

**MINUTES OF THE 702<sup>nd</sup> MEETING OF THE  
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION  
NOVEMBER 21, 2022**

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

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

Senator Bill Reineke is unable to attend today's meeting and is excused. Dr. Marchbanks, of the Ohio Department of Transportation, is unable to attend today's meeting, so Myron Pakush is here representing the Ohio Department of Transportation.

Will the Assistant Secretary-Treasurer, Ferzan M. Ahmed, 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:** Mr. Pakush

**Commissioner, ODOT Proxy, Myron Pakush:** Here

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

**Office of Budget and Management, James Kennedy:** Here

**Assistant Secretary-Treasurer:** Representative Ghanbari

**Representative Haraz Ghanbari:** Here

**Chairman:** This is the 702<sup>nd</sup> Meeting of the Ohio Turnpike and Infrastructure Commission. We are here today at the Commission's Administration Building.

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

May I have a motion to adopt the Minutes of the October 17, 2022, Commission Meeting? Any corrections, additions, or questions regarding the Minutes? Hearing none, please call the roll.

**MOTION:** A motion to adopt the Minutes of the October 17, 2022, Commission Meeting was made by Vice Chairman Paradiso, seconded by Secretary-Treasurer Barber and approved by all Commission Members present.

**Chairman:** The October 17, 2022, Commission Meeting Minutes are adopted. We will move on with the report of the Secretary-Treasurer, Mrs. Barber.

**Secretary-Treasurer:** The following items have been provided to the Members since the last scheduled meeting of the Commission on October 17, 2022:

1. Ten (10) Resolutions;
2. Draft Minutes of the October 17, 2022, Commission Meeting; and
3. Agenda for today's meeting.

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

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

That completes my report, Mr. Chairman.

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

**Director Ahmed:** Snow and ice inspections have been performed at all eight of our Maintenance Buildings. A total of one hundred snowplow trucks and seventeen loaders were inspected by our mechanics, maintenance workers and equipment manager. Salt and liquid de-icing systems were also calibrated to ensure accurate use of salt and liquids used to treat the roadway.

Our 172 snow-plow operators, twenty mechanics, and sixty-five administrative/clerical staff take great pride in their work to ensure the Ohio Turnpike is a safe and reliable road to travel throughout the winter. At the end of my report, we will play a two-minute video about these inspections.

Mr. Chairman, community outreach is an important part of our business. On October 19<sup>th</sup>, the Western Division Maintenance Superintendent, Jeff Landel, and Director of Government Affairs, Adam Greenslade, spoke at the Williams County Mayors' Association meeting. They shared information on the current and future construction projects in the county, as well as the Toll Collection System. The mayors and county officials gave the Turnpike, Ohio State Highway Patrol, and contractors high praise for the quick response and communication in developing and implementing many measures to maintain safe work zones.

On October 29<sup>th</sup>, the Swanton Lions Club hosted the 12<sup>th</sup> Annual Halloween Hoopla. The event has been going on for the past twelve years for children and families to socialize and interact with local businesses, as well as government. During the event, streets are closed, and many people dress in costumes, eat food, play games and children love to get in the big trucks.

In honor of Veterans Day on November 11<sup>th</sup>, I also want to say "thank you" to our Veterans, and the family members of our team who have served our country as members of the armed forces. To show our appreciation, on Saturday November 12<sup>th</sup> we honored all Veterans at each of our Service Plazas with complimentary food and drinks. I commend our concessionaires for doing this as a salute to Veterans.

As always, there is an increase in travel during the Thanksgiving holiday weekend. All fourteen service plazas are fully open, and 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.

One of my duties as Executive Director is to report the status of the Commission's standard operating procedures each year. To do this, Director of Internal Audit, Dave Miller, and I work with all department Directors to review Standard Operating Procedures. I am pleased to report that our review is complete, and that all Standard Operating Procedures have been updated as needed. My thanks go to Dave Miller and the other Directors, along with Denise Urbansky and Michelle Marquard for helping with this enterprise-wide effort.

At the last meeting Commission Members asked the staff to compare the original estimated costs of all the projects associated with the Toll Collection System to the total cost of the Toll Collection System to-date. I would like to share the details with you. In your meeting materials contain two pages with some tables. If you would please refer to them, I will walk through them to explain the estimates versus the final costs.

So, planning those estimate basically takes into account the main aspects of the project. In this case, the main aspects were the Customer Service Center (CSC), the actual Toll Collection System (TCS), and then whatever physical infrastructure was needed to do that. The planning of those estimates happened in 2017, and it gave us a range of \$189 to \$217 million and that is in

2017 dollars. Of that \$50 to \$57 million was for the CSC and the TCS and \$139 to \$160 million was estimated for the toll plaza infrastructure. If you look at Table 1, the total capital cost of the TransCore Customer Service Center and the Conduent Toll Collection System to-date is \$63.8 million. So, please note that the planning level estimate was \$50 to \$57 million in 2017 dollars. If we look at 2020 as the midpoint of construction, then with escalation that would equate to approximately \$60.2 million. So, that would be the plan and to-date the Capital Cost is \$63 million for those two items.

Now, the back office and toll collection systems are proprietary and are designed, implemented and maintained by the integrator. So, TransCore is also responsible for maintaining the system through 2028 and that resolution has already been approved by the Commission and it was about \$9.3 million. Conduent is also responsible for maintaining the system through 2035 and that resolution has not been presented to the Commission yet. I point that out because the maintenance costs are not included in the planning level estimate, just to make sure that is clear.

I would like to now talk about the infrastructure portion. So, in a nutshell, there were three new toll plazas at Mileposts 4, 49, and 211. The existing toll plaza at 239 was reconfigured and then lane conversions and improvements were made to toll plazas from Mileposts 52 to 209. In order to save time and money, the Commission decided to coordinate the base pavement replacement program with the construction of the open road tolling plazas at Mileposts 4, 49, 211, and 239.

On page two, please look at Table 2, then we can look at the actual construction projects. So, the table has all of the different projects on them and I will just talk about the columns. The columns identify the project, the contractor, the resolutions, and the total costs. So, if you look at the right two columns, there is a total cost associated with the Toll Collection System and then the extreme righthand column lets you know if that is all related to the Toll Collection System or if some of it was the added pavement replacement that we did to make things more efficient. So, the total cost of all the toll collection projects, of the infrastructure required for the Toll Collection System is about \$170.6 million. As I mentioned, the planning level estimate was \$139 to \$160 million in 2017 dollars. Looking at 2020 as the center point of construction and including some inflation factors to it, that would equate to about \$146.9 to \$169.1 million. I would now like to point to Table 3 some other items. Planning level estimate does not include design, material testing, construction administration or project management costs. Those costs are summarized in Table 3 below and the total of all design, material testing and construction, strategic plan design and construction services, project management and the owner's representative and the design and reconfiguration of existing toll plazas is about \$36 million. I do want to point out that, it is very hard to separate out the material testing and construction administration portions and assign a certain value to just the Toll Collection System and certain to the construction of the pavement replacements, so unfortunately that is just a cost together.

So, the last table at the end, is everything put together from all three tables. This is basically the actual costs. So, the planning level estimate shows \$189 to \$217 million in 2017 dollars. If you adjusted for midpoint of construction in 2020, it comes out to somewhere between \$199.7 to 229.3 million and the actual cost of what was in the planning level estimate and what was added in terms of management, as well as pavement replacement, it is about \$270.4 million.

The last thing I will add, Commission Members, is that typically contingencies and unknowns of 20-30% are added to a planning level estimate and then as you progress from planning to design, the contingencies come down. So, that is the report. I would be happy to answer any questions pertaining to this now or if you would like to talk to me about it later on after you have read it, I would be happy to talk to you about that as well.

**Chairman:** Questions or comments?

**Vice Chairman:** Fifty million dollars is a lot. Do we have, I guess maybe it is just a general question for you and your staff, revenues with Covid were off a little bit, are we comfortable with our capital and our ability to fund that \$50 million shortfall?

**Director Ahmed:** Great question, Vice Chairman I. Obviously, we were affected by Covid. As I mentioned, first of all, that the planning level estimate only talked about the things that we knew, so we knew that there were going to be other things added on and the pavement replacement part was part of our capital projects that we knew that we were going to do anyway. We were definitely affected by Covid. Fortunately, the rebound in 2021 was good enough to cover most of it. The history of this organization has been that we've been very good with spending for lack of a better word. We've been very good with cost containment, as well as making sure that the rainy day fund or the money they we have at hand has been good and that the condition of this organization has been financially stable, so we were able to absorb the loss of revenue from the effects that we had from Covid. The other good thing about traffic was, even though our passenger traffic was greatly affected by Covid, after the first few months, the truck traffic started rebounding. As you know, we were all at home ordering from Amazon and what not and all those things were in trucks, maybe traveling through the Ohio Turnpike.

