

**MINUTES OF THE 634th MEETING OF THE
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION
NOVEMBER 21, 2016**

Chairman: Good morning. Will you please stand and join me in reciting the Pledge of Allegiance.

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

Commission Member Peterson and Senator LaRose called and advised that they will not be in attendance at today's Commission Meeting.

Will the Assistant Secretary-Treasurer please call the roll?

Assistant Secretary-Treasurer: Chairman Hruby

Chairman Hruby: Here

Assistant Secretary-Treasurer: Vice Chairman Paradiso

Vice Chairman Paradiso: Here

Assistant Secretary-Treasurer: Commissioner Barber

Secretary-Treasurer Barber: Here

Assistant Secretary-Treasurer: Commissioner Dixon

Mr. Dixon: Here

Assistant Secretary-Treasurer: Commissioner Gasior

Mr. Gasior: Here

Assistant Secretary-Treasurer: Mr. McAuliffe

Mr. McAuliffe: Here

Assistant Secretary-Treasurer: Mr. Kauffman

Mr. Kauffman: Here

Assistant Secretary-Treasurer: Representative Dovilla

Representative Dovilla: Here

This is the 634th Meeting of the Ohio Turnpike and Infrastructure Commission. We are meeting here at the Commission's headquarters as provided for in the Commission's Code of Bylaws for a Commission meeting. Various reports will be received and we will act on several resolutions. Draft copies have previously been sent our Members and updated drafts are in the Members' folders. Resolutions will be explained during the appropriate reports.

Chairman: May I have a motion to adopt the Minutes of the October 17, 2016, Commission Meeting? Any questions or comments? Hearing none, please call the roll.

MOTION: A motion to adopt the Minutes of the October 17, 2016, Commission Meeting was made by Mr. Paradiso and seconded by Mr. Gasior. All Commission Members present voted to approve the Minutes.

Chairman: We will move on to 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 October 17, 2016:

1. Four Resolutions;
2. Draft Minutes of the October 17, 2016, 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, October 2016;
2. Traffic and Revenue Report, October 2016;
3. Total Revenue by Month and Year, October 2016;
4. Investment Report, October 2016
5. Budget Report, Nine Months 2016;
6. Financial Statement, September and October 2016; and
7. Various News Articles.

Chairman: Thank you. Any questions for Mrs. Barber? We will now move on to the report of the Executive Director, Mr. Cole.

Director Cole: This will be brief. First, I hope you will be as pleased as I am with the two construction bids you have before you today. I will let Tony provide the details, but I just want to thank you for continuing to support the initiative we began last year to accelerate our

capital improvement process and get early bids for some of the following year's projects. We continue to see aggressive pricing when we go early and it allows us to stretch our capital dollars even further.

Second, we began negotiations with the Teamsters Local 436 last Wednesday. It was a very open and cordial discussion. I'm confident both sides will work together over the next weeks for positive bargaining and a successful contract.

You have copies of our proposed 2017 Operating and Capital Budgets. I will let Marty handle those details, but modest changes from this year for revenue and expenses and a little less construction than this year. Please take the time to review them carefully over the next month. We will be voting on them at the December meeting.

I must inform the Commission that Ed Miller, our Safety Services Manager will be retiring next Friday. He has served the Commission well for almost six years. He has done a great job managing the relationships with our DVS operators, the fifty-three fire departments and numerous EMS agencies that respond to incidents on the Turnpike and most of all, assisting our employees and customers during the worst of times when we have had some serious accidents and very unusual incidents along the roadway. Please join me in wishing Ed and his wife Jenny the very best as they begin splitting time between Ohio and a southern climate and enjoying more time with their wonderful family.

Finally, as we think about time with family, I would like to wish each of you a very Happy and safe Thanksgiving. 2016 has been a tough year for many of us with the loss of several friends and family, both personally and professionally. It is that time of the year, it is so important to take that extra time to gather to give thanks for not just what we have, but who we have in our lives. On behalf of the Turnpike employees, I'd like to thank each of you for your support and active oversight of our operations this year. Please be safe in your travels and encourage your family to do the same. No one needs to send or receive a text announcing a ten-minute delay in an arrival time. It is so much more important to just arrive safely.

I am happy to answer any questions, Mr. Chairman.

Chairman: Thank you, Mr. Director. Questions for the Director? Hearing none, we will move on to the report of our Chief Engineer, Tony Yacobucci.

