked you.

Chief Financial Officer: No problem. Thank you.

Chairman: Now, we will go back to what I was saying previously. The next meeting of the Ohio Turnpike and Infrastructure Commission will be held on October 17, 2022, at 10:00 a.m. here at the Commission's Administration Building located in Berea, Ohio.

We are going to have a Workshop immediately following this meeting. If there is no further business, I will accept a motion to adjourn the 700th Commission Meeting.

MOTION: A motion to adjourn the 700th Commission Meeting is made by Chairman Hruby, seconded by Mr. Coviello, and unanimously approved by all Commission Members present.

Time of adjournment: 10:46 a.m.

Attendees for Record Keeping Purposes:

Commission Members: Chairman Jerry Hruby; Secretary-Treasurer Sandra Barber; Commission Member Guy Coviello; Commission Member Myron Pakush; and Office of Budget and Management Representative James Kennedy.

Other Attendees: Hamid Homaee, TBD Advisors; Maureen Shildwachter, Huntington; Kevin Westover, Huntington; Jon Lorincz, AECOM; Art Rometo, GAI Consultants; Jacob Siesel, IUOE Local 18; Adam Adamczyk, Arcadis; Allen Biehl, TranSystems; Paul Strack, Woolpert; and Sean Logan, Woolpert

Ohio Turnpike and Infrastructure Commission Personnel: Ferzan M. Ahmed, P.E., Ohio Turnpike; Staff Lieutenant Richard Reeder, Ohio State Highway Patrol; Jennifer Monty Rieker, Ohio Turnpike; Heather Veljkovic, Ohio Turnpike; Chris Matta, Ohio Turnpike; Laurie Davis, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Aimee Lane, Ohio Turnpike; Sue Coleman, Ohio Turnpike; Brian Kelley, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Matt Cole, Ohio Turnpike; Chriss Pogorelc, Ohio Turnpike; Chuck Cyrill, Ohio Turnpike; Amanda Ginley, Ohio Turnpike; Jackie Dohoda Herberger, Ohio Turnpike; Lisa Drozdowski, Ohio Turnpike; David Miller, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

Approved as a correct record of the September 19, 2022
Meeting of the Ohio Turnpike and Infrastructure
Commission

Sandra K. Barber, Secretary-Treasurer

EXHIBITS

- Resolution No. 69-2022 – Resolution Authorizing Modification to the Contract with Michael Baker International, Inc. to Perform Phase IB Services Under Project No. 71-21-07 for an Aggregate Not-to-Exceed Amount of \$429,947.00
- Resolution No. 70-2022 – Resolution Authorizing Modification to the Contract with Fishbeck, Thompson, Carr & Huber, Inc. to Perform Additional Phase II Services Under Project No. 71-18-07 for an Aggregate Not-to-Exceed Amount of \$1,105,667.00
- Resolution No. 71-2022 – Resolution Approving Change Order No. 2 Under Contract with Ports Petroleum Company, Inc. for Unleaded Gasoline/Ethanol Blend for an Aggregate Not-to-Exceed Amount of \$1,815,000.00
- Resolution No. 72-2022 – Resolution Authorizing the Selection of Mars Electric Company for Furnishing LED Lighting Upgrades Under Invitation No. 4419 in the Total Amount of \$237,257.23
- Resolution No. 73-2022 – Resolution Authorizing the Selection of Kapsch TrafficCom USA, Inc. for the Purchase of Transponders in the Not-to-Exceed Amount of \$1,123,750.00 Under the E-ZPass[®] Interagency Group Next Generation Technology Contract; and
- Resolution No. 74-2022 – Resolution Authorizing the Purchase of Power Plants, Rectifiers and Inverters from Anixter Inc. in the Total Not-to-Exceed Amount of \$962,000.00 Under the Sourcewell Cooperative Purchasing Program.

