

**MINUTES OF THE 612th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
OCTOBER 20, 2014**

Chairman: (1:00 p.m.) Good afternoon. Please join me in standing and we'll say 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. We are pleased to welcome back Kurt Kauffman from OBM. He will be serving as Director Keen's representative. We certainly express our appreciation to Randy Cole for his outstanding service to the Board and his diligence in attending meetings and being part of all of the discussions. Also, Representative Dovilla called and advised that will be unable to attend as he has other commitments due to his position as a State Representative.

Will the Assistant Secretary-Treasurer please call the roll?

Assistant Secretary-Treasurer: Chairman Hruby

Chairman Hruby: Here

Assistant Secretary-Treasurer: Mr. Balog is not present.

Assistant Secretary-Treasurer: Mrs. Barber

Mrs. Barber: Here

Assistant Secretary-Treasurer: Mr. Dixon is not present.

Assistant Secretary-Treasurer: Mr. Paradiso

Mr. Paradiso: Here

Assistant Secretary-Treasurer: Mr. Murphy

Mr. Murphy: Here

Assistant Secretary-Treasurer: Mr. Kauffman

Mr. Kauffman: Here

Assistant Secretary-Treasurer: Senator Manning

Senator Manning: Here

Chairman: This is the 612th Meeting of the Ohio Turnpike and Infrastructure Commission. We are meeting here at the Commission's headquarters as provided for in the Commission's Code of Bylaws for a Commission Special Meeting. Various reports will be received, and we will act on several resolutions. Draft copies have previously been sent to the Members and updated drafts are in the Members' folders. We appreciate the cooperation of the Members of the Board in changing the time today from 10:00 a.m. to 1:00 p.m., so we could make sure we had all of our Members, for the most part, in attendance. Mr. Balog called and he is attending a funeral and may not be here until later, or if at all. So, he is certainly excused from today's Meeting.

May I have a motion to adopt the Minutes of the September 15, 2014, Commission Meeting?

Mr. Paradiso: So moved.

Chairman: Moved by Mr. Paradiso. Is there a second?

Mrs. Barber: Second.

Chairman: Seconded by Mrs. Barber. Please call the roll.

Interim Director Carlin: Mr. Paradiso

Mr. Paradiso: Yes

Interim Director Carlin: Mrs. Barber

Mrs. Barber: Yes

Interim Director Carlin: Chairman Hruby

Chairman: Yes

Interim Director Carlin: Mr. Murphy

Mr. Murphy: Yes

Chairman: The Minutes are adopted. If there are no questions, we will proceed with the report of our Secretary-Treasurer, Mrs. Barber.

Secretary-Treasurer: The following items have been sent to the Members since the last scheduled meeting of the Commission on September 15, 2014:

1. Six Resolutions;
2. Minutes of the September 15, 2014, Commission Meeting; and

3. Agenda for today's meeting.

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

1. Traffic Crash Summary Report, August 2014;
2. Traffic and Revenue Report, September 2014;
3. Total Revenue by Month and Year, September 2014;
4. Investment Report, September 2014;
5. Financial Statement, August and September 2014;
6. Budget Report, First nine months of 2014; and
7. Various News Articles.

Chairman: Any questions for Mrs. Barber? Hearing none. We will move on to your report of our Interim Executive Director, Robin Carlin. Robin, if you will.

Interim Executive Director: Thank you, Chairman Hruby and Members of the Commission. My report today will be brief. Late last week our senior management team convened to update our continuity of operations plan in light of recent events. We wanted to make sure we could adequately respond in the event of a large scale outbreak or other calamity and to ensure continuity of our toll, maintenance, service plaza and business operations. We currently have a solid plan in place, but we wanted to make sure we were prepared in the event that we had to execute that plan.

Second, our maintenance crews are undergoing their annual snow and ice inspections this week. This is a very important time when we make sure our fleet of plows, vehicles and equipment are in working order. I would invite any of our Commission Members to attend one of these snow and ice inspections and to see firsthand the amazing pride our employees take, as well as their commitment to safety in making sure all of our maintenance components are in good working order.

Lastly, I have one Resolution for the Commission to express the appreciation of Ohio State Highway Patrol Trooper, Michael Weber. Trooper Weber graduated from the Ohio State Highway Patrol Academy in 1979. Trooper Weber received his first assignment at the Chillicothe Post. In 1987, Trooper Weber transferred to the Milan Post, where he has spent the last twenty-seven years of his career serving the Ohio Turnpike. During his thirty-five years of service with the Patrol, Trooper Weber received ninety-one commendation letters; the Certificate of Recognition for Performance Above the Call of Duty in 1987; Trooper of the Year Award for the Milan Post in 1990; the ACE Award for auto larceny/recovering stolen vehicles in 1990; the Blue Max Award for the most stolen vehicles recovered in 1990; the Superintendent's Citation in 1990; the 30-year Safe Driving Award in 2013, the Robert M. Chiaramonte Humanitarian Award

for Outstanding Public Service in 2013; and numerous Ohio State Highway Patrol Physical Fitness Awards at the star level most recently in 2014. I will be curious if you were ever able to beat Captain Zurcher. I understand he still holds the most fit award and was previously with us or so his story is. As such, we wish to formally and publicly recognize Trooper Weber for his honorable, exceptionally dedicated and effective service to the State of Ohio, as well as to the Ohio Turnpike. With your permission Chairman Hruby, may the General Counsel please read the Resolved?

Chairman: Please.

General Counsel: RESOLVED that the Ohio Turnpike and Infrastructure Commission hereby acknowledges and expresses its gratitude to Trooper Michael Weber for his thirty-five years of dedicated service, and the Commission also considers that the people of the State of Ohio have been fortunate in receiving the unselfish services which he rendered; and

FURTHER RESOLVED that the Commission extends its best wishes to Trooper Michael Weber, his wife, Faith, and step-children, Jeremiah Ray and Shawn Ray, and much success and well-being to Trooper Michael Weber in all matters and activities which he shall undertake in the future; and

FURTHER RESOLVED that the Secretary-Treasurer hereby directs the Interim Executive Director to send a certified copy of this Resolution to Trooper Michael Weber.

Chairman: May I have a motion to adopt?

Mr. Murphy: So moved.

Chairman: Moved by Mr. Murphy. Is there a second?

Mr. Paradiso: Second.

Chairman: Seconded by Mr. Paradiso. Is there any discussion or comments? I would like to say something. People, I don't think, understand and realize what the Troopers go through on the Turnpike over their careers. Here is a man who served from 1979 to date. Fortunately, he is leaving here with all of his limbs and everything basically intact, I hope, as it was when he came here. Each day they are in harm's way and they deal with situations that they never know what and who is going to try and do something that may injure them or cause them to lose their life. It is a very stressful position and if you notice this Trooper has dedicated his career in public service, both on the Turnpike and also outside in the private sector. The Outstanding Public Service Award, and humanitarian Award doesn't come easy, that's for doing some exceptional things for the public. Also, the other awards that he has received certainly indicate to us that this is one of the finer of the finest. So, Michael, on behalf of the Commission we can't thank you enough for your service. It has been outstanding over the years and we thank you so very much. If you could come forward, we have a presentation.

Interim Director Carlin: Congratulations. Do you have exciting plans?

Michael Weber: Thank you very much.

Chairman: This means a speech.

Michael Weber: I retired last Friday from the Ohio State Highway Patrol and Friday evening, my wife and I went to visit our step-children down in Charleston, South Carolina. We drove down and as we were driving the 750 miles back, we were coming across the West Virginia Turnpike and, it reminded me that I am a person who strongly believes that our boss are the people out there. The bosses are not the people that are sitting in here; they are the ones paying the tolls, the taxpayers. So, when I was coming across the West Virginia Turnpike, I thought to myself, and my wife was riding with me, who I love very much, I thought what would happen if we come up on a traffic jam, right now and we sit here for hours and hours and hours. I am telling you, she would go crazy.

I started up here in 1987, when it was still two lane roads. I was here before Exit 110 was built, when we still had Cedar Point traffic come off Exit 118 all the way out to the mainline. When the Turnpike started building the third lane, I was up here when we would have fifteen to eighteen mile back-ups in the summertime and people sat and sat and sat. I am on the other side of the coin now, and I see when people are paying to use a road, how they expect to have service. They are our bosses and I thought to myself what would happen if all of the sudden, we come upon a crash, we don't know it's a crash, next thing you know you are just stopping and sitting there for hours and hours. I would like to thank the Turnpike Commission, they started working on maintenance projects at night to stop the back-ups and I know there was rumbling and grumbling with the workers about working midnights, but I am thinking, you know that is just a wonderful idea because the Turnpike is doing something to try to alleviate the back-ups instead of saying "oh well, that's just life." That speaks volumes and there is something else I would like to say is that the Turnpike dispatchers, they are the whipping posts. They are the people who receive all of the nasty calls from the people that are stuck out there, that are broken down complaining about "hey I am paying money to come across here, how come we are sitting here for an hour in traffic," but the Turnpike has done wonderful things. It is also a beautiful route. I would like to say thank you very much, I have had extremely good times up here. I appreciate what you have done here today.