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

The first resolution for your consideration is to award Contract No. 39-17-01 for the eastbound right two lanes and shoulder reconstruction from milepost 90.0 to milepost 95.9 in Sandusky County, Ohio. This project will be included in the 2017 Capital Improvement Budget. Procurement received three bids, via Bid Express, for this contract, with the apparent low bid submitted by Kokosing Construction Company, Inc., of Columbus, Ohio, in the amount of \$18,727,251.45. The contract documents included a line item for voluntary temporary access credit. Kokosing included a line item deduct in the amount of \$175,000 for the temporary access

credit. With or without consideration of the proposed credit, Kokosing's bid is still the apparent low bid and when compared to the next lowest bid is 11% below the second low bidder, Miller Brothers Construction, Inc. The bid submitted by Kokosing is 14.1% lower than the Engineer's Estimate of \$21,600,000. The construction manager, Hill International, Inc., of Broadview Heights, Ohio, has carefully evaluated the complete bid tabulation and finds no errors or anomalies. It appears that Kokosing has the available capacity in both manpower and resources and has successfully similar projects in size and nature for the Commission in the past. Therefore, it is recommended that the Commission award Contract No. 39-17-01 to Kokosing Construction Company, Inc., of Columbus, Ohio, in the amount of \$18,552,251.45, which includes the temporary access credit. In addition, Kokosing has indicated that the SBE participation in this contract will be \$1,881,993.73, or approximately 10.1% of the contract amount, which exceeds the goal of 10%. This resolution also contains provisions to assign GPD Group, of Cleveland, Ohio, to assist with construction engineering inspection services and to assign PSI, Inc., of Cleveland, Ohio, to perform material testing. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Approving the Selection of Kokosing Construction Company to Reconstruct the Eastbound Mainline Pavement From Milepost 90.0 to Milepost 95.9 in Sandusky County under Project No. 39-17-01 for the Total Amount of \$18,552,251.45 and Approving the Assignment of GPD Group and PSI, Inc. to Perform the Necessary Professional Services for Constructing the Project.

Chairman: Any questions or comments regarding the Resolution?

Mr. Dixon: GPD and PSI, what types of firms are they? What's the ownership?

Chief Engineer: Mr. Chairman and Commission Member Dixon, are you referring to SBE/MBE/DBE? If so, neither are MBE/DBE or SBE for that matter.

Mr. Dixon: Neither?

Chief Engineer: Correct.

Mr. Dixon: Thank you.

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

MOTION: A motion to adopt the *Resolution Approving the Selection of Kokosing Construction Company to Reconstruct the Eastbound Mainline Pavement From Milepost 90.0 to Milepost 95.9 in Sandusky County under Project No. 39-17-01 for the Total Amount of \$18,552,251.45 and Approving the Assignment of GPD Group and PSI, Inc. to Perform the Necessary Professional Services for Constructing the Project*, was made by Chairman Hruby, seconded by Mrs. Barber, and approved by all Commission Members present, with the exception of Mr. Dixon who vote no. Resolution No. 63-2016 is attached hereto as an Exhibit.

Chairman: The resolution is adopted by a 5 to 1 vote. Please continue, Tony.

Chief Engineer: The second resolution for your consideration is to award Contract No. 43-17-02 for the bridge deck replacement and rehabilitation of the S.R. 252 overpass bridge at milepost 156.9 in Cuyahoga County, Ohio. If you recall, this bridge was initially included as part of Project 43-15-07, of which the Commission rejected the bids of Project 43-15-07 on April 20, 2015. Due to conflicts with other local projects being constructed in 2016, the S.R. 252 overpass was removed from the scope of work and only the S.R. 83 overpass bridge was bid for the 2016 construction season. The contract documents were revised accordingly and the project was re-advertised as Project No. 43-17-02, which provided for three bid alternates, which bid alternate number one represented the minimum scope of work that the Commission is responsible to perform and bid alternates two and three afforded the City of Olmsted Falls the option to obtain certain aesthetic design improvements as part of the project by paying for their additional cost. On November 4, 2016, four bids were received, via Bid Express, and the apparent low bid was submitted by Suburban Maintenance and Construction, Inc., of North Royalton, Ohio, in the amount of \$1,172,387 for base bid, plus bid alternate three. Regardless of which bid alternate is selected, Suburban's bid would be the apparent low bid. The bid submitted by Suburban is approximately 22% below the Engineer's Estimate. The Engineering staff reviewed the bid tabulations and concluded that Suburban's bid is the lowest responsive and responsible bid. Suburban has successfully performed similar work for the Commission in the past and based on their current projects under contract and previous years' work volume it appears they have sufficient capacity to perform the work for this project. It is recommended that Contract No. 43-17-02 be awarded to Suburban Maintenance and Construction, Inc., of North Royalton, Ohio, in the amount of \$1,172,387. This resolution also contains provisions to assign Michael Baker International, Inc., of Cleveland, Ohio, to perform construction administration inspection services and to assign Geo-Sci, Inc., of Berea, Ohio, to perform material testing services. With your permission, may the General Counsel please read the title of the resolution?

General Counsel: Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. to Repair and Rehabilitate the State Route 252 Bridge Deck in Cuyahoga County at Milepost 156.9 Under Project No. 43-17-02 for the Total Amount of \$1,172,387.00 and Approving the Assignment of Michael Baker Jr., Inc. and Geo-Sci., Inc. to Perform the Necessary Professional Services for Constructing the Project.