**Chairman:** Anything else?

**Representative Ghanbari:** Thank you, Chairman. You noted that there is a 5.7% increase due to inflation, are these figures locked in now or do we anticipate them going even higher?

**Director Ahmed:** Mr. Chairman and Representative Ghanbari, these numbers are the numbers that we know as of today, so we don't anticipate these numbers to go higher. There are some items that are left to be completed and in construction there may be some change orders that might affect the construction costs a little bit, but outside of that there's nothing in terms of something that we missed.

**Representative Ghanbari:** More specifically, I was just concerned about the inflation piece. You know, I am still hearing things and still dealing with Covid now because Covid shut down so many plants and they are still backlogged on certain items and things like and their costs of goods and services is still up and obviously with the inflation that we've been seeing, I am curious as to how much more we can anticipate if the inflation continues to go up? How much additional dollars can that potentially impact the projects?

**Director Ahmed:** Mr. Chairman and Representative Ghanbari, so I will mention a couple of things that we always see in construction. There is always an escalation from the bituminous price adjustment that is built into our contracts, whereas if the price of fuel goes up, the price of asphalt goes up, contractors have built in those into their bids. Our revenues have been better than what we estimated and that has covered the inflation that we have seen in 2022 in our construction projects.

**Chairman:** Any other questions or comments?

**Mr. Coviello:** When we talk about inflation, these are reflecting 2020 because 2022 was the bad year for the inflation, so there's two parts to the question: 1) has that yet to be factored in?; and then 2) in terms of having the wherewithal to handle this increase, and the Vice Chairman pointed out the impact of current inflation on the next projects that we are going to be doing like the maintenance and repairs that are going to cause other things to increase, is that being considered when we are talking about handling this?

**Director Ahmed:** Mr. Chairman and Commission Member Coviello, the reason why we used 2020 numbers as an example is because typically, when you are comparing present costs to a past estimate, which was estimated in 2017 dollars, we like to show a midpoint of construction to make a comparison. Obviously, if we adjusted the 2017 estimate to 2022 it would be a higher number than what we have shown you here. As to the second part of your question, we are good for 2023. If you look at the long term needs of the Ohio Turnpike, we do need to have a conversation about our funding. The reason for that is simply that the Ohio Turnpike was built between 1953 and 1955, very quickly which means the roads and bridges are all of the same age and they are at an age where we need to invest high dollars to make sure that the conditions are maintained as they have been in the past. So, for the long term we do need to have that conversation about financial liability.

**Chairman:** Any other questions? Hearing none, please continue.

**Director Ahmed:** Per the Bylaws of the Commission, the Executive Director has the authority to approve change orders on projects up to the larger of either \$150,000.00 or 10% of the original cost. There are two construction projects that I would like to report on. We do not have the final change orders or the amounts yet, but based on the status, we expect that the pending change orders will cross the thresholds established by the Bylaws.

The first project is in Sandusky County that began in 2021 and was completed this year. It was for the replacement of two bridge decks and the removal of one bridge and installation of a round-about. There were substantial utility conflicts that caused delays, extra work, and acceleration costs.

The second project is for the replacement of two bridge decks and the replacement of one bridge with a precast structure in Lorain County. This project began in 2022 and is expected to be completed this year. There were unforeseen conditions that caused considerable extra work and delay on the Jennings Road bridge.

On both these projects we have ballpark estimates, but not exact final costs yet. Once we have the final costs, we will present resolutions for consideration by the Commission Members, and the Chief Engineer will explain the delays and extra costs in detail. I wanted to make the Commission aware as soon as we had the ballpark figures that showed that the change orders would exceed the limits that the Executive Director can approve.

I would like to congratulate Taylor Birth on being recently promoted to Customer Service Center Supervisor.

Now, I would like to welcome to our new team members. In the Maintenance Department, our new team members are Craig Shaver and Timothy Meese at Amherst; at Boston Jesse Yount and Jonathon Hoover ; and Ryan Nagy at Hiram. In the Toll Operations Department, we welcome three new part-time toll collectors Mikayla Momenee, Kevin Cepullio, and Jeramy Nobis. In Service Plaza Operations, we welcome back Dana Brown as the Assistant SP Manager at Blue Heron and Wyandot. Welcome and best wishes to all our new team members.

And I wish Josie Ballentine, who is set to retire on November 30<sup>th</sup> from the Toll Operations Department, a happy and long retirement.

Over the last couple of years there have been several questions regarding minimum wages for janitorial contracts. In the coming months, we plan to bring a couple janitorial resolutions to the Commission Members. Before that, I would like to have an open discussion about janitorial rates. These rates are typically very low and that is why this discussion is taking place. I am going to request the Director of Administration, Matt Cole, to share the information that he has put together.

**Chairman:** Just a little background for the newer members, we sort of challenged those that bid and our staff to look at what kind of wages they were paying the individuals working for them and trying to determine what kind of profit bases they had and what kind of wages and where they were regarding minimum wage. At that point we just sort of decided to not take any other action and just leave it alone at this point and wait to see what the future bears. The Executive Director and I discussed this last week and feel it is important to have this discussion with the Commission to see how you feel as a Commission about these rates and what they are paying their people in exchange to what they are charging us. So, if you would begin the discussion, we would appreciate it.

**Director of Administration:** Good morning, Mr. Chairman and Commission Members.

So as Ferzan mentioned, in light of the previous Commission Board and Departmental concerns regarding what these contractors are paying their employees related to a “fair wage” for janitorial work at our installations, we did conduct an analysis of janitorial rates in Northern Ohio. Previously in 2022, the Director of Service Plaza Operations Department, Drew Herberger, provided you with a similar, in-depth analysis of this type of data. As additional contracts will be presented in the future for similar services in the Service Plaza Operations and Toll Operations Departments primarily, we are keeping a close eye on the market so necessary adjustments in the future.

So, what I have put in front of you is basically data that was pulled from the 2021 Bureau of Labor Statistics (BLS), they don't have 2022 out yet, but a few important observations were made as follows.

So, the Youngstown-Warren-Boardman market reflected the lowest wages overall. The Toledo market is in the middle and the Cleveland-Elyria market is at the top currently. Based on the wages themselves, Youngstown fell between \$9.30 to \$20.73 hourly. Toledo - \$10.90 to \$18.64 hourly, and then the Cleveland-Elyria market fell between \$10.94 to \$22.74 hourly. So, as you can see the highest was the Cleveland market at \$10.94. I did put the hourly mean and the hourly median, I had to look up the definitions because it has been so long since I studied those. So, the wage rate is through the thirteen counties, of course, is what was compared here from Indiana to Pennsylvania and basically establishing a minimum threshold wage rate the contractors would need to pay hourly is what we would recommend. So, across the entire northern Ohio to open up the discussion you are looking at basically a minimum wage rate for the janitorial workers that we could potentially negotiate with our contractors to require as a starting threshold essentially.

If we were to go with the BLS data, which is really the most comprehensive data, you can see just but the number of employees that are put into there from employers. To open up the conversation, we thought a minimum starting wage rate of about \$11.00 per hour could be considered. So, that is slightly above the Cleveland market which is the highest in the BLS data. So, basically looking at the future contracts which we will see soon, primarily in Toll Operations, we thought that might be a good place to start the discussion for janitorial wage rates, as a starting wage rate.

Then along with that similar to what Drew had done as well earlier in 2022 is requiring contractors to submit certified payroll and conduct periodic unannounced formal annual audits basically to ensure that they are paying the employees correctly. That is what I pulled for you and I am happy to answer any questions.

**Vice Chairman:** Do we currently pay hourly wages based off of location? Do we differentiate Youngstown and Toledo?

**Director of Administration:** So, for our employees or for the contracts?

**Vice Chairman:** For our employees.

**Director of Administration:** We do periodic assessments related to what the market is paying. We don't solely go off of the BLS data, but we do consider it when we look at it. In general, I would say we are substantially higher.

**Vice Chairman:** I get that, but do we pay differently based off the market, like Cleveland being the highest, do we pay more in the Cleveland market for our employees than we do in Toledo?

**Director of Administration:** I got you, I am sorry, no we pay the same across the state.

**Vice Chairman:** When we let out these bids, and I think just to add to the Chairman's comment, I raised some questions too, it is maybe not always in our best interest to let bids out that we chase to zero, right, get them down as low as can and beat everybody, including the laborer, and so I open that as a question, I'm also fiscally responsible in not wanting to pay more than we need to, so I am wondering in terms of letting these bids out as we look at lowest and best bid or however we qualify these, how do we modify our specs and allow us or authorize us to make a judgment, if you will or rank if you will, the quality of the provider, as well as not may be paying the lowest or awarding the bid to the lowest provider, how does that work?

**Director of Administration:** I would probably say from a policy standpoint, I guess I would recommend us potentially look at putting something in the contracts to require the minimum and then what we expect as part of that, realizing also that it will cost us potentially more in the contracts. However, certainly making it more standardized in what we are going to get for what we are requesting they pay. I guess from my perspective contractually I am not sure that would be the full answer.

