

**MINUTES OF THE 691st MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
NOVEMBER 15, 2021**

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

Mr. Pakush is here today representing ODOT as Dr. Marchbanks is unable to attend.

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

We have a quorum.

This is the 691st Meeting of the Ohio Turnpike and Infrastructure Commission. We are here today at the Commission's Administration Building.

Will the Assistant Secretary Treasurer, Martin Seekely, please call the roll?

Assistant Secretary-Treasurer: Chairman Hruby

Chairman, Jerry Hruby: Here

Assistant Secretary-Treasurer: Vice Chairman Paradiso

Vice Chairman, Timothy Paradiso: Here

Assistant Secretary-Treasurer: Secretary-Treasurer Barber

Secretary-Treasurer, Sandra Barber: Here

Assistant Secretary Treasurer: Mr. Coviello

Commissioner Guy Coviello: Here

Assistant Secretary-Treasurer: Ms. Eaton Johnson

Commissioner Vickie Eaton Johnson: Here

Assistant Secretary-Treasurer: Mr. Pakush

Commissioner, ODOT Proxy, Myron Pakush: Here

Assistant Secretary-Treasurer: Mr. Kennedy

Office of Budget and Management, James Kennedy: Here

Assistant Secretary-Treasurer: Senator Reineke

Senator Bill Reineke: Here

Assistant Secretary-Treasurer: Representative Ghanbari

Representative Haraz N. Ghanbari: Here

Chairman: We have a quorum. This is the 691st 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 a couple resolutions. Draft copies have been sent to the Members prior to this meeting. The resolutions will be explained during the appropriate reports.

May I have a motion to adopt the Minutes of the October 18, 2021, Commission Meeting? Any corrections, additions, or questions regarding the Minutes? Hearing none, please call the roll.

MOTION: A motion to adopt the Minutes of the October 18, 2021, Commission Meeting was made by Vice Chairman Paradiso, seconded by Mr. Pakush and approved by all Commission Members present.

Chairman: The October 18, 2021 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 October 18, 2021:

1. Seven (7) Resolutions;
2. Draft Minutes of the October 18, 2021, 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, October 2021;
2. Traffic and Revenue Report, October 2021;
3. Total Revenue by Month and Year, October 2021;
4. Investment Report, October 2021; and
5. Financial Statement, October 2021.

Chairman: Thank you. We will move on to the report of the Executive Director, Ferzan Ahmed.

Director Ahmed: Mr. Chairman, before I begin my report today, I would like to present a Resolution assenting to my appointment of Heather A. Veljkovic as the Acting General Counsel. With your permission, may I please read the title of the resolution.

Chairman: Yes, please.

Director Ahmed: A Resolution Assenting to the Appointment of Heather A. Veljkovic as the Acting General Counsel of the Ohio Turnpike and Infrastructure Commission.

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

MOTION: A motion to adopt *A Resolution Assenting to the Appointment of Heather A. Veljkovic as the Acting General Counsel of the Ohio Turnpike and Infrastructure Commission* was made by Vice Chairman I, seconded by Ms. Eaton Johnson, and approved by all Commission Members present. Resolution No. 63-2021.

Chairman: The resolution passes unanimously. I continue.

Director Ahmed: Now I would like to move onto my report. Thank you, Mr. Chairman. Good morning, Commission Members, and visitors.

I will begin my update with a 2021 year-end construction project wrap-up. This year was a significant year for our construction program. The bulk of the work was four pavement replacement projects in Williams, Fulton and Lucas, Trumbull, and Mahoning Counties. These projects completed almost 37 lane miles of pavement replacement. There were approximately 40 lane miles of resurfacing completed by other projects. Three of these projects will continue in 2022. The first new toll plaza at MP 49 in Swanton, which is part of the modernized Toll Collection System, was completed this year and will be used for testing various components of the new system over the next several months. Construction for the new toll plazas at MP 4 in Edon and MP 211 in Newton Falls began and will continue through 2022.

Also, work on eleven bridges was completed, consisting of six bridge deck replacements of which two were widened, structural steel repair to one bridge, the removal of one bridge and replacement of a roundabout, and the repainting of three mainline bridges.

I would like to recognize Our Chief Technology Officer, Brian Kelley, who was recognized on November 3rd by Government Technology Special Districts with the *Midwest 2021 Technology Innovation- Leadership Award*.

I would also like to congratulate the following team members:

- Justin Kelley recently joined the Accounting Department. Welcome Justin!

- Jay Medina transferred from Assistant Division Superintendent East to Assistant Division Superintendent West.
- Matt McMullen was promoted to Assistant Division Superintendent East.

I would like to recognize and congratulate the following retirees:

- Scott Nuhfer, who retired from the Maintenance Department on October 29th.
- Steve Minney will retire with more than 35 years of service to the Commission in the Toll Operations Department. As is our practice, we would like to honor his service with a Commission Resolution since he has more than 35 years of service.

With your permission, may the Acting General Counsel read the title of the resolution.

Acting General Counsel: Resolution Expressing Appreciation of Stephen C. Minney.

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

MOTION: A motion to adopt *Resolution Expressing Appreciation of Stephen C. Minney* was made by Chairman Hruby, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 64-2021.

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

Director Ahmed: I offered proponent testimony to the Ohio House Transportation and Public Safety Committee on October 26th. This was the second hearing for Senate Bill 162, our Toll Collection Legislation sponsored by Senator Reineke. Senator Reineke offered sponsor testimony at the first hearing on October 12th. In addition to our testimony, several individuals and organizations have since offered their support in writing to the House Committee; they include:

- Ryan McNaughton, Youngstown/Warren Regional Chamber
- Todd Audet, City of Rossford
- Tim Brown, Toledo Metropolitan Area Council of Governments
- Jim Kinnick, Eastgate Regional Council of Governments
- Grace Gallucci, Northeast Ohio Area Coordinating Agency
- Tom Balzer, Ohio Trucking Association

During the second hearing, Senate Bill 162 was amended to include provisions to align our performance bond requirements with ODOT's and the rest of the industry, relative to professional services contracts. On behalf of the team, I thank Senator Reineke and State Representative Haraz Ghanbari for their help in securing this amendment. We expect that the bill will receive at least one more hearing before being referred out of Committee. We are currently on target for the Legislator to pass the bill by the end of this year, as planned.

