

**MINUTES OF THE 704<sup>th</sup> MEETING OF THE  
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION  
JANUARY 17, 2023**

**Chairman, Jerry Hruby:** 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.

Senator Bill Reineke is unable to attend today's meeting and he is excused. Dr. Jack Marchbanks, of ODOT, will not be here this morning, but sitting in for him is Myron Pakush. Vice Chairman Timothy Paradiso has been excused as he is unable to attend today.

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

**Assistant Secretary-Treasurer:** Chairman Hruby

**Chairman:** 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

**Ohio Department of Transportation, Myron Pakush:** Here

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

**Office of Budget and Management, Michael Babin:** Here

**Chairman:** We have a quorum. Although it will take four votes, all four votes will be needed to pass any action that we take today. So, I just wanted to bring that to everyone's attention. The four voting members will all have to vote unanimously to adopt any of the resolutions.

This is the 704<sup>th</sup> 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 provided 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 December 19, 2022, Commission Meeting? Any corrections, additions, or questions regarding the Minutes? Hearing none, I was not in attendance at the last meeting, but I have reviewed the minutes and I feel confident that I can vote in favor of them rather than abstaining so we can adopt our minutes. Please call the roll.

**MOTION:** A motion to adopt the Minutes of the December 19, 2022, Commission Meeting was made by Chairman Hruby, seconded by Mr. Pakush and approved by all Commission Members present.

**Chairman:** The December 19, 2022, Commission Meeting Minutes are adopted. 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 December 19, 2022:

1. Six (6) Resolutions;
2. Draft Minutes of the December 19, 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, December 2022;
2. Traffic and Revenue Report, December 2022;
3. Total Revenue by Month and Year, December 2022;
4. Investment Report, December 2022; and
5. Financial Statement, December 2022.

That completes my report, Mr. Chairman.

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

**Director Ahmed:** Good morning, Mr. Chairman, Commission Members, and audience.

I will start my report today by welcoming our new team members. In the Maintenance Department, they are Dalton Beck at Kunkle and Tyson Short at Swanton.

In the Engineering Department, Lwin Maung, who has co-oped for us is now joining us full-time as an engineer in training.

In the Procurement Department, Heather Mihalick has started as Procurement Coordinator.

In the Legal Department, Sydney Sallee, a third-year law student from Cleveland State University College of Law has joined us as an extern.

Welcome and best wishes to all our new team members.

The new Toll Collection System (“TCS”) is in the installation phase, switching to the new technology one lane at a time. Some of the major highlights include new state-of-the-art automatic toll payment machines, gateless entry lanes, and license plate cameras in *E-ZPass* exit lanes.

- The TCS host has already completed its transition, which means that all final *E-ZPass* toll transactions and fares are being processed by the new toll system.
- All conventional lanes work is scheduled to be completed by early July 2023 for a July 9, 2023, go-live date.
- The installation phase requires extensive coordination with several separate construction contracts and is also dependent on some other factors. Our vendor, Conduent, has a 70% confidence level to meet the schedule, with potential delays from winter traffic, unforeseen construction coordination or supply factors.

I will update the Commission every month about the TCS progress as well as any potential conflicts and delays. Along those lines I found out last night that TransCore, working on the back office system, that is supposed to complete the project at the same time as Conduent and may need to extend into August. If TransCore goes into August this can cause issues in our construction contracts. These are complicated projects, and we cannot rush them but on the other hand August can be a problem for us so we will be meeting with TransCore to see what we can do to mitigate any issues to move them back into July.

One of my duties at the beginning of each year is to report out on the final construction costs of projects that have closed out in the previous year. In 2022, we closed out seventeen (17) projects with a total original contract value of approximately \$124.1 million. The final value for those contracts was approximately \$125.6 million. The net total of all change orders was just above \$1.5 million, or about 1.2% more than the original contract amounts. Two projects had change orders that exceeded the Executive Director’s approval authority, and the Commission approved those change orders at the February 2022 Commission Meeting. In your packets there is a spreadsheet that gives details for each of the 17 construction projects.

On the morning of January 6, 2022, a commercial truck accident resulted in a fire underneath the SR 15/US 20A bridge over the Turnpike. The fire was concentrated on the westbound right shoulder directly under the bridge. Our consulting engineer, AECOM, inspected the bridge and recommended keeping only the southbound lane open. Temporary traffic control devices, including temporary traffic signals provided and setup by ODOT, were deployed to allow traffic to utilize the southbound lane of the bridge. The Chief Engineer has authorized AECOM to prepare permanent repair plans and specifications. Once these plans are finalized, we will exercise the provisions of the Ohio Revised Code 5537.07(G)(3), to contract for the purchase of

materials and services without public advertisement due to circumstances created by an extraordinary emergency.

I am going to end my report on a tragic note. At about 12:30 p.m. on Friday, December 23, Ohio Turnpike staff, Ohio State Highway Patrol (“OSHP”), and emergency personnel from numerous agencies arrived on the scene of multiple crashes on the Ohio Turnpike at Milepost 106 eastbound between State Route 53 and State Route 4 in Groton Township in Erie County.

As a result of the incident, the Ohio Turnpike was closed in both directions at toll plaza interchanges 91 and 118. Eastbound traffic was diverted at Exit 91 to State Route 53, and westbound traffic was diverted at Exit 118 to U.S. 250. More than 50 vehicles were involved in the crash. The Highway Patrol has reported that the crash was caused by “white-out conditions,” due to snow and high wind. Tragically, four people lost their lives and 62 people suffered injuries.

Rescue operations were conducted during below freezing temperatures with wind chills exceeding minus 30°F and wind gusts well over 50 mph, by the Ohio Turnpike staff, Ohio State Highway Patrol, multiple law enforcement and safety agencies from several counties, including the Erie and Sandusky County Sheriff/s Departments, Sandusky County EMA and Red Cross, many different fire departments, and tow truck companies. The rescue mission was centered around tending to the injured, taking people out of their vehicles to a safe place, and re-routing the people stuck in their vehicles on either side of the crash zone. This effort lasted till around 7:30 p.m., by which time all involved in the crash had been rescued and travelers stuck on either side of the crash zone had been rerouted to state and local roads.

Busses from the Gibsonburg and Clyde-Green Springs School Districts were utilized to transport patrons from their vehicles to the Turnpike Castalia Maintenance Building for care and emergency treatment. Ambulance staff performed triage at the Ohio Turnpike’s maintenance building and transported injured patrons to local hospitals. Local agencies and volunteers provided food and beverages, and blankets.

I want to recognize the point people who managed traffic, supported rescue efforts, and assisted as needed throughout the day, the night and into the next day. Our team on site was led by Western Division Superintendent Jeff Landel, Assistant Superintendent Julio Medina, Castalia Foreman Jeff Horner, and Safety Services Manager Cory Skoczen. The efforts of the Highway Patrol were led by Lieutenant Brett Gockstetter, of the Milan Post, and Sergeant Ryan Purpura. At Castalia, our coordination was led by Adam Greenslade. Director Laurie Davis, Western District Toll Supervisor Jayne Ferreira and Chief Engineer Chris Matta oversaw various efforts related to toll and field operations.

Among the volunteers I want to recognize are Clyde-Green Springs Schools Athletic Director Ryan Greenslade, who is Adam’s brother, Transportation Director Bob Morris and Gibsonburg Schools Transportation Director Joe King. These gentlemen brought out the school busses to transport rescued patrons from the crash site to the Ohio Turnpike Castalia Maintenance Building and hotels, and to give responders a warm place to rest. Hot food and beverages were provided by the Clyde Fire Department Women’s Auxiliary. Members Amy Hilliker, Margaret Hilliker, Jennifer Andrews and Chuck Zerman transported the food between the maintenance

building and the crash site. A local charity, Community Fortress in Fremont, donated over 60 blankets.

Mr. Chairman, to paraphrase an email from you, this was a team effort that demonstrated the high level of efficiency of our staff, Ohio State Highway Patrol, ODOT, all local agencies and medical staff, as well as, civilian support. There were also hundreds of unnamed people of whom we are so proud and to whom we are so grateful.

The people who lost their lives were Julie E. Roth, of Toledo, Bernard M. Bloniarz, of Napoleon, Emma L. Smith, of Webberville, Michigan, and Francisco Gutierrez-Martinez, of Cleveland.

Our deepest sympathy to their families, and our best wishes and prayers to the injured. Mr. Chairman, that ends my report.