**Director Ahmed:** Mr. Chairman and Vice Chairman, I would like to add to what Matt is saying. We do have selection criteria just that are not solely based on price and we do have the ability to pick the best value when we have that choice. Sometimes, unfortunately for these contracts we get a sole bidder and in the case of a sole bidder then the concern becomes, are they underpaying these people? We don't want people to be taken advantage of either. We want to be fiscally responsible as you pointed out, but at the same time, a lot of these people are older immigrants and we want to make sure that they are not being taken advantage of.

**Vice Chairman:** I agree with that sentiments, that goal. I am just wondering is it practical and we can manage that through the bid process?

**Director Ahmed:** Mr. Chairman and Vice Chairman, yes. I think what we can do in a situation like that is put in our bid documents what we expect in terms of payment to the employees and then how they will prove it through certified payrolls. Just like contractors have to submit certified payrolls. The one thing that we need to add to that is, we have to audit those certified payrolls. We can't do it for every payroll, but there as to be some self-monitoring system, and beyond a monitoring system, there has to be a system of repercussions if somebody is making up those documents.

**Vice Chairman:** And just to add, again, I think it is part of the theme, the image of what we are creating with what we have with the Ohio Turnpike and Infrastructure Commission, it is the best road. I mean it without a doubt, so when you walk into the service plazas, when you drive through the gates, any contact we have or our customers have with our employees or our contracted employees, you know they are putting on the face of the Ohio Turnpike. You know, plaza workers, right, people behind the counter at some of these vendors, I've had some pretty crappy experiences with these people that are not our employees, but they are contracted by vendors that we authorize and I think it reflects very much on who we are and what we do and so I don't know what the price is, I don't know where the money is, but I do think we take a lot of

pride in our employees and how we treat our employees, again fiscally balancing that, I think it is a mistake to race it to zero to try and get the lowest costs. We need to get better quality, especially for people that are facing clients and customers of the Turnpike. So, that is my take and I don't know how you go about doing that, but I would endorse that. Frankly, they are important dollars and they can add up, but they are pennies compared to some of the other dollars that we spend and I would like to treat these people right. That's my opinion and I'm pretty conservative, and I am on the record with that, that I am pretty conservative. But I do think it is the right thing to do.

**Director of Administration:** It does certainly help also with recruitment and retention of good employees, especially in today's market.

**Mr. Coviello:** So, in terms of lowest and best and you talk about auditing, I think I would be in favor of more of a sort of secret customer auditing of how we are treated when we walk in there as opposed to auditing payroll and I am going to question our policies around telling another company about a minimum that they would have to pay and I am asking why that is our rule, why isn't it the market letting it happen and are we considering the impact that then has on other businesses in the same geographical location that now has to pay their employees more to compete to get workers, which is a major challenge for all of our businesses right now? Do we really want to be going down a path of telling companies what they have pay?

**Chairman:** That is what the discussion is for.

**Vice Chairman:** When you say that "secret shopper" though, that is kind of a variable. How do we hold the contractor accountable for that experience if their employee doesn't treat me well at the counter, how do you modify that? How do you hold that vendor accountable for how their employee treated me? It is a good question. I think that is the outcome for me, frankly, is having better client facing members in every area of the Turnpike.

**Mr. Coviello:** That may be something for staff to accumulate over time and then that becomes part of the weight maybe when we are giving the best. In the engineering side, you consider the best not always the lowest and it has to do with the quality of the work, well here the quality of the work is how the customers are treated. That is the work.

**Vice Chairman:** I didn't think of that. You know we do our own employees, we set a wage, and we are competing with local employers for that labor with our own employees, but it might be step.

**Mr. Coviello:** The labor market is so bad right now for employers, and if we artificially inflate it, we are making it harder on the businesses.

**Secretary-Treasurer:** The Director had answered my original question, but I can see both sides of this issue. Quite frankly, I don't know the answer. As you know, I travel the Turnpike and stop at the plazas and I see the workers in there and they are very friendly, and it is the price of someone cleaning the building and keeping it safe, so no one falls and the debris is picked it. How much is that worth to the Turnpike? I understand what you are talking about the

market because it is the same way at my end. We do not have enough employees. The market is really tough. So, I think, we probably need to spend a little more time discussing this as to how we can come up with a solution and still maybe answer both of these questions that have been raised because I certainly don't know, but I do believe that when people work hard, and are doing a good job, they deserve the pay that is required for the time and I just think we need to spend more time on this and come up with some kind of solution where we can answer both of these questions.

**Chairman:** Anyone else?

**Representative Ghanbari:** Mr. Chairman, the Vice Chairman asked a question of you about how employees are paid. Are they paid differently based on their location, right? I believe your answer was, "Ohio Turnpike employees are paid the same across the state." One thing that maybe give some consideration to is, from a military perspective, and E-1 is going to get paid the same no matter where he or she is stationed at, they are going to get paid the same as a Sergeant or Major what have you, there is base pay that goes across the board. I look at that as saying it doesn't matter if you are working here or in southern Ohio, or somewhere else, a job is a job and it still requires the same amount training, the same amount of exertion as you are doing that job, which you should be compensated for, but maybe we should look at a type of basic housing allowance based on the geographical area, the zip code of the area you are living that could help offset the cost of living. If you are living somewhere where the cost of living is more expensive and you are working there you should still get the same base pay, but maybe there should be a slight adjustment based on your housing situation. For example, if you are a recruiter and you are stationed in Toledo, Ohio, you are going to get your base pay, plus X based on the cost of living for Toledo, Ohio. IF you happen to get stationed in the Pentagon or Washington, you are not going to be able to likely afford living in Washington getting the same base pay, but your basic housing allowance offsets that cost. So, it no longer becomes a deterrent for people based on where they live if they want to work for the Commission, they are going to get the same amount of money regardless of where they work for the Commission, but it would just be offset based on the cost of living.

**Chairman:** Anything else?

**Director of Administration:** No, thank you very much.

**Chairman:** Again, there is a sensitivity to the fact that people are working and are being paid just above minimum wage and the companies are charging us an hourly rate that doesn't fit in line with the low pay that they are paying their employees and there was that sensitivity and it is usually immigrants, minorities, and so forth that are their employees and they are being taken advantage of was the feeling that we had. Certainly, after listening to the discussion, we need to look at ways that we can try and discourage and again at the same time promote that we are getting the best possible product. We will have staff continue to look at this issue and have further discussion, but there is a sensitivity on our part. We have to be able to articulate that some way to these vendors when the time comes to bid. So, I appreciate your conversation. Stay on top of it.

**Director Ahmed:** Mr. Chairman, I appreciate the comments from all of the Commission Members. The staff will go back and do some research and report back to you.

Mr. Chairman, this ends my report, and now we would like to play the short video to show snow and ice inspections. Another great video by Chad Armstrong.

That completes my report. Mr. Chairman.

**Chairman:** Very good, thank you. On behalf of the Commission, congratulations, to the new hires, those that have been promoted and thank you again for the service of all of you that have chosen to retire. Thank you to our Veterans. Veterans Day is a very special day in this nation. It is a day to honor and celebrate all Veterans who serve the military, it is an important day in our country. Again, thank you for the discussion regarding the hourly wage and we will be looking into that along with staff as time moves on.

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

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

My first resolution for your consideration seeks the Commission's authorization to modify the Contract for Project No. 71-21-05 with IBI Group Engineering Services USA ("IBI"), of Canton, Ohio, relating to the deck replacement of the overhead bridges of Fought Road over the Ohio Turnpike, MP 86.6, River Road over the Ohio Turnpike, MP 93.0, Carley Road over the Ohio Turnpike, MP 94.7 all in Sandusky County. IBI submitted the highest-ranking proposal for Project No. 71-21-05 and was authorized to perform Phase IA preliminary design services under the Executive Director's authority in January of 2022 which included site inspection, engineering report, and survey services for these bridges. On November 2, 2022, IBI submitted a revised fee proposal dated October 31, 2022, to perform Phase 1B Services which includes Final Design and Plan Preparation for these three bridges in an amount of \$460,735.00. The additional costs to obtain the necessary Phase 1B Services for Project No. 71-21-05 will increase the cost of the contract in excess of the Executive Director's contracting authority and exceed 10% of the original contract amount, therefore requiring Commission authorization of the contract modification. Therefore, we are requesting Commission authorization to modify the Contract for Project No. 71-21-05 with IBI Group Engineering Services USA ("IBI"), of Canton, Ohio, in the aggregate not-to-exceed amount of \$556,095.00. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Authorizing Modification to the Contract with IBI Group Engineering Services USA to Perform Phase IB Services Under Project No. 71-21-05 for an Aggregate Not-to-Exceed Amount of \$556,095.00.