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

MOTION: A motion to adopt the *Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. to Repair and Rehabilitate the State Route 252 Bridge Deck in Cuyahoga County at Milepost 156.9 Under Project No. 43-17-02 for the Total Amount of \$1,172,387.00 and Approving the Assignment of Michael Baker Jr., Inc. and Geo-Sci., Inc. to Perform the Necessary Professional Services for Constructing the Project*, was made by Mr. Paradiso, seconded by Mr. Gasior, and unanimously approved by all Commission Members present. Resolution No. 64-2016 is attached hereto as an Exhibit.

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

Chief Engineer: The third resolutions for your consideration seeks authorization to purchase up to eighty-eight radar speed display signs with the support assemblies under Bid Invitation No. 4282. The radar speed signs are being purchased to increase customer awareness of the speed limit when entering the toll gate area resulting in a safer work environment for Commission employees, as well as our customers. Procurement received four bids in response to this Bid Invitation. The apparent low bid was submitted by All Traffic Solutions, Inc., of State College, Pennsylvania, in the total amount of \$192,016, which is approximately 13% below the estimated cost. The total amount represents the initial purchase of six radar speed signs for \$13,092, as well as the option to purchase eighty-two additional radar speed signs for \$178,9024. This bidder proposes to furnish radar speed display signs with support assemblies in accordance with the specifications. It is therefore recommended that Contract No. 4282 be awarded to All Traffic Solutions, Inc., of State College, Pennsylvania, in the total amount of \$192,016. With your permission, may the General Counsel please read the title of the Resolution?

General Counsel: Resolution Selecting the Bid of All Traffic Solutions, Inc. under Invitation No. 4282 to Supply Six Radar Speed Sign Units to the Commission with the Option to Purchase Eighty-Two Additional Units in the Total Amount of \$192,016.00.

Chairman: Any questions or comments regarding the Resolution?

Director Cole: Just so that everyone is aware and to give a little more detail about what we are doing here in relation to the speed, we have been working with the Ohio State Highway Patrol on the enforcement and visibility to ensure drivers are doing the right thing as they enter our toll lanes. This has been a concern by our toll collection staff. We have talked to the Teamsters Local 436 about it, we have worked with our Safety Department about it, and the reason the bid seems a little bit different is that we are going to buy the first six, install and test them through three separate plazas, one out west, one in the central and one out east to make sure we know exactly what we are getting into, the placement, make sure we verify how we want to install and everything else, then we expect as long as that goes okay to pick up the other eighty-two, install those in the same fashion, or however we tweak the program and run those for another year or so and see what kind of impact it makes before we move forward with retrofitting or fitting all of the lanes. In addition, with the toll study we are currently undergoing, there may be significant changes in our lanes or interchanges as we bring that study forward to you guys, probably in early 2017. So, for those reasons we want to walk before we run, and so we want to test it. We think it can improve safety, it is a call to action based on the safety of our toll staff with the support of the Toll Operations Department and Director Sharon Isaac, so we are working our way through that process and we did not think it was appropriate to just buy the six and then end up with a second piece of equipment conversely by having the option to buy all of it then all of the companies that provide this type of equipment were able to see the specs and have a chance at the full bite of the apple.

Mr. Paradiso: I have a question. Looking at the bidder list. There were four bidders. Two bidders A&A Safety was within hundreds of dollars of the awarded contract, and they are an Ohio company versus a Pennsylvania company. I am just curious, I thought we had

some kind of objectivity within 5% of the bid. Is there any reason we wouldn't give that to an Ohio company?

Chief Engineer: Mr. Chairman and Commission Member Paradiso, with All Traffic Solutions' bid, they offered a ½% decrease in the price if we paid within twenty days. So, while the bids you see there are within \$100 that ½% makes it another \$500 or \$600. Secondly, Mark, if I am not mistaken, the Buy Ohio includes the neighboring states, Michigan, Indiana, Kentucky, so they are also included in the Buy Ohio.

Director Cole: There is full reciprocity with those.

Mr. Dixon: What does that mean? Full reciprocity.

Director Cole: Mr. Chairman and Commission Member Dixon, this is a step back to my old world as Controlling Board President, but each of those states, because of the high volume of manufacturing and companies that do business across those states there has been a regional reciprocity where any, in this case Buy Ohio, or Buy Indiana, or Buy Pennsylvania provisions apply to those companies in those neighboring states and what we found in Columbus is that Ohio is a net-exporter. Most specifically with Canada and other regions, other parts of the country and so, because Ohio companies benefit more from government purchases in other states, to the extent that we start restricting or didn't have that type of reciprocity, the net effect for Ohio's economy could be a negative one if those governments stop buying our products and services from here in Ohio. So, I hope that is a full explanation of it. We believe we are getting the right product at the right price. Of course, we are always making sure that Ohio companies, if they offer a product or service, have the opportunity to do it.