Chairman: You are very welcome. Thank you for your service.

Interim Executive Director: Thank you very much.

Chairman: Let's do the roll call on the Resolution.

Interim Director Carlin: Mr. Murphy

Mr. Murphy: Yes

Interim Director Carlin: Mr. Paradiso

Mr. Paradiso: Yes

Interim Director Carlin: Mrs. Barber

Mrs. Barber: Yes

Interim Director Carlin: Chairman Hruby

Chairman: Yes

Interim Director Carlin: The Resolution passes.

Chairman: It's official. Congratulations again.

RESOLUTION NO. 61-2014

Resolution Expressing Appreciation of Trooper Michael Weber

WHEREAS, Trooper Michael Weber graduated from the Ohio State Highway Patrol ("OSHP") Academy on September 21, 1979, and was assigned to the Chillicothe Post until December 1987, after which he transferred to the Milan Post on the Ohio Turnpike, where he has remained until his recent retirement; and

WHEREAS, Trooper Michael Weber served with distinction as a member of the OSHP for thirty-five years during which time he earned or received the following: ninety-one commendation letters, Certificate of Recognition for Performance Above the Call of Duty in 1987, Trooper of the Year Award for the Milan Post in 1990, ACE Award for auto larceny/recovering stolen vehicles in 1990, the Blue Max Award for the most stolen vehicles recovered in 1990, the Superintendent's Citation in 1990, the 30-year Safe Driving Award in 2013, the Robert M. Chiaramonte Humanitarian Award for Outstanding Public Service in 2013, and numerous OSHP Physical Fitness Awards at the star level most recently in 2014; and

WHEREAS, the members and staff of the Commission wish to give formal and public recognition for the honorable, exceptionally dedicated, and effective service of Trooper Michael Weber.

NOW, THEREFORE, BE IT

RESOLVED that the Ohio Turnpike and Infrastructure Commission hereby acknowledges and expresses its gratitude to Trooper Michael Weber for his thirty-five years of dedicated service, and the Commission also considers that the people of the State of Ohio have been fortunate in receiving the unselfish services which he rendered; and

FURTHER RESOLVED that the Commission extends its best wishes to Trooper Michael Weber, his wife, Faith, and step-children, Jeremiah Ray and Shawn Ray, and much success and well-being to Trooper Michael Weber in all matters and activities which he shall undertake in the future; and

FURTHER RESOLVED that the Secretary-Treasurer hereby directs the Interim Executive Director to send a certified copy of this Resolution to Trooper Michael Weber.

(Resolution No. 61-2014 adopted October 20, 2014)

Chairman: Robin, do you have anything else?

Interim Executive Director: I have nothing further. Thank you.

Chairman: Thank you very much for your report. Next, we will move on to the report of the Chief Engineer, Mr. Yacobucci.

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

My first resolution for your consideration seeks authorization for the purchase of five (5) truck cabs and chassis and the installation of dump bodies, front plows, left-hand wing plows, central hydraulics, and lighting systems on these units. These vehicles were advertised as Bid Invitation No. 4231 and bids were received on September 5, 2014. These expenditures are included in the 2014 Capital Budget and this is the final phase of truck purchases that began in 2005 to replace the Commission's fleet of heavy-duty snow and ice trucks. Five bids were received for Group I, which included the truck cabs and chassis. The apparent low bid for Group I was submitted by Hans Freightliner, of Cleveland, Ohio. This bidder proposed to furnish the 2015/16 Freightliner, Model 108SD cab and chassis. During the review of this bid, however, the Engineering staff determined that the units submitted did not meet several Specifications for the Bid Invitation. Based upon this lack of conformance to the Specifications, the bid submitted by Hans Freightliner, of Cleveland was determined to be non-responsive and should be rejected. The apparent second low bid for Group I was submitted by Valley Freightliner, Inc., of Parma, Ohio. This bidder proposes to furnish the 2015/16 Freightliner, Model 114SD cab and chassis. During the review of this bid, however, the Engineering staff determined that the units submitted did not meet several specifications either. Based upon this lack of conformance to the specifications, the bid submitted by Valley Freightliner, Inc., was determined to be non-responsive and should also be rejected. The apparent third low bid for Group I was also submitted by Valley Freightliner, Inc., of Parma, Ohio. This bidder proposed to furnish the 2015/16 Western Star, Model 4700SF cab and chassis. This bidder proposed to furnish equipment and services in accordance with the Specifications. The bid is in the amount of \$459,860.00 or \$91,972.00 per unit. Three bids were received for Group II, the installation of dump bodies, front plows, left-hand wing plows, central hydraulics, and lighting systems on these units. The apparent low bid was submitted by Concord Road Equipment Mfg., Inc., of Painesville, Ohio, in the amount of \$478,309.40 or \$95,661.88 per unit. This amount is equal to the base bid plus \$1,116.13 per unit for the optional gate position sensor. This bidder proposed to furnish equipment and services in accordance with the Specifications. In addition, the existing 2000 model year trucks shall be disposed of in accordance with the Commission's Property Disposal Policy after the new trucks are placed into service. Based upon my review, it is recommended that the bid for the five truck cabs and chassis in Group I be awarded to Valley Freightliner, Inc., of Parma, Ohio, in the total amount of \$459,860.00 and that the Group II bid

for dump bodies, front and wing plows, central hydraulics and lighting systems be awarded to Concord Road Equipment Mfg, Inc., of Painesville, Ohio, in the amount of \$478,309.40. With your permission, may the General Counsel please read the Resolved?

General Counsel: RESOLVED, that the apparent low bid of Hans Freightliner of Cleveland for Group I, and the second low bid of Cleveland Freightliner, dba Valley Freightliner, Inc. for Group I (Option #1) of Invitation No. 4231 are deemed not responsive and are hereby rejected; and

FURTHER RESOLVED that the third low bid of **Cleveland Freightliner, Inc., dba Valley Freightliner, Inc., of Parma, Ohio**, in the total amount of **\$459,860.00** for **Group I (Option #2)** (for furnishing five truck cab and chassis), under Invitation No. 4231, is, and is by the Commission, determined to be the lowest responsive and responsible bid received, and is accepted, and the Interim Executive Director and the Director of Contracts Administration, or either of them, hereby is authorized to: 1) notify Hans Freightliner of Cleveland that its bid for Group I has been rejected; 2) at the earliest time permitted under the Bidding documents, or in the event objections are filed with the Director of Contracts Administration by the rejected bidder, only after the Commission's affirmation of the rejection, execute a Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bids, 3) direct the return to the bidders of their bid security when appropriate, and 4) take any and all action necessary or proper to carry out the terms of said Contract; and

FURTHER RESOLVED that the bid of **Concord Road Equipment Mfg., Inc., of Painesville, Ohio**, in the total amount of **\$478,309.40** for **Group II** (for furnishing and installing five dump bodies, front plows, wing plows, central hydraulic and lighting systems including the five optional gate position sensors), under Invitation No. 4231, is, and is by the Commission, determined to be the lowest responsive and responsible bid received, and is accepted, and the Interim Executive Director and the Director of Contracts Administration, or either of them, hereby is authorized to: 1) execute a Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bids, 2) direct the return to the bidders of their bid security when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said Contract.

Chairman: May I have a motion to adopt?

Mr. Murphy: So moved.

Chairman: Moved by Mr. Murphy.

Mr. Paradiso: Second.

Chairman: Seconded by Mr. Paradiso. Any questions? Go ahead Mr. Paradiso.

Mr. Paradiso: How old are the trucks that we are replacing? How long do we expect to keep these in the fleet?

Chief Engineer: Mr. Chairman and Commission Member Paradiso, the existing trucks that these are replacing are 2000 Model Year trucks and they have about 150,000 miles on them and they will be in the fleet another year, so we expect another 10,000-15,000 miles on top of that. They will have about 165,000 when we dispose of them.

Chairman: Any other questions? Mrs. Barber?

Mrs. Barber: All of the vendors were given complete Specifications as to what we you were requesting in your bidding process? The vendors that we are rejecting, did they choose not to meet the Specifications or could the manufacturer not meet the Specifications?

Chief Engineer: Mr. Chairman and Commission Member Barber, they were all given the Specifications. I guess I would say that they chose not to provide a truck that met the Specifications in hopes that we might accept it, but they did not provide us with what we felt was necessary for what these trucks will actually be in service for.