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

**MOTION:** A motion to adopt a *Resolution Authorizing Modification to the Contract with IBI Group Engineering Services USA to Perform Phase IB Services Under Project No. 71-21-05 for*

*an Aggregate Not-to-Exceed Amount of \$556,095.00* was made by Mr. Pakush, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 79-2022.

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

**Chief Engineer:** My second resolution for your consideration seeks the Commission's authorization of continuing expenditures for the Contract with TranSystems Corporation of Ohio (TranSystems), of Cleveland, Ohio, for a bridge deck replacement in Cuyahoga County and a bridge replacement in Summit County. TranSystems submitted the highest-ranking proposal for Project No. 71-19-04 and was authorized to perform Phase I design services under Commission Resolution No. 44-2019 and Phase IB design services under Commission Resolution No. 36-2020. TranSystems completed final design, the construction project was advertised as Project No. 43-22-05, and subsequently awarded to The Great Lakes Construction Company by Resolution No. 75-2021. A second modification was made to the contract under Resolution No. 4-2022 authorizing TranSystems to perform Phase II Construction Administration and Inspection Services for the construction project. The bridge replacement of State Route 21 was originally anticipated to be completed within 2022. However, after the construction project was awarded, the project schedule revealed that the entire bridge replacement of the State Route 21 structure could not be completed within the 2022 construction season. Phase 1, the northbound bridge, would need to be completed in 2022 and Phase 2, the southbound bridge, would need completed in 2023. TranSystems submitted a fee proposal dated September 19, 2022, in the not-to-exceed amount of \$497,911, to perform additional Phase II construction Administration and Inspection Services for work required beyond the original anticipated 2022 completion date through project completion in 2023. The Engineering staff has reviewed TranSystems proposal and finds it to be reasonable for the scope to be performed. These additional Phase II services to the TranSystems Contract under Project No. 43-22-05 results in the aggregate not-to-exceed amount for all services of \$1,454,401.00. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Authorizing a Modification to the Contract with TranSystems Corporation of Ohio to Perform Additional Phase II Construction Administration and Inspection Services Under Project No. 43-22-05 for a Total Aggregate Contract Amount of \$1,454,401.00.

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

**MOTION:** A motion to adopt a *Resolution Authorizing a Modification to the Contract with TranSystems Corporation of Ohio to Perform Additional Phase II Construction Administration and Inspection Services Under Project No. 43-22-05 for a Total Aggregate Contract Amount of \$1,454,401.00* was made by Secretary-Treasurer Barber, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 80-2022.

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

**Chief Engineer:** The third resolution for your consideration seeks the Commission's authorization for utilizing the Cintas Corporation for uniform rental and laundry services for maintenance employees and Office Services staff under the Ohio Department of Administrative Services ("DAS") Cooperative Purchasing Program. This service would be provided at the eight (8) maintenance facilities across the turnpike and the Administration Building from January 1, 2023, through July 31, 2025. The estimated cost for service over that period is \$215,000.00. 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 Uniform Rental and Laundry Services under the Ohio Department of Administrative Services ("DAS") Contract Schedule No. RS900118, Index No. GDC020, with Cintas Corporation of Strongsville, Ohio in the amount of \$215,000.00. with your permission, may the General Counsel please read the title of the resolution?

**General Counsel:** Resolution Authorizing a Contract with Cintas Corporation Under the DAS Cooperative Purchasing Program for Uniform Rental and Laundry Services for an Estimated Amount of \$215,000.00.

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

**MOTION:** A motion to adopt a *Resolution Authorizing a Contract with Cintas Corporation Under the DAS Cooperative Purchasing Program for Uniform Rental and Laundry Services for an Estimated Amount of \$215,000.00* was made by Vice Chairman Paradiso, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 81-2022.

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

**Chief Engineer:** My fourth resolution for your consideration is to reject the lone bid received for Project No. 43-22-06. This represented a Project for repair and rehabilitation of the Ohio Turnpike mainline bridge over the Cuyahoga River at milepost 176.9 in Summit County. On November 9, 2022, Procurement received one (1) bid in response to this Project. This bid was submitted by Catts Construction, Inc., Warrensville Heights, Ohio, in the amount of \$14,203,890.30 which is almost three times more the Engineer's Estimate. The Commission's design consultant for this project recommends this lone bid be rejected due to the extremely high amount over the Engineer's Estimate. The Engineer's Estimate was prepared through discussions with potential material suppliers, actual material quantity tabulations and historic unit pricing for those quantities, and historic bid pricing of similar scoped projects in a comparable geographic location and included bid pricing data from similar scoped contracts from the Commission. Furthermore, Engineering staff recommend rejection of the bid and re-advertising as soon as possible for 2023 construction. The Engineering and Procurement Department will work together to maximize the possibility of receiving multiple bids when the job re-advertises. The Commission may reject any and all bids (IB Section 3.4), which is also provided for in Section 5537.07(A) of the Ohio Revised Code. It is therefore recommended that the bid received for Project No. 43-22-06 be rejected. With your permission, may the General Counsel please read the title of the resolution?

**General Counsel:** Resolution Rejecting the Sole Bid Received Project No. 43-22-06.

**Chairman:** Any questions or comments?

**Representative Ghanbari:** When these bids are submitted, do these bidders have any knowledge of the other bids that have been submitted? For example, could this bidder potentially know that he or she was the only bid submitted for this?

**Chief Engineer:** Mr. Chairman and Representative Ghanbari, not to my knowledge, no. All bids are submitted through Bid Express, an inline bidding software that we use and they are publicly opened at that time. We don't even know if we have one bid, three bids, five bids.

**Representative Ghanbari:** So, they are sealed until the bid closes. Second question is, obviously, you are not the bidder, but do you have any understanding of why this was three times the amount of the Engineer's Estimate?

**Chief Engineer:** Mr. Chairman and Representative Ghanbari, so that is what we are in the midst of doing now. We've had conversations with a few different contractors that are capable of doing the work, including the bidder that submitted a bid on this project. We've had internal discussions with our staff, we've talked with our design consultant. We've identified about four or five different areas where there was significant discrepancies between what we were estimating through our design consultant and what we actually saw in that single bid and we are trying to get to a point where we are comfortable with the money that we are spending and the work we are getting to accomplish a project even if it does mean spending a little bit more. This is our most significant structure on the Turnpike. It is over 2,600 feet long and we need to maintain it, we need to make sure that we get this project awarded, we need to get a good contractor out there to do the work to ensure the long life of the bridge.

**Representative Ghanbari:** I guess my concern is, if there is only one bidder that comes back and it is the same bid again and they just tweak it a little bit, it kind of puts the Turnpike up against the wall where we have to authorize something that we just rejected. So, what checks and balances are in play so they just can't simply resubmit the same bid and if they are the only bidder how often, potentially, would we have to go back and reject it if no one else was to bid on it?

**Chief Engineer:** Mr. Chairman and Representative Ghanbari, it is kind of like déjà vu, we took that chance last year with one of our projects and the market just didn't work out at that time. We look at it in the same light, I guess, as the Chief Engineer for the Turnpike this is a project that we need to get accomplished. We will work with our design firm to make sure the scope of the project is accurately being provided and conveyed to the bidders that can submit the project. We will make necessary changes based upon discussions with the contractors to make it a more successful project for them while insuring we are getting what we need out of that bridge. So, again, if it does cost more, it is just going to have to be a price to pay for getting that bridge rehabilitated and in a maintenance condition that we need to have it in. We will again work with Procurement. There were several plan holders capable of doing this work, so we will work with them as well. We will make sure that we get a competitive environment when this goes back out.

**Representative Ghanbari:** You would just think with the economy, it seems to me that people that want to work are doing well and people who don't want to work aren't doing well, so I am just surprised that there was only one bid that comes in for a project of this scope considering how many people this would employ and considering the revenue it would generate here. So, thank you.

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

**MOTION:** A motion to adopt a *Resolution Rejecting the Sole Bid Received Project No. 43-22-06* was made by Chairman Hruby, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 82-2022.

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

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

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

**Chief Information Officer:** Good morning, Mr. Chairman and Members of the Commission. I have 1 resolution for your consideration this morning. It is for the final phase of the Toll Plaza Cameras Project.

You may recall that I have been in front of you two times earlier this year for toll plaza cameras. The first being in January, for Resolution 10-2022, which was for the purchase of cameras for the twenty toll plazas between Mileposts 52 and 209 that will make up the ticketed portion of our new Toll Collections System, and the second was in August, for Resolution 66-2022, which was for the purchase of Cameras for the new TP 4 Barrier Plaza and the TP 49 and 211 Mainline Plazas.

Before I get into the details of today's ask, I would like to give you a brief update on these ongoing installations.