One of my responsibilities as Executive Director is to give Commission Members an annual report on our current Standard Operating Procedures (SOPs). The SOPs are under review in all departments and each department plans to finalize their SOPs soon.

Finally, all fourteen service plazas are fully open for Thanksgiving holiday travel. It will be our goal to meet the needs of travelers while keeping the health and safety of our customers and employees at the top of our minds.

On that note, Mr. Chairman, I conclude my report, and I will be happy to answer any questions.

Chairman: Thank you. Any questions for the Director? I would just like to add on behalf of the Commission our congratulations to our retirees and to those that received promotions. Congratulations to Brian Kelley. It is a wonderful award that you received in leadership and again, we thank Mr. Steve Minney for all of his service to the Commission for all these years.

Chairman: Now it is my esteemed honor to introduce the father of Lauren Yacobucci. If Lauren Yacobucci is not familiar to all of you, she is one of the State Champions in volleyball. Over the weekend, Magnificat won the state championship and the proud daddy is sitting there as our Chief Engineer. So, congratulations to you and your lovely daughter.

Chief Engineer: Well, thank you very much. Obviously, it is attributed to her, not to me. She is the one that plays and she does a fantastic job.

Chairman: Were it not for you.

Chief Engineer: That's correct.

Director Ahmed: Mrs. Yacobucci, actually.

Chairman: Tony Yacobucci, our Chief Engineer, your report please.

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

The first resolution for your consideration seeks the Commission's authorization to award Contract No. 4396 for pavement sweeping services between Milepost 0.0 and Milepost 241.3. The pavement sweeping service will be used for the removal of road debris accumulated along the curbs and median barrier of the Turnpike. The bid invitation was divided into two groups containing four items each, which are based on the geographical location of our facilities. The bidders were permitted to bid on one or both groups. Procurement received three (3) bids in response to the bid invitation. The apparent low bid for both groups was submitted by Perfect Sweep, Inc., of Toledo, Ohio. This bidder proposes to furnish equipment and services in accordance with the specifications and this bidder has satisfactorily supplied pavement sweeping services to the Commission in the past. Inasmuch as our needs can fluctuate for this service, we are recommending a blanket order Contract, for a one-year term, in the estimated amount of

\$150,000 be established with Perfect Sweep, Inc., of Toledo, Ohio. With your permission, may the Acting General Counsel please read the title of the resolution?

Acting General Counsel: Resolution Awarding a Contract for the Furnishing of Pavement Sweeping Services Under Invitation No. 4396 to Perfect Sweep, Inc. in the Total Estimated Amount of \$150,000.00.

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

MOTION: A motion to adopt *Resolution Awarding a Contract for the Furnishing of Pavement Sweeping Services Under Invitation No. 4396 to Perfect Sweep, Inc. in the Total Estimated Amount of \$150,000.00* was made by Mr. Pakush, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 65-2021.

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

Chief Engineer: The second resolution for your consideration seeks the Commission's authorization for the purchase of corrosion-inhibiting, liquid de-icing/anti-icing material under the Ohio Department of Transportation's ("ODOT's") Cooperative Purchasing Program Contract Number 124-22. This would be used at all of our maintenance sections during the 2021/2022 snow and ice season for pre-treating bridge decks and pre-wetting the road salt. The liquid de-icing/anti-icing material to be purchased is Meltdown Apex-C from EnviroTech Services, LLC, of Greeley, Colorado. Based on an estimated usage of 360,000 gallons, the anticipated expenditures for the product would be \$450,000. Since the expenditures will exceed \$150,000.00, and, therefore, in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission authorization is required. Therefore, it is recommended that the Commission approve the purchase of Meltdown Apex-C through ODOT's Cooperative Purchasing Program Agreement with EnviroTech Services, Inc., of Greeley, Colorado, in the amount of \$450,000.00. With your permission, may the Acting General Counsel please read the title of the resolution?

Acting General Counsel: Resolution Authorizing the Purchase of Meltdown Apex-C from EnviroTech Services, I Under the ODOT Cooperative Purchasing Program in the Total Estimated Amount of \$450,000.00.

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

MOTION: A motion to adopt *Resolution Authorizing the Purchase of Meltdown Apex-C from EnviroTech Services, I Under the ODOT Cooperative Purchasing Program in the Total Estimated Amount of \$450,000.00* was made by Secretary-Treasurer Barber, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 66-2021.

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

Chief Engineer: The next resolution for your consideration seeks the Commission's authorization to award Phase II Services under the Contract to Furnish, Integrate, and Maintain a

Toll Collection System (“TCS”) with Conduent State & Local Solutions, I (“Conduent”), a New York corporation. In December of 2017, the Commission approved Resolution No. 57-2017 adopting a Strategic Plan for modernizing the Ohio Turnpike’s Toll Collection and Customer Service Center systems. In June of 2020, the Commission approved Resolution 46-2020, awarding a Contract for the Toll Collection System Implementation and Maintenance Contract with Conduent, and authorized Phase I of the project in the total maximum amount of \$31,682,556. Phase I Services included the successful completion of the Systems Acceptance Test and Approved Report, and Host and TP49 Commission Testing. Phase II Services includes the furnishing of hardware, installation, integration, and commission testing of 72 conventional entry lanes, 116 conventional exit lanes, 28 open road tolling lanes, 58 weigh-in-motion lanes, and 10 automatic traffic recorders, as well as, as-built system documents and drawings, and the successful completion of the Final Acceptance Test and Approved Report. While the Phase I Services are currently progressing on schedule and will be completed in the next couple months, and in an effort to keep the subsequent project work on schedule, we are requesting Commission authorization of the Phase II Services of the project in the not-to-exceed amount of \$24,564,695.38, and the not-to-exceed aggregate amount of \$56,459,842.14. With your permission, may the Acting General Counsel please read the title of the resolution?

Acting General Counsel: Resolution Authorizing Conduent State & Local Solutions, Inc. to Perform Phase II Services for the Toll Collection System in the Aggregate Not-to-Exceed Amount of \$56,459,842.14.

Chairman: Any questions or comments?

Vice Chairman Paradiso: That is a lot of money, Tony.

Chief Engineer: It is a lot of work, Mr. Chairman.

Chairman: How long do you think this is going to take?