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Modification to the Contract with Michael Baker International, Inc. to Perform Phase IB Services Under Project No. 71-21-07 for an Aggregate Not-to-Exceed Amount of \$429,947.00

WHEREAS, the Commission selected Michael Baker International, Inc. (“Michael Baker”), to perform the professional engineering services for the Bridge Deck Replacement at the Ohio Turnpike over State Route 99, MP 111.2 and State Route 13 over Ohio Turnpike MP 119.3, in Erie County, Ohio designated as Project 71-21-07 (the “Project”), on the date noted and for the scope of work identified below:

SERVICES/FEES APPROVED TO DATE

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract dated February 4, 2022	Phase IA Services – Project No. 71-21-07 - field work, survey and base mapping, bridge inspection report with load rating, and preliminary roadway/maintenance of traffic	January 11, 2022	Res. 9-2022	\$169,194.00
TOTAL AMOUNT TO DATE:				\$169,194.00

PROPOSED SERVICES/FEES

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
<i>First Modification</i>	Phase IB Services - Project No. 71-21-07 - preliminary and final design and plans, and assistance during the bidding process, including bid review services	August 3, 2022 (Revised)	<i>Proposed</i>	\$260,753.00
TOTAL AMOUNT WITH MODIFICATION:				\$429,947.00

WHEREAS, the parties entered into a Professional Consulting Services Contract (the “Contract”), dated February 4, 2022; and

WHEREAS, the parties contemplated modifying the Contract after the completion of the Phase IA Services to incorporate additional design services based on the findings of the work performed under Phase IA and to be separately designated as Phase IB; and

WHEREAS, the Phase IA Services are complete, and the parties prepared a final design scope for the Project which includes, but is not limited to, preliminary and final design and plans, and assistance during the bidding process, including bid review services (“Phase IB Services”); and

WHEREAS, Michael Baker submitted a revised fee proposal dated August 3, 2022, in the not-to-exceed amount of \$260,753.00, to perform the Phase IB Services which fee proposal the Chief Engineer deemed reasonable and necessary; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize Michael Baker International, Inc. to perform the Phase IB Design Services under Project No. 71-21-07; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the proposed Contract modification exceeds the greater of \$150,000 or 10% of the original Contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the proposal from Michael Baker International, Inc. dated August 3, 2022 to perform the Phase IB Services, specifically described in the recitals, under Project No. 71-21-07 in the not-to-exceed amount of \$260,753.00 is approved, and the Executive Director is authorized to amend the Contract with Michael Baker International, Inc., to perform such additional services in accordance with the terms and conditions of the existing Contract and Michael Baker's fee proposal dated August 3, 2022, in the aggregate not-to-exceed amount of \$429,947.00.

(Resolution No. 69-2022 adopted September 19, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Modification to the Contract with Fishbeck, Thompson, Carr & Huber, Inc. to Perform Additional Phase II Services Under Project No. 71-18-07 for an Aggregate Not-to-Exceed Amount of \$1,105,667.00

WHEREAS, the Commission selected Fishbeck, Thompson, Carr & Huber, Inc. (“Fishbeck”), to perform the professional engineering services for the Deck Replacements for Fangboner Road Bridge over the Ohio Turnpike at Milepost 91.1, Ohio Turnpike Ramp Bridge over the Ohio Turnpike at MP 91.6, Ohio Turnpike Ramp Bridge over State Route 53 at MP 92.0, Sandusky County, Ohio, designated as Project 71-18-07 (the “Project”), on the date noted and for the scope of work identified below:

SERVICES/FEEES APPROVED TO DATE

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract dated September 11, 2018	Phase IA Services – Project No. 71-18-07 – site inspection, engineering report, design and plan preparation services	August 3, 2018	Res. 46-2018	\$193,231.00
First Modification	Phase IB Services – Project No. 71-18-07 – preparation of plans for preferred alternative of bridge removal and replacement with a roundabout at Milepost 92.0	October 30, 2019	Res. 57-2019	\$166,913.00
Second Modification	Phase II Services – Project No. 43-21-02 – Construction Administration and Inspection Services	April 6, 2021	Res. 22-2021	\$552,649.00
Third Modification	Additional design services – Project No. 43-21-02 - Professional Survey Services for transfer of portion of right-of-way to ODOT	May 21, 2021	Chief Engineer	\$21,165.00
Fourth Modification	Additional Phase II Services due to the contractor taking longer than originally planned on the Project because of a delay caused by utility relocations not being complete when the contractor was ready to begin work – Project No. 43-21-02	January 22, 2022	Executive Director	\$123,684.00