I am happy to report that aside from the pan tilt zoom cameras, which are our pole and gantry mounted cameras, installation has been completed at 18 of the 20 toll plazas that will make up the ticketed portion of the new toll collection system. Installation at the remaining 2 sites and for some recently arriving PTZ cameras is slated to be completed following the Thanksgiving Holiday. We should have 4 of the sites completely installed by the end of year, with work to finish the remaining sites picking up very early next year. Equipment is starting to arrive for the new Toll Plaza 4 Barrier Plaza and the Toll Plazas 49 and 211 Mainline Plazas. We anticipate that installation associated with both phases will be completed by late Quarter 1/early Quarter 2 of 2023, barring any additional supply chain delays.

Today's ask is for final piece of the toll plaza camera system puzzle and includes the nine future non-tolled plazas located at the sites of what are today our Toll Plazas 13, 25, 34, 39, 215, 216, 218, 232 and 234, as well as Toll Plaza 239 which will undergo significant remodeling in

2023 to collect tolls in only the Westbound direction as part of its conversion to a barrier plaza as part of the new Toll Collection System.

Since the last time I was before you, members of the External Technology Task Force Camera group have continued to work with Toll Operations and the Toll Collection System Project Team to finalize a camera plan specific to these locations.

Camera System implementation planning for the nine future non-tolled plazas was delayed until a determination on the future states of the Plaza Utility Buildings was made. Once the decision was made to keep the buildings, the External Technology Task Force Group devised a plan to provide building surveillance utilizing four cameras per location, focusing on coverage of the building and the traffic moving through the interchange.

This system will replace the current FLIR camera system at these locations that was installed in 2009 as part of the TransCore Toll Collection System and represents a small reduction in the number of cameras at each location.

The Toll Plaza 239 design makes it unique when compared to our other Toll Plazas as in the future toll collection system revenue will only be collected in the Westbound direction and traffic will be free flow in the Eastbound direction with no toll lanes. This resulted in a camera implementation plan that is a hybrid between what was previously awarded for the twenty Tolled Plazas and the three new Toll Plazas. The External Technology Task Force Camera Group created a plan to provide building surveillance utilizing fourteen cameras focusing on coverage of the plaza utility building including front and rear doors, traffic moving through the interchange, ATPMs, collector crosswalks, and the back gate behind the plaza utility building.

These plans continue our support of the Commission's Key Objective to Improve Safety and Enhance Security by improving the monitoring of Commission Facilities using cameras and expounds upon our goal of pulling all the Commission's camera systems into a single Video Management platform with uniformity in camera models to ease operations, support, and future maintenance efforts.

Northwestern Ohio Security Systems, Inc. (NWOSS), of Lima, Ohio, who has assisted us with our previous Toll Plaza camera installations, submitted a proposal to furnish all required hardware, software licensing, professional services for installation at all locations, along with 1 year of Milestone Dashboard monitoring in the amount of \$386,692.47 for the nine future un-tolled plazas and \$68,386.68 for Toll Plaza 239 for a total amount of \$455,079.15.

This pricing is from NWOSS's State of Ohio Master Maintenance Agreement #7635 which is discounted between 25% and 30% off the manufacturer's list pricing, and they have included an additional 2% discount on all hardware from their MMA list price for this purchase.

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

**General Counsel:** Resolution Authorizing the Purchase and Installation of Cameras for Toll Plaza 239 and Nine (9) Un-Tolled Plazas from Northwestern Ohio Security Systems, Inc. in the Total Amount of \$455,079.15.

**Chairman:** Any questions or comments?

**Representative Ghanbari:** Thank you for your presentation. So, I understand that this pertains to the un-tolled plazas and the ticketed portion of the toll plazas, and I may have brought this up at a previous meeting but I would like to know if these cameras that the Commission is investing in also have the capabilities to serve as license plate readers? Given the fact that the Ohio State Highway Patrol, like other law enforcement agencies across the state are working through recruiting and retention challenges, I believe that license plate readers are force multiplier and one of the key take aways from your testimony that I noted here is that this investment is to improve the safety and increase the security of our Turnpike. So, license plate readers and when I mention that they serve as force multipliers, these allow officers to patrol and respond to other calls for service rather than simply staying stationary and keeping an eye out for a vehicle that may have been involved in some other type of crime and maybe that crime occurred in Detroit or somewhere else in the country but they happen to be taking the expedited way from point A to point B, which is our interstate, or in this case, the Turnpike, so these license plate readers would serve as a way for officers to quickly determine if one of these vehicles or suspects that they may be looking for entered our Turnpike. So, can you speak a little bit about license plate readers.

**Chief Information Officer:** Mr. Chairman and Representative Ghanbari, the short answer to your question is, no. The cameras that we are putting in at this phase of our camera installation do not have any license plate readers included in them. We started out basically with the blueprint to replace the existing camera system that we have that came in as part of the 2009 toll collection system. We've had to make some modifications to it, obviously, with the changing footprint of our toll landscape, particularly, the three new toll plazas that we are building and the nine plazas that are not going to be tolled. We are in a very close partnership with the State Highway Patrol with the use of license plate readers at several of our locations. We've started to have some conversations with them about the locations where those are placed today and if there is any kind of movement or anything that would need to be done as part of that. As future phases of our, I guess, overall camera plan, we have looked at potentially including those license plate readers at our service plazas which we are not talking about today, but you know those become a point where there is a lot of activity moving in and out of there, and we have back gates for exit off of the Turnpike, so we have started to look at them but it is kind of really at this point in time for us is going to be a future phase of what we would do.

**Representative Ghanbari:** So, the cameras that you are investing in without getting into all of the technical specifications of these, in simplistic terms, these are going to read plates as they pass through an area and then toll their tag that way? How are those cameras specifically going to work?

**Chief Information Officer:** Mr. Chairman and Representative Ghanbari, to talk about this specifically, any type of cameras that we are using for reading of license plates, those are completely separate and that would be part of our toll collection system implementation. This is

kind of a secondary project which is just doing surveillance of the plazas. So, the cameras that we are providing here are more for just the general video surveillance of the plaza used by the Toll Operations Department and the unattended plazas to make sure that our customers are able to get through lanes on the automated toll payment machines, so when they have difficulty exiting that our supervisors have the ability to see them. Added into this one, we are looking more at that plaza utility building so we are doing some coverage of parking lots and stuff that today are not covered, as well as front and rear doors of the plazas to make sure that the plazas stay secured and that our staff that is onsite is secured. Then we get into the new toll plazas, it is obviously new buildings, new footprints, we are making sure that areas like stairwells and the bridges and things that our employees that are moving through the facilities are able to be seen, so if they are walking from one side of the road to the other and they happen to have a trip or fall or have some type of medical issue, somebody sees them and knows that something happened and we are able to take action.

So, I guess the other part for the license plate reading portion of this, that actually goes into the toll collection system and that is really just being used for tolling purposes.

**Representative Ghanbari:** So, you are saying that it is being used for tolling purposes, so is that real time capture? If it is real time capture, what would preclude the Patrol from reaching out to the Commission and saying, we are looking for this in real time?

**Chief Information Officer:** Mr. Chairman and Representative Ghanbari, I just want to make sure that we are clear in this, what the proposal that I have today is more of the video surveillance, it is in real time, it is live that you are able to see, but we have no license plate reading capability as part of these cameras. The cameras that have the license plate reading are part of the toll collection system where it is designed to collect tolls. It is not necessarily taking pictures and using it of all videos, it is just basically not looking for violators and stuff, it is for toll collection purposes.

**Representative Ghanbari:** So, these cameras that you are going to install, are those going to be monitored in real time? All we have to do is look at the news a few weeks ago and saw what happened in California with cameras that were on the Speaker's house that should have probably been being monitored and they weren't. That crime or that incident wasn't picked up on right away, so who will be monitoring these specific security cameras at the plazas?

**Chief Information Officer:** Mr. Chairman and Representative Ghanbari, this is actually kind of a hybrid model for us as to who is actually looking at the cameras. So, obviously the cameras are recording all the time when there is action going on. They are being monitored both by our Communications Center, our 24-hour Comm Center has access to the cameras, as well as the Toll Operations staff. So, in today's world with the existing camera system it is primarily the Toll Operations staff that is monitoring these unattended plazas looking for unusual activities and things and if they see something, they take the appropriate action to make sure that the Highway Patrol is notified if it is Patrol related, or if it is just a customer in a lane that is having an issue that we need to try and assist.

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

**MOTION:** A motion to adopt a *Resolution Authorizing the Purchase and Installation of Cameras for Toll Plaza 239 and Nine (9) Un-Tolled Plazas from Northwestern Ohio Security Systems, Paradiso in the Total Amount of \$455,079.15* was made by Mr. Pakush, seconded by Vice Chairman Paradiso, and approved by all Commission Members present. Resolution No. 83-2022.

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

**Chief Information Officer:** That completes my report, Mr. Chairman.

**Chairman:** Thank you. We will move on to the report of the Training and Development Manager, Lauren Hakos.

**Training and Development Manager:** Good morning, Chairman and Commission Members. I am Lauren Hakos, the Commission's Training and Development Manager and I am part of the Human Resources Department.