Chief Engineer: Right now, the schedule for the implementation which is what we are asking for will start in March and will take a full year to get all of the existing lanes integrated and then Toll Plaza 239, where we are actually maintaining the existing toll plaza and reconfiguring it, that will go over the next six months after that. So, basically by August of 2023, we should be fully integrated into our new system.

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

MOTION: A motion to adopt *Resolution Authorizing Conduent State & Local Solutions, Paradiso to Perform Phase II Services for the Toll Collection System in the Aggregate Not-to-Exceed Amount of \$56,459,842.14* was made by Vice Chairman Paradiso, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 67-2021.

Chairman: The resolution passed unanimously. Tony, please continue.

Chief Engineer: The final resolution for your consideration seeks the Commission's authorization to modify the contract with The Shelly Company ("Shelly") for Project No. 39-20-03 Parts A and B. Part A of the project is the Reconstruction of the Eastbound and Westbound Mainline Pavement and Shoulders from Milepost 208.17 to Milepost 212.76 in Trumbull County. Part A of the project also includes the construction of the entrance and exit ramps to and from new Toll Plaza 211 and the Open Road Tolling lanes which is part of the Modernization of the Toll Collection System. The Commission, under Resolution No. 52-2020 adopted August 17, 2020, approved a construction contract with The Shelly Company in the amount of \$45,684,293.84 to perform the work for Project No. 39-20-03. Following the winter of 2020/2021 multiple areas of failed pavement were discovered in both the westbound and eastbound lanes within the project limits. The failed pavement areas created a safety issue thus warranted additional pavement repair work to the Project and it was necessary and reasonable to request Shelly to perform the additional full depth and partial depth pavement repairs. The repairs were completed in April 2021 in order to prevent delay in the scope of work required to be completed by Shelly during the 2021 construction season. The work associated with the additional pavement repairs will add \$170,815.65 to the contract with Shelly and is considered reasonable when compared to bid items of a similar scope and quantity. Therefore, it is recommended that the Commission approve the modification of the Contract with The Shelly Company of Twinsburg, Ohio, for Project No. 39-20-03 for the work associated with the additional pavement repairs. With your permission, may the Acting General Counsel please read the title of the resolution.

Acting General Counsel: Resolution Authorizing and Ratifying Modification of Contract with The Shelly Company for Project No. 39-20-03 in the Not-to-Exceed Amount of \$170,815.65.

Chairman: Any questions or comments?

Vice Chairman Paradiso: Is there some performance guaranty in the first contract?

Chief Engineer: Mr. Chairman and Vice Chairman Paradiso, no there is not. The repairs that we did under the first contract, obviously, we only intended to last a year and a half to two years while we were replacing the rest of it. So, we did not go in there and do extensive repairs. We tried to get away with something less extensive because we knew this pavement was being torn out. But the reason that we did it was to make sure that we didn't have issues during construction because once we move the traffic into the new maintenance traffic scheme where we actually cross the traffic over in order to do the repairs under those conditions, we would only have one lane in each direction and it would cause all kinds of back-ups and safety issues for our traveling patrons.

Chairman: Anything else? Hearing none, please call the roll.

MOTION: A motion to adopt *Resolution Authorizing and Ratifying Modification of Contract with The Shelly Company for Project No. 39-20-03 in the Not-to-Exceed Amount of \$170,815.65* was made by Secretary-Treasurer Barber, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 68-2021.

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

Chief Engineer: No. Mr. Chairman that completes my report.

Chairman: Thank you. We will move on to the report of our Director of Toll Operations, Laurie Davis.

Director of Toll Operations: Good morning, Mr. Chairman and Commission Members. I have one resolution for your consideration this morning.

This resolution seeks authorization for a change order to Bid invitation 4375 awarded to Electronic Data Magnetic, Inc., of High Point, North Carolina, for the provision of Paper (Magnetic Stripe) Toll Tickets pursuant to Resolution No. 69-2020 on November 16, 2020 in the amount of \$161,039,00 per year for up to three years.

Electronic Data Magnetic, Inc., (“EDM”) has supplied our Toll Tickets since 2008. Since 2012 to the present, EDM became the sole bidder on the toll tickets and ultimately a sole-source provider. Subsequently, follow-up communications with previous bidders, Southland Printing, Magnetic Ticket and Label and Nagel, Inc., were conducted to inquire why those companies were unable to bid. The unified response indicated that the magnetic stripe on the paper ticket was the issue. Our toll tickets specifications required slurry (which is a magnetic inking) and most companies use magnetic tape. Additionally, a concern to meet the nominal voltage for the magnetic stripe was also a factor. Ultimately, the magnetic stripe (slurry) is an older type of technology that is no longer widely utilized.

In 2019, Conduent was selected to update our current Toll Collection System. As part of this process, Conduent requested sample toll tickets to test the compatibility of our current toll collection equipment and the new Conduent equipment. Transition to the new Conduent equipment is scheduled to begin in early 2022. The ticket to be used during transition is to be produced in accordance with the Commission’s current toll ticket specifications, including the (slurry) magnetic stripe, with the only variation being it must be produced on thermal paper.

Once the ticket specifications were verified, contact was made with previous bidders including Magnetic Ticket & Label Corporation, Southland Printing, Nagel Incorporated, in addition to EDM and Toledo Ticket, Inc. Again, EDM proved to be the only company able to supply the Thermal Paper Magnetic Strip Toll Tickets, according to our current (slurry) specifications.

Thermal Paper Magnetic Stripe Roll Toll Tickets will be required for all tolling locations beginning in 2022 through transition to the new Toll Collection System (TCS).

Once the Commission transitions each entry lane from the current equipment to the new Conduent equipment in the Spring of 2022, new thermal paper FanFold type toll tickets will be required for the new Toll Collection Equipment. This Fanfold type tickets, void of the magnetic stripe, is more widely utilized and is expected to attract more bidders.

Toll Operations plans to issue a separate Bid Invitation for the Fanfold Ticket in late 2021 or early 2022.

In order to ensure that the Commission has the toll tickets necessary to operate in 2022 and perform required testing during the TCS transition period, it is necessary to issue the following change order to the current EDM purchase order.