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

MOTION: A motion to adopt the *Resolution Selecting the Bid of All Traffic Solutions, Inc. under Invitation No. 4282 to Supply Six Radar Speed Sign Units to the Commission with the Option to Purchase Eighty-Two Additional Units in the Total Amount of \$192,016.00*, was made by Mrs. Barber, seconded by Mr. McAuliffe, and unanimously approved by all Commission Members present. Resolution No. 65-2016 is attached hereto as an Exhibit

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

Chief Engineer: The fourth and final resolution seeks Commission authorization for continued expenditures for a contract with Resource International, Inc., of Cleveland Ohio, for geotechnical engineering services for the mainline pavement replacement program. Under Resolution No. 46-2014, the Commission awarded a contract to Resource International for the performance of geotechnical engineering services for up to ten pavement replacement program projects. Each encompassing five to six mile sections located along the mainline of the Ohio Turnpike. Resource International submitted a fee proposal dated October 4, 2016, in the amount not-to-exceed \$191,003 to perform geotechnical services for two 2018 mainline pavement replacement projects, which would constitute the fifth and sixth pavement replacement projects assigned to Resource. The Engineering Department staff has reviewed Resource's proposal and

finds it to be reasonable for the scope to be performed. Since these additional expenditures were increased the total cost in excess of 10% of the previous Commission authorization, it is required under Article V, Section 1 of the Commission's Code of Bylaws that the Commission must authorize such expenditures. With your permission, may the General Counsel please read the title of the Resolution.

General Counsel: Resolution Authorizing the Assignment of Two Additional Mainline Pavement Replacement Project Sections to Resource International, Inc. in the Not-to-Exceed Amount of \$191,003.00 under an Existing Agreement to Perform Geotechnical Engineering Services.

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

MOTION: A motion to adopt the *Resolution Authorizing the Assignment of Two Additional Mainline Pavement Replacement Project Sections to Resource International, Inc. in the Not-to-Exceed Amount of \$191,003.00 under an Existing Agreement to Perform Geotechnical Engineering Services*, was made by Chairman Hruby, seconded by Mr. Paradiso, and unanimously approved by all Commission Members present. Resolution No. 66-2016 is attached hereto as an Exhibit

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

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

Chairman: Any other questions for Tony? Tony, is this the last of the big projects on the replacement of pavement? How many more do you think we have right now coming up?

Chief Engineer: At least two a year for the about the next twenty years.

Chairman: Everyone understands that. This is an ongoing process. We continue to improve the road, make it better and spend those dollars that we are entitled to be spent for that purpose.

Chief Engineer: That is correct.

Chairman: So, all of the people that are out there and have an interest in bidding, continue to keep bidding, it is competitive. Kokosing has done a great job for us over the years and, hopefully, others will get in to the arena with us. Again, we continue to promote our involvement of MBE/DBE and I am somewhat taken back by the fact that many of the testing companies and engineering companies that do the inspection work have little or none. It is really unfortunate. But the larger companies doing the work do participate. I see that all of the time in our bidding in Brecksville.

Chief Engineer: Mr. Chairman, may I address Mr. Dixon one more time? Mr. Dixon, there is the construction management contract that I did not come to the Commission with this month, I will be coming to the Commission next month with that contract, and that is the Hill

International contract that has approximately 15% participation, Glenn Stephens, Inc. is on there as an MBE, so when I come back to the Commission in December with their contract, there will be approximately 15% MBE participation on their contract. So, I apologize for not bringing that to your attention when I answered the question.

Chairman: What is the process for the selection of an inspection or testing, like testing the concrete? Who does that or do we do that?

Chief Engineer: Mr. Chairman, we do that internally. When it is a design contract, the designer is also selected to perform the construction services. When the design is performed in-house, our paving projects, resurfacing projects, bridge painting projects, for those projects we actually assign the inspection and testing through the Engineering Department. We utilize our biennial RFQ process and we list all of the consultants that are capable of doing that work, depending on whether it is a coating inspection or a bridge deck replacement, or resurfacing and then we select the consultants based on their qualifications and location to the project site.

Chairman: Thank you. Any other questions? Hearing none, we will move on to the report of our CFO/Comptroller/DED, Marty Seekely.

CFO/Comptroller/DED: Thank you Mr. Chairman. I have an update on our traffic and revenue the month of October.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past 2 years. Passenger car vehicle miles traveled were 2.3% higher than last year in October.

Commercial traffic was 2.6% lower than last year in October. There was one less weekday in October this year than there was in October last year.

This chart shows the total vehicle miles traveled through the month of October during each year over the past decade. Total vehicle miles traveled for the first ten months of this year were 1.5% higher than the amount from last year. If you subtract February 29th from this year's total, total vehicle miles traveled are up 1.2% over last year.

The increase in traffic combined with the toll rate increase on January 1 of this year caused passenger car toll revenue to increase 2.4% in October from the corresponding month last year.

The 2.6% decrease in Commercial traffic combined with the toll rate increase resulted in Commercial vehicle toll revenues decreasing 0.2% in October.