I'm here this morning to present a resolution for your consideration. The resolution is for Cornerstone On Demand, which is an online learning management system or LMS, as it's commonly referred. An LMS allows us to roll out training courses and assignments to all of our employees along our 241-mile roadway. These courses included everything from policy read & signs to safety and compliance. It includes "how to" courses, best practices, and tutorials from Human Trafficking Awareness to Cybersecurity. I've recently issued Diversity, Equity and Inclusion training to all employees as part of our DEI initiatives, and for our Safety Services Department I have issued Naloxone (or Narcan) training to all employees.

The learning management system provides a cohesive, consistent, and efficient tool for providing training and development opportunities for all of our employees, and it is done so in a way that provides easy distribution, maintenance and tracking abilities for compliance.

Online learning is a multibillion-dollar industry serving global customers from Fortune 500 companies and beyond. We were fortunate enough to implement this technology back in 2019, just prior to the COVID-19 pandemic, which really served us well because we were able to continue providing learning and training and remaining compliant during a time when in-person training was not an option.

We have been very pleased with the Cornerstone On Demand product and it is widely known and used by many companies and agencies around the world, including Travel Centers of America, Walgreens, Dell, Hyatt and many more. In doing my research as part of a comprehensive review of other learning management systems, I was unable to find another vendor's LMS that exceeded what Cornerstone currently offers to us and they are competitively priced. The pricing information from the three vendors is also included in your packet.

Similarly, the process by which it takes to get an LMS up and running from concept to launch is extensive. Because we have used Cornerstone in the past, that work is already complete, which minimizes time and cost.

The LMS vendors I researched all use a “follow the sun service” meaning they may have IT or customer service personnel located outside the United States who can provide ancillary services in support of the LMS. The Commission’s services agreements are subject to two executive orders that limit the expenditure of public funds for services performed outside the United States, including data storage. However, Cornerstone has confirmed that its all of its data storage is based in the United States and limited customer or technical support is located both inside and outside of the United States. For this reason, Commission staff worked with the Ohio Department of Administrative Services (DAS) Office of Legal Services and received a waiver to be able to proceed with a contract with Cornerstone. We were advised by Ohio DAS that waivers are often approved for contracts with “follow the sun services” since it is a common part of today’s technology-based services and that service from Cornerstone is considered secondary to the main product; the main product being the LMS that we are seeking to purchase.

Based on this information, I am recommending approval of the Cornerstone On Demand contract so that we can continue providing timely and important training to our employees including videos and tutorials about operating our new Toll Collection System for toll plaza staff, as well as new hire training for those joining our *#TurnpikeProud* team, in addition to the other training I’ve previously mentioned and countless others that I haven’t.

With your permission, would the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Authorizing the Selection of Cornerstone OnDemand, Inc. for a Learning Management System in the Not-To-Exceed Amount of \$299,645.21.

**Chairman:** Lauren, you mentioned companies that are currently using this program, can you run by those again, please?

**Training and Development Manager:** Sure, Travel Centers of America, Walgreens, Dell, Hyatt, just to name a few.

**Chairman:** Is that from all levels of management from the Director down?

**Training and Development Manager:** Yes, correct.

**Chairman:** Is this done electronically, a Zoom type thing?

**Training and Development Manager:** Mr. Chairman, yes, it is in the cloud service, so it is issued in a platform that it is in the cloud, so our employees are able to access it from laptops located at various locations or from their desktop.

**Chairman:** Is this something that will be required of the employees or is this something that is voluntary.

**Training and Development Manager:** Mr. Chairman, most of the classes we implement are required training. They do have the option to look through a catalog and we do

often have recommendations for training to be assigned by managers and supervisors, but primarily it is required.

**Chairman:** It is required and who decides that?

**Training and Development Manager:** It is decided by the department directors. Oftentimes, it is initiative based, we have a lot of DEI compliance so those sorts of trainings are issued at the discretion of the directors or the various task force leaders, so that is primarily the reason.

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

**Director Ahmed:** Mr. Chairman, just to add a couple of examples. Our Safety Services Manager will look at all the safety courses that he feels that Commission employees need to take and will assign those courses to people. Matt will look at things in terms of diversity and inclusion, human resources training or those types of training that he feels is necessary is important for employees. Chriss, for example, would assign job related trainings to his employees.

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

**MOTION:** A motion to adopt a *Resolution Authorizing the Selection of Cornerstone OnDemand, Paradiso for a Learning Management System in the Not-To-Exceed Amount of \$299,645.21* was made by Vice Chairman Paradiso, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 84-2022.

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

**Training and Development Manager:** Thank you.

**Chairman:** We will move on next to the report of Director of Administration, Matt Cole.

**Director of Administration:** Thank you, Mr. Chairman and Commission Members. I have three (3) resolutions for your consideration this morning. As all my resolutions are related to the authorization of awarding contracts for Group Benefits to Commission employees, with your permission, I would like to present them together.

In October 2016 and subsequently in February 2020, the Commission executed a contract with Arthur J. Gallagher & Company to perform health care consulting services to assist the Commission with ongoing marketing, administration, and renewal of all group benefits for Commission employees.

Gallagher, on behalf of the Commission, issued three (3) RFPs to multiple carriers to select an outside party to provide benefits for Commission employees as follows: 1) Self-Insured Group Health Benefits including Major Medical, Hearing, and Prescription Drug coverage and Fully Insured Group Stop Loss coverage; 2) Fully Insured Group Dental Benefits and Self-Insured

Group Vision coverage; and 3) Fully Insured Group Life and AD&D Insurance and Voluntary Supplemental Life and AD&D Insurance.

For reference, self-insured plans is where the Commission collects premiums from employees and assumes the responsibility of paying employees' and their dependents' medical claims. The Commission contracts for insurance administration services such as enrollment, claims processing, and provider networks with a third-party administrator. In fully insured plans, the Commission pays a per-employee premium to an insurance company, and the insurance company assumes the risk of providing coverage for covered insured events.

Gallagher and the Commission's Evaluation Team conducted an analysis of carrier proposals. This careful analysis included a review and comparison of rates, terms, and stipulations (some offers were not firm and required September 2022 claims data). Each carrier's proposed benefit plan design with all RFPs stipulating that quoting carriers must match current benefit plans. Any deviations were identified and determined if significant or insignificant. The assessment process for medical and pharmacy coverage also included an analysis of medical provider disruption, pharmacy formulary disruption, discounts, and pharmacy rebates. For dental coverage, there was also an analysis of dental provider disruption and a comparison of coverage values for a number of common dental procedures. Also evaluated were discount guarantees, performance guarantees, and other offerings such as the wellness fund.

The stop loss analysis included a review of stop loss-loss ratio history, comparing higher stop loss thresholds vs. potential premium savings (\$250,000 vs. \$275,000). Claims projections, developed by both the carrier and Gallagher are analyzed and in conjunction with expected fixed costs and used to determine recommended funding rates for the medical plans. Gallagher negotiated with carriers to reduce fees and premiums and/or improve terms, if possible. All but one carrier declined to quote stop loss because they could not provide competitive rates. We had a lot of issues with stop loss this year. Stand-alone stop loss carriers declined to quote because of high claimant activity and potential risk.

Based on the information provided, I recommend the Commission enter into agreements based upon the three resolutions before you for your consideration:

With our current provider, Medical Mutual for Medical/Prescription Drug, Vision, Hearing, Dental and Stop Loss Coverage inclusive of the following:

- Medical Administration Fee: Accept a renewal with 3-year renewal guarantees of no increase for 2023, 2024 and 2025 and with 2026 and 2027 capped at +3% for a total of \$1,614,768.00.
- Prescription Drug Administration Fee: Accept a renewal with 2-year renewal guarantees for 2024 capped at +5.5% and 2025 capped at +3.4% for a total of \$64,045.00.
- Vision Administration Fee: Accept a renewal with 2-year renewal guarantees of no increase for 2024 and 2025 for a total of \$7,773.00.

- Hearing Administration Fee: Accept a renewal with 2-year renewal guarantees of no increase for 2024 and 2025. Cost included with the above Medical Administration Fee.
- Stop Loss Insurance: Accept a 1-year renewal for 2023 for a total of \$737,290.00.
- Dental Insurance: Accept a 2-year renewal with rate guarantees for 2023 and 2024 totaling \$1,236,808.00.

With our current provider, Minnesota Life for Basic and Supplemental Life and AD&D Coverage inclusive of the following:

- Accept a renewal with 3-year rate guarantees of no increase for 2023, 2024 and 2025 totaling \$168,558.00. This constitutes a 6.06% decrease in the annual premium.

As a result of a substantial increased claims history over the last 20 months, especially in 2022, the Commission is proposing a 12% increase in employee contribution rates for all plan types for 2023. We have not increased funding rates since 2018. This will affect both bargaining and non-bargaining unit employees equally. We hope to reduce the employee contribution in future with better claims history.

With your permission, Mr. Chairman, if the General Counsel would please read the titles of all three resolutions.