**Chairman:** Thank you. Any questions or comments?

**Mr. Coviello:** Can you provide more detail on what happens if there is a delay into August in terms of construction.

**Director Ahmed:** Mr. Coviello and Chairman Hruby, the way the toll collection system is being implemented, we've got the hardware and the software, we've got the back office system and then the lanes have to be converted to switch from existing lanes to the new lanes. A lot of those new lanes are being built by the new construction projects. Some work associated with those projects can only be done once the toll collection system is implemented. The contractors that had these jobs for a couple of years now and they've got their set schedules, some of that work needs to start by June or July. If it is pushed forward into August or beyond, it is possible that some of that work will require acceleration and those costs will be borne by us, and we feel that if those costs are borne by us that we would turn that back on to our vendors unless our vendors can show is some way that they should not be held accountable for those delays, so that is the potential right now.

**Secretary-Treasurer Barber:** I just wanted to comment on the Director's report on the horrific accident and in my own mind I can't imagine trying to coordinate all the different agencies involved and the people that were hurt and I just commend those who were involved in this, the State Patrol, the local fire departments, auxiliaries, and anyone else. When I heard that on the news, it just made me so sick to my stomach that this had happened. But the weather was awful that night, I do know that. I just want to thank all of those that were involved in helping to coordinate rescue efforts.

**Chairman:** On behalf of all of us, I am sure that we offer our deepest sympathies to the families that lost their loved ones, it is such a tragic event and it happens in such a small amount of time and it's everlasting thereafter, unfortunately. But I also want to commend our staff. Ferzan was in touch with me throughout the process and I am just deeply gratified by the work that has been done and was done, and things that we were hearing and some of the work of outside agencies was exemplary and rather remarkable, everyone pulling together. You never can train for

something of this magnitude, you can train but to have it at that magnitude is quite difficult, so thank you to each and every one of you and we appreciate your efforts and that's what makes our staff such a great organization. Thank you to our state and local officials working together is rather remarkable and all of the support that the legislature gives our local governments in safety and training and providing equipment and that always comes through in moments like this. So, I just wanted to mention that fact to Representative Ghanbari that the state does so much to help us and prepare our local governments to be ready for incidents like this which you are never ready for unfortunately. So, thank you all. Ferzan, word of note on your work and thank you very much. I appreciate your efforts.

We are going to take the Ohio State Highway Patrol report out of order, we are going to have them next on the Agenda. Staff Lieutenant Richard Reeder is here and he will be directing his attention not only to his report, but also to this tragic event. Good morning, Staff Lieutenant.

**Staff Lieutenant Reeder:** Good morning, Mr. Chairman and Commission Members. We talked and I think it is just a good way to transition into what we have. I have invited Lieutenant Brett Gockstetter up today. I cannot thank Brett enough for his leadership and everything that he did, he was the commander of the Milan Post in 2014 when we had an incident that was similar to this one. The things we learned from then, this man put in place that day and with the leadership and the help of all the maintenance workers, and all the parties that you talked about, I think we did a good job. I mean anything can be improved and that is what we will do, but again, I want to thank Lieutenant Gockstetter because he truly was on the ground that night. This guy is an avid hunter and outdoorsman, and he said that he has never been that cold ever. It is something that none of us can really appreciate if we weren't there. With that, I would like to have Lieutenant Gockstetter come up and we have a couple slides. The first being is the diagram that our Traffic Crash Reconstruction team has put together. I want to say this, I thank everyone for their patience, but we are going to do an excellent report and it takes time because the magnitude of this. Just late last week, we determined there was one more vehicle involved in this incident, so it is fluid, it is ongoing and there will be supplements. But the work that everyone has done at that Post to come up with a report that we are going to have for a final is just the tip of the spear. So, if Lieutenant Gockstetter can come up, he can kind of give an overview and answer any questions.

**Lieutenant Gockstetter:** Thank you and good morning. Like Staff Lieutenant Reeder said, we are diligently working on the report. It should actually be preliminarily done this week. We are up to fifty-one vehicles, the four fatalities remain the same, and now we have a few more injuries, so that may be seventy with the addition of the extra vehicles.

As Staff Lieutenant Reeder spoke about, we have fifty-one vehicles in this field sketch here. It was actually quite a bit shorter of a crash scene than in 2014, it was pretty condensed. The fatalities are labeled in there, it is kind of hard to see but more of them are kind of in the center just to the right of the bridge overpass. I would like to thank everybody from the Turnpike to the first responders. This went so much more seamless than in 2014. I think we learned and I have to give props to the Director. He has sent out an email a few weeks prior, it was kind of a foreshadowing, from the Virginia after action plan, which I read and then I read ours from 2014 just out of curiosity and two weeks later, and thankfully I had read it, came back and it really

helped process the scene and deal with the tragedy at hand. It was something with the freezing temperatures, but everybody worked together and we will have the report done shortly. I can answer any questions you may have.

**Staff Lieutenant Reeder:** If you could go to the next slide that has a picture of the scene.

**Lieutenant Gockstetter:** So, underneath that pick-up truck that you see elevated in front of that yellow semi, there is actually a car underneath that and underneath the semi-trailer to the left. That was Julie Roth, the pregnant female that ended up dying and she had her two children in the backseat, a four and five year-old, who miraculously survived. You would not believe the pictures of the vehicle, you could not even see into the vehicle, it was condensed to the size of this desk and I am not exaggerating and somehow those children lived. There are several examples of that and you know the fire departments did an amazing job, we had busses coming. I had a bus for first responders and not one of the first responders went in there to get warm. They just worked the entire time in that freezing cold and I'll you what, in my twenty-four years no big incident like this has ever gone as smoothly as it did and I think a lot of it was the lessons learned and kind of the preparedness from 2014.

Chairman: Any questions?

**Representative Ghanbari:** Thank you, Chairman. Lieutenant Gockstetter, thanks for the brief that you gave. So, I have comment and then a couple questions.

I went out to the scene that evening with the Patrol and I would just tell you, this picture isn't even that graphic, this is a pretty mild picture. Even once they started to pull some of these cars out, the best way I was able to describe it to some of my colleagues is that it looked like an improvised explosive device or some type of bomb went off on the Turnpike. So, the thing that I just want to offer up, Lieutenant Gockstetter and for everyone else is, to make sure that you check on your battle buddies and your colleagues that are still probably trying to process the carnage of what they saw that evening. As you said, Chairman, there's training opportunities to do your best to prepare from something like this, but when you see the carnage firsthand this is something that underscores the importance of supporting mental health programs and outreach for our police, fire, EMS, tow truck drivers, and Turnpike employees that were out there and saw this. Just make sure you continue to check on your troops there, Lieutenant.

The other thing I wanted to know is, what does the after action review timetable look like? I know you are talking about having a preliminary report but beyond just the report, what response was done well? What can be improved upon communication wise? What were the lessons learned, is my first question, then I will have a follow-up?

**Lieutenant Gockstetter:** We still have a couple more after action reviews to go, but we did one last week over in Townsend Township in Sandusky County. So, basically, I think from the response to the incident went about as seamlessly as it could go. The communication was much improved from the 2014 incident. The interagency cooperation, the busses were by far the biggest asset. There wasn't people stranded out there for multiple hours or days like the case in

Virginia and we got a lot of positive comments from people on that. I think that was the strong part. The thing that I think we can learn from this is trying to prevent, well you can't really prevent such an incident but maybe kind of lessen it that day and that is something that we can talk about moving forward with the Commission, such as what are we going to do when we have severe weather like that to maybe, I don't know, limit more trucks off of the road because every fatality in 2014 and this year was the result of a commercial attached to a fatality. So, obviously, that in my mind as law enforcement is what we need to come up with. I don't think we would have any fatalities if it wasn't for the commercials on the road and that's something, you know, it's probably a big, involved thing that we have to talk about but in my opinion there needs to be some discussion about that. I know we had travel bans in place and what not, but some people don't listen. There were several empty trucks that were not supposed to be there that caused some fatalities.

**Representative Ghanbari:** That's one of the pieces of feedback I've received, "well what's the Turnpike doing to actually enforce this?" I've been out on the Turnpike with Staff Lieutenant Reeder responding to a disabled vehicle and even when it's not a whiteout condition it's almost if you are out there stopping all these trucks, you are potentially having an unintended consequence of people now looking at the blue lights and slamming on their brakes, and now maybe causing an accident that maybe would not have happened if they didn't see blue lights on the side, so it's really a catch twenty-two as far as enforcing the ban, which the Turnpike had put out, I think a day or two or three days prior, I know there was some press releases and what not that had gone out about commercial vehicle traveling and the restrictions, but on the flipside of it, how do you enforce it because let's face it we don't have enough Troops to stop all the commercials that are on there and when they do, are they going to potentially create a secondary accident?

**Lieutenant Gockstetter:** You are 100% right. First, we could not in those conditions enforce that, it would be very irresponsible of us and we would cause more possible crashes and how would you know if these commercials are empty. There is just no way to put them on the berm, it is futile. So, yes enforcing it in those weather conditions is absolutely not going to happen. There's no way in those weather conditions, it would set-up tremendous liability for us if we were trying to put vehicles on the berm in whiteout conditions when you can't even see where the berm is. So, that is off the table in situations like that. So, I guess it comes down to you know we have to have discussions about how we prevent vehicles from even getting on in the first place and that is obviously not my job to say but just coming from law enforcement and what I saw at the scene and you know from past experience it was all commercials that have led to these fatalities.