TOTAL AMOUNT TO DATE: \$1,057,642.00

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
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PROPOSED SERVICES/FEES

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
<i>Fifth Modification</i>	Additional Phase II Services – Project No. 43-21-02 – Additional work hours for August and September 2022 due to contractor taking longer than originally planned on the Project because of delay in utility relocation described above	August 31, 2022	<i>Proposed</i>	\$48,025.00

TOTAL AMOUNT WITH MODIFICATION: \$1,105,667.00

WHEREAS, Fishbeck submitted a fee proposal dated August 31, 2022, in the not-to-exceed amount of \$48,025.00, to perform additional Phase II Construction Administration and Inspection Services on Project No. 43-21-02 in August and September 2022 due to the contractor taking longer than originally planned on the Project because of a delay caused by utility relocations not being complete when the contractor was ready to begin work which fee proposal the Chief Engineer deemed reasonable and necessary; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize the modification to the Contract with Fishbeck to perform additional Phase II Services under Project No. 43-21-02 in the amount of \$48,025.00; and

WHEREAS, the amount set forth in the fee proposal to perform the additional Phase II Construction Administration and Inspection Services, when aggregated with amounts previously approved by the Chief Engineer and Executive Director for the Third Modification and the Fourth Modification described above, result in an aggregate increase in the Contract by an amount that exceeds the Executive Director’s contracting authority under Article V, Section 1.00 of the Commission’s Code of Bylaws, and, therefore, Commission approval is necessary to authorize the modification to the Contract incorporating the fee proposal dated August 31, 2022 in the amount of \$48,025.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the proposal from Fishbeck, Thompson, Carr & Huber, Inc. dated August 31, 2022 to perform the additional Phase II Construction Administration and Inspection Services, specifically described in the recitals, under Project No. 71-18-07 for Construction Project No. 43-21-02 in the not-to-exceed amount of \$48,025.00 is approved, and the Executive Director is authorized to amend the Contract with

Fishbeck, Thompson, Carr & Huber, Inc. to perform such additional services in accordance with the terms and conditions of the existing Contract and Fishbeck, Thompson, Carr & Huber, Inc.'s fee proposal dated August 31, 2022, resulting in the aggregate not-to-exceed amount of \$1,105,667.00 under the Contract.

(Resolution No. 70-2022 adopted September 19, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving Change Order No. 2 Under Contract with Ports Petroleum Company, Inc. for Unleaded Gasoline/Ethanol Blend for an Aggregate Not-to-Exceed Amount of \$1,815,000.00

WHEREAS, pursuant to Resolution No. 61-2020, adopted September 21, 2020, the Commission approved the selection of Ports Petroleum Company, Inc. of Wooster, Ohio under Bid Invitation 4372 to furnish approximately 215,000 gallons of unleaded gasoline/ethanol blend annually for Group IV-East in the estimated amount of \$470,000.00 for a one-year term, with two options to renew for one-year periods each and further authorized the Executive Director to exercise such renewal options for a total Contract amount of \$1,410,000.00; and

WHEREAS, in accordance with Resolution No. 61-2020, the Commission issued Purchase Order No. 20204372CB to Ports Petroleum Company, Inc. on November 1, 2020, for the initial one-year term in the amount of \$470,000.00 (the "Contract"); and

WHEREAS, based on Ports Petroleum Company, Inc.'s satisfactory performance and favorable unit prices, in 2021, the Commission exercised the first option and renewed the Contract for one-year in the additional amount of \$545,000.00, reflecting an increase of \$75,000 for the one-year renewal term due to potential fuel cost increases (hereinafter "Change Order No. 1) which was approved by the Executive Director pursuant to Article V, Section 1.00 of the Code of Bylaws; and

WHEREAS, based on Ports Petroleum Company, Inc.'s satisfactory performance and favorable unit prices, the Maintenance Operations Engineer recommends exercising the second, final option to renew the Contract for one-year in the additional amount of \$800,000.00, reflecting an increase of \$330,000.00 for the one-year renewal term due to cost increases (hereinafter "Change Order No. 2"); and