Chairman: I think what Mrs. Barber is referring to is, were they able to bid a truck that met our Specifications with the product that they had?

Chief Engineer: Chairman Hruby, I am not quite sure that I know the answer to that. I would like to believe that they could have met the Specifications, but obviously would have been a little bit costlier than what they submitted.

Chairman: We do this constantly and I will tell you that you put a Specification out for what you are looking for, anyone can bid, and they can always bid something that doesn't meet Specifications and ask us to consider it.

General Counsel: Mr. Chairman, if I might add. The bid invitation does have the option for vendors to submit, what we call, "Approved Equals" for consideration and if they fail to do that in the time allotted, and they bid something that doesn't meet specifications it is really on them.

Chairman: Correct. Thank you very much for that. Any other questions? Please call the roll.

Interim Director Carlin: Mr. Murphy

Mr. Murphy: Yes

Interim Director Carlin: Mr. Paradiso

Mr. Paradiso: Yes

Interim Director Carlin: Mrs. Barber

Mrs. Barber: Yes

Interim Director Carlin: Chairman Hruby

Chairman Hruby: Yes

Interim Director Carlin: Unanimous.

RESOLUTION NO. 62-2014

**Resolution Awarding Contracts for the Furnishing of
Five Truck Cab and Chassis, and for Furnishing and Installing Five Dump Bodies, Front
Plows, Wing Plows, Central Hydraulic and Lighting Systems under Invitation No. 4231**

WHEREAS, the Commission has advertised in accordance with law for bids in response to Invitation No. 4231 for the furnishing to the Commission of five truck cab and chassis, 48,000 lb. minimum GVWR (*Group I*); and for the furnishing and installation of five dump bodies, front plows, wing plows, central hydraulic and lighting systems (*Group II*); and

WHEREAS, expenditures for the Contracts to be awarded under Invitation No. 4231 will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of said Contracts; and

WHEREAS, on September 5, 2014, the Commission received five bids in response to Group I and three bids in response to Group II of Invitation No. 4231, and said bids were reviewed and analyzed by the Commission's Maintenance Engineer, who has submitted a report concerning said analysis; and

WHEREAS, the Maintenance Engineer has reported that the apparent low bid for the **Group I** truck cab and chassis was submitted by **Hans Freightliner of Cleveland, of Cleveland, Ohio**, in the amount of **\$429,780.00 (five at \$85,956.00 each)**, however, this bidder proposes a model that is not in compliance with the Bid Specifications and, therefore, this bid is not responsive and must be rejected; and

WHEREAS, the Maintenance Engineer has further reported that the second low bid for **Group I (Option #1)** was submitted by **Cleveland Freightliner, Inc., dba Valley Freightliner, Inc. (hereinafter, Valley Freightliner, Inc.)**, of **Parma, Ohio**, in the amount of **\$446,095.00 (five at \$89,219.00 each)**, however, this bidder proposes a model that is not in compliance with the Bid Specifications and, therefore, this bid is not responsive and must be rejected; and

WHEREAS, the Maintenance Engineer has further reported that the third low bid for **Group I (Option #2)** was submitted by **Valley Freightliner, Inc.**, of **Parma, Ohio**, in the amount of **\$459,860.00 (five at \$91,972.00 each)**, and that this bidder proposes to furnish a 2015/16 Western Star, Model 4700SF cab and chassis in accordance with the Commission's Specifications, and he has, therefore, recommended award of the Contract for Group I to the lowest responsive and responsible bidder, Valley Freightliner, Inc.; and

WHEREAS, the Commission's Maintenance Engineer has reported that the apparent low bid for **Group II** was submitted by **Concord Road Equipment Mfg., Inc.**, of **Painesville, Ohio**, in the amount of **\$478,309.40 (five dump bodies, front plows, wing plows, central hydraulic and lighting systems at \$94,545.75 per unit, plus \$1,116.13 per unit for five optional Gate Position Sensors)**, and that this bidder proposes to furnish equipment and services in accordance with the Commission's Specifications, and he has, therefore, recommended award of the Contract for Group II to the lowest responsive and responsible bidder, Concord Road Equipment Mfg., Inc.; and

WHEREAS, the Maintenance Engineer has further advised that, in accordance with the Commission's Property Disposal Policy as administered by the Procurement Department, the five trucks identified for replacement will be disposed of via auction to the highest bidder(s); and

WHEREAS, the Director of Contracts Administration has also indicated that, as provided for in the Bidding Documents, only after the opportunity for objection by the rejected bidder for Group I has passed, or the Commission affirms the rejection after the conduct of a meeting that may be requested by the rejected bidder, the Commission may then legally enter into a Contract with Valley Freightliner, Inc.; and

WHEREAS, the Commission has been advised by the Director of Contracts Administration that bids for Invitation No. 4231 were solicited on the basis of the same terms and conditions and the same specifications, that the lowest responsive and responsible bids of Valley Freightliner, Inc. and Concord Road Equipment Mfg., Inc. conform to the requirements of Ohio Revised Code Sections 5537.07 and 9.312, that a bid guaranty with good and sufficient surety has been submitted by the aforementioned bidders, and that both of the bidders qualify for consideration under the Commission's Domestic and Ohio Preference Policy; and

WHEREAS, the Commission's Interim Executive Director has reviewed the reports of the Maintenance Engineer and the Director of Contracts Administration and, predicated upon such analysis, has made her recommendation to the Commission to reject the bids of Hans Freightliner of Cleveland and Valley Freightliner, Inc. (Option #1) for Group I, and that Contracts be awarded for Invitation No. 4231 to Valley Freightliner, Inc. for Group I (Option #2), and Concord Road Equipment Mfg., Inc. for Group II; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, that the apparent low bid of Hans Freightliner of Cleveland for Group I, and the second low bid of Cleveland Freightliner, dba Valley Freightliner, Inc. for Group I (Option #1) of Invitation No. 4231 are deemed not responsive and are hereby rejected; and

FURTHER RESOLVED that the third low bid of **Cleveland Freightliner, Inc., dba Valley Freightliner, Inc.**, of **Parma, Ohio**, in the total amount of **\$459,860.00 for Group I (Option #2)** (for furnishing five truck cab and chassis), under Invitation No. 4231, is, and is by the Commission, determined to be the lowest responsive and responsible bid received, and is

accepted, and the Interim Executive Director and the Director of Contracts Administration, or either of them, hereby is authorized to: 1) notify Hans Freightliner of Cleveland that its bid for Group I has been rejected; 2) at the earliest time permitted under the Bidding documents, or in the event objections are filed with the Director of Contracts Administration by the rejected bidder, only after the Commission's affirmation of the rejection, execute a Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bids, 3) direct the return to the bidders of their bid security when appropriate, and 4) take any and all action necessary or proper to carry out the terms of said Contract; and

FURTHER RESOLVED that the bid of **Concord Road Equipment Mfg., Inc.**, of **Painesville, Ohio**, in the total amount of **\$478,309.40** for **Group II** (for furnishing and installing five dump bodies, front plows, wing plows, central hydraulic and lighting systems including the five optional gate position sensors), under Invitation No. 4231, is, and is by the Commission, determined to be the lowest responsive and responsible bid received, and is accepted, and the Interim Executive Director and the Director of Contracts Administration, or either of them, hereby is authorized to: 1) execute a Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bids, 2) direct the return to the bidders of their bid security when appropriate, and 3) take any and all action necessary or proper to carry out the terms of said Contract.

(Resolution No. 62-2014 adopted October 20, 2014)

Chairman: Mr. Yacobucci, if you would please. I would like to suspend your report for a second if the Board would indulge me. We have a special guest here that I was just made aware of. It seems like just yesterday we were introduced to the name of Trooper Andrew Clouser. If you remember, there was a terrible traffic accident that took place on the Turnpike and we were informed that this Trooper was severely injured. Our thoughts and our prayers were with him at that time. Some even questioned whether he would be back and would he be able to continue his career with the Turnpike. You can imagine getting out of your vehicle and going to assist someone at an accident or assist a motorist and having cars go by you at 70 and 80 miles-per-hour, and trucks the size that they are going by you at 70 and 80 miles-per-hour, and how you are placed in harm's way. To think that one of our Troopers would be struck by one of those vehicles is rather incredible and thanks to our Lord he is here today. So without further ado I would just like to introduce him. He wants to address and say something to the Commission. I, again, just want to express to you on behalf of the Commission our appreciation for your dedication. I am very, very sorry for what happened to you, but that is part of the job, you understood that when you took it and I know that you will continue your job with pride when you are back. I see you have got a gun on, so that must mean that you are back to the matter at hand. So Trooper we would appreciate hearing from you.