The current estimated ticket order for 2022 Thermal Toll Tickets is as follows:

- 18,554,000 Thermal Paper Magnetic Strip Toll Tickets with a cost of \$403,549.50.
- \$1,500 for sample ticket rolls.
- Currently, we have a remaining balance of \$129,593.88 under the current EDM purchase order.
- I am asking to release the approved toll ticket allowance for 2022 of \$161,039.00.
- Add an additional \$1,500.00 for two (2) sample ticket rolls.

Based on the foregoing, I am requesting an increase of \$115,000.00 to the existing EDM purchase order to assure purchase of the Thermal Paper Magnetic Strip Toll Tickets that are required to conduct business effective January 1, 2022 in the aggregate not-to-exceed amount of \$437,078.00.

With your permission may the General counsel please read the title of the resolution.

Acting General Counsel: Resolution Authorizing a Change Order to Purchase Thermal Paper Magnetic Strip Toll Tickets from Electronic Data Magnetics, I in the Total Amount of \$115,000.00.

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

MOTION: A motion to adopt *Resolution Authorizing a Change Order to Purchase Thermal Paper Magnetic Strip Toll Tickets from Electronic Data Magnetics, I in the Total Amount of \$115,000.00* was made by Ms. Eaton Johnson, seconded by Mr. Pakush, and approved by all Commission Members present. Resolution No. 69-2021.

Chairman: The resolution passed unanimously. Thank you, Laurie. Anything else?

Director of Toll Operations: Thank you. I need the tickets.

Chairman: Absolutely. We will now move on to the report of the Chief Financial Officer/Deputy Executive Director, Marty Seekely.

Chief Financial Officer/Deputy Executive Director: Thank you, Mr. Chairman. I have a brief update on our traffic and revenue for the month of October 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 up 20.1% from October of last year and up 1.3% from October of 2019.

Commercial traffic continued to increase and was up 7.7% from October of last year and up 13.1% from October of 2019. The change in passenger car traffic combined with the toll rate increases caused passenger car toll revenues to increase 21.6% from October of last year and to increase 4.8% from October of 2019.

The increase in commercial traffic combined with the toll rate increases caused commercial vehicle toll revenues to increase 9.6% from October of last year and 18.2% from October of 2019.

This chart shows year- to-date toll revenues through the month of October during each year over the past decade. Year-to-date total toll revenues were \$51.6 million or 22.0% above the amount from last year and \$26.4 million or 10.1% above the amount from 2019.

That completes my report, Mr. Chairman.

Chairman: Thank you. Are there any questions? Hearing none, we will move on to the report of the Ohio State Highway Patrol, Lieutenant Richard Reeder. Welcome back, you were here before.

Lieutenant Reeder: Thank you, Mr. Chairman and Commission Members. It has been awhile, so I am a little nervous again, so please bear with me.

We had a busy October. This first video you are going to see is of a suicidal subject. Trooper Eric Stroud from the Swanton Post got a call in the early hours on October 10, 2021. The subject wanted to jump off one of our bridges. As you can see as they are bringing him back, he was very combative and very distraught. Luckily, we were able to safely take him into custody and get him to a mental health facility where he will get the help he needed. So, that was a bad situation that ended well.

The next one that we can talk extensively about, but I will try to remain short.

On October 20, 2021, at 5:17 p.m. the Cleveland Dispatch center received multiple calls about an assault occurring at the Erie Island Service Plaza on the Ohio Turnpike in Sandusky county. I can tell you that I had two Troopers immediately responding to the scene. Whenever you get a call like this, you want to have back-up. As with any chaotic scene, the reports that were coming in gave us misinformation and we ended up going to the wrong travel plaza. So, my two Troopers drove right by the plaza and went to the other plaza that we were told where the stabbing was. At the same time, the Deputy that was sent to assist us from Sandusky County arrived on scene. There is actually a video on You Tube, but the pictures that you see are from the video captured by the commercial truck driver that was in the plaza that day and I will say that the Deputy did an excellent job. He used less lethal weapons at first to try and disarm the individual and they did not work. He gave many, many verbal commands for the subject to drop the weapon.

When it escalated to the point that he actually started charging at the Deputy, the Deputy then did what he had to do, he fired twice, which then incapacitated the suspect and probably saved lives.

The suspect was rendered first aid and later taken by life flight to hospital. He survived and he has been released from the hospital and he is in the care of the Sandusky County Sheriff's Office at this time.

We are working very closely with the Sandusky County Sheriff's Department and the Sandusky County Prosecutor, Beth Tischler, to make sure our investigation is complete. It is ongoing and we did get an indictment, so he has been indicted on several charges.

I want to talk about the behind the scenes that night. I was on the phone with the Director that night and many thanks to you. The communication on our end was great. Adam Greenslade came out to the scene and was there until like 3:00 a.m. in the morning and I basically told him to go home. He had very little sleep and was at near 24 hours that day. I sent him home, he wouldn't listen, so he stayed. Apparently, my authority meant nothing to him. But also, many thanks to Cory Skoczen. He came out, we had very great communication amongst us that night and what was going on. Adam was very helpful with our Public Information Officer, who came from Toledo. We were able to handle the media that night with the Sheriff's Department. We were very open, very transparent with everything that went on and to take it a step further, the very next day after we were all up so many hours that day, we had a meeting at the Sheriff's Office because we wanted to get our plan together. Again, Adam showed up that day and was there with us hand-in-hand. We ended up releasing that video that we had which I thought was a great idea. We wanted to get that out to quell any type of rumors because there were many, many rumors going on, the reports that the media had in Toledo, some of them were very inaccurate. I think we did a good job of releasing what did happen, specifically this video and the video itself is on You Tube so you can go to You Tube and watch it, but all in all, I think we did a very good investigation. In hindsight, the communication could not have been better. Director, thank you. We spoke several times that night even into the early hours of the morning and again, thanks to Adam, even though he really wouldn't listen to me and stayed on scene.

The last one we have was an incident that happened at my Post. Trooper Matt Gramlich was on his way into work and noticed a gentleman walking around his car at the toll gate, so he stopped out with him and determined that he clearly had some dementia or some sort of mental issue going on. So, we decided to try and get him some help. He kept telling us that his wife was home ill. Unfortunately, his wife had already passed. You know this is just kind of the mental state that he was in. So, luckily, we were able to take him in to protective custody. We brought him to the Post, he hung out with us at the Milan Post and saw our operations for about four hours that morning before his family could come down and get him. But, again, another good ending to a situation, that we were able to get that gentleman reunited with his family.