WHEREAS, the original Contract amount for the initial term (\$470,000.00), with the addition of Change Order No. 1 (\$545,000.00) for the first renewal term and proposed Change Order No. 2 (\$800,000.00) for the second, final renewal term will result in a total Contract amount of \$1,815,000.00; and

WHEREAS, the Chief Engineer and Executive Director have reviewed the report of the Maintenance Operations Engineer and concur with the recommendation to exercise the second and final option for a one-year extension of the Contract with Ports Petroleum Company, Inc. and to issue Change Order No. 2, resulting in an aggregate not-to-exceed Contract amount of \$1,815,000.00; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because proposed Change Order No. 2 exceeds the greater of \$150,000.00 or 10% of the original Contract amount; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Commission shall exercise the second and final option for a one-year extension of the Contract with Ports Petroleum Company Inc., of Wooster, Ohio, to furnish approximately 215,000 gallons of unleaded gasoline/ethanol blend for Group IV-East in the amount of \$800,000.00, representing an increase of \$330,000.00 over the previously authorized amount, and authorizing the Executive Director to issue Change Order No. 2 in the amount of \$800,000 in accordance with the terms and conditions of the existing Contract, resulting in an aggregate not-to-exceed Contract amount of \$1,815,000.00.

(Resolution No. 71-2022 adopted September 19, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Selection of Mars Electric Company for Furnishing LED Light Fixtures and Brackets Under Invitation No. 4419 in the Total Amount of \$237,257.23

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) advertised Invitation to Bid No. 4419 (“Invitation”) for furnishing LED light fixtures and brackets that will be used for lighting upgrades at Toll Plaza 71, Toll Plaza 152 and the Erie Islands and Commodore Perry Service Plazas during a period commencing upon the issuance of a purchase order; and

WHEREAS, the Commission received six (6) bids in response to the Invitation, and the Commission’s Facilities Engineer reviewed and analyzed the bids timely submitted, whose report concerning such analysis is before the Commission; and

WHEREAS, the Facilities Engineer reports that Mars Electric Company, of Mayfield Village, Ohio submitted the lowest responsive and responsible bid for furnishing LED light fixtures and brackets at Toll Plaza 71, Toll Plaza 152 and the Erie Islands and Commodore Perry Service Plazas in the total amount of \$237,257.23; and

WHEREAS, the Facilities Engineer recommends that the Commission award the contract under Invitation No. 4419 to Mars Electric Company as the lowest responsible and responsive bidder based on its proposal to furnish materials in accordance with the specifications, the bidder previously satisfactorily provided materials to the Commission, and the bid is below the estimate of \$268,050.00; and

WHEREAS, the Director of Contracts Administration determined that the bids for Invitation No. 4419 were solicited on the basis of the same terms and conditions and the same specifications, and that the bid from Mars Electric for Invitation No. 4419 conforms to the requirements of Ohio Revised Code Sections 5537.07 and 9.312; and

WHEREAS, the Office of Equity and Inclusion determined to waive the program requirements due to lack of subcontracting opportunities; and

WHEREAS, the Commission’s Chief Engineer and Executive Director concur with the report of the Facilities Engineer and recommend that the Commission award Mars Electric Company the contract for Invitation No. 4419 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 bid received will require an expenditure that exceeds \$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 Mars Electric Company of Mayfield Village, Ohio for furnishing LED light fixtures and brackets that will be used for lighting upgrades at Toll Plaza 71, Toll Plaza 152 and the Erie Islands and Commodore Perry Service Plazas under Invitation No. 4419 in the total amount of \$237,257.23 is approved as the lowest responsive and responsible bid received, and that the Executive Director is authorized to execute a contract on the basis of said bid.