This chart shows the year-to-date toll revenues through the month of October during each year over the past decade. Toll revenues through October were \$6.8 million or 2.9% above the amount from last year. If you subtract February 29th from this year's total, total toll revenues are up \$6.2 million or 2.6% over last year.

That completes my report, Mr. Chairman. I would be happy to answer any questions.

Chairman: Thank you. Any questions for Marty? If not, we will move on to the report of the Ohio State Highway Patrol, S/Lt. Weirtz.

S/Lt. Weirtz: Good morning, Mr. Chairman and Commission Members. Since our last Commission Meeting the Swanton Post investigated a fatal crash, which occurred on Saturday, November 5, 2016, at 2:05 a.m. There was a vehicle that was westbound at milepost 4 in Williams County, the 31-year old male driver struck a deer on the roadway and his 2006 Nissan Altima became disabled and stopped partially in the right and left lanes. He exited his vehicle and was standing in the roadway when he was struck by a 2017 Volvo commercial vehicle. This crash remains under investigation.

I would like to highlight four of our recent criminal patrol cases. Our first one was on November 7, 2016, wherein Trooper Romero stopped a 2016 rented Chevy Suburban with California registration for a lanes violation near milepost 67 Eastbound. Criminal indicators were observed and K-9 Gunner positively indicated to a narcotic odor coming from the vehicle. A probable cause search revealed nine duffle bags with vacuum sealed packages containing 263 pound of marijuana. Additionally, six vials of suspected steroids were seized. The 27-year old male suspect from Port Chester, New York, was incarcerated at the Wood County jail on felony trafficking and possession charges.

The second case occurred on November 8, 2016, when Trooper Lamb stopped a 2016 Hyundai Sonata bearing Florida registration for following too close near milepost 176 in Summit County. Upon approaching the vehicle, the odor of burnt marijuana was detected. The 26-year old driver, a known drug offender from Detroit, Michigan, was removed from the vehicle and frisked. During the frisk, he voluntarily removed two bags containing 137 grams of crack cocaine. The suspect was charged with felony trafficking crack cocaine and possession of crack cocaine. He was incarcerated in the Summit County jail.

The next case was on November 15, 2016, Trooper Shell stopped a rented 2016 Hyundai Sonata bearing Illinois registration for a marked lanes violation at milepost 133 in Lorain County. Several criminal indicators were noticed. K-9 Jimmy alerted to the vehicle and revealed a wrapped package containing 410 grams of heroine concealed inside a Pepsi carton. The 28-year old female and the 35-year old male passenger, both of Chicago, were incarcerated in the Lorain County jail on felony charges.

Lastly, on October 31, 2016, Trooper Baker stopped a rented 2015 Jeep Cherokee bearing a California registration for speed and following too close violations. Several criminal indicators were noticed and K-9 Paco was utilized for an exterior sniff of the vehicle. The K-9 indicated and a search revealed a duct taped, wrapped package inside a bag on the front seat, which contained \$11,224 in U.S. currency. The 29-year old male driver from Warren claimed no knowledge of the currency, so the currency was seized and the suspect was released.

Mr. Chairman, that concludes my report.

Chairman: Very good. Any other questions or comments?

Director Cole: Mr. Chairman, a quick comment. I don't think there is anything worse in my job, and I think also in Safety Services and Maintenance than getting those 2:00 a.m. text messages or radio calls that we have had a fatality on the Turnpike, especially one like that. It is an unfortunate circumstance, but we believe it can be prevented in the future. And along those lines, before we meet again, I am confident that we will see additional self-driving testing happening both here on the Turnpike and we are working with the Ohio Department of Transportation, the Department of Public Safety, and I think it is time to get those sensors, the radar, the lidar, into commercial and passenger vehicles to improve safety and take a situation like that and hopefully reduce it if not eliminate it in the coming years. So, I just wanted to alert you guys that will be happening as soon as we have any official announcements related to that, we will be forwarding that to them to the Commission Members. We are hoping there may some additional testing before the real snow flies later this year.

Chairman: Anything else for the Lieutenant. Thank you very much, you always do a great job and we appreciate it. Next, we have the report of our General Counsel, but before we do that, Vice Chairman Paradiso has a question for Marty.

Mr. Paradiso: Marty, I am just comparing or checking up on the 2017 budget, is there a way you could provide the actual 2016 alongside of that for comparison? Thank you.

Chairman: We will move on to the report of our General Counsel, Jennifer Stueber.

General Counsel: Mr. Chairman and Commission Members, I have a report on two pending litigation matters. Would you like to go into Executive Session to discuss these matters?

Chairman: I move that we adjourn into Executive Session to consider with our legal counsel two pending matters litigation after which no further business will be conducted by the Commission. We will come out, adjourn and we will be done for the day. On behalf of the Commission, I want to thank each and every one of you for your attendance this year and we wish you all a very happy Thanksgiving. Our next meeting will be on Monday, December 19, 2017 at 10:00 a.m.