I will say something on a personal note. I was fortunate enough to get promoted and it actually takes effect next Monday. I will be the new Liaison Officer, so you will get to see more of me. I have been here since 2011. I love this road. We are going to continue to make it as safe as we can. I started as a Sergeant, then I got to be the Milan Post Commander and now I get to move into this role. So, you will get to see me more.

That completes my report.

Chairman: So, you are being promoted to Staff Lieutenant, correct?

Lieutenant Reeder: Yes, Mr. Chairman.

Chairman: Excellent report. We do have some questions that need to be answered.

Representative Ghanbari: Thank you, Mr. Chairman. First question would be, on a lighter note, so today is the 88th birthday of the Ohio State Highway Patrol. You have an impending promotion to Staff Lieutenant, so on behalf of the Commission we are wondering where the cake and cupcakes were for the celebration today?

Lieutenant Reeder: I did not know if it would be appropriate.

Representative Ghanbari: We will give you a pass until you actually put the rank on here in a couple of weeks.

I really appreciate the update, Lieutenant. I am wondering if you could maybe share with us as you transition into your new role as the Turnpike Liaison. I believe you will also be in charge of the Cleveland Post and the Elyria Post of the Highway Patrol. What is your number one goal as the soon to be Staff Lieutenant Liaison for the Highway Patrol?

Lieutenant Reeder: My goal is to learn the new people that I will be working with. I am transitioning to the Cleveland District. I have been in the Bucyrus District, the Piqua District, the Cleveland District, when we had it, but I never worked in the Cleveland District, so I am going to transition there and meet the new people I have, get my feet wet, learn my new job duties and tasks, but ultimately, being the Liaison I don't think anything changes. My goal was to make this the safest 242 miles in Ohio. I feel as though we are there, but we can always do better. There's many, many transitions coming, there's many things I need to get brought up to speed on, like the weigh-in-motion that we have been speaking of. I kind have not been in those meetings, so I want to get spooled up and be more knowledgeable.

Chairman: Again, thank you very much. Always pass on to your comrades how much we appreciate all their fine work and as you see there is a lot of personal things that happen on behalf of law enforcement. People don't understand that there is a personal side to all of you and how much you care for your fellow citizens.

Lieutenant Reeder: It's little events like this that warms your heart. Many times, we have such an adversarial confrontation with people, but it is little things like this when you can reunite them and get to see those family members when they are able to grab that person and take them home. That's what makes you come to work every day and know you really are making a difference.

Chairman: Any other questions or comments? Again, congratulations to you, Sir.

Next, we will move on to the report of the Acting General Counsel, Heather Veljkovic.

Acting General Counsel: No report this morning, Mr. Chairman.

Chairman: I move that we hold an Executive Session to discuss employment issues under the provisions of Ohio Revised Code Section 121.22(G)(1) and 121.22(G)(5) to discuss legal issues. At the end of such Executive Session, the Commission shall resume its open meeting. May I have a second?

10:36 a.m. – MOTION: A motion to adjourn into Executive Session was made by Chairman Hruby, seconded by Mr. Coviello, and approved by all Commission Members present.

Chairman: I move that we conclude the Executive Session pursuant to the provisions of Ohio Revised Code Sections 121.22(G)(1) and 121.22(G)(5) and resume the open meeting of the Commission.

11:47 a.m. - MOTION: A motion to adjourn Executive Session was made by Chairman Hruby, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present.

Chairman: It is 11:48 a.m. and we are adjourned from Executive and will resume the Commission Meeting.

The next meeting of the Ohio Turnpike and Infrastructure Commission will be held on Monday, December 20, 2021, at 10:00 a.m., here at the Commission's Administration Building located in Berea, Ohio. We will have a Workshop immediately following this meeting.

If there is no further business, I will accept a motion to adjourn the 691st Commission Meeting.

MOTION: A motion to adjourn the 691st Commission Meeting is made by Secretary-Treasurer Barber, seconded by Chairman Hruby, and unanimously approved by all Commission Members present.

Time of adjournment: 11:48 a.m.

Attendees for Record Keeping Purposes:

Commission Members: Chairman Jerry Hruby; Vice Chairman Timothy Paradiso; Secretary-Treasurer Sandra Barber; Commission Member Guy Coviello; Commission Member Vickie Eaton Johnson; Commission Member Myron Pakush; Office of Budget and Management Representative James Kennedy; Senator Bill Reineke; and Representative Haraz N. Ghanbari.

Other Attendees: Michael Burgess, Prime AE; Jon Lorincz, AECOM; Hamid Homaei; Harold Hughes, G. Stephens; Marcia Lampeer, RII; Chris Cummings, Baber; Nate Tyler, Ohio Turnpike

Legal Intern; Chris DeVito, MMD; Jennifer Stueber, MMD; Ray Marvar, MMD; Kevin Westover, Huntington; and Jacob Siesel, IUOE Local 18.

Ferzan M. Ahmed, P.E., Ohio Turnpike; Lieutenant Richard Reeder, Ohio State Highway Patrol; Heather Veljkovic, Ohio Turnpike; Marty Seekely, Ohio Turnpike; Chris Matta, Ohio Turnpike; Laurie Davis, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Aimee Lane, Ohio Turnpike; Justin Kelley, Ohio Turnpike; Matt Cole, Ohio Turnpike; Chriss Pogorelc, Ohio Turnpike; Tony Yacobucci, Ohio Turnpike; David Miller, Ohio Turnpike; Joseph Mannion, Ohio Turnpike; Travis Bonnett, Ohio Turnpike; Brian Newbacher, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

EXHIBITS

1. Resolution No. 63-2021 – Resolution Assenting to the Appointment of Heather A. Veljkovic as the Acting General Counsel of the Ohio Turnpike and Infrastructure Commission
2. Resolution No. 64-2021 – Resolution Expressing Appreciation of Stephen C. Minney
3. Resolution No. 65-2021 – Resolution Awarding a Contract for the Furnishing of Pavement Sweeping Services Under Invitation No. 4396 to Perfect Sweep, Inc. in the Total Estimated Amount of \$150,000.00
4. Resolution No. 66-2021 – Resolution Authorizing the Purchase of Meltdown Apex-C from EnviroTech Services, Inc. Under the ODOT Cooperative Purchasing Program in the Total Estimated Amount of \$450,000.00
5. Resolution No. 67-2021 – Resolution Authorizing Conduent State & Local Solutions, Inc. to Perform Phase II Services for the Toll Collection System in the Aggregate Not-to-Exceed Amount of \$56,459,842.14
6. Resolution No. 68-2021 – Resolution Authorizing and Ratifying Modification of Contract with The Shelly Company for Project No. 39-20-03 in the Not-to-Exceed Amount of \$170,815.65
7. Resolution No. 69-2021 – Resolution Authorizing a Change Order to Purchase Thermal Paper Magnetic Strip Toll Tickets from Electronic Data Magnetics, Inc. in the Total Amount of \$115,000.00