(Resolution No. 72-2022 adopted September 19, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Selection of Kapsch TrafficCom USA, Inc. for the Purchase of Transponders in the Not-to-Exceed Amount of \$1,123,750.00 Under the E-ZPass® Interagency Group Next Generation Technology Contract

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

WHEREAS, the Commission is a member of the *E-ZPass*® Interagency Group “IAG”) pursuant to the Amended and Restated *E-ZPass*® Operations Interagency Agreement dated August 13, 2015, as amended; and

WHEREAS, the IAG Group’s Executive Management Committee (“EMC”) provides overall management of the IAG and pursuant to Resolution No. 2020-11-01 adopted November 12, 2020, the EMC authorized the Northern Carolina Turnpike Authority (“NCTA”) to conduct the procurement process of the IAG’s Next Generation Technology, including transponders and related equipment and services; and

WHEREAS, NCTA issued a Request for Proposals for the IAG Next Generation Technology on June 7, 2021; and

WHEREAS, on September 14, 2021, four (4) vendors submitted proposals in response to the RFP: Kapsch TrafficCom, Inc. (“Kapsch”), Neology, Star Systems America and TransCore, LP (“Transcore”); and

WHEREAS, IAG staff performed a review of the proposals in terms of responsiveness to the Scope of Services and submittal requirements and the IAG issued a Notice of Award to each vendor on December 13, 2021; and

WHEREAS, in January 2021, the vendors started validation testing and to date only Kapsch and Transcore have successfully completed the testing; and

WHEREAS, price proposals were received from each vendor on February 7, 2022, and the IAG only opened pricing of those vendors with approved equipment, Kapsch and Transcore; the price proposals of the other vendors will be opened when their equipment completes validation testing; and

WHEREAS, contracts with Kapsch and Transcore were executed on April 20, 2022, and made available to the IAG members, each contract having an initial term of seven (7) years and up to three (3) additional 1-year renewal terms at the discretion of each member of the IAG; and

WHEREAS, the Commission’s Director of Internal Audit and Control and Toll Collection Systems Manager, with consultants from Stantac, Inc., have reviewed the IAG contracts and

recommend that the Commission enter into a contract with Kapsch for the purchase of transponders and related equipment and services for use by the Commission and its customers on the basis of Kapsch offering competitive pricing and due to the cost savings in that the Commission currently owns and uses testing equipment, mylar storage bags and other items necessary for using Kapsch transponders; and

WHEREAS, based on the current Kapsch pricing of \$6.20 per unit, which is subject to adjustments annually and capped at \$7.75 per unit, the Commission's Director of Internal Audit and Control and Toll Collection Systems Manager are seeking authorization to enter into a contract with Kapsch for the purchase of transponders and related equipment, software and services under the IAG Next Generation Technology contract in the not-to-exceed amount of \$1,123,750.00 for the purchase of an estimated 145,000 of transponders for the remainder of 2022 and 2023; and

WHEREAS, because the Commission's actual needs for transponders for the remainder of 2022 and 2023 are unknown, especially with implementation of the new Toll Collection System in 2023 which will likely result in an increase of transponder sales over current numbers, the Executive Director or his designee will report back to the Commission at the end of each year regarding the number of transponders purchased and the amount spent each year; 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 expenditure exceeds \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation of the Director of Internal Audit and Control and Toll Collection Systems Manager and concurs that the Commission should authorize the selection of Kapsch under the IAG Next Generation Technology contract for the purchase of transponders and related equipment and services in the not-to-exceed amount of \$1,123,750.00 for the remainder of 2022 and 2023; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Executive Director is authorized to execute a contract with Kapsch TrafficCom, Inc. under the IAG Next Generation Technology contract for the purchase of transponders and related equipment and services in the not-to-exceed amount of \$1,123,750.00 for the remainder of 2022 and 2023, and the Executive Director and General Counsel shall take any and all actions necessary and execute any documents or agreements necessary to effectuate the intent of this Resolution, including but not limited to a license agreement and issuing a blanket purchase order to Kapsch TrafficCom, Inc. for the remainder of 2022 and 2023; and

FURTHER RESOLVED, that the Commission instructs the Executive Director or his designee to issue a report back to the Commission annually indicating the number of transponders purchased and the amount spent each year.