MOTION: A motion to adjourn into Executive Session is made by Chairman Hruby, seconded by Mrs. Barber and unanimously approved by all Commission Members present. (Time: 10:34 a.m.)

MOTION: A motion to adjourn the Executive Session is made by Chairman Hruby, seconded by Mr. Paradiso and unanimously approved by all Commission Members present. (Time: 11:09 a.m.)

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

Time of adjournment: 11:10 a.m.

Attendees for Record Keeping Purposes:

Beth Thornton, McCormick Taylor; Mike Burgess, Prime; Jennifer Townley, ODOT; Jim Gates, ODOT; Tim McDonald, ODOT; Bethany Pugh, PFM; Hamid Homae, KS Associates; Beth Fulton, TRC; Preston Yuzma, IUOE 18; Scott Buchanan, AECOM; Todd Majidzadeh, Resource International; Jon Lorincz, OHM Advisors; Zoltan Szabo, Mott MacDonald; Gene Baxendale, Hill International; Al Biehl, TranSystems; Stefan Holmes, Huntington Bank; Mike McCarthy, Mott MacDonald; *Illegible Name*, Cosmos Technology; Jennifer Stueber, Ohio Turnpike; Anthony Yacobucci, Ohio Turnpike; Martin Seekely, Ohio Turnpike; Sharon Isaac, Ohio Turnpike; Matt Cole, Ohio Turnpike; Helen Guggenbiller, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Mark Musson, Ohio Turnpike; Chris Matta, Ohio Turnpike; Dennis Albrecht, Ohio Turnpike; David Miller, Ohio Turnpike; Adam Greenslade, Ohio Turnpike; William Keaton, Ohio Turnpike; Ed Miller, Ohio Turnpike; Cory Skoczen, Ohio Turnpike; Diana Anthony, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Joann Bartinelli, Ohio Turnpike; Jacquelyn Dohoda; Adam Greenslade, Ohio Turnpike; and Brian Newbacher, Ohio Turnpike.

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

Sandra K. Barber, Secretary-Treasurer

EXHIBITS

1. Resolution Approving the Selection of Kokosing Construction Company to Reconstruct the Eastbound Mainline Pavement From Milepost 90.0 to Milepost 95.9 in Sandusky County under Project No. 39-17-01 for the Total Amount of \$18,552,251.45 and Approving the Assignment of GPD Group and PSI, Inc. to Perform the Necessary Professional Services for Constructing the Project;
2. Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. to Repair and Rehabilitate the State Route 252 Bridge Deck in Cuyahoga County at Milepost 156.9 Under Project No. 43-17-02 for the Total Amount of \$1,172,387.00 and Approving the Assignment of Michael Baker Jr., Inc. and Geo-Sci., Inc. to Perform the Necessary Professional Services for Constructing the Project;
3. Resolution Selecting the Bid of All Traffic Solutions under Invitation No. 4282 to Supply Six Radar Speed Sign Units to the Commission with the Option to Purchase Eighty-Two Additional Units in the Total Amount of \$192,016.00; and
4. Resolution Authorizing the Assignment of Two Additional Mainline Pavement Replacement Project Sections to Resource International, Inc. in the Not-to-Exceed Amount of \$191,003.00 under an Existing Agreement to Perform Geotechnical Engineering Services.

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Resolution Approving the Selection of Kokosing Construction Company to Reconstruct the Eastbound Mainline Pavement From Milepost 90.0 to Milepost 95.9 in Sandusky County under Project No. 39-17-01 for the Total Amount of \$18,552,251.45 and Approving the Assignment of GPD Group and PSI, Inc. to Perform the Necessary Professional Services for Constructing the Project

WHEREAS, the Commission published notice in accordance with law advertising its invitation to bid upon a Contract for the reconstruction of the eastbound mainline pavement from Milepost 90.00 to Milepost 95.90, in Sandusky County, Ohio, designated as **Project No. 39-17-01** (“Project”); and

WHEREAS, the Commission received three bids to perform the Contractor’s obligations on the Project, and the Assistant Chief Engineer and the Chief Engineer reviewed and evaluated the bids received, and whose report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer and Assistant Chief Engineer report that **Kokosing Construction Company** of **Columbus, Ohio** submitted the lowest responsive and responsible bid to perform the Contractor’s obligations for the Project in the total bid amount of **\$18,552,251.45** (comprising the base bid amount of \$18,727,251.45 and the Temporary Access Deduct Credit of \$175,000.00), which they recommend the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration advises that bids for Project No. 39-17-01 were solicited from all bidders on the basis of the same terms, conditions and specifications, that the bid of Kokosing Construction Company for Project No. 39-17-01 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that Kokosing Construction Company submitted a performance bond with good and sufficient surety and made a good faith effort to attain the participation of disadvantaged businesses in the Project; and

WHEREAS, the amount of the bid received will require expenditures under Contract No. 39-17-01 that will exceed \$150,000.00, and Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws; and