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Assenting to the Appointment of Heather A. Veljkovic as the Acting General Counsel of the Ohio Turnpike and Infrastructure Commission

WHEREAS, Section 5537.04(A)(12) of the Ohio Revised Code authorizes the Ohio Turnpike and Infrastructure Commission to employ attorneys as are necessary in its judgment to fulfill its duties and functions; and

WHEREAS, under Section 3.00 of the Commission's Code of Bylaws, the Executive Director is authorized to appoint the General Counsel with the assent of the Commission to serve as its Chief Legal Officer; and

WHEREAS, the Executive Director has appointed Heather A. Veljkovic for the Commission's consideration to serve as its Acting General Counsel and Acting Chief Legal Officer; and

WHEREAS, the Supreme Court of Ohio licensed Ms. Veljkovic to practice law in 2000, and she is admitted to appear before the United States District Court, Northern District of Ohio; and

WHEREAS, during her more than twenty-year career as an attorney, Ms. Veljkovic established a distinguished legal career in the public sector, concentrating in landlord-tenant matters, code enforcement, claims for money damages, foreclosures, nuisance abatement, corporate law, and legal research and writing; and

WHEREAS, Ms. Veljkovic served as a Magistrate, and also the Deputy Chief Magistrate, of the Housing Division of the Cleveland Municipal Court for a combined total of more than twelve years; and

WHEREAS, Ms. Veljkovic was appointed as Staff Attorney to the Ohio Turnpike and Infrastructure Commission in March 2020, and in that capacity has represented the Commission on real estate matters and additionally has provided the Commission with legal advice and counsel related to the Toll Collection System and other legal matters; and

WHEREAS, Ms. Veljkovic has the skills, experience, training and intangibles necessary to adeptly counsel, advise and serve the Commission in furthering its objectives and protecting its interests.

NOW, THEREFORE BE IT

RESOLVED, that the Ohio Turnpike and Infrastructure Commission assents to the appointment of Heather A. Veljkovic to serve as its Acting General Counsel and Acting Chief Legal Officer commencing on or before November 15, 2021; and

FURTHER RESOLVED, that the Executive Director is authorized to execute all documents necessary to appoint and employ Heather A. Veljkovic as Acting General Counsel.

(Resolution No. 63-2021 adopted November 15, 2021)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Expressing Appreciation of Stephen C. Minney

WHEREAS, on March 11, 1984, Stephen C. Minney (“Steve”) began his service with the Ohio Turnpike and Infrastructure Commission (“Commission”) as a part-time Toll Collector at the Westgate Interchange (Toll Plaza 2); and

WHEREAS, a little more than a year and a half later, on September 8, 1985, Steve was awarded a full-time Toll Collector position at that same interchange; and

WHEREAS, on February 3, 1989, Steve was promoted to Assistant Toll Plaza Supervisor at that same location; and

WHEREAS, on November 1, 1998, Steve transferred to the Archbold-Fayette Interchange (Toll Plaza 25) to serve as the Assistant Toll Plaza Supervisor; and

WHEREAS, over the course of the next decade, Steve continued in his role as Assistant Toll Plaza Supervisor overseeing various interchanges; and

WHEREAS, on September 12, 2010, Steve was promoted to Toll Plaza Supervisor at the Delta – Lyons Interchange (Toll Plaza 39); and

WHEREAS, on June 1, 2011, Steve continued in his role as Toll Plaza Supervisor adding the Wauseon Interchange (Toll Plaza 34); and

WHEREAS, on July 1, 2020, Steve continued to serve as Toll Plaza Supervisor for multiple locations, including Toll Plazas 13, 25, 34 and 39 up and until his retirement on November 30, 2021; and

WHEREAS, Steve has been a highly regarded employee whose time with the Commission has served Ohio Turnpike motorists well; and

WHEREAS, the members and staff of the Commission wish to give formal and public recognition to Steve Minney for his honorable and exceptionally dedicated role with the Commission for over three and a half decades; and

NOW, THEREFORE, BE IT

RESOLVED, that the Ohio Turnpike and Infrastructure Commission hereby acknowledges the many contributions of Steve Minney during his thirty-seven years and eight months of devoted service in the Toll Operations Department, and the Commission expresses its gratitude; and

FURTHER RESOLVED, that the Commission extends its best wishes to Steve Minney for a lifetime of continued success and happiness in all matters and activities he may enjoy in the future; and

FURTHER RESOLVED, that the Secretary-Treasurer hereby directs the Executive Director to send a certified copy of this Resolution to Steve Minney.

(Resolution No. 64-2021 adopted November 15, 2021)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Awarding a Contract for the Furnishing of Pavement Sweeping Services Under Invitation No. 4396 to Perfect Sweep, Inc. in the Total Estimated Amount of \$150,000.00

WHEREAS, the Commission advertised an Invitation for Bids to perform its requirements for pavement sweeping services during a period commencing upon contract execution and continuing through the 2022 pavement sweeping season; and

WHEREAS, Invitation No. 4396 was divided into the following Groups: Group I (Item 1, Kunkle Section, M.P. 0.0 to M.P. 31.0; Item 2, Swanton Section, M.P. 31.0 to M.P. 60.3; Item 3, Elmore Section, M.P. 60.3 to 93.1; Item 4, Castalia Section, M.P. 93.1 to 126.4) and Group II (Item 1, Amherst Section, M.P. 126.4 to 161.5; Item 2, Boston Section, M.P. 161.5 to 187.5; Item 3, Hiram Section, M.P. 187.5 to M.P. 217.2; Item 4, Canfield Section, M.P. 217.2 to 241.3), and the bidders were given the option to submit bids for any or all Groups; and