(Resolution No. 73-2022 adopted September 19, 2022)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of Power Plants, Rectifiers and Inverters from Anixter Inc. in the Total Not-to-Exceed Amount of \$962,000.00 Under the Sourcewell Cooperative Purchasing Program

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

WHEREAS, the Chief Information Officer and Technology Department staff have identified the following technology needs for the efficient operation of the Ohio Turnpike and completion of new toll plazas for the new Toll Collection System (TCS):

- (1) **Power Plants for new TCS Toll Plazas 4, 49 and 211:** The Commission must procure power plants for Toll Plazas 4, 49 and 211. The power plants are essential for the Commission’s communication rooms to function properly and will help to ensure that network services remain uninterrupted during a loss of commercial power. Similar power plants are installed at communication rooms at all other Commission facilities.
- (2) **Rectifiers for Toll Plazas:** The Commission needs to replace current aged rectifier equipment at 20 toll plazas in 2022, which is part of the 2022 Capital Budget and intends to replace the rectifier equipment at 22 sites (14 Service Plazas and 8 Maintenance Buildings) in 2023 as part of the 2023 Capital Budget.
- (3) **Inverters for Commission-Owned Buildings:** The Commission plans to install inverters at Commission-Owned facilities and to complete this upgrade in phases. For 2022, the Commission plans to replace 10 inverters which is part of the 2022 Capital Budget and will be installed by the Commission’s trades team. Additional sites are planned for installation in 2023 and 2024 and will be part of the Capital Budget for those years.

WHEREAS, the Chief Information Officer and Technology Department staff have recommended that the best equipment available for the power plants for new TCS Toll Plazas 4, 49 and 211 is the NS5100 DC power plant (rectifier and 48v battery strings) for each main toll plaza building; Exeltech inverter, lithium ion UPS with addon capacity and network monitoring for each toll plaza utility building; and Liebert micropod bypass switch, which are available for acquisition, including necessary equipment, hardware and installation services, through the Sourcewell Cooperative Purchasing Program, under Sourcewell Contract No. #121218-WES from Anixter Inc. (a WESCO Company) of Glenview, Illinois Heights, in the total amount of \$177,345.93; and

WHEREAS, the Chief Information Officer and Technology Department staff have recommended that the best equipment available to replace the rectifiers at the 20 toll plaza

locations identified above is the NS5100 DC power plant, which is available for acquisition, including necessary equipment, hardware and installation services, through the Sourcewell Cooperative Purchasing Program, under Sourcewell Contract No. #121218-WES from Anixter Inc. (a WESCO Company) of Glenview, Illinois, in the total amount of \$193,180.60 and in the estimated total amount of \$225,000.00 for the additional 22 sites planned for 2023; and

WHEREAS, the Chief Information Officer and Technology Department staff have recommended that the best equipment available to install inverters at Commission-Owned facilities is the 120V Exeltech inverter, equipment only, which is available for acquisition through the Sourcewell Cooperative Purchasing Program, under Sourcewell Contract No. #121218-WES from Anixter Inc. (a WESCO Company) of Glenview, Illinois, in the total amount of \$99,750.00 for 2022 and in the estimated total amount of \$275,723.47 for years 2023, 2024 and 2025; and

WHEREAS, based on the foregoing, the Chief Information Officer recommends that the Commission authorizes the purchase of the Toll Plazas 4, 49 and 211 power plants (equipment, hardware and installation), Rectifiers (equipment, hardware and installation), and Inverters (equipment only) described above under Sourcewell Contract No. #121218-WES from Anixter Inc. (a WESCO Company) of Glenview, Illinois, in the total estimate amount of \$177,345.93; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Information Officer and concurs with the recommendation that the Commission authorizes the purchase of the Toll Plazas 4, 49 and 211 power plants (equipment, hardware and installation), Rectifiers (equipment, hardware and installation), and Inverters (equipment only) described above under Sourcewell Contract No. #121218-WES from Anixter Inc. (a WESCO Company) of Glenview, Illinois, in the total not-to-exceed amount of \$962,000.00; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the expenditure required to purchase the power plants, rectifiers and inverters exceeds \$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 purchase of (1) Toll Plaza 4, 49 and 211 power plants as described in the recitals; (2) Rectifiers for 2022 and 2023 as described in the recitals; and (3) Inverters for 2022, 2023, 2024 and 2025 from Anixter, Inc. (a WESCO Company) through the Sourcewell Cooperative Purchasing Program under Contract No. 121218-WES in the total not-to-exceed amount of \$962,000.00, is approved; and

FURTHER RESOLVED, that the existing rectifier equipment and inverter equipment may be disposed as per the Commission's Property Disposal Policy.

(Resolution No. 74-2022 adopted September 19, 2022)