**Staff Lieutenant Reeder:** Mr. Chairman and Representative Ghanbari, if I could just say, the quandary here is the driving behavior. Everyone in this panel and the audience has heard me talk repeatedly about the speeds that we deal with in fair weather, 100 miles per hour, the fact that our airplane won't even call off vehicles under 95 miles per hour. That is our true underlying issue, the driving behaviors, the persons that enter the Turnpike knowing that they are in violation of that travel restriction, that is something that, I think, is our bigger picture and I don't know if there's an answer, but we have to look at it and do the best that we can. We spoke quite a bit about it and in talking to Engineering, Public Affairs and reputable companies don't do this. These are companies that are ones operating the way they should but instead it's the persons that are traveling at speeds in excess of what they should. Lieutenant Gockstetter will tell you that we have gathered about eight different videos. There is one passenger car that slammed into this mess at what we



would estimate in excess of seventy miles per hour. Who would be going that fast in that weather? So, again, the driving behaviors is in my opinion the bigger issue, the issue that we have deal with firm enforcements, we are just going to have to keep pushing that envelope.

**Representative Ghanbari:** As far as the location where this happened, it is my understanding this is right in the same stretch where the 2014 accident happened.

**Lieutenant Gockstetter:** Yes, Sir. It is within three or four miles.

**Representative Ghanbari:** Does your after action review or from the engineering perspective, is there any correlation to the fact that it happened in the same stretch? The reason that I ask that is, some folks have said, “hey maybe they need to plant a bank a trees there or snow fencing or what have you” because let’s face it, there’s plenty of stretches up and down the Turnpike where there’s massive amounts of fields and really nothing to break that wind up, so when the wind starts howling and the snow turns to a whiteout condition instantaneously, is there anything from an engineering perspective or from a public safety perspective that we could do to cut down on those types of incidents?

**Lieutenant Gockstetter:** Well, certainly the location has something to do with it from like the 100 eastbound to the 106. When you get a southwest wind like that in whiteout conditions, those fields go forever without any woods or anything to break it up, so yes, that is why it was pretty much as the same location, you get a lot of wind especially when it’s southwest wind. When it is different direction wind in that particular area that stretch is not affected but in this case it was the exact same wind, southwest, wind gusts and they just come across and other than putting trees up or I don’t know that is like six miles of trees, I don’t know the feasibility of that, but that is something to be looked at because I think we could have, you know, if there was woods there, we definitely wouldn’t have had those same conditions, to put it that way, or some kind of barrier.

**Representative Ghanbari:** Last question, is there any charges that will be brought forward from the prosecutor relating to any of this that you are aware of?

**Lieutenant Gockstetter:** So, what we will do is once we compile our preliminary report, we will share it and discuss it with the prosecutor’s office and let them determine because in a situation like this after watching these videos there’s so many collisions, like there is one vehicle that gets hit eight or nine times and pretty much without having the video from every vehicle, but just looking at the ones we did, everyone is hitting everybody, there is not one person at fault, there is not two people at fault, pretty much everybody is driving too fast for the conditions. It is not all that bad visibility and then all of the sudden it is a whiteout and people are slowing down, slamming on their brakes and everyone is running into each other, so I don’t know. In 2014, there was no charges and I can probably assume there won’t be any this time because everybody pretty much from what we see played a part and there was multiple collisions. I don’t think there was one vehicle that was only involved in one collision, most of them, including Julie Roth, at first we thought just by looking at it that she got smashed into it, we have what we believe to be strong video evidence that she actually went underneath the trailer first and that possibly caused her fatal injuries and she was hit subsequently, but there is no way to say beyond a reasonable doubt that her death was caused by any secondary collisions. So, there’s a lot of situations like that and

typically what we do is we just compile the report and meet with the prosecutor and they will probably, I would assume not charge people. Otherwise, how do you charge one person and not the other when almost every vehicle is in a similar situation?

**Chairman:** Any other questions?

**Secretary-Treasurer:** I just have one, Mr. Chairman. Do you have any idea the number of personnel that was involved in this recovery and helping with all the volunteers and the Patrol, police officers, and EMTs, I am just curious.

**Lieutenant Gockstetter:** So, I don't have a number of people off the top of my head, but I know we had like sixteen or seventeen different fire departments, emergency medical personnel, we have three different wrecker companies, all the Turnpike personnel and us, I think we had fifteen from the Patrol at some capacity. So, I would say there was probably seventy-five to hundred people and that is just me throwing that out there without counting, but I wouldn't be surprised if it was that amount of people and everyone showed up quickly this time. As a matter of fact, I had to drop some people off at Firelands Hospital in Sandusky from a previous pile-up at the 117 and in the twelve to fifteen minutes it took me to get there, there was several agencies already on scene, so it was a very rapid response by people and things just took care of themselves. Just everybody was kind of on the same page which you rarely see in an event like that.

**Mr. Coviello:** I want to commend you, Lieutenant, Director, and extend my appreciation for how seriously and how much you took in from that 2014 incident and from Virginia. It sounds like it made a big difference here. Also, I want to extend my appreciation for the level of coordination which doesn't happen by itself, so there's a lot to be said for that. I have a question for Representative Ghanbari. Is there anything that we can do on a legislative end in terms of the level of penalty for certain excess speeds or speeds in certain situations? We have carve outs where penalties are bigger if we are in a construction zone, the penalty of doing drugs in a school zone is bigger. Are there things like excess speed during certain weather conditions that are posted and made clear, you know, you double it or whatever? Are there any legislative avenues that we can do that are preventative?

**Representative Ghanbari:** Mr. Chairman and Mr. Coviello, yes that is certainly something we can look at, at least on an initial bluff. How are you going to determine the speeds unless you have warrants for all the back boxes on every one of those vehicles to determine how fast they were going at the time of the collision? I was thinking even with the new technology that we are going to be having that maybe when these vehicle enter the Turnpike and there is a ban those passes won't work, the gate won't open, they won't be able to get on the Turnpike or if they do, they are going to have to pull over or something. I am not certain, but there has to be a way to control the flow on and off the Turnpike. The other thing that I think, I know that some conversations have been had is, when these conditions do arise, I wouldn't necessarily want this commercial vehicle just sitting in the berm. We need to have more parking spaces well off the roads so that these trucks have a place to pull over, stack, rest and do what they need to do to get off the roads so the plow crews can get out and do what those folks need to do in order to get the commerce back up. So, I think it is a multi-faceted approach at how we are going to have to work to prevent something like this from happening in the future but certainly fines and penalties, I

think, can be part of the equation. Just another thing I would tell you is, as the Staff Lieutenant said, most of these instances are not the individuals that are already abiding by the laws and the bigger trucking companies, a lot of these are outliers. The thing that I have seen was some of these companies not necessarily pertaining to traveling on the Turnpike, but you get companies that a fine is a fine, they will pay the fine because they've got enough money to pay those fines. They will let the fines stack up, they'll go to a judge and they'll negotiate the fines down, it is kind of the same with our railroads, you know there were fines for blocking crossings and they just continue to block them because at the end of the day they are making more money at the other end and just chalking it up and paying the fines, so that could certainly be one thing we can look at, I don't know that is going to answer the mail and necessarily stop it.

**Mr. Coviello:** Representative Ghanbari, good comments. Fines, I mean it is a conversation starter, obviously that's oversimplifying it but I'd like to see some other avenues using our technology, creating wider spaces to go for relief. It is a good conversation to continue.

**Representative Ghanbari:** I know this wouldn't necessarily be popular, but let's face it, it is a simple time over distance equation to determine one's speed, right? So, if you get on one part the Turnpike and you get off at the other part of the Turnpike and they are actually equating the time it took you to get from point A to point B you could likely figure out if you have been speeding or not. There's going to have to be some variables if you stop off at one of the service plazas and get food or gas or what not how that can impact it, but I think for a lot of the commercial vehicles they are likely getting on at one end of the Turnpike and they are driving to the other and many of them probably aren't stopping at all.

**Chairman:** After tragic events like this we are all going to be searching for years to try and figure out what we can do to make things better and better handle the situation. I heard what the Staff Lieutenant said about your work and congratulations and thank you very much. It is nice to know that you are out there and you have the back of these people when something like this happens. So, thank you so much. Staff Lieutenant, is there anything more?