Trooper Andrew Clouser: Thank you for your kind words. I am wearing a gun. I do have my credentials. I am currently working light-duty, basically reserved for people who cannot return to full-duty yet, or go back to the road. That is why I am not wearing a uniform like you see the other gentlemen there. I am doing physical therapy three times a week. Out of all of the injuries that I have had, my leg is the only thing that has yet to heal, but it will heal fully. I am looking at a return date around December 1, maybe a little bit later. Hopefully,

before 2015, but I am not going to rush it. Like I said, I want to say thank you, I appreciate you all. I know while I was in the hospital, there were representatives from the Turnpike Commission that came to visit me. I can't remember who off the top of my head, I'm sorry. Thank you for all of your prayers and everything that you guys have done. (Standing ovation/applause)

Interim Director Carlin: Now, if I remember correctly when we saw you, the only thing you were fearful of was not the physical therapy, but it was your mother coming to stay with you.

Trooper Andrew Clouser: She did, in fact, stay with me. It was a rough couple of weeks.

Chairman: I assure you that is what made you better.

Trooper Andrew Clouser: That's what I tell her.

Interim Director Carlin: The healing powers of a parent.

Chairman: We hope to see you back on the Turnpike soon.

Trooper Andrew Clouser: I look forward to it. Thank you.

Chairman: Best of luck to you. Thank you.

Interim Director Carlin: Thank you.

Chairman: That is the best news I have had today. So, let us move back to Mr. Yacobucci.

Chief Engineer: My second resolution seeks the Commission's authorization for additional expenditures for Contract No. 71-12-01. GPD Group, Inc., was awarded Contract No. 71-12-01 by Resolution No. 32-2012 for the Engineering Design and Construction Administration Services related to the Mainline Pavement Replacement Project between Milepost 90.0 and Milepost 95.9, Eastbound and Westbound, located in Sandusky County. This previous authorization only included Services for the Westbound Lanes of the project, which were reconstructed in 2013 as part of Contract No. 39-13-01. The Eastbound Lanes are currently scheduled for construction in 2016. On September 8, 2014, GPD Group submitted a fee proposal in the not-to-exceed amount of \$323,030.00 to perform the Task 2 Final Design and Construction Documentation Services for the Eastbound Lanes. This proposal was evaluated and deemed reasonable for the scope of services requested. Since these additional expenditures are in excess of ten percent of the previous Commission authorizations, it is required under Article V, Section 1.00 of the Commission's Code of Bylaws that the Commission must authorize such expenditures. With your permission, may the General Counsel please read the Resolved?

Chairman: Please.

General Counsel: RESOLVED that the Commission hereby authorizes the additional expenditures for the completion of the required Task 2, Final Design and Document Preparation Services, for pavement replacement of the Eastbound lanes and shoulder from Milepost 90.0 to Milepost 95.9 in Sandusky County under **Project No. 71-12-01** in the not-to-exceed amount of **\$323,030.00** with **GPD Group, Inc.**, of **Akron, Ohio**, and further authorizes the Interim Executive Director and the Director of Contracts Administration to amend the Contract with GPD Group to perform said services, all in accordance with the terms and conditions of the Commission's RFP for Project No. 71-12-01, GPD Group's response thereto and its fee proposals therefor.

Chairman: Is there a motion to adopt?

Mrs. Barber: So moved.

Chairman: Is there a second?

Mr. Paradiso: Second.

Chairman: Mr. Paradiso seconded. Any questions or comments? Hearing none. Please call the roll.

Interim Director Carlin: Mrs. Barber

Mrs. Barber: Yes

Interim Director Carlin: Mr. Paradiso

Mr. Paradiso: Yes

Interim Director Carlin: Chairman Hruby

Chairman Hruby: Yes

Interim Director Carlin: Mr. Murphy

Mr. Murphy: Yes

Interim Director Carlin: Unanimous.

RESOLUTION NO. 63-2014

Resolution Authorizing Additional Expenditures with GPD Group under Existing Contract for Engineering Design and Construction Inspection Services Eastbound Lanes from Milepost 90.0 to Milepost 95.9 in Sandusky County (Project No. 71-12-01)

WHEREAS, in July 2012, the Commission awarded a Contract to **GPD Group, Inc.**, of **Akron, Ohio** ("**GPD Group**") for Engineering Design and Construction Services for the

Mainline Pavement Reconstruction Program for Project No. 71-12-01 to perform the services necessary for the planned 2013/2014 pavement reconstruction projects from Milepost 90.0 to Milepost 95.9, Eastbound and Westbound located in Sandusky County; and

WHEREAS, GPD Group performed Task 1, Preliminary Engineering Services in the not-to-exceed amount of **\$26,794.00**, and its fee proposal in the not-to-exceed amount of **\$289,760.00** to perform the Task 2, Final Design and Construction Document Preparation Services, for the Westbound lanes and shoulder from Milepost 90.0 to Milepost 95.9 in Sandusky County was authorized by the Commission via Resolution No. 32-2012; and

WHEREAS, the Commission, via Resolution No. 7-2013 authorized the additional expenditures required for GPD Group to perform the necessary Task 3, Construction Administration and Inspection Services, under Project No. 71-12-01 when the attendant construction project for pavement replacement of the Westbound lanes and shoulder from Milepost 90.0 to Milepost 95.9 in Sandusky County (Contract No. 39-13-01) was presented for award; and

WHEREAS, GPD Group has submitted a fee proposal dated September 8, 2014, in the not-to-exceed amount of **\$323,030.00** to perform the Task 2, Final Design and Construction Document Preparation Services, for the Eastbound lanes and shoulder from Milepost 90.0 to Milepost 95.9 in Sandusky County under Project No. 71-12-01, which fee proposal has been deemed to be reasonable and acceptable by the Chief Engineer; and

WHEREAS, continued expenditures by the Commission under the Contract will be in excess of ten percent of the amounts authorized under Resolution Nos. 32-2012 and 7-2013 and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, the Commission must authorize the amendment to the Contract incorporating such additional expenditures under Project No. 71-12-01; and

WHEREAS, the Interim Executive Director has reviewed the recommendations submitted by the Chief Engineer, and concurs that the Contract should be amended to allow for GPD Group to perform the required Task 2, Final Design and Document Preparation Services, for pavement replacement of the Eastbound lanes and shoulder from Milepost 90.0 to Milepost 95.9 in Sandusky County; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby authorizes the additional expenditures for the completion of the required Task 2, Final Design and Document Preparation Services, for pavement replacement of the Eastbound lanes and shoulder from Milepost 90.0 to Milepost 95.9 in Sandusky County under **Project No. 71-12-01** in the not-to-exceed amount of **\$323,030.00** with **GPD Group, Inc.**, of **Akron, Ohio**, and further authorizes the Interim Executive Director and the Director of Contracts Administration to amend the Contract with GPD Group to perform

said services, all in accordance with the terms and conditions of the Commission's RFP for Project No. 71-12-01, GPD Group's response thereto and its fee proposals therefor.

(Resolution No. 63-2014 adopted October 20, 2014)

Chairman: Please continue, Mr. Yacobucci.

Chief Engineer: The third Resolution seeks the Commission's authorization of continuing expenditures for the Contract with GDP Group, Inc. of Cleveland, Ohio for the Mainline Pavement Reconstruction Program. Under Resolution No. 38-2013, the Commission awarded a Contract to GPD Group for Engineering Design and Construction Services for the Mainline Pavement Reconstruction Program at various locations on the Ohio Turnpike, with each assignment consisting of a five to six-mile project section, and the Commission having the option to assign up to five project sections. The second pavement replacement project section was authorized by the Commission under Resolution No. 11-2014 for Project No. 71-14-07 from Milepost 144.0 to Milepost 149.0 in Lorain County. GPD Group has submitted a fee proposal dated July 21, 2014, in the not-to-exceed amount of \$91,938.00, for the performance of additional Task 1 - Preliminary Engineering Services and Task 2 - Final Design and Construction Documentation Services. The additional work was required due to an extension of the eastern project limits, as well as, bridge maintenance repair plans and ramp geometry improvements, which were not included in the previous authorization. The third pavement replacement project section to be assigned is for Project No. 71-14-12 from Milepost 186.3 to Milepost 191.1 in Portage County. This construction project will be designed and bid as a two-year construction project for both Eastbound and Westbound Lanes. GPD Group has submitted a fee proposal dated September 18, 2014, in the not-to-exceed amount of \$90,620.00, for the performance of Task 1 - Preliminary Engineering Services. It should be noted that their proposal does not include scope or fee for Task 2 - Final Design and Construction Documentation Services, as well as, additional work related to bridge and slope repairs that may be required. The scope and fee for Task 2, any required bridge and slope work, as well as, Construction Inspection Services will be secured at a later date. The Engineering Department staff has reviewed GPD's proposals and finds them reasonable for the scope to be performed. Since these additional expenditures will increase the total cost in excess of ten percent of the previous Commission authorizations, it is required under Article V, Section 1.00 of the Commission's Code of Bylaws that the Commission must authorize such expenditures. With your permission, may the General Counsel please read the Resolved?