WHEREAS, the Commission’s Executive Director has reviewed the reports of the Chief Engineer, Assistant Chief Engineer and the Director of Contract Administration and concurs in the recommendation to select Kokosing Construction Company as the lowest responsive and responsible bidder for Project No. 39-17-01; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of **Kokosing Construction Company**, in the amount of **\$18,552,251.45** (comprising the base bid of

\$18,727,251.45 and the Temporary Access Deduct Alternate of \$175,000.00) for Project No. 39-17-01 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a Contract on the basis of said bid; and

FURTHER RESOLVED that the Executive Director and the Chief Engineer are authorized to assign **GPD Group**, of **Cleveland, Ohio**, to perform Task 3 construction services in accordance with the Agreement specific to this Project previously authorized under Resolution Nos. 32-2012 and 63-2014, and to assign **PSI, Inc.**, of **Cleveland, Ohio**, for the purpose of performing materials testing services in accordance with the Miscellaneous Engineering Services Agreement; and

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under said contracts as a result of an increase in the planned quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

(Resolution No. 63-2016 adopted November 21, 2016)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Approving the Selection of Suburban Maintenance & Construction, Inc. to Repair and Rehabilitate the State Route 252 Bridge Deck in Cuyahoga County at Milepost 156.9 Under Project No. 43-17-02 for the Total Amount of \$1,172,387.00 and Approving the Assignment of Michael Baker Jr., Inc. and Geo-Sci., Inc. to Perform the Necessary Professional Services for Constructing the Project

WHEREAS, the Commission published notice in accordance with law advertising its invitation to bid upon a Contract for the Repair and Rehabilitation of State Route 252 Bridge Deck over the Ohio Turnpike at Milepost 156.9 in Cuyahoga County, Ohio, designated as **Project No. 43-17-02** (the "Project"), which provided for three bid alternates where the Bid Alternate 1 represented the minimum scope that the Commission is responsible to perform and Bid Alternates 2 and 3 affording the City of Olmsted Falls the option to obtain certain aesthetic design improvements as part of the project by paying for their additional costs; and

WHEREAS, the Commission received four bids via Bid Express to perform the Contractor's obligations on the Project, and the Assistant Chief Engineer and the Chief Engineer reviewed and evaluated the bids received, and whose report concerning such analysis is before the Commission; and

WHEREAS, the Chief Engineer reports that **Suburban Maintenance & Construction, Inc.**, of **North Royalton, Ohio**, submitted the lowest responsive and responsible bid to perform the Contractor's obligations for the Project for the total amount of **\$1,172,387.00**, which they recommend the Commission accept and approve authorization for the Executive Director to award and enter into an agreement with the City of Olmsted Falls to financially contribute towards the project in an amount equaling the difference between Bid Alternate 1 and the selected Bid Alternate; and

WHEREAS, the Director of Contracts Administration advises that bids for Contract No. 43-17-02 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Suburban Maintenance & Construction, Inc. for Contract No. 43-17-02 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and Suburban Maintenance & Construction, Inc. submitted a performance bond with good and sufficient surety and made a good faith effort to attain the participation of disadvantaged businesses in the Project; and

WHEREAS, the amount of the bid received will require expenditures under Contract No. 43-17-02 that will exceed \$150,000.00, and Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws; and

WHEREAS, the Commission's Executive Director has reviewed the reports of the Chief Engineer and the Director of Contracts Administration and concurs with the recommendation that the Commission approve the award of Project No. 43-17-02 to Suburban Maintenance & Construction, Inc. 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 **Suburban Maintenance & Construction, Inc.**, of **North Royalton, Ohio**, in the total amount of **\$1,172,387.00** for Project No. 43-17-02 is approved as the lowest responsive and responsible bid received, and the Executive Director is authorized to execute a Contract on the basis of said bid and enter into an agreement with the City of Olmsted Falls to financially contribute towards the project in an amount equaling the difference between Bid Alternate 1 and its selected Bid Alternate; and

FURTHER RESOLVED that the Commission approves the Executive Director and the Chief Engineer assigning **Michael Baker Jr., Inc.**, to perform the necessary construction inspection and administration services for the Project and **Geo-Sci., Inc.**, of **Berea, Ohio**, to perform materials testing and inspection services both in accordance with the Miscellaneous Engineering Services Agreement between the Ohio Turnpike and Infrastructure Commission and said engineering firms; and

FURTHER RESOLVED that the Executive Director has the authority to approve such extra work or change orders under said contracts as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

(Resolution No. 64-2016 adopted November 21, 2016)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Selecting the Bid of All Traffic Solutions, Inc. under Invitation No. 4282 to Supply Six Radar Speed Sign Units to the Commission with the Option to Purchase Eighty-Two Additional Units in the Total Amount of \$192,016.00

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) advertised by public notice an Invitation for Bids upon a Contract to furnish radar speed display signs with support assembly, designated as **Invitation No. 4282** (“Contract”); and