**Staff Lieutenant Reeder:** Real quick, just to kind of end this conversation on the crash, we received some emails and some cards that were very amazing from the persons that were victims in this. One such email was actually read on Friday by Governor DeWine to our graduating cadet class and it is just talking about the service and this victim in this crash thanking all the first responders for what they did and we actually received a card this morning from the Sandusky County EMS, if I can read this really quick:

*“To the Ohio State Highway Patrol and Maintenance Workers of the Ohio Turnpike,*

*We want to take this opportunity to thank you for providing our department with invaluable assets during the Ohio Turnpike incident on 12/23. I know that we are infinitely grateful for the support your department provided.*

*All of our thanks,  
Sandusky County EMS”*

I can't say enough about our Maintenance Department and everything they did from that location at the building as a warming shelter and taking everyone there. Our infrastructure and our people are good people and, again, this is just part of what we did that day to mitigate some really bad circumstances. I was told one person didn't even have shoes or socks on. That is kind of what they were dealing with. To take care of these people, keep them safe and keep them warm. Again, tragedy, we are sorry to all parties involved, but it is nice to see the "thank you's" and I want to extend that thank you to all of the Maintenance persons and everyone from the Turnpike Commission because I think we worked very well together that day.

I wanted to end my presentation on a little bit more of a lighter note. On January 4, 2023, Trooper Hershman from Criminal Patrol stopped Jeep Compass for following too closely and no headlights on Ohio Turnpike near Milepost 133 eastbound. Criminal indicators were observed and Trooper Matt Dowler responded with K-9 Tango to assist. The relationship these handlers have with their dogs is just amazing. I will let you watch the video, but when I watched this, I thought I am going to play this today because it is so fun to watch and it just made me feel better about everything that we have been going through lately and to see this relationship between this handler and his dog. So, if you could play it. You can see all the traffic flying by which is already scary, but these dogs are trained so professionally, so well and what is really great is Trooper Dowler just starts congratulating him and petting him and the dog just loves it and he is just telling him what a good boy he was. It just shows you the relationship these handlers have with their dogs and you talk to these handlers and they are truly a member of the family. I mean they are a purposed dog; they are there to work, but most of them go home and they spend time with the family. So, K-9 Tango was deployed for a free air sniff and did indicate to the odor an illegal controlled substance. A probable cause search revealed ten pounds of marijuana in a duffel bag and a box. The driver did not possess an Ohio Medical Marijuana Card and was released from the scene. Charges will be filed upon completion of lab results.

I would be happy to answer any questions.

**Chairman:** Thank you very much. We appreciate your report. We will now move on to the report of the Chief Engineer, Chris Matta. Mr. Matta, I understand that you also have some comment regarding the incident and we would like to hear that first.

**Chief Engineer:** Good morning, Mr. Chairman and Commission Members, just to extend upon. From what I have seen, I have been out here for twenty-two years and the level of effort from everybody that was involved, that afternoon, evening, night, and early morning hours, was just unbelievable. I was on the phone in constant contact with a lot of the field operations, with the Director, and a bunch of our staff and that cold, the wind, and seeing what they had to go through, it is just unbelievable. I thought I knew what they went through you know and seeing some of these other incidents that we had, but on an evening and day like that, it is just really tough and some really great perseverance to get everybody to safety as quickly as possible. Just to expound upon about the after action review, we did have the one, we took a lot of notes and comments back and when we get the report back from Sandusky County and when we look at things like this I kind of equate it to like "occupational health" as well is when you put your workers into a hazardous condition, you try to minimize or try to prevent that hazardous condition from occurring in the first place, you just don't throw a respirator on them, you try to eliminate the

condition of what caused them to have a respirator and likewise we will look at various engineering control, specifically for that area to see what we could do. Is it going to be a wind fence, or a snow fence, I don't know, you need a lot of right of way to do that, but it is not, you know, a stone that won't go unturned as well as, you could use crops, pay the farmers to try and eliminate the blowing and drifting and we will look at all of those various options to see if they apply and make sense out there. Trucking parking, we currently have a consultant on hand that is investigating our truck parking situations, obviously you can't build enough to stop all of the commercial traffic flowing down the Turnpike and park them, but the more we can provide the better. Variable speed limits, we are aware of the variable speed limits that were put up on I-90 on the eastside of Cleveland, there's been some positive and negative feedback from what I have heard but it is definitely something we will look into, specifically again for that stretch. E-ZPass may be a little tougher because part of the modernization was the feedback that we got from our customers was to remove the gates, so unfortunately, you know providing logic in the programming of the E-ZPass system may not be something that works out in this circumstance. But we will convene, we will have individual after action reviews with all of the affected agencies to go over more specific, you know, details of what we can improve on, what went well, what didn't go well and where we go from there.

**Chairman:** Thank you. There is much to learn, I am sure. Go ahead with your report, Mr. Matta.

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

My first resolution for your consideration seeks the Commission's authorization to award Contract No. 43-23-03. This represents a contract for the bridge deck replacements of the Ohio Turnpike Ramp Over State Route 57 at Milepost 145.1 and Race Road Over Ohio Turnpike at Milepost 149.2 in Lorain County, and the bridge deck replacement of Stearns Road Over Ohio Turnpike Milepost 154.6 and the reconstruction of Stearns Road in Cuyahoga County. This is a Part A and Part B project wherein Part A is the Commission's work involving the bridge deck replacements and Part B is Cuyahoga County's work for the Stearns Road Reconstruction. An agreement was entered into with the County on November 2, 2021 to bid the Commission work and the County work under one project, with the project being bid and overseen by the Commission and costs borne by the respective owner's portion of the work. The Commission's work is included in the 2022 Capital Improvement Budget. On December 15, 2022, Procurement received three (3) bids in response to this Project. The apparent low bid was submitted by The Great Lakes Construction Company ("Great Lakes"), of Hinckley, Ohio, in the amount of \$13,071,858.95, which is about 36.7% above the Engineer's Estimate of \$9,928,823.21 for both Parts of the project. The bids received for the project ranged from the apparent low of \$13,071,858.95 to a high of \$13,569,543.89, which represents a variance of just 3.7% between the three bids indicating that we received three competitive bids. In accordance with Article 5.1.2 of the Instructions to Bidders, if all bids received are in excess of ten percent above the Engineer's Estimate, the Commission shall convene a Construction Contracts Award Committee ("Committee") to determine if the bid prices are in reasonable conformance with the Engineer's Estimate and a bid may be recommended for acceptance. On December 20, 2022 and on December 22, 2022, the Construction Contracts Award Committee met to examine and discuss the bids received as well as other pertinent

information. The bid tabulations, including unit prices and extensions, of the bidders were provided to the Committee, as well as a tabulation of bid unit prices and extensions of Great Lakes' Bid compared to the unit prices and extensions of the Engineer's Estimate. For Part A of the project, the Commission's Consultant, Carpenter Marty Transportation ("Carpenter Marty"), of Columbus, Ohio, also provided an evaluation of the bids received for the Project to determine the major items that varied from the Engineer's Estimate and found no apparent errors in the bid from Great Lakes. Carpenter Marty also noted that due to material availability and inflation higher bid prices were submitted for asphalt and concrete items, and that all three bids were similar and were a true representation of cost to construct the project, with no unusual weighting of prices or major irregularities in the bids. For Part B of the project, the County and the County's consultant also provided an evaluation of the bids received for the Project to determine the major items that varied from the Engineer's Estimate and found no apparent errors in the bid from Great Lakes. They also stated the issues of inflationary and material delivery pressures facing the industry, and that all three bids were similar and were a true representation of cost to construct the project. Overall, a comparison of the competitive bids of all three prospective contractors indicates that the engineer's estimated amount was below what the market conditions are garnering. Our Engineering staff, the Commission's consultant, the Cuyahoga County, and the County's consultant, are all recommending an award be made based upon their evaluation of the prices received. The Committee also reviewed various factors to assist in determining what the best recommendation would be in the evaluation of the bid from Great Lakes. This included the number of bids submitted and comparing the low bid to the other bids, distribution and range of bids, urgency of the project and effect on the schedule, potential savings if the project were re-advertised, potential changes to the project scope or schedule that could affect the bid price, availability of funding for the project, SBE utilization and compliance, and Great Lakes' past performance. In consideration of all the information provided, the Construction Contracts Award Committee recommends the bid for Project 43-23-03, be accepted and awarded to Great Lakes. It appears that Great Lakes has the available capacity in both manpower and resources and is currently performing satisfactorily on another Commission project. In addition, Great Lakes has committed to meet the 11% SBE utilization goal set for the project. Therefore, it is recommended that the Commission award Contract No. 43-23-03 to The Great Lakes Construction Company, of Hinckley, Ohio in the amount of \$13,071,858.95. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Approving the Selection of The Great Lakes Construction Company for Project No. 43-23-03, Parts A and B, for the Total Amount of \$13,071,858.95.