Chairman: Please.

General Counsel: RESOLVED that the Commission hereby authorizes the expenditures for the additional Task 1 and Task 2 Services required under **Project No. 71-14-07** and the newly assigned Task 1 Services under **Project No. 71-14-12** in the not-to-exceed amount of **\$182,558.00** with **GPD Group, Inc., of Akron, Ohio**, and further authorizes the Interim Executive Director and the Director of Contracts Administration to amend the Contract with GPD Group to perform said services, all in accordance with the terms and conditions of the Commission's RFP for Pavement Replacement Design Services, GPD Group's response thereto and its fee proposals therefor.

Chairman: Is there a motion to adopt?

Mr. Murphy: So moved.

Chairman: Moved by Mr. Murphy. Is there a second?

Mr. Paradiso: Second.

Chairman: Seconded by Mr. Paradiso. Any questions or comments? Hearing none. Please call the roll.

Interim Director Carlin: Mr. Murphy

Mr. Murphy: Yes

Interim Director Carlin: Mr. Paradiso

Mr. Paradiso: Yes

Interim Director Carlin: Chairman Hruby

Chairman Hruby: Yes

Interim Director Carlin: Mrs. Barber

Mrs. Barber: Yes

Interim Director Carlin: Unanimous.

RESOLUTION NO. 64-2014

Resolution Authorizing Additional Expenditures with GPD Group under Existing Contract for Engineering Design and Construction Inspection Services, (Project No. 71-14-07 and Project No. 71-14-12)

WHEREAS, via Resolution No. 38-2013, the Commission awarded a Contract to **GPD Group, Inc., of Akron, Ohio (“GPD Group”)** for Engineering Design and Construction Services for the Mainline Pavement Reconstruction Program at various locations on the Ohio Turnpike, with each assignment consisting of a five to six-mile project section, and the Commission having the option to assign up to five project sections; and

WHEREAS, the **first pavement replacement project section, Project No. 71-13-06 from Milepost 159.8 to Milepost 164.82 in Cuyahoga County**, was also assigned via Resolution No. 38-2013, under which the Commission authorized GPD Group’s fee proposal in the not-to-exceed amount of **\$403,421.00** for Task 1, Preliminary Engineering Services, and Task 2, Final Design and Construction Documentation Services (excluding bridges, drainage and

slopes), which fees were increased by the Commission via Resolution No. 81-2013 in the not-to-exceed amount of **\$71,714.00** for the completion of Task 1 and Task 2 Services involving the work related to the bridges, drainage and slopes; and

WHEREAS, the **second pavement replacement project section** assigned and authorized by the Commission via Resolution No. 11-2014 was Project No. 71-14-07 from **Milepost 144.0 to Milepost 149.0 in Lorain County**, for which GPD Group submitted a fee proposal dated January 31, 2014, in the not-to-exceed amount of **\$428,544.00**, for the performance of Task 1, Preliminary Engineering Services, and Task 2, Final Design and Construction Documentation Services (excluding bridges, drainage and slopes); and

WHEREAS, GPD Group has submitted a modified fee proposal dated July 21, 2014, for the performance of additional Task 1 and Task 2 Services under **Project No. 71-14-07** involving work that includes additional field investigations and surveys due to extension of the eastern project limits, as well as, bridge maintenance repair plans and ramp geometry improvements in the additional not-to-exceed amount of **\$91,938.00**, which amount has been deemed to be reasonable and necessary by the Chief Engineer; and

WHEREAS, the **third pavement replacement project section** to be assigned is for **Project No. 71-14-12** from **Milepost 186.3 to Milepost 191.1 in Portage County**, for which GPD Group has submitted a fee proposal dated September 18, 2014, in the not-to-exceed amount of **\$90,620.00**, for the performance of Task 1, Preliminary Engineering Services, which amount has been deemed to be reasonable and necessary by the Chief Engineer; and

WHEREAS, the Contract expenditures for the additional Task 1 and Task 2 Services under Project No. 71-14-07 and the Task 1 Services under newly assigned Project No. 71-14-12 will be in excess of ten percent of the original Contract award and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, the Commission must authorize the amendment to the Contract incorporating such additional expenditures; and

WHEREAS, the Interim Executive Director has reviewed the recommendations submitted by the Chief Engineer, and concurs that the additional expenditures with GPD Group for the completion of the Task 1 and Task 2 Services under Project No. 71-14-07 and newly assigned Task 1 Services under Project No. 71-14-12 should be authorized by the Commission; and

WHEREAS, at the time the construction contracts for the mainline pavement reconstruction project from Milepost 144.0 to Milepost 149.0 and from Milepost 186.3 to Milepost 191.1 is/are awarded, the Commission will be requested to authorize GPD Group to perform Task 3, Construction Phase Services, for said construction project; and

WHEREAS, at the time the Chief Engineer recommends that GPD Group perform Engineering Design and Construction Services under the Mainline Pavement Reconstruction Program for additional project sections, the Commission will be requested to authorize such additional expenditures for those design projects; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby authorizes the expenditures for the additional Task 1 and Task 2 Services required under **Project No. 71-14-07** and the newly assigned Task 1 Services under **Project No. 71-14-12** in the not-to-exceed amount of **\$182,558.00** with **GPD Group, Inc.**, of **Akron, Ohio**, and further authorizes the Interim Executive Director and the Director of Contracts Administration to amend the Contract with GPD Group to perform said services, all in accordance with the terms and conditions of the Commission's RFP for Pavement Replacement Design Services, GPD Group's response thereto and its fee proposals therefor.

(Resolution No. 64-2014 adopted October 20, 2014)

Chairman: Please continue, Mr. Yacobucci.

Chief Engineer: The next Resolution seeks the Commission's authorization of continuing expenditures for the Contract with CT Consultants, Inc., of Mentor, Ohio, for the Mainline Pavement Reconstruction Program. Under Resolution No. 37-2013, the Commission awarded a Contract to CT Consultants for Engineering Design and Construction Services for the Mainline Pavement Reconstruction Program at various locations on the Ohio Turnpike, with each assignment consisting of a five to six-mile project section, and the Commission having the option to assign up to five project sections. The second pavement replacement project section was authorized by the Commission under Resolution No. 12-2014 for Project No. 71-14-08 from Milepost 216.25 to Milepost 221.0 in Trumbull and Mahoning Counties. CT Consultants submitted a fee proposal dated September 19, 2014, in the not-to-exceed amount of \$99,975.00, for the performance of additional Task 1 - Preliminary Engineering Services and Task 2 - Final Design and Construction Documentation Services. The additional work was required due to an extension of the eastern project limits, as well as, bridge and culvert maintenance repair plans, drainage improvements, slope repairs, and overhead sign replacement plans, which were not included in the previous authorization. The third pavement replacement project section to be assigned is for Project No. 71-14-11 from Milepost 107.3 to Milepost 112.45 in Erie County. This construction project will be designed and bid as a two-year construction project for both Eastbound and Westbound Lanes. CT Consultants has submitted a fee proposal dated October 2, 2014, in the not-to-exceed amount of \$126,990.00, for the performance of Task 1 - Preliminary Engineering Services. It should be noted that their proposal does not include scope or fee for Task 2 - Final Design and Construction Documentation Services, as well as, additional work related to bridge and slope repairs that may be required. The scope and fee for Task 2, any required bridge and slope work, as well as, Construction Inspection Services will be secured at a later date. The Engineering Department staff has reviewed CT's proposals and finds them reasonable for the scope to be performed. Since these additional expenditures will increase the total cost in excess of ten percent of the previous Commission authorizations, it is required under Article V, Section 1.00 of the Commission's Code of Bylaws that the Commission must authorize such expenditures. With your permission, may the General Counsel please read the Resolved?

Chairman: Go ahead.

General Counsel: RESOLVED that the Commission hereby authorizes the additional expenditures for the completion of the Task 1 and Task 2 Services required under **Project No. 71-14-08** and the newly assigned Task 1 Services under **Project No. 71-14-11** in the not-to-exceed amount of **\$226,965.00** with **CT Consultants, Inc.**, of **Mentor, Ohio**, and further authorizes the Interim Executive Director and the Director of Contracts Administration to amend the Contract with CT Consultants to perform said services, all in accordance with the terms and conditions of the Commission's RFP for Pavement Replacement Design Services, CT Consultants' response thereto and its fee proposals therefor.