WHEREAS, the Commission received two bids for Group I and three bids for Group II, with one of those bids only responding to Item 1 in Group II, in response to the Invitation, and the Commission's Deputy Chief Engineer/Director of Field Operations reviewed and analyzed the bids timely submitted, whose report concerning such analysis is before the Commission; and

WHEREAS, the Deputy Chief Engineer/Director of Field Operations reports that the lowest responsive and responsible bid for the performance of Group I and Group II under Invitation No. 4396 was submitted by Perfect Sweep, Inc., of Toledo, Ohio, in the total estimated amount of \$150,000.00 based on the anticipated quantities of pavement sweeping services that the Commission will require throughout the term of the contract and the pricing offered under the bid; and

WHEREAS, the Deputy Chief Engineer/Director of Field Operations reports that Perfect Sweep, Inc. has performed the Commission's pavement sweeping services in the past and has performed satisfactorily; and, therefore, the Deputy Chief Engineer/Director of Field Operations recommends that the Commission award a contract for pavement sweeping services to Perfect Sweep, Inc. for Group I and Group II as the lowest responsible and responsive bidder; and

WHEREAS, the Director of Contracts Administration determined that the bids for Invitation No. 4396 were solicited on the basis of the same terms and conditions and the same specifications, and that the bid from Perfect Sweep, Inc. for Invitation No. 4396 conforms to the requirements of Ohio Revised Code Sections 5537.07 and 9.312; and

WHEREAS, the Office of Equity and Inclusion (OEI) Manager determined to waive the program requirements due to lack of opportunity and availability of certified firms; and

WHEREAS, Commission action is requested to approve the contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount of the bid received may

require expenditures that will exceed \$150,000.00 if the Commission's requirements for pavement sweeping services surpass the estimated quantities; and

WHEREAS, the Commission's Executive Director recommends that the Commission award Perfect Sweep, Inc. the contract for Invitation No. 4396 as the lowest responsive and responsible bidder; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the bid of Perfect Sweep, Inc. in the estimated amount of \$150,000.00 to perform the Commission's requirements for pavement sweeping services is approved as the lowest responsive and responsible bid received, and that the Executive Director is authorized to execute a contract on the basis of said bid, and the Contractor shall furnish the Commission's requirements for pavement sweeping services throughout the contract term, whether more or less than the estimated quantities, as may be ordered by the Commission under the contract.

(Resolution No. 65-2021 adopted November 15, 2021)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Purchase of Meltdown Apex-C from EnviroTech Services, Inc. Under the ODOT Cooperative Purchasing Program in the Total Estimated Amount of \$450,000.00

WHEREAS, the Commission is authorized to participate in contracts awarded by the Ohio Department of Transportation (“ODOT”) under its Cooperative Purchasing Program for the purchase of machinery, materials, supplies, or other articles in accordance with Section 5513.01(B) of the Ohio Revised Code; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations have determined that the purchase of liquid deicer is necessary for snow and ice removal during the 2021-2022 winter season; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations have recommended that Meltdown Apex-C provides excellent melting performance at lower temperatures and have further recommended purchasing the liquid deicer for delivery to all maintenance sections in loads of 4,000 to 4,300 gallons per load at the following locations and unit prices:

LOCATION	COST
Kunkle, Swanton, T.P. 59, Elmore, River Road	@ \$1.18 per gallon
Castalia, Humm Road, Amherst	@ \$1.21 per gallon
T.P. 161	@ \$1.22 per gallon
Boston, T.P. 187, Hiram, T.P. 218, Canfield	@ \$1.28 per gallon

WHEREAS, Meltdown Apex-C is available through the ODOT Cooperative Purchasing Program under ODOT Contract Number 124-22 from EnviroTech Services, Inc., of Greeley, Colorado, as described in the pricing dated August 19, 2021, and listed above, for the total estimated cost of \$450,000.00; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the expenditure required to purchase Meltdown Apex-C exceeds \$150,000.00; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations recommend that the Commission purchase the Meltdown Apex-C from EnviroTech Services, Inc. under the ODOT Cooperative Purchasing Program, which recommendation the Executive Director has reviewed and approved; and

WHEREAS, the Commission has duly considered such recommendation and approval.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of Meltdown Apex-C from EnviroTech Services, Inc., through the ODOT Cooperative Purchasing

Program under ODOT Contract Number 124-22, as described in the pricing dated August 19, 2021, in the total estimated amount of \$450,000.00, is approved and the Department of Contracts Administration is authorized and directed to issue a purchase order for this purpose; and

FURTHER RESOLVED, that the Executive Director is hereby granted the authority to approve such extra work or change orders under said purchase order that does not exceed ten percent of the amount approved herein above.

(Resolution No. 66-2021 adopted November 15, 2021)

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing Conduent State & Local Solutions, Inc. to Perform Phase II Services for the Toll Collection System in the Aggregate Not-to-Exceed Amount of \$56,459,842.14

WHEREAS, the Commission approved a Strategic Plan for modernizing its Toll Collection System (“Strategic Plan”) under Resolution No. 57-2017, adopted December 18, 2017, that identified implementing open road tolling through a new hybrid roadside Toll Collection System (“TCS”) and the need to upgrade the supporting Customer Service Center (“CSC”) System; and

WHEREAS, through Resolution 46-2020, the Commission awarded the Toll Collection System Implementation and Maintenance Contract (“TCS Contract”) to Conduent State & Local Solutions, Inc., a New York corporation (“Conduent”), and authorized the Executive Director to execute the TCS Contract with Conduent; and

WHEREAS, the Evaluation Team recommended authorizing the TCS Contract in three phases, as follows:

Phase I – Through the Successful Completion of the System Acceptance Test and Approved Report, and Host and TP49 Commission Testing in the total maximum amount of \$31,682,556;

Phase II – Through the Successful Completion of the Final Acceptance Test and Approved Report in the total maximum amount of \$24,217,837;

Phase III – Warranty and 5-Year Maintenance Period, including Optional Maintenance Terms and End of Term Transition in the total maximum amount of \$45,219,735; and

WHEREAS, the parties entered into a Contract, dated June 22, 2020, which has subsequently been amended by the parties; and

WHEREAS, the Amendments to the Contract included Revised Payment Milestone Costs for TCS Implementation, which increased the Phase I contract payments to \$31,895,146.76, Phase II to \$24,564,695.38, and no cost increases to Phase III; and

WHEREAS, the Chief Engineer recommends that the Commission authorize Conduent to proceed with Phase II of the TCS Contract; and

WHEREAS, Commission action is necessary to approve the authorization of Phase II of the TCS Contract in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws because the amount of the expenditure for Phase II will exceed \$150,000.00; and

WHEREAS, the Commission's Executive Director concurs with the recommendations of the Chief Engineer that the Commission authorize Conduent to proceed with Phase II of the TCS Contract in accordance with the terms and conditions of the TCS Contract, as amended; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that Conduent State & Local Solutions, Inc. is authorized to perform the Phase II Services under the Toll Collection System Implementation and Maintenance Contract and amendments thereto, in the not-to-exceed aggregate amount of \$56,459,842.14.