**Chairman:** Any questions or comments?

**Mr. Coviello:** Mr. Chairman, just a couple. Director and Chief Engineer, is it common that we would split the costs?

**Chief Engineer:** Mr. Chairman and Commission Member Coviello, I wouldn't say it is common. It is not every year, every few years that we do this, but we have had partnership opportunities with other counties and entities in the past. We would bid a project together and

hopefully get a better unit price, have consistency, and coordination of the contractor on those parts that are integrated together being on our right of way and then off of our right of way.

**Mr. Coviello:** Do we need to do something adjustment wise with inflation and how we are looking at estimating projects going forward?

**Chief Engineer:** Mr. Chairman and Commission Member Coviello, yes, a few months ago we were here and had to reject a bid for the price that came in for a bridge repair project and we do, we go back to our consultants, we reach out to the contractors to try and come up with the best estimate we can. We had another bid that opened last week and had all eyes on it and it came back right in line with what we have. So, I think we are doing a good job, we just, I don't know, I guess say swung and missed on this one. The three bridges on this project for our part, there was three items that were basically the game changers when it came to comparison. One was the demolition of what we call "portions of structure removed." It is a lot of the hand work demolition of some of the existing bridge components, some of the asphalt pricing was higher, which were kind of covered under the ODOT specification we mirrored that allows for us to either add or subtract from the contractor's payment based upon what the current price is for the asphalt cement that is used. But the big price difference was the price of concrete itself. We had like a partnering get together with concrete suppliers and contractors about two months ago and talked about some of the supply issues that to us sounded like they are waning with the cement itself that goes into concrete, but those were the three big items when it came to our part of the project. On the County's side, there is some sewer line and waterline work and that was basically what made up the total variance on their estimate from what the bid was.

**Director Ahmed:** Chairman Hruby and Mr. Coviello, actually before the meeting, Mrs. Barber and I were having a chat about inflation and the effect of the bi-partisan infrastructure law which has greatly increased a number of projects in the country. If you look at the email that our consultant, Carpenter Marty sent to us, I commend them for being upfront and saying we underestimated. Having said that, that is not acceptable. We are hiring experts to be experts and part of their job, now we cannot expect them to guess the bid, but part of their job is to not underestimate, but to be aware of the market factors, so I think to answer your questions, sir, one that that we can do and what we will be doing is, talking to our partners in the consulting industry and stressing upon them that they need to look at the market factors and whereas, don't hold them accountable for a high bid, we want them to do a better job at their estimates so that we can be prepared with our budgets.

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

**MOTION:** A motion to adopt a *Resolution Approving the Selection of The Great Lakes Construction Company for Project No. 43-23-03, Parts A and B, for the Total Amount of \$13,071,858.95* was made by Secretary-Treasurer Barber, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 1-2023.

**Chairman:** The resolution passes unanimously. Inc. continue.

**Chief Engineer:** My second resolution for your consideration seeks the Commission's authorization to modify the Agreement for Project No. 71-19-10 with Stantec Consulting Services, Inc. ("Stantec"), of Cleveland, Ohio, relating to the Project Management Services for modernizing the Ohio Turnpike's Toll Collection System and implementing the Strategic Plan, as adopted by the Commission under Resolution No. 57-2017. The Commission, under Resolution No. 48-2019, awarded a Contract and authorized an agreement for Stantec to provide Project Management Services under Project No. 71-19-10. Task 5 Services, for providing management and coordination of the integration of the TCS with the new Customer Service Center and unpaid toll processing, was assigned to Stantec via Commission Resolution 36-2021 on June 21, 2021. This assignment was in the amount of \$749,000.00 and, with the originally intended go live of Spring 2023, was for services through June 2023. Several of the services to be provided within Task 5 took longer to complete than anticipated, including the support services necessary for the post go-live and system acceptance for Phase 1 of the new Customer Service Center. Additionally, Phase 2 of the CSC is not expected to go live until approximately June 2023 and post go-live services will be needed for up to six months. On January 3, 2023, Stantec provided a request for additional funds in the amount of \$499,455.00 for providing the extended Task 5 support services to augment Commission staff with the integration of the new toll collection system with the Customer Service Center and Unpaid Toll Processing System. The additional costs for the Task 5 Services for Project No. 71-19-10 will increase the cost of the contract more than the of the Executive Director's contracting authority, therefore requiring Commission authorization of the contract modification. Therefore, we are requesting Commission authorization to amend the Agreement for Project No. 71-19-10 with Stantec Consulting Services, Inc., of Cleveland, Ohio, in the not-to-exceed amount of \$499,455.00 for additional Task 5 Services, increasing the aggregate not-to-exceed amount to \$4,620,955.00. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Authorizing Modification to Task 5 Under Contract with Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services in the Increased Not-To-Exceed Amount of \$4,620,955.00.

**Chairman:** Any questions or comments?

**MOTION:** A motion to adopt a *Resolution Authorizing Modification to Task 5 Under Contract with Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services in the Increased Not-To-Exceed Amount of \$4,620,955.00* was made by Chairman Hruby, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 2-2023.

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

**Chief Engineer:** My third resolution for your consideration seeks the Commission's authorization to modify the Agreement for Project No. 71-21-04 with DGL Consulting Engineers, LLC, ("DGL"), of Maumee, Ohio, for Engineering Services relating to the mainline bridge removal over the North Coast Inland Trail at Milepost 83.3 and the bridge deck replacement of the mainline bridge over Waggoner Road at Milepost 83.3 in Sandusky County, Ohio. The Commission, under Resolution No. 7-2022, awarded a Contract to DGL for Phase 1A Services,



which included Bridge Inspection and Survey, Structure Type Study, Load Rating, and Engineering Report in an amount not-to-exceed \$248,915.00. On December 19, 2022, DGL submitted a fee proposal to perform Phase 1B Services which includes ROW acquisition services, Final Design and Plan Preparation, and bid review for these two bridges in an amount of \$369,988.00. The additional costs to obtain the necessary Phase 1B Services for Project No. 71-21-04 will increase the cost of the contract more than the Executive Director's contracting authority, therefore requiring Commission authorization of the contract modification. Therefore, we are requesting Commission authorization to amend the Agreement for Project No. 71-21-04 with DGL Consulting Engineers, LLC, of Maumee, Ohio, in the aggregate not-to-exceed amount of \$618,903.00. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Authorizing Modification to the Contract with DGL Consulting Engineers, LLC to Perform Phase 1B Services Under Project No. 71-21-04 for an Aggregate Not-to-Exceed Amount of \$618,903.00.

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

**MOTION:** A motion to adopt a *Resolution Authorizing Modification to the Contract with DGL Consulting Engineers, LLC to Perform Phase 1B Services Under Project No. 71-21-04 for an Aggregate Not-to-Exceed Amount of \$618,903.00* was made by Mr. Pakush, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 3-2023.

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

**Chief Engineer:** The fourth resolution for your consideration seeks the Commission's authorization to award Project No. 71-22-10 for Engineering Services relating to the bridge deck replacement of the mainline bridge over the Interchange 152 ramp at Milepost 152.1 in Lorain County. On September 14, 2022, Procurement received four Letters of Interest for the Request for Letters of Interest No. 13-2022 for the performance of professional engineering services for the bridge work. The LOI's were independently reviewed, evaluated, and scored by the LOI Evaluation Team in accordance with the LOI requirements and the Commission's Standard Operating Procedure for Professional Design Consultant Selection Process. The Evaluation Team determined that Michael Baker International, I ("Michael Baker"), of Cleveland, Ohio, was the most qualified firm. The Office of Equity and Inclusion confirmed that all Respondent's met or exceeded the 20% SBE goal as set by the Office of Equity and Inclusion. Fee negotiations commenced between Michael Baker and our Engineering staff, and on January 6, 2023, a final fee proposal was submitted in the amount of \$204,676.00 for Phase I services. The services for Phase I include the Bridge and Site Inspection, Engineering Report, and Final Design and Plan Preparation for the bridge deck replacement of this structure. Engineering staff has reviewed and negotiated the fee proposal and finds it reasonable for the scope to be performed. Therefore, we are requesting Commission authorization for the award of Project No. 71-22-10 to Michael Baker International, I, of Cleveland, Ohio, for Phase I of this

Project in the amount of \$204,676. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Approving the Selection of Michael Baker International, Inc. for Project No. 71-22-10 in the Total Amount of \$204,676.00.

**Chairman:** Who is this company?

**Chief Engineer:** Michael Baker International. They are a respected nationwide engineering firm. They have performed satisfactorily on some of our other projects on the Turnpike over the years.

**Chairman:** Thank you. I just didn't recall their name. Any other questions or comments? Hearing none, please call the roll.

**MOTION:** A motion to adopt a *Resolution Approving the Selection of Michael Baker International, Inc. for Project No. 71-22-10 in the Total Amount of \$204,676.00* was made by Secretary-Treasurer Barber, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 4-2023.