Chairman: I'll move adoption. Is there a second?

Mrs. Barber: Second.

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

Interim Director Carlin: Chairman Hruby

Chairman Hruby: Yes

Interim Director Carlin: Mrs. Barber

Mrs. Barber: Yes

Interim Director Carlin: Mr. Murphy

Mr. Murphy: Yes

Interim Director Carlin: Mr. Paradiso

Mr. Paradiso: Yes

Interim Director Carlin: Unanimous.

RESOLUTION NO. 65-2014

Resolution Authorizing Additional Expenditures with CT Consultants under Existing Contract for Engineering Design and Construction Inspection Services, (Project No. 71-14-08 and Project No. 71-14-11)

WHEREAS, via Resolution No. 37-2013, the Commission awarded a Contract to **CT Consultants, Inc.**, of **Mentor, Ohio** ("**CT Consultants**") for Engineering Design and Construction Services for the Mainline Pavement Reconstruction Program at various locations on the Ohio Turnpike, with each assignment consisting of a five to six-mile project section, and the Commission having the option to assign up to five project sections; and

WHEREAS, the **first pavement replacement project section**, Project No. 71-13-05 from **Milepost 101.2 to Milepost 107.2 in Sandusky and Erie Counties**, was also assigned via Resolution No. 37-2013, under which the Commission authorized CT Consultants' fee proposal in the not-to-exceed amount of **\$350,740.00** for Task 1, Preliminary Engineering Services, and Task 2, Final Design and Construction Documentation Services (excluding bridges, drainage and slopes), which fees were increased by the Commission via Resolution No. 80-2013 in the not-to-exceed amount of **\$87,562.00** for the completion of Task 1 and Task 2 Services involving the work related to the bridges, drainage and slopes; and

WHEREAS, the **second pavement replacement project section** assigned and authorized by the Commission via Resolution No. 12-2014 was Project No. 71-14-08 from **Milepost 216.25 to Milepost 221.0 in Trumbull and Mahoning Counties**, for which CT Consultants submitted a fee proposal in the not-to-exceed amount of **\$447,436.00**, for the performance of Task 1, Preliminary Engineering Services, and Task 2, Final Design and Construction Documentation Services (excluding bridges, drainage and slopes); and

WHEREAS, CT Consultants has submitted a modified fee proposal dated September 19, 2014, for the performance of additional Task 1 and Task 2 Services under **Project No. 71-14-08** involving work that includes additional field investigations and surveys due to extension of the eastern project limits, bridge and culvert maintenance repair plans, drainage improvements, slope repairs and overhead sign replacement plans in the additional not-to-exceed amount of **\$99,975.00**, which amount has been deemed to be reasonable and necessary by the Chief Engineer; and

WHEREAS, the **third pavement replacement project section** to be assigned is for **Project No. 71-14-11** from **Milepost 107.3 to Milepost 112.45 in Erie County**, for which CT Consultants has submitted a fee proposal dated October 2, 2014, in the not-to-exceed amount of **\$126,990.00**, for the performance of Task 1, Preliminary Engineering Services, which amount has been deemed to be reasonable and necessary by the Chief Engineer; and

WHEREAS, the Contract expenditures for the additional Task 1 and Task 2 Services under Project No. 71-14-08 and the Task 1 Services under newly assigned Project No. 71-14-11 will be in excess of ten percent of the original Contract award and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, the Commission must authorize the amendment to the Contract incorporating such additional expenditures; and

WHEREAS, the Interim Executive Director has reviewed the recommendations submitted by the Chief Engineer, and concurs that the additional expenditures with CT Consultants for the completion of the Task 1 and Task 2 Services under Project No. 71-14-08 and the newly assigned Task 1 Services under Project No. 71-14-11 should be authorized by the Commission; and

WHEREAS, at the time the construction contract for the mainline pavement reconstruction project from Milepost 216.25 to Milepost 221.0 and from Milepost 107.3 to

Milepost 112.45 is/are awarded, the Commission will be requested to authorize CT Consultants to perform Task 3, Construction Phase Services, for said construction project; and

WHEREAS, at the time the Chief Engineer recommends that CT Consultants perform Engineering Design and Construction Services under the Mainline Pavement Reconstruction Program for additional project sections, the Commission will be requested to authorize such additional expenditures for those design projects; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby authorizes the additional expenditures for the completion of the Task 1 and Task 2 Services required under **Project No. 71-14-08** and the newly assigned Task 1 Services under **Project No. 71-14-11** in the not-to-exceed amount of **\$226,965.00** with **CT Consultants, Inc.**, of **Mentor, Ohio**, and further authorizes the Interim Executive Director and the Director of Contracts Administration to amend the Contract with CT Consultants to perform said services, all in accordance with the terms and conditions of the Commission's RFP for Pavement Replacement Design Services, CT Consultants' response thereto and its fee proposals therefor.

(Resolution No. 65-2014 adopted October 20, 2014)

Chairman: Tony, please continue.

Chief Engineer: My fifth and final resolution seeks authorization to award an agreement for Janitorial Services at the Commission's Erie Islands and Commodore Perry Service Plazas, also known as SP-4, (Agreement TRM-11A). On August 19, 2014, an RFP was issued to 34 firms interested in providing this service. On September 24, 2014, Procurement received three responses for Agreement TRM-11A. The proposals were reviewed and scored by an Evaluation Team consisting of the Service Plaza Operations Manager, the Eastern and Western Division Service Plaza Managers, and the SP-4 Service Plaza Manager. The proposals were scored on their technical merit and, upon completion of the scoring, the cost portion of the proposals were opened separately. With the cost proposals and the technical scores, a Cost Performance Index ("CPI") was calculated, which takes into account the technical score as a function of the price proposal. This calculation yields the best overall proposal taking into account both technical and cost aspects of these proposals. The highest technical score was awarded to Crystal Clear Building Services, Inc. ("Crystal Clear"), of Cleveland, Ohio, with a score of 409 out of 500 points. They were followed by Vocational Services, Inc., of Cleveland, Ohio, with a score of 349 out of 500 points. The third proposal submitted by Any Domestic Work, Inc., of Parma, Ohio did not meet the requirements of the RFP due to their deficient proposal guaranty, and was deemed unresponsive and must be rejected. As previously stated, a CPI was calculated utilizing the technical scores and the cost proposal for each respondent. The proposal submitted by Crystal Clear received the highest CPI ranking. Based upon these results, it is recommended to award Agreement TRM-11A to Crystal Clear Building Services, Inc., of

Cleveland, Ohio. The Agreement is set for an initial one-year term with a potential for six, additional one-year extensions. A breakdown of the costs for the agreement are as follows:

<u>Service Plaza</u>	<u>Monthly Per Plaza Fee</u>	<u>Annual Per Plaza Fee</u>
Agreement TRM-11A		
Erie Islands	\$31,250.00	\$375,000.00
Commodore Perry	\$31,250.00	\$375,000.00
	\$62,500.00	\$750,000.00

It should be noted that Crystal Clear is partnering with Dove Building Services, a DAS-certified MBE. With your permission, may the General Counsel please read the Resolved?

Chairman: Please.

General Counsel: RESOLVED that the Proposal submitted by **Crystal Clear Building Services, Inc.**, of **Cleveland, Ohio**, which included the following Price Proposal:

<u>Service Plaza</u>	<u>Monthly Per Plaza Fee</u>	<u>Annual Per Plaza Fee</u>
Agreement TRM-11A		
Erie Islands	\$31,250.00	\$375,000.00
Commodore Perry	\$31,250.00	\$375,000.00
	\$62,500.00	\$750,000.00

is, and is by the Commission determined to be, the best Proposal received for the performance of Agreement TRM-11A; and

FURTHER RESOLVED that the Interim Executive Director and the Director of Contracts Administration hereby are authorized to: 1) notify Any Domestic Work, Inc. dba A.D.W., Inc. that its proposal has been rejected; 2) execute Agreement TRM-11A to furnish janitorial services at the Commission’s Erie Islands and Commodore Perry Service Plazas with Crystal Clear Building Services, Inc. for an initial term of one year, 3) direct the return of the proposal guaranty provided by all RFP respondents as soon as said Agreement with Crystal Clear Building Services, Inc. is executed, 4) predicated upon satisfactory performance reviews by the Service Plaza Operations Manager, extend the Agreement for no more than six, successive one-year periods, pursuant to the terms and conditions of the aforesaid Agreement, and 5) take any and all action necessary or proper to carry out the terms of the RFP and the ensuing Agreement.

Chairman: Is there a motion to adopt?

Mr. Paradiso: So moved.