**General Counsel:** Resolution Authorizing the Award of Self-Insured Employee Benefit Group Health Benefits Plan Administration with Stop Loss Insurance to Medical Mutual of Ohio, I

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

**MOTION:** A motion to adopt *Resolution Authorizing the Award of Self-Insured Employee Benefit Group Health Benefits Plan Administration with Stop Loss Insurance to Medical Mutual of Ohio, I* was made by Mr. Pakush, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 85-2022.

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

**General Counsel:** Resolution Authorizing the Award of Fully Insured Employee Group Dental Plan and Self-Insured Employee Group Vision Plan to Medical Mutual of Ohio, I

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

**MOTION:** A motion to adopt *Resolution Authorizing the Award of Fully Insured Employee Group Dental Plan and Self-Insured Employee Group Vision Plan to Medical Mutual of Ohio, I*

was made by Chairman Hruby, seconded by Secretary-Treasurer Barber, and approved by all Commission Members present. Resolution No. 86-2022.

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

**General Counsel:** Resolution Authorizing the Award of Employee Group Life and AD&D, and Voluntary Supplemental Life and AD&D Benefit Plans to Minnesota Life Insurance Company.

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

**MOTION:** A motion to adopt *Resolution Authorizing the Award of Employee Group Life and AD&D, and Voluntary Supplemental Life and AD&D Benefit Plans to Minnesota Life Insurance Company* was made by Secretary-Treasurer Barber, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 87-2022.

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

**Director of Administration:** That completes my report, Mr. Chairman.

**Chairman:** We will move on to the report of the Chief Financial Officer, Lisa Mejac.

**Chief Financial Officer:** Thank you, Mr. Chairman. I have a brief update on our traffic and revenue for the month of October this morning, followed by a summary of the recent 2022 Series A bond refunding transaction that closed last week. Then I plan to review the new Toll Rate Schedules for the new toll system in 2023.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike since the beginning of 2019.

Passenger car vehicle miles traveled were down 0.5% from October of last year and up 0.9% from October of 2019. There was one additional weekend day this year than in 2021 and two additional weekend days this year than in 2019.

Commercial traffic decreased 3.2% in October when compared to the month of October of 2021. It was up 9.5% from October of 2019. There was one less weekday this year than 2021 and two less weekdays this year than in 2019.

The change in passenger car traffic caused passenger car toll revenues to decrease 1.2% from October of last year and increase 3.5% from October of 2019.

The decrease in commercial traffic combined with the toll rate increases caused commercial vehicle toll revenues to decrease 1.0% from October of last year and increase 17.0% 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 approximately \$10.4 million or 3.6% above the amount from last year and approximately \$36.7 million or 14.1% above the amount from 2019.

Next, I'd like to update you on the recently closed 2022 Series A Junior Lien bond refunding transaction. We sold \$310,220,000 in refunding bonds back in February on a forward delivery basis with delivery scheduled for November 17<sup>th</sup>. Last Thursday, we successfully closed the transaction. On the screen, you can see that the Commission refunded the remaining 2013 A-1 and A-3 Junior Lien bonds which had a par value of approximately \$359.8 million and an average interest rate of 5.26%. The Commission issued \$310.2 million in new bonds with a yield to maturity of 2.81% and a yield to the call date of 2.33%. All in all, the market worked in our favor. We were able to lock in favorable rates in February of this year, along with favorable investment rates this month for the money deposited in the 90-day escrow account for the 2013 bonds that will be called on February 15, 2023.

Overall, it was a successful transaction and this will reduce the Commission's future Junior Lien debt service payments by approximately \$92.3 million dollars which is a net present value savings of \$75.3 million or 20.9% of refunded par.

This next slide shows you our annual debt service funding totals for both our Junior Lien and Senior Lien bonds. The \$92.2 million in refunding savings is spread throughout the life of the Junior Lien bonds from 2023 through 2043. Note the Junior Lien bonds will be fully paid off in the year 2048, and the annual debt service requirements gradually increase in the upcoming years.

Total debt service annual funding for the Ohio Turnpike peaks at \$155.5 million in the year 2036, then gradually drops back down through the year 2051.

Mr. Chairman and Members of the Commission, at this time, the General Counsel and I would like to review the new Toll Rate Schedules, along with the Administrative Code changes that will go into effect when we go-live with the new toll system in 2023.

As you see on this slide, our new toll system is a hybrid flat-rate barrier and distance-based ticketed system that will incorporate Open Road Tolling, also known as ORT. Our *E-ZPass* customers will be able to travel at highway speeds without stopping through designated *E-ZPass* lanes across the entire length of the Turnpike. From left to right on this map, you see what our toll plazas will look like in 2023. As you know, two new mainline barrier toll plazas are being constructed at TP49 and TP211. These two plazas will be the ends of the middle section of our road that will be the closed ticketed system. In the west, we are constructing a new toll plaza at TP4. TP4 will be the Westgate Barrier Plaza. This will be a flat-rate barrier plaza. In the east, TP239 is being converted to the Eastgate Barrier Plaza. This will also be a flat-rate barrier plaza. The map up on the wall behind you also shows where the new barrier toll plazas are located. There will be 9 toll plazas in the east and the west that will be shut down and no longer have tolls. However, access will be maintained at each of these interchanges. These plazas include TP13, 25, 34, 39, 215, 216, 218, 232, and 234. So, in total we will go from 31 toll plazas down to 24 toll plazas.

On the next slide, you see our updated Vehicle Classification chart. Vehicles are classified according to the height of the vehicle over the first two axles, the total number of axles, and the length of the vehicle.

Our current system has 7 classes. With the new toll system, we will be adding an additional Class 8 that will be for all vehicles greater than 90 feet in length. Long Combination Vehicles are also known as LCV's. These vehicles are greater than 90 feet in length and require a special LCV transponder. We currently charge \$12 per trip that is added to their toll for Classes 6 and 7. With the new toll system, we plan to break out this toll revenue into a separate Class 8. Since the new ORT toll system will not have scales upon entry to detect overweight vehicles and will not have gates upon entry to stop them, there will be sensors that will measure the length of the vehicle in order to charge the additional \$12 per trip for vehicles greater than 90 feet long.

Now, I am going to pass it over to Jennifer to discuss the Administrative Code changes that will be needed for the new toll system.

**General Counsel:** Thank you Mr. Chairman and Commission Members, as discussed at the September Workshop, Senate Bill 162 amended the Turnpike Ohio Revised Code Section. The Ohio Revised Code sets forth the law as it applies to the Turnpike and to those who drive the Turnpike.

The Ohio Administrative Code is a compilation of administrative rules adopted by the various state agencies. The administrative rules provide further instruction and details about the law. Once the law changed, we needed to update the Administrative Code Rules, as well.

Over the next few slides, I would like to highlight some of the significant changes to the Administrative Code. I will be bringing these changes to you during my report, as well. On this slide we will walk through some of the changes to the definitions and I promise on the following slides, we will not go through all of the redlines because there is less significant changes in the sections. However, in Administrative Code Section 5537-1-01, we did make changes to four definitions that will have some impact. We added a definition of a "passenger vehicle" as we did not previously have this identified. This will be important for the various toll schedule classes that Lisa was just talking about. "Passenger vehicles" will now be defined as meaning, "every motor vehicle with motive power, design for carrying ten persons or less, measuring 7 feet and six inches in height as measured over the first two axles and having only two axles. We also updated the definition to "Vehicle class." Previously, we had this defined as, "a vehicle measured when entering and exiting the turnpike." However, under the new toll collection system, as discussed, there will be some unmanned toll plazas and therefore, we are defining vehicle class based on the manufacturing and status of the vehicle rather than the view of it as it enters or exits the Turnpike. "Unpaid toll" definition has also been updated to include the language, "that it is not associated with any *E-ZPass* account." This was necessary so that we could distinguish that toll class from our other toll class which will be new which is what we will be calling the "Video toll." The "video toll" will be the toll schedule rate applied to an *E-ZPass* customer, who travels through and *E-ZPass* only and an *E-ZPass* transponder is not detected. However, we will be able to determine the customer's license plate and determine that it is registered to a customer's *E-ZPass*

account. The image review processor will capture the license plate and the transaction will be correlated to the customer's *E-ZPass* account. Thus, requiring a change in the definition and including that new video toll rate.

We will be discussing the unpaid toll schedules and video toll schedules later in this presentation. We are also updating 5537-2-17 "Stops at toll plazas." The reasoning for this change is because we needed to update the title from "Stops at toll booth" to "toll plazas." Additionally, we added in language to address those customers who are traveling within the closed ticket system or the barrier system if they have valid transponder will no longer be required to stop. They will be instructed to lower their speed but will be able to maintain the travel as they go through those plazas.

As Lisa indicated, we do have an eighth vehicle class now, which required an administrative code change to 5537-3-01, 5537-3-05, updating the definitions of over dimensional vehicles and the requirements that we will have internally for those permit applications.