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

**Chief Engineer:** The fifth and sixth resolutions for your consideration seek the Commission's authorization to award two contracts for General Engineering Services ("GES"). On October 11, 2022, the Procurement Department issued an invitation to respond to a Request for Letters of Interest to select up to two firms to perform General Engineering Services on a task order basis. On November 1, 2022, Procurement received seven Letters of Interest from firms expressing interest in performing these services. The LOI's were independently reviewed, evaluated, and scored by the LOI Evaluation Team in accordance with the LOI requirements and the Commission's Standard Operating procedure for Professional design Consultant Selection Process. The Evaluation Team determined that LJB, Inc. ("LJB"), of Miamisburg, Ohio, and TRC Engineers, Inc. ("TRC"), of Cleveland, Ohio, were the two most qualified firms to perform the services. The GES contracts will provide an extension of staff to the Commission's Engineering and Maintenance Departments during a time when our Capital Program continues at high levels. Furthermore, it provides immediate access to numerous specialized disciplines that we do not possess internally, such as environmental, geotechnical, survey, and bridge design. Some anticipated tasks include, but are not limited to, drainage analysis and review, contract document and construction schedule review, slope stability analysis and design, as well as other miscellaneous design tasks. The term of each agreement is for a two-year period and the total amount payable for all task orders of each contract shall not exceed \$700,000 over the two-year period. Therefore, we are requesting Commission authorization for the award of Project No. 99-23-01 to LJB, Inc., of Miamisburg, Ohio, and Project No. 99-23-02 to TRC Engineers, Inc., of Cleveland, Ohio. With your permission, may the General Counsel please first read the title of the resolution authorizing LJB.

**General Counsel:** Resolution Authorizing Selection of LJB Inc. to Perform General Engineering Services Under Project No. 99-23-01 in an Amount Not-to-Exceed \$700,000.00.

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

**MOTION:** A motion to adopt a *Resolution Authorizing Selection of LJB Inc. to Perform General Engineering Services Under Project No. 99-23-01 in an Amount Not-to-Exceed \$700,000.00* was made by Mr. Pakush, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 5-2023.

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

**Chief Engineer:** Thank you, and now with your permission, may the General Counsel next read the title of the resolution authorizing TRC Engineers.

**General Counsel:** Resolution Authorizing Selection of TRC Engineers, Inc. to Perform General Engineering Services Under Project No. 99-23-02 in an Amount Not-to-Exceed \$700,000.00.

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

**MOTION:** A motion to adopt a *Resolution Authorizing Selection of TRC Engineers, Inc. to Perform General Engineering Services Under Project No. 99-23-02 in an Amount Not-to-Exceed \$700,000.00* was made by Mr. Coviello, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 6-2023.

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

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

**Chairman:** Thank you very much for your report. We will on to the report of our Chief Financial Officer, Lisa Mejac.

**Chief Financial Officer:** I have a brief update on our traffic and revenue for the month of December 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 1.6% from December of last year and down 9.5% from December of 2019. There was one more weekend day in 2022 than in 2021 while there were the same number of weekend days in 2019.

Commercial traffic decreased 6.5% in December when compared to December of 2021. It was up 14.3% from December of 2019. There was one less weekday this year than in 2021 while the number of weekdays remained the same from 2019.

Passenger car toll revenues increased 5.9% from December of last year due to approximately \$700,000.00 in toll revenue recorded in December that related to another toll

agency's toll transactions previously written off since the transactions were rejected during 2022. We have been working with our back-office provider and the other toll agency to reprocess the toll transaction files. Excluding that \$700,000.00, passenger car toll revenues were down 1.5% compared to December of 2021. Compared to December of 2019, passenger car toll revenues show an increase of 0.4%.

The decrease in commercial traffic combined with the toll rate increases caused commercial vehicle toll revenues to decrease 4.6% from December of last year and increase 22.1% from December of 2019.

This chart shows year-to-date toll revenues through the month of December during each year over the past decade. Year-to-date total toll revenues were approx. \$9.9 million or 2.9% above the amount from last year and approx. \$43.9 million or 14.3% above the amount from 2019.

That completes my report Mr. Chairman.

**Chairman:** Any questions for Lisa? Hearing none, we will move on to the report of the General Counsel, Jennifer Monty Rieker.

**General Counsel:** Thank you, Mr. Chairman and Commission Members. I have nothing to report to the Commission this month.

**Chairman:** Thank you. The next meeting of the Ohio Turnpike and Infrastructure Commission will be held on Tuesday, February 21, 2023, at 10:00 a.m. here at the Commission's Administration Building located in Berea, Ohio.

If there is no further business, I will accept a motion to adjourn the 704<sup>th</sup> Commission Meeting.

**MOTION:** A motion to adjourn the 704<sup>th</sup> Commission Meeting is made by Secretary-Treasurer Barber, seconded by Chairman Hruby, and unanimously approved by all Commission Members present.

Time of adjournment: 11:11 a.m.

**Attendees for Record Keeping Purposes:**

Commission Members: Chairman Jerry Hruby; Secretary-Treasurer Sandra Barber; Commission Member Guy Coviello; Commission Member Myron Pakush; Representative Haraz Ghanbari, and Office of Budget and Management Representative Michael Babin.

Other Attendees: Bethan Pugh, PFM; Tom Sotak, Cuyahoga County; Jon Lorincz, AECOM; Art Rometo, GAI Consultants; Michael Burgess, Prime AE; Jacob Siesel, IUOE Local 18; Maureen Schildwachter, Huntington; and Jeff Broadwater, Michael Baker International

Ohio Turnpike and Infrastructure Commission Personnel: Ferzan M. Ahmed, P.E., Ohio Turnpike; Staff Lieutenant Richard Reeder, Ohio State Highway Patrol; Lieutenant Brett Gockstetter, Ohio State Highway Patrol; Jennifer Monty Rieker, Ohio Turnpike; Heather Veljkovic, Ohio Turnpike; Chris Matta, Ohio Turnpike; Aimee Lane, Ohio Turnpike; Sue Coleman, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Matt Cole, Ohio Turnpike; Chriss Pogorelc, Ohio Turnpike; Chuck Cyrill, Ohio Turnpike; Lwin Muang, Ohio Turnpike; Zakk Sheehan, Ohio Turnpike; Jackie Dohoda Herberger, Ohio Turnpike; Lisa Drozdowski, Ohio Turnpike; Bryan Emery, Ohio Turnpike; Kevin Golick, Ohio Turnpike; , Ohio Turnpike; Daniel Rodriguez, Ohio Turnpike; Joseph Gardner, Ohio Turnpike; Amanda Ginley, Ohio Turnpike; Laurie Davis, Ohio Turnpike; Sydney Sallee, Cleveland Marshall College of Law/Ohio Turnpike Extern; Heather Mihalick, Ohio Turnpike; Kristin Obermeyer, Ohio Turnpike; David Miller, Ohio Turnpike; Chuck Cyrill, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

# **EXHIBITS**

- Resolution No. 1-2023 – Resolution Approving the Selection of The Great Lakes Construction Company for Project No. 43-23-03, Parts A and B, for the Total Amount of \$13,071,858.95;
- Resolution No. 2-2023 – Resolution Authorizing Modification to Task 5 Under Contract with Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services in the Increased Not-To-Exceed Amount of \$4,620,955.00;
- Resolution No. 3-2023 – Resolution Authorizing Modification to the Contract with DGL Consulting Engineers, LLC to Perform Phase IB Services Under Project No. 71-21-04 for an Aggregate Not-to-Exceed Amount of \$618,903.00;
- Resolution No. 4-2023 – Resolution Approving the Selection of Michael Baker International, Inc. for Project No. 71-22-10 in the Total Amount of \$204,676.00;
- Resolution No. 5-2023 – Resolution Authorizing Selection of LJB Inc. to Perform General Engineering Services Under Project No. 99-23-01 in an Amount Not-to-Exceed \$700,000.00; and
- Resolution No. 6-2023 – Resolution Authorizing Selection of TRC Engineers, Inc. to Perform General Engineering Services Under Project No. 99-23-02 in an Amount Not-to-Exceed \$700,000.00.