Chairman: Moved by Mr. Paradiso. Is there a second?

Mrs. Barber: Second.

Chairman: Seconded by Mrs. Barber. Question or comments?

Mr. Murphy: Mr. Chairman, I have a couple of questions. Tony, do you have any idea what the percentage of the MBE will be or is it they are just part of the contract?

Interim Director Carlin: Tommie Jo.

Tommie Jo Marsilio: Thank you. Mr. Chairman and Mr. Murphy, we did not initially have that information, but upon follow-up they have guaranteed a minimum of 10% up to 15% participation.

Mr. Murphy: We are getting into this a lot more at ODOT, did you consider or can we consider these types of services are very ripe for MBE participation, specifically in the Cleveland area, setting this aside, essentially just for MBEs? Or are we going to wait for the Disparity Study?

Tommie Jo Marsilio: I think, Mr. Murphy, I will defer to our General Counsel.

Interim Director Carlin: We are, actually, in the process of cooperating with your organization with the Disparity Study. We hope to be able to have some better guidance and Tommie Jo has been doing extensive outreach efforts to try and improve our program.

General Counsel: As long as we are on that topic, Mr. Chairman, if I may, I was going to include this in my report. With respect to the Disparity Study, we have been working very closely with ODOT. Proposals, actually, were to be opened tomorrow, but due to some questions that came in at the last minute last week, a decision was made to extend the opportunity for responses for a two week period. We have already been working together in setting up the evaluation for scoring those proposals when they come in. The collaboration with ODOT on the RFP process has been excellent. I am very pleased in that regard. With respect to your question; we did do extensive outreach to MBEs that are out there no MBEs chose to bid on this particular RFP. With respect to set asides, we would not feel comfortable setting aside without the results of the Study presented to us, so we need to wait for that.

Chairman: In part of their bid, they indicated that they did have a relationship, did they not?

General Counsel: Yes, Mr. Chairman. That is the really good news and Ms. Marsilio has been pressing hard with them to up that percentage as high as possible.

Chairman: Anyone else? Questions or comments? Hearing none. Please call the roll.

Interim Director Carlin: Mr. Paradiso

Mr. Paradiso: Yes

Interim Director Carlin: Mrs. Barber

Mrs. Barber: Yes

Interim Director Carlin: Chairman Hruby

Chairman Hruby: Yes

Interim Director Carlin: Mr. Murphy

Mr. Murphy: Yes

Interim Director Carlin: Unanimous.

RESOLUTION NO. 66-2014

Resolution Awarding Agreement for Janitorial Services at the Commission's Erie Islands and Commodore Perry Service Plazas (Agreement TRM-11A)

WHEREAS, on August 19, 2014, the Commission issued its Requests for Proposals ("RFP") to furnish janitorial services at the Commission's Erie Islands and Commodore Perry Service Plazas (Agreement TRM-11A) for an initial term of one year, with provisions for up to six successive, one-year extension periods; and

WHEREAS, expenditures of the Commission for janitorial services under Agreement TRM-11A will exceed \$150,000.00 and, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of such Agreement; and

WHEREAS, on September 24, 2014, three firms submitted Proposals to furnish the janitorial services at the Commission's Erie Islands and Commodore Perry Service Plazas (also known as SP-4); and

WHEREAS, the Director of Contracts Administration has reported that Any Domestic Work, dba A.D.W., Inc.'s proposal guaranty did not meet the requirements of the RFP and, therefore, its proposal is non-responsive and must be rejected; and

WHEREAS, an Evaluation Team comprised of the Service Plaza Operations Manager, the Eastern Division and Western Division Service Plaza Managers, and Service Plaza Manager for SP-4 reviewed the Proposals submitted and awarded technical scores to each Respondent; and

WHEREAS, as a result of this process, the highest Proposal score achieved for Agreement TRM-11A was for the Proposal submitted by **Crystal Clear Building Services, Inc., of Cleveland, Ohio**, which submitted the following Price Proposal:

<u>Service Plaza</u>	<u>Monthly Per Plaza Fee</u>	<u>Annual Per Plaza Fee</u>
Agreement TRM-11A		
Erie Islands	\$31,250.00	\$375,000.00
Commodore Perry	\$31,250.00	\$375,000.00
	\$62,500.00	\$750,000.00

WHEREAS, the Director of Contracts Administration advises that: 1) the RFP conforms to the requirements of Sections 5537.07 and 5537.13 of the Ohio Revised Code, 2) the aforesaid Proposals were solicited on the basis of the same terms and conditions with respect to all RFP respondents and potential respondents, 3) due and full consideration has been given to the Proposals received, the respondents' qualifications and their abilities to perform the required services, and 4) Crystal Clear Building Services, Inc. has provided a proposal guaranty of good and sufficient surety and evidence of their ability to provide the required performance bond and insurance as set forth in the RFP; and

WHEREAS, the Interim Executive Director has reviewed the written recommendations of the Evaluation Team and the Director of Contracts Administration, and has made her recommendation to the Commission to reject the proposal of Any Domestic Work, Inc., dba A.D.W., Inc., and concurs with the selection of Crystal Clear Building Services, Inc. to perform Agreement TRM-11A; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Proposal submitted by **Crystal Clear Building Services, Inc., of Cleveland, Ohio**, which included the following Price Proposal:

<u>Service Plaza</u>	<u>Monthly Per Plaza Fee</u>	<u>Annual Per Plaza Fee</u>
Agreement TRM-11A		
Erie Islands	\$31,250.00	\$375,000.00
Commodore Perry	\$31,250.00	\$375,000.00
	\$62,500.00	\$750,000.00

is, and is by the Commission determined to be, the best Proposal received for the performance of Agreement TRM-11A; and

FURTHER RESOLVED that the Interim Executive Director and the Director of Contracts Administration hereby are authorized to: 1) notify Any Domestic Work, Inc. dba A.D.W., Inc. that its proposal has been rejected; 2) execute Agreement TRM-11A to furnish

janitorial services at the Commission's Erie Islands and Commodore Perry Service Plazas with Crystal Clear Building Services, Inc. for an initial term of one year, 3) direct the return of the proposal guaranty provided by all RFP respondents as soon as said Agreement with Crystal Clear Building Services, Inc. is executed, 4) predicated upon satisfactory performance reviews by the Service Plaza Operations Manager, extend the Agreement for no more than six, successive one-year periods, pursuant to the terms and conditions of the aforesaid Agreement, and 5) take any and all action necessary or proper to carry out the terms of the RFP and the ensuing Agreement.

(Resolution No. 66-2014 adopted October 20, 2014)

Chairman: Anything else, Tony?

Chief Engineer: That concludes my report, Mr. Chairman.

Chairman: Thank you very much. We will move on to our CFO/Comptroller, Marty Seekely.

CFO/Comptroller: Thank you Mr. Chairman. I have an update on our traffic and revenue the month of September and our financial results through the first nine months of the year.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past two years. Passenger car vehicle miles traveled were .8% lower than September of last year. September last year had nine weekend days while September this year had eight weekend days. This calendar shift probably caused a 2% decrease in the comparison to last year.

Commercial traffic improved for the eighth straight month and was 7.2% higher than September of last year. The calendar shift added one more weekday to September this year and probably caused a 3% increase in the comparison to last year.

This chart shows the total vehicle miles traveled through the month of September during each year over the past decade. Total vehicle miles traveled for the first nine months of this year were 1.1% higher than the amount from last year.

The 2.7% toll rate increase on January 1, 2014, was partially offset by the .8% decrease in passenger traffic in September. As a result passenger car toll revenue increased 2.1% from September of last year.

The increase in Commercial traffic combined with the toll rate increase resulted in Commercial vehicle toll revenues increasing 9.2% from last year.

This chart shows the year-to-date toll revenues through the month of September during each year over the past decade. Toll revenues through September were \$6.6 million or 3.4% above the amount from last year.

This report shows the actual and budgeted revenues, expenditures and transfers for the General Fund for the first nine months of the year. Total revenues for the first nine months of the year are \$3.5 million or 1.6% above budget and \$8.2 million or 3.9% above last year. Toll revenues continue to improve and were \$2.3 million higher than budget and \$6.6 million higher than last year. Concession revenues were 4.3% higher than budget and 9.2% higher than last year. The Mahoning Valley and Glacier Hills Service Plazas were open for four more months this year than last year. Other revenues are higher due to increased *E-ZPass*[®] transponder fee revenues.

Expenditures for operation, maintenance and administration for the first nine months of the year were \$900,000 or 1.1% lower than budgeted and \$4.2 million or 5.2% higher than last year. Most of these savings from budget were related to lower toll collector salary expense and lower compensated absence costs. These lower costs were partially offset by higher than budgeted snow and ice removal costs.