(Resolution No. 67-2021 adopted November 15, 2021)

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing and Ratifying Modification of Contract with The Shelly Company for Project No. 39-20-03 in the Not-to-Exceed Amount of \$170,815.65

WHEREAS, the Commission, under Resolution No. 52-2020, adopted August 17, 2020, approved a construction contract with The Shelly Company in the amount of \$45,684,293.84 for Project No. 39-20-03, Part A: Mainline Pavement Reconstruction at Milepost 208.17 to Milepost 212.76 and Part B: Toll Plaza 211 Site Construction at Milepost 211.0 on the Ohio Turnpike in Trumbull County, Ohio (the “Project”); and

WHEREAS, under Part A of the Project, the Commission is replacing the pavement westbound in 2021 and the pavement eastbound in 2022; and

WHEREAS, to date, the change orders issued on the Project total \$61,679.53; and

WHEREAS, multiple areas of failed pavement was bringing up soil and water at the edge of the failed pavement which created a safety issue and an extraordinary emergency warranting additional pavement repair work to the Project; and

WHEREAS, during construction of the Project, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations determined it was necessary and reasonable to request The Shelly Company to perform additional full depth and partial depth pavement repairs within the Project limits in the eastbound and westbound lanes; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer/Director of Field Operations requested, and The Shelly Company completed, the pavement repairs in April 2021; and

WHEREAS, the pavement repair work increased the contract by \$170,815.65, which amount 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 to authorize Change Order 2 for this Project incorporating the fee proposal; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and Deputy Chief Engineer/Director of Field Operations and approves the recommendation to authorize and ratify Change Order 2 for The Shelly Company to perform the pavement repairs on the Project; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission finds and determines that the previous pavement repairs that had failed, bringing up soil and water at the edge of the

failed repairs within the Project limits created a safety issue and an extraordinary emergency under Section 5537.07(G) of the Ohio Revised Code warranting adding the pavement repair work to the Project; and

FURTHER RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Change Order from The Shelly Company dated August 31, 2021, to for pavement repairs (as set forth in said proposal) on the Project in the not-to-exceed amount of \$170,815.65 is authorized and ratified, and the Executive Director is authorized to modify the Construction Contract with The Shelly Company by issuing Change Order 2 to perform such additional services in accordance with the terms and conditions of the existing contract, which together with all amendments, shall be in the total aggregate amount not to exceed \$45,908,475.52.

(Resolution No. 68-2021 adopted November 15, 2021)

TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing a Change Order to Purchase Thermal Paper Magnetic Strip Toll Tickets from Electronic Data Magnetics, Inc. in the Total Amount of \$115,000.00

WHEREAS, Electronic Data Magnetics, Inc. (“EDM”) has been the Commission’s supplier of paper magnetic strip toll tickets since 2008 and since 2012, EDM has been the sole bidder on the Commission’s Bid Invitations for paper magnetic strip toll tickets; and

WHEREAS, the current contract with EDM for toll tickets was awarded pursuant to Resolution No. 69-2020, adopted November 16, 2020, in the amount of \$161,039.00 per year for an initial one-year term and the option to renew the contract for up to two, additional one-year terms; and

WHEREAS, the current purchase order with EDM has a remaining balance of \$129,593.88 for 2021 and an available allowance of \$161,039.00 for 2022; and

WHEREAS, in 2022, as part of the Commission’s new Toll Collection System (“TCS”) Project (“TCS Project”), the Commission’s TCS Integrator, Conduent State and Local Solutions, Inc. (“Conduent”) will require thermal magnetic strip toll tickets to operate the current toll collection system and test the new Conduent equipment, which only uses thermal paper tickets, for purposes of transitioning the lanes over to the new equipment which will begin in the spring of 2022; and

WHEREAS, the Director of Toll Operations contacted vendors to provide a sample thermal magnetic strip toll ticket and EDM was the only vendor willing to supply the thermal magnetic strip toll ticket according to the Commission’s specifications; and

WHEREAS, in order to ensure the Commission has the toll tickets necessary to operate the Turnpike and test the Conduent equipment in 2022, the Director of Toll Operations recommends that the Commission approve a change order under EDM’s current purchase order to purchase the thermal magnetic strip toll tickets for 2022 as follows:

- Purchase 18,554,000 tickets at a cost of \$403,549.50
- Add an additional \$1,500.00 for two (2) sample ticket rolls
- Less the remaining balance for 2021 of \$129,593.88 under the current purchase order and release of the allowance for 2022 of \$161,039.00
- Resulting in a total change order amount of \$115,000.00

WHEREAS, Commission approval of the change order in the amount of \$115,000.00 will result in the aggregate not to exceed amount under the current purchase order with EDM of \$437,078.00; and

WHEREAS, the Executive Director has reviewed the recommendation for the change order by the Director of Toll Operations and concurs that the Commission should approve and authorize purchasing the thermal magnetic strip toll tickets for 2022 from EDM as described above, as the tickets are necessary for continued operations and implementing the TCS Project; and

WHEREAS, in accordance with Article V, Section 1.00 of the Commission's Bylaws, Commission action is necessary because the amount of the change order will increase the purchase order by an amount that exceeds \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Executive Director is authorized to issue a change order to Electronic Data Magnetism, Inc. in the total amount of \$115,000.00, in accordance with the terms and conditions of the existing purchase order which together with all previously authorized amounts, shall be in the total aggregate not to exceed amount of \$437,078.00.

(Resolution No. 69-2021 adopted November 15, 2021)