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### Resolution Approving the Selection of The Great Lakes Construction Company for Project No. 43-23-03, Parts A and B, for the Total Amount of \$13,071,858.95

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published a notice in accordance with law to advertise an invitation to bid on a contract for Part A – Bridge Deck Replacement and Rehabilitation, Ohio Turnpike Ramp over State Route 57 M.P. 145.1, Race Road over Ohio Turnpike M.P. 149.2, Stearns Road over Ohio Turnpike M.P. 154.6, Lorain and Cuyahoga Counties; and Part B – Stearns road (C.R. 76) Reconstruction, Township of Olmsted, Cuyahoga County, Ohio, and designated as Project No. 43-23-03 (hereinafter the “Project”); and

WHEREAS, the Commission received three (3) bids to perform the Contractor’s obligations on the Project, as follows:

	<b>The Great Lakes Construction Company</b>	<b>Kokosing Construction Company, Inc.</b>	<b>Shelly and Sands, Inc.</b>
Total	\$13,071,858.95	\$13,538,080.58	\$13,569,543.89

WHEREAS, all three bids were in excess of ten percent (10%) above the Engineer’s estimate and, pursuant to Article V of the Instructions to Bidders, the Commission shall convene a Construction Contracts Award Committee (“CCAC”) to determine if the bid prices are within reasonable conformance with the Engineer’s estimate and a bid price may be accepted by the Commission upon a recommendation by the Committee; and

WHEREAS, the CCAC met on December 20, 2022 and on December 22, 2022 and after considering the Commission consultant’s evaluation memorandum, information provided by the Commission’s Engineering staff, along with Cuyahoga County’s recommendation and the County’s consultant’s evaluation memorandum, the CCAC determined that the apparent low bid submitted by The Great Lakes Construction Company, of Hinckley, Ohio, should be accepted for the reasons set forth in the CCAC memo dated December 22, 2022, which is before the Commission and summarized below:

- The Project was advertised on November 15, 2022, and the Commission received three bids;
- The items with the largest disparities for Part A were the Portions of Structure Removed item and the concrete for the bridge structure items:
  - the Engineer’s estimate for Part A had \$1,472,862.94 for Concrete and Portions of Structure Removed and Great Lakes bid was \$3,070,791.00;
- The items with the largest disparities for Part B were Drainage, Sanitary Sewer and Water Work items:
  - the Engineer’s Estimate for Part B had \$1,133,324.50 estimated for Drainage, Sanitary Sewer and Water Work items and The Great Lakes Construction Company’s bid was \$2,459,732.60;

- Delaying the Project would likely negatively impact the completion time frame of the project;
- A rebid would result in the project not being awarded until at least the February 21, 2023, Commission Meeting, which would make contract execution in the early-March timeframe. This may result in accelerated 2023 construction costs and additional 2024 construction work;
- There is only a 3.7% difference between the three bidders submitted pricing, which represents competitive pricing and consistent pricing;
- The pricing and availability of construction labor and materials is not expected to decrease in the foreseeable future;
- Changing the contract period would hamper the coordination of the related projects;
- Awarding this Project to The Great Lakes Construction Company will not adversely affect the Commission's Capital Program or financial condition;
- The bidder has committed to meeting the SBE goal for the Project; and
- The apparent low bid received appears balanced; and
- The bidder appears to have the capacity to perform the Project.

WHEREAS, the CCAC reports that The Great Lakes Construction Company submitted the apparent low bid on the Project in the total bid amount of \$13,071,858.95 which it recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration determined that bids for the Project were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of The Great Lakes Construction Company conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and The Great Lakes Construction Company submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion has found that The Great Lakes Construction Company has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 11% which meets the SBE participation goal for the Project; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws because the amount of the bids received will require expenditures under the Project that will exceed \$150,000.00; and

WHEREAS, the CCAC recommends the Commission select The Great Lakes Construction Company as the lowest responsive and responsible bidder for the Project; and

WHEREAS, the Commission's Executive Director concurs with the CCAC's recommendation that the Commission approve the award of the Project to The Great Lakes Construction Company as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT



RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of The Great Lakes Construction Company for Project No. 43-23-03, Parts A and B, in the amount of \$13,071,858.95 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid.

**(Resolution No. 1-2023 adopted January 17, 2023)**

**TCS MODERNIZATION PROJECT**

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Resolution Authorizing Modification to Task 5 Under Contract with Stantec Consulting Services, Inc. to Perform Toll Collection System Project Management Services in the Increased Not-To-Exceed Amount of \$4,620,955.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected Stantec Consulting Services, Inc. (“Stantec”) to perform project management services for the Toll Collection System Modernization (the “TCS Project”), designated as Project No. 71-19-10, pursuant to the adopted resolutions, on the dates noted and for the scope of work identified below:

**SERVICES/FEES APPROVED TO DATE**

<b>RESOLUTION</b>	<b>DATE ADOPTED</b>	<b>SCOPE OF SERVICES</b>	<b>AMOUNT</b>
48-2019	October 21, 2019	Task 1 and Task 2 services, including Task 2 Modification for legal research/tasks on various TCS/CSC topics	\$500,000.00
38-2020	May 18, 2020	Task 3 services, including oversight of the development, implementation, testing, installation and integration of the TCS Project over a 3 year period	\$1,955,000.00
65-2020	October 19, 2020	Task 4 – Year 2 Onsite Services	\$322,500.00
36-2021	June 21, 2021	Task 5 – support services for integration of the TCS with the Customer Service Center (“CSC”) and Unpaid Toll Processing system	\$749,000.00
60-2021	October 5, 2021	Task 6 – on-site project management services for the TCS Project	\$280,000.00
77-2022	October 17, 2022	Task 7 – extension of on-site project management services for TCS Project	\$315,000.00
		<b>TOTAL AMOUNT TO DATE:</b>	<b>\$4,121,500.00</b>

**PROPOSED SERVICES/FEES**

<b>RESOLUTION</b>	<b>DATE ADOPTED</b>	<b>SCOPE OF SERVICES</b>	<b>AMOUNT</b>
<i>Proposed</i>	<i>Proposed</i>	Task 5 Modification – support services for integration of the TCS with the Customer Service Center (“CSC”) and Unpaid Toll Processing system	\$499,455.00
		<b>TOTAL AMOUNT WITH TASK 5 MODIFICATION:</b>	<b>\$4,620,955.00</b>

WHEREAS, pursuant to Resolution No. 36-2021, adopted June 21, 2021, the Commission approved Task 5, Support Services for Integration of the TCS with the Customer Service Center (“CSC”) and Unpaid Toll Processing System, in the amount of \$749,000.00 for services to be provided through June 30, 2023, and the assignment letter for Task 5 was issued to Stantec on June 29, 2021; and

WHEREAS, because the TCS Go-Live date has been extended and due to additional related services performed under the original Task 5, the approved Task 5 amount of \$749,000.00 will only cover Stantec's Task 5 services through January 31, 2023 and this task must be modified to extend these services and increase the amount for Task 5 ("Additional Task 5 Services") to ensure the Commission has the support services needed to successfully integrate the new TCS with the CSC; and

WHEREAS, Stantec has submitted a revised fee proposal dated January 4, 2023, to provide the Additional Task 5 Services as described therein for the period of February 1, 2023, through December 31, 2023, in the amount of \$499,455.00, resulting in a new Task 5 not-to-exceed amount of \$1,248,455.00, which amount the Chief Engineer and Director of Audit and Internal Control have deemed to be reasonable and necessary; and

WHEREAS, the amount set forth in the revised fee proposal from Stantec, dated January 4, 2023, to perform the Additional Task 5 Services will increase the contract by an amount that exceeds the Executive Director's contracting authority under Article V, Section 1.00 of the Commission's Code of Bylaws, and Commission approval is necessary; and

WHEREAS, the Chief Engineer and Director of Audit and Internal Control recommend, and the Executive Director has reviewed the recommendation submitted by the Chief Engineer and Director of Audit and Internal Control and approves the recommendation to authorize Stantec to perform Additional Task 5 Services under Project No. 71-19-10; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the revised proposal from Stantec dated January 4, 2023 to perform Additional Task 5 Services under Project No. 71-19-10 in the additional amount of \$499,455.00 is approved, and the Executive Director is authorized to issue a modification to the Task 5 assignment letter to Stantec to perform such additional project management services in accordance with the terms and conditions of the existing Agreement and Stantec's revised fee proposal dated January 4, 2023, resulting in the aggregate not-to-exceed amount of \$4,620,955.00 for Tasks 1, 2, 3, 4, 5, 6 and 7.