The increase in costs from last year are primarily due to higher snow and ice removal costs, higher employee health insurance costs, higher service plaza operations costs due to the opening of the Mahoning Valley and Glacier Hills service plazas in May of last year and the payment of the one-time union employees bonus in February of this year.

Debt service payments are \$18.3 million higher than last year due to the additional debt service payments associated with last year's debt issuance.

After paying our operating expenses and debt service, the balance of the revenue is used to fund our 2014 capital expenditures. \$65.5 million was transferred to our capital funds in the first nine months of the year which is \$4.4 million higher than budget. That completes my report Mr. Chairman.

Chairman: Any questions for Marty? Excellent report, Marty. Thank you very much. Oh, I'm sorry, Mr. Kauffman.

Mr. Kauffman: Mr. Seekely, can you talk a little bit about the nine months to-date maintenance of roadway and structures, some of the expenditures that are above estimate. Can you just give us a little more context for those that are above estimate?

CFO/Comptroller: The majority of the costs in there is the snow and ice removal costs, which would draw that line higher than last year and higher than budget. I think it was about \$1.8 million higher than last year and \$900,000.00 higher than budgeted, which drove that line to be higher.

Mr. Kauffman: Also, Mr. Seekely, can you talk a little bit about *E-ZPass*[®] utilization for passenger travel. Do you know how that compares to estimates that were built into the budget?

CFO/Comptroller: Mr. Chairman and Mr. Kauffman, I think our *E-ZPass*[®] utilization is a little higher than what we had forecasted in the budget. Therefore, our revenues are a little less because of that.

Chairman: That information was outlined in the article about the five-year celebration?

CFO/Comptroller: Yes, I think there was some information about that.

Chairman: We will get you that information, Mr. Kauffman.

Mr. Kauffman: Thank you.

Chairman: Anything else?

Mr. Paradiso: Yes, Mr. Chairman.

Chairman: Yes, please go ahead.

Mr. Paradiso: In the same line on the expenses, the variance for September on the Administration and Insurance, it is quite high. Can you comment on that?

CFO/Comptroller: From September of last year?

Mr. Paradiso: Yes, a 24% variance over last year. I am looking under the Operation and Maintenance Expense. You just have year-to-date numbers, so you have a year-to-date number variance of \$247,000.00, but for the current month it is \$164,000.00.

CFO/Comptroller: I am not sure I have the exact numbers for the current month to explain that.

Mr. Paradiso: It is such a big variance; I was just curious what it was. You mentioned something about opening the toll plaza on the east side of the state, that wouldn't be a variance though; we would have had to have that in the forecast, right?

CFO/Comptroller: The service plazas?

Mr. Paradiso: Yes.

CFO/Comptroller: Yes, the service plazas were in the budgeted numbers.

Chairman: Okay. Anything else from anyone? Thank you, Marty. If any Commission Members have any further questions on that, please let Marty know and he can get that information. We are going to defer the report of our General Counsel until the remaining reports are completed. We will move on to our Financial Advisor, Bethany Pugh.

Financial Advisor: No report, Mr. Chairman.

Chairman: General Consultant, Mr. Buchanan?

General Consultant: No report, Mr. Chairman.

Chairman: Is Mr. Lamb here?

CFO/Comptroller: No, Mr. Lamb could not make this meeting. He does not have a report.

Chairman: Ohio State Highway Patrol, Lieutenant Weirtz?

Lieutenant Weirtz: Good afternoon, Mr. Chairman and Commission Members. I just have a few incidents to report on. The first is a fatal crash that the Swanton Post is currently investigating. The accident occurred last evening at approximately 9:00 p.m. It involved a commercial semi tractor-trailer outfit that struck six passenger vehicles and, unfortunately, the first vehicle that was struck, the driver, a fifty-eight year old male from Salem, Ohio, was killed in that crash. There were several others injured, some significantly, but it doesn't appear at this point to be life threatening. Currently, the gentleman that was operating the commercial vehicle is incarcerated and he will be charged later today.

On a more positive note, there are three different incidents of seizures by our criminal patrol troopers and sergeants working on the Turnpike. The first incident was on October 1. Trooper Trader and Trooper McGill and canine, Edo, stopped a vehicle at Milepost 133 eastbound and during that stop they confiscated eighty-four grams of heroin, which has a street value of about \$12,000.00. That case was adopted by the DEA in Pittsburgh. The second stop was performed by Criminal Patrol Sergeant Laughlin at Milepost at 133 eastbound. It was a 2013 Chrysler 200 with no front plate and following too close. Canine Argo alerted on that vehicle and two pounds of marijuana were seized with a street value of approximately \$10,000.00. Then, most recently, several officers, Trooper Manley, Sergeant Arnold, Trooper Shonk, Sergeant Smart and Sergeant Cook, on October 16 at Milepost 77, stopped two pick-up trucks. The canine alerted to both vehicles and a subsequent search revealed nine duffel bags containing two hundred sixty pounds of marijuana with a street value of \$1.3 million. This was very significant. That concludes my report.

Chairman: Excellent. Any questions for the Lieutenant? Fine job again, please pass that on to the Troopers please. We will now move on to the report of our General Counsel, Kathleen Weiss.

General Counsel: Thank you Mr. Chairman and Commission Members. You do have a confidential litigation report that has been distributed to you. After you have read it, if you have any questions about any of the content, by all means, please feel free to contact me directly. After that, I would ask that Commissioner Barber make a motion to move the Board into Executive Session.

Chairman: Before we do that, just let me tell all of you, there will be no further action to be taken after we convene from our Executive Session, if, in fact, we do go into Executive Session. Our next Commission Meeting will be held on Monday, November 17, 2014, at our regular time of 10:00 a.m. Mrs. Barber.

Mrs. Barber: I move that we hold an Executive Session to discuss litigation matters under the provisions of Ohio Revised Code Section 121.22(G)(3), and to discuss on-going collective bargaining negotiations with the Teamsters Local 436 radio room operators under the provisions of Ohio Revised Code Section 121.22(G)(4).

At the end of such Executive Session, the Commission meeting shall resume its meeting.

Chairman: Again, there will be no further action to be taken. We will simply come back in and adjourn our meeting. I will second the motion. Please call the roll.

Interim Director Carlin: Mrs. Barber

Mrs. Barber: Yes

Interim Director Carlin: Chairman Hruby

Chairman Hruby: Yes

Interim Director Carlin: Mr. Paradiso

Mr. Paradiso: Yes

Interim Director Carlin: Mr. Murphy

Mr. Murphy: Yes

Chairman: We are in Executive Session. Thank you folks for your attendance. (1:53 p.m.)

Mrs. Barber: I move that we conclude the Executive Session pursuant to the provisions of Ohio Revised Code Section 121.22(G)(3), and (G)(4), and resume the open meeting of the Commission.

Chairman: Is there a second?

Mr. Paradiso: Second.

Chairman: Please call the roll.

Interim Director Carlin: Mrs. Barber

Mrs. Barber: Yes

Interim Director Carlin: Mr. Paradiso

Mr. Paradiso: Yes

Interim Director Carlin: Chairman Hruby

Chairman Hruby: Yes

Interim Director Carlin: Mr. Murphy

Mr. Murphy: Yes

Chairman: Move to adjourn. All those in favor signify by saying aye.

Mrs. Barber: Aye

Mr. Paradiso: Aye

Mr. Murphy: Aye

Chairman: All those opposed. Hearing none. We are adjourned.

Time of adjournment: 2:30 p.m.

Attendees for Record Keeping Purposes:

Scott Buchanan, URS; Stefan Holmes, First Merit; Dennis Golem, Wells Fargo; Bruce Birch, Resource International; Joe Casto, IUOE Local 18; Tom Perevosnik, IUOE Local 18; Bethany Pugh, PFM; Jennifer Townley, ODOT; Tim McDonald, ODOT; Halle Jones Capers, G. Stephens; Lieutenant Weirtz, OSHP; Sarah Brown, HNTB; Daniel Cohen, Citi Group; Russ Critelli, Mannik & Smith Group; Zoltan Szabo, HMM; Mike McCarthy, HMM; Marty Seekely, Ohio Turnpike; David Miller, Ohio Turnpike; Dennis Albrecht, Ohio Turnpike; Kathleen Weiss, Ohio Turnpike; Robin Carlin, Ohio Turnpike; Sharon Isaac, Ohio Turnpike; Tommie Jo Marsilio, Ohio Turnpike; Kevin Scott, Ohio Turnpike; John Arvai, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Helen Guggenbiller, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Chris Matta, Ohio Turnpike; Brian Newbacher, Ohio Turnpike.

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

Sandra K. Barber, Secretary-Treasurer