WHEREAS, the Commission received four bids for the Contract, and said bids have been reviewed and analyzed by the Commission’s Maintenance Engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the Commission’s Maintenance Engineer reports that **All Traffic Solutions Inc.**, of **State College, Pennsylvania** submitted the lowest bid under Invitation No. 4282 in the amount of \$13,092.00 for the initial order quantity of six Radar Speed Display Signs, and \$178,924.00 for the option to purchase an additional quantity of eighty-two Radar Speed Display Signs for a total award for both the initial and optional order quantities of **\$192,016.00**, which bid he recommends the Commission accept for award; and

WHEREAS, the Director of Contracts Administration advises that bids for Contract No. 4282 were solicited on the basis of the same terms, conditions and specifications, that the bid of All Traffic Solutions for Contract No. 4282 conforms to the requirements of Ohio Revised Code Section 5537.07 and Section 9.312, as the lowest responsive and responsible bid received and is supported by good and sufficient surety; and

WHEREAS, Commission action is necessary to approve the Contract in accordance with Article V, Section 1.00 of the Commission’s Bylaws because the expenditures necessary to accept the bid of All Traffic Solutions for Contract No. 4282 exceeds \$150,000.00; and

WHEREAS, the Executive Director has reviewed the reports of the Maintenance Engineer and concurs with the recommendation to award Contract No. 4282 to All Traffic Solutions, as the lowest responsive and responsible bid for Contract No. 4282; 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 **All Traffic Solutions, Inc.** under Invitation to Bid No. 4282 to furnish six radar speed display signs to the Commission with the option to purchase an additional eighty-two units in the total amount of **\$192,016.00** is selected as the lowest responsive and responsible bid received and the Executive

Director is authorized to execute a Contract on the basis of said bid and exercise the option to purchase the additional units based on the recommendation of the Chief Engineer.

(Resolution No. 65-2016 adopted November 21, 2016)

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing the Assignment of Two Additional Mainline Pavement Replacement Project Sections to Resource International, Inc. in the Not-to-Exceed Amount of \$191,003.00 under an Existing Agreement to Perform Geotechnical Engineering Services

WHEREAS, the Commission awarded a contract under Resolution No. 46-2014 to **Resource International, Inc.**, of **Cleveland, Ohio** (“Resource International”) to perform Geotechnical Engineering and Pavement Design Services (“Geotechnical Engineering Services”) for up to ten Pavement Replacement Program Projects, each encompassing five to six-mile sections located along the mainline of the Ohio Turnpike; and

WHEREAS, the Commission authorized expenditures with Resource International to perform Geotechnical Engineering Services for the two Pavement Replacement Project Sections constructed during 2015 and 2016 in the not-to-exceed amount of **\$349,685.00** under Resolution No. 46-2014; and

WHEREAS, under Resolution No. 11-2015, the Commission authorized additional expenditures with Resource International in the not-to-exceed amount of **\$366,909.00** to perform Geotechnical Engineering Services for the Commission’s next two Pavement Replacement Projects constructed during 2016 and 2017 and to update the Master Plan for the Pavement Replacement Program; and

WHEREAS, Resource International has submitted a fee proposal dated October 4, 2016, in the not-to-exceed amount of **\$191,003.00**, to perform the necessary Geotechnical Engineering Services for the Pavement Replacement Projects being designed for construction in 2018, designated as Project No. 71-16-13 from Milepost 149.24 to Milepost 154.10 and as Project No. 71-16-14 from Milepost 169.74 to Milepost 176.34 in Lorain and Cuyahoga Counties, which would constitute the fifth and sixth pavement replacement projects assigned to Resource International; and

WHEREAS, the amount necessary to obtain such additional services exceeds ten percent of the Contract, and the Commission must authorize an amendment to the Contract to make those additional expenditures in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws; and

WHEREAS, the Chief Engineer recommends approving authorization to assign the fifth and sixth pavement replacement project sections to Resource International, designated as Project No. 71-16-13 and Project No. 71-16-14, to obtain the necessary Geotechnical Engineering Services in the not-to-exceed amount of \$191,003.00, which amount the Chief Engineer deems reasonable and appropriate; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer, and concurs that the Commission should approve the assignment Resource

International to perform the Geotechnical Engineering Services for Project No. 71-16-13 and 71-16-14.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the assignment of **Resource International, Inc.**, to perform the necessary Geotechnical Engineering Services for Project No. 71-16-13 from Milepost 149.24 to Milepost 154.10 and Project No. 71-16-14 from Milepost 169.74 to Milepost 176.34 in Lorain and Cuyahoga Counties, in the not-to-exceed amount of **\$191,003.00** is approved and authorized, and the Executive Director may amend the Contract with Resource International to provide for such services, all in accordance with the terms and conditions of the Commission's Request for Proposals, Resource International's response thereto and its fee proposals therefor.

(Resolution No. 66-2016 adopted November 21, 2016)