**(Resolution No. 2-2023 adopted January 17, 2023)**

**OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

**Resolution Authorizing Modification to the Contract with DGL Consulting Engineers, LLC to Perform Phase IB Services Under Project No. 71-21-04 for an Aggregate Not-to-Exceed Amount of \$618,903.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected DGL Consulting Engineers, LLC to perform architectural/engineering design services and engineering support during construction for the Bridge Deck Replacement of the Mainline Bridge over Waggoner Road (County Route 82) and the Removal of the Mainline Bridge over the North Coast Inland Trail at Milepost 83.3, Sandusky County, Ohio designated as Project 71-21-04 (the “Project”), on the date noted and for the scope of work identified below:

**SERVICES/FEES APPROVED TO DATE**

<b>CONTRACT</b>	<b>SERVICES</b>	<b>FEE PROPOSAL</b>	<b>APPROVAL</b>	<b>AMOUNT</b>
Original Contract	Phase IA Services – Project No. 71-21-04 – Bridge Inspection and Survey, Structure Type Study, Load Rating, and Engineering Report.	January 11, 2022	Resolution No. 7-2022	\$248,915.00
<b>TOTAL AMOUNT TO DATE:</b>				<b>\$248,915.00</b>

**PROPOSED SERVICES/FEES**

<b>CONTRACT</b>	<b>SERVICES</b>	<b>FEE PROPOSAL</b>	<b>APPROVAL</b>	<b>AMOUNT</b>
<i>First Modification</i>	Phase IB Services - Project No. 71-21-04 - preliminary and final design plans, ROW acquisition services, and assistance during the bidding process, including bid review services	December 19, 2022	<i>Proposed</i>	\$369,988.00
<b>TOTAL AMOUNT WITH MODIFICATION:</b>				<b>\$618,903.00</b>

WHEREAS, the parties entered into a Contract for Professional Services for Project No. 71-21-04 (the “Contract”), dated March 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 plans, right

of way acquisition services, and assistance during the bidding process, including bid review services (“Phase IB Services”); and

WHEREAS, DGL Consulting Engineers, LLC submitted a fee proposal dated December 19, 2022, in the not-to-exceed amount of \$369,988.00, 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 DGL Consulting Engineers, LLC to perform the Phase IB Services under Project No. 71-21-04; 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 DGL Consulting Engineers, LLC dated December 19, 2022 to perform the Phase IB Services, specifically described in the recitals, under Project No. 71-21-04 in the not-to-exceed amount of \$369,988.00 is accepted and approved, and the Executive Director is authorized to amend the Contract with DGL Consulting Engineers, LLC, to perform such additional services in accordance with the terms and conditions of the existing Contract and DGL’s fee proposal dated December 19, 2022, in the aggregate not-to-exceed amount of \$618,903.00.

**(Resolution No. 3-2023 adopted January 17, 2023)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Approving the Selection of Michael Baker International, Inc. for Project No. 71-22-10 in the Total Amount of \$204,676.00**

WHEREAS, on August 24, 2022, the Ohio Turnpike and Infrastructure Commission (“Commission”) issued Request for Letters of Interest No. 13-2022 seeking letters of interest for design services and engineering support during construction for Project No. 71-22-10, Deck Replacement and widening of the Ohio Turnpike Mainline Bridge over Ohio Turnpike Ramp at Milepost 152.1 in Lorain County, Ohio (the “Project”); and

WHEREAS, on September 14, 2022, Letters of Interest were received from four (4) firms expressing their readiness to serve as the Commission’s Engineering Consultant for Project No. 71-22-10; and

WHEREAS, on the basis of the proposals received, in accordance with the Commission’s Standard Operating Procedure for Professional Design Consultant Selection Process, the Engineering staff concluded that Michael Baker International, Inc., of Cleveland, Ohio, is the most qualified firm to perform the necessary services for the Project and conducted a Scope of Services meeting to confirm a mutual understanding of the Phase I Services for the Project consisting of Bridge Inspection, Bridge Evaluation/Condition Report with repair recommendations, Contract Drawings and Bidding Documents (“Phase I Services”); and

WHEREAS, Michael Baker International, Inc., submitted its fee proposal dated January 6, 2023, to perform the Phase I Services in the not-to-exceed amount of \$204,676.00 which fee proposal the Chief Engineer deemed reasonable and appropriate, and recommends that the Commission approve the award of the contract to Michael Baker International, Inc. based on its technical proposal for Project No. 71-22-10; and

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

WHEREAS, the Office of Equity and Inclusion determined that Michael Baker International, Inc. has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 20% which meets the SBE participation goal of 20% for the Project; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Engineer and concurs that the Commission should approve the selection of Michael Baker International, Inc. to perform Phase I Services for Project No. 71-22-10; and

WHEREAS, this Resolution seeks authorization of Phase I Services in the not-to-exceed amount of \$204,676.00 but the contract includes Phase II Services, and Commission staff will

modify the contract in accordance with the Commission's contracts policy to include those additional services at the time they are necessary for successful completion of the Project, including presenting a resolution to the Commission if required; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the selection of Michael Baker International, Inc. is approved as the most qualified firm to perform the engineering and design services necessary for Project No. 71-22-10, and that the Executive Director is authorized to execute a contract with Michael Baker International, Inc. for Phase I Services in the not-to-exceed amount of \$204,676,00; and

**(Resolution No. 4-2023 adopted January 17, 2023)**

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Authorizing Selection of LJB Inc. to Perform General Engineering Services Under Project No. 99-23-01 in an Amount Not-to-Exceed \$700,000.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) issued a Request for Letters of Interest on October 11, 2022, to select up to two engineering firms to perform general engineering services on task order projects based on assignments from the Chief Engineer; and

WHEREAS, on November 1, 2022, Letters of Interest (“LOI”) were received from seven firms expressing their interest in performing the general engineering services; and

WHEREAS, on the basis of the proposals received, in accordance with the Commission’s Standard Operating Procedure for Professional Design Consultant Selection Process, the LOI Evaluation Team concluded that LJB Inc., of Miamisburg, Ohio, is one of the two most qualified firms to perform the general engineering services for Project No.’s 99-23-01 and 99-23-02; and

WHEREAS, the contract to perform the general engineering services shall continue for a two-year period and the total amount payable for all task orders shall not exceed \$700,000.00; and

WHEREAS, Commission action is necessary to award the contracts in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws because the estimated expenditures will exceed \$150,000.00; and

WHEREAS, the Commission’s Director of Contract Administration advises that the selection of LJB Inc. conforms with the requirements of Ohio Revised Code Sections 153.65 to 153.71, proposals were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Commission’s Office of Equity and Inclusion determined that LJB Inc. has made good faith efforts to attain the participation of small or otherwise disadvantaged businesses on the Project and LJB Inc. has made a commitment of 28% which meets the SBE participation goal of 25%; and

WHEREAS, the Executive Director and the Chief Engineer have reviewed the recommendations submitted by the LOI Evaluation Team, and concurs that the Commission should approve awarding a contract to LJB Inc. to perform general engineering services under Project No. 99-23-01; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that LJB Inc. is the most qualified firm to perform the general engineering services under Project No. 99-23-01 for a



two-year period, and authorizes the Executive Director to execute a contract with LJB Inc. in the not-to-exceed amount of \$700,000.00 in accordance with the terms and conditions of the Commission's Request for Letters of Interest and LJB Inc.'s response thereto.

**(Resolution No. 5-2023 adopted January 17, 2023)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Authorizing Selection of TRC Engineers, Inc. to Perform General Engineering Services Under Project No. 99-23-02 in an Amount Not-to-Exceed \$700,000.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) issued a Request for Letters of Interest on October 11, 2022, to select up to two engineering firms to perform general engineering services on task order projects based on assignments from the Chief Engineer; and

WHEREAS, on November 1, 2022, Letters of Interest (“LOI”) were received from seven firms expressing their interest in performing the general engineering services; and

WHEREAS, on the basis of the proposals received, in accordance with the Commission’s Standard Operating Procedure for Professional Design Consultant Selection Process, the LOI Evaluation Team concluded that TRC Engineers, Inc., of Cleveland, Ohio, is one of the two most qualified firms to perform the general engineering services for Project No.’s 99-23-01 and 99-23-02; and

WHEREAS, the contract to perform the general engineering services shall continue for a two-year period and the total amount payable for all task orders shall not exceed \$700,000.00; and

WHEREAS, Commission action is necessary to award the contract in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws because the estimated expenditures will exceed \$150,000.00; and

WHEREAS, the Commission’s Director of Contract Administration advises that the selection of TRC Engineers, Inc. conforms with the requirements of Ohio Revised Code Sections 153.65 to 153.71, proposals were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Commission’s Office of Equity and Inclusion determined that TRC Engineers, Inc. has made good faith efforts to attain the participation of small or otherwise disadvantaged businesses on the Project and TRC Engineers, Inc. has made a commitment of 25% which meets the SBE participation goal of 25%; and

WHEREAS, the Executive Director and Chief Engineer have reviewed the recommendations submitted by the LOI Evaluation Team, and concurs that the Commission should approve awarding a contract to TRC Engineers, Inc. to perform general engineering services under Project No. 99-23-02; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that TRC Engineers, Inc. is the most qualified firm to perform the general engineering services under Project No. 99-23-02 for a two-year period, and authorizes the Executive Director to execute a contract with TRC Engineers, Inc. in the not-to-exceed amount of \$700,000.00 in accordance with the terms and conditions of the Commission's Request for Letters of Interest and TRC Engineers, Inc.'s response thereto.

**(Resolution No. 6-2023 adopted January 17, 2023)**