Finally, some of the more significant changes that you will see in the Administrative Code center around 5537-4-01 through 5537-4-07 and 5537-8-01. These changes are all in relation to electronic toll monitoring system and include the ability for the Commission to use electronic monitoring to determine the owners of vehicles passing through the lanes. These sections will also detail the invoicing of vehicles with unpaid tolls or video tolls. The sections will also address the timing of invoices and discuss administrative fees and changes. Finally, these sections detail the charges that may be assessed as well as updates to additional means of video monitoring.

At this time, I am going to turn it back to Lisa to talk about the different means that a customer will have to pay when passing through the various lanes based on the schedules.

**Chief Financial Officer:** This next slide shows the four ways that a customer will be able to pay their tolls. The first method is *E-ZPass* for travel using a valid *E-ZPass* transponder. The second is Video *E-ZPass*, also known as a V-Toll. This is for travel with a license plate that is linked to a valid *E-ZPass* account. In this case, a customer would travel through an *E-ZPass* only lane without their transponder or if their transponder was improperly mounted and did not read. Our toll system would capture an image of the customer's license plate with cameras that use Optical Character Recognition, also known as OCR. The image may also have to go through our contracted Manual Image Review process to properly identify the license plate number, state and type. The system would then successfully match the license plate to a valid *E-ZPass* account, and a V-Toll transaction would be applied the customer's *E-ZPass* account.

The next toll payment method is that customers will be able to pay with cash or a valid credit card or debit card networked with a major credit card. All our toll plazas will still have dedicated cash/credit card lanes in which a customer can travel through upon exit.

The last method is an Unpaid Toll payment when a customer improperly travels through an E-Pass only lane without a valid *E-ZPass* transponder and their license plate is not linked to a valid *E-ZPass* account. On the next slide, I will discuss various ways the customer will be able to pay in this case.

As you see here, the customer has a 14-day grace period to proactively pay for their unpaid toll before an invoice is mailed out. The customer has two options. First, they can go online to our [ezpassoh.com](http://ezpassoh.com) website within 14 days after travel and select the “Missed Toll” option. Note customers can easily access the [ezpassoh.com](http://ezpassoh.com) website through our main webpage at [www.ohioturnpike.org](http://www.ohioturnpike.org). There will also be signs along the Turnpike that will provide customers with this information, and I will show examples of the signs in a moment.

The other option customers will have to pay their unpaid toll is that they can call our Customer Service Center to either speak with a Customer Service Center Representative during our normal business hours or go through the IVR system to pay their toll.

If we do not proactively hear from the customer within the 14-day grace period, we will contact the appropriate state Department of Motor Vehicles to obtain the customer’s name and address using the license plate information captured by our new toll system. Then we will mail an Unpaid Toll invoice on Day 15.

When a customer receives an invoice in the mail, they will have the same two options that I previously mentioned. They can either go online and select the “Received invoice (by mail)” option or they can call our Customer Service Center.

It is also important to mention that the invoice mailed on Day 15 will not include any fees.

Here you can see a screen shot of our [ezpassoh.com](http://ezpassoh.com) website where the customer has the various options to select when they either missed paying their toll, if they received an invoice in the mail, or if received a Manual Unpaid Toll Ticket Notice in the lane.

This next screen shows various signs that will be posted along the Turnpike and near the toll plazas to help instruct customers to go online and pay their toll at our [ezpassoh.com](http://ezpassoh.com) website.

**General Counsel:** Additionally, as you can see in the upper right hand corner of the screen, we will have other signs indicating if there an intentional toll evasion. This is not a change to our current Administrative Code. We have always had the ability to charge those for toll evasion. Particularly, with the open lane tolling system, we have learned from neighboring states and others who use this that there are some attempts at toll evasion including shading a license plate or using some other mechanical form to disguise their license plate, so we are not able to match it. If we aren’t able to determine that someone is intentionally taking those actions, we will be able to use the Administrative Code to assess those fines and violations.

**Chief Financial Officer:** Moving on to our toll schedules, I’d like to explain how tolls on the Ohio Turnpike are determined based on vehicle classification and distance traveled. Tolls for travel within the ticketed system are calculated for each classification by multiplying the rate per mile for that classification by the mainline mileage traveled. From state border to state border our road is 241.2 miles long. Tolls are rounded to the nearest quarter and distance traveled on interchange ramps are not considered in the calculation of tolls.

The tolls at the TP4 Westgate Flat Rate Barrier Plaza are calculated using the mileage from the Indiana border at Milepost 0 to Milepost 32.2.

The tolls at the TP239 Eastgate Flat Rate Barrier Plaza are calculated using the mileage from the Pennsylvania border at Milepost 241.2 to Milepost 220.8, which assumes a round trip since tolls will only be collected in one direction heading westbound entering into Ohio for this Barrier Plaza. We will not be charging a toll heading eastbound exiting Ohio before entering into Pennsylvania since Pennsylvania is only charging in one direction for travelers heading east into the state.

Tolls for vehicles passing through the TP49 Swanton ticket system barrier toll plaza are calculated using Milepost 32.2 and tolls for vehicles passing through the TP211 Newton falls ticket system barrier toll plaza are calculated using Milepost 220.8.

With the new toll system, we will have four sets of Toll Rate Schedules. These include the following:

- 1) *E-ZPass* Toll Rate Schedules for all eight Classes
- 2) Video *E-ZPass* Toll Rate Schedules for all eight Classes
- 3) Cash/Credit Card Toll Rate Schedules for all eight Classes
- 4) Unpaid Toll Rate Schedules for all eight Classes

Next, I'd like to walk through a few examples of the various tolls a customer will receive through the new system.

Now I would like to walk through several toll scenarios for full length trips. These rates are based on the previously approved toll rate increases for 2023.

The first example I'd like to go through is a customer traveling a full-length trip from west to east, from the Indiana border to the Pennsylvania border. You can see the orange arrows on the map showing the two locations that customer will be charged tolls. The first scenario is an *E-ZPass* trip for a Class 1 Vehicle entering at the TP4 Westgate Barrier Toll Plaza. The customer will travel through a highway speed *E-ZPass* only lane and will pay a flat rate \$2.00 toll. Then they will enter the ticketed system through a highway speed *E-ZPass* lane at TP49 Swanton Barrier Toll Plaza and exit the ticketed system through a highway speed *E-ZPass* lane at the TP211 Newton Falls Toll Plaza where their *E-ZPass* account will be charged \$11.50. When they pass through the TP239 Eastgate Barrier Toll Plaza, they will not be charged a toll. Remember when heading into Pennsylvania, the PA Turnpike charges a one-way toll going into the State. So, in total, for a full-length *E-ZPass* trip, the customer will pay \$13.50.

Now if there was not an *E-ZPass* transponder read at TP4 Westgate Barrier or upon exit at the TP211 Newton Falls Barrier Toll Plaza, but our system was able to successfully match the customer's license plate to a valid *E-ZPass* account, the total tolls at the V-Toll rate will be \$15.50.

Next, for a customer who travels the exact same full-length trip and pays with cash or a credit card, they will enter at the TP4 Westgate Barrier Toll Plaza and will pull into a cash/credit card lane and pay a flat rate \$3.00 toll. Then they will enter the ticketed system at TP49 Swanton barrier plaza through a cash/credit card lane and pull a ticket. They would proceed to exit the ticketed system at TP211 Newton Falls, exit in a cash/credit card lane and pay a toll for \$16.75. As they continue to travel eastbound, they will pass the TP239 Eastgate Barrier Toll Plaza, and they would not have to pay a toll. So, in total, for a full-length cash/credit card trip, the customer will pay \$19.75.

Now if a customer travels through an *E-ZPass* only lane and there was not an *E-ZPass* read upon exit and the identified license plate was not linked to a valid customer account, the customer would have the following unpaid tolls: \$4.00 flat rate toll at the TP4 Westgate Barrier Toll Plaza and \$17.75 at the TP211 Newton Falls Toll Plaza. The total tolls would be \$21.75. Later Jennifer will discuss Unpaid Toll in further detail as part of her presentation.

The next set of toll scenarios I'd like to walk you through are full length trips traveling from east to west, from the Pennsylvania border to the Indiana border. You can see the orange arrows on the map showing the three locations that customer will be charged tolls. The first scenario is an *E-ZPass* trip for a Class 1 Vehicle entering at the TP239 Eastgate Barrier Toll Plaza. The customer will travel through a highway speed *E-ZPass* only lane and will pay a flat rate \$2.50 toll. They will enter the ticketed system through a highway speed *E-ZPass* lane starting at TP211 Newton Falls Barrier Toll Plaza and exit the ticketed system at the TP49 Swanton Barrier Toll Plaza through a highway speed *E-ZPass* lane and their *E-ZPass* account will be charged \$11.50. When they exit at the TP4 Westgate Barrier Toll Plaza, they will be charged a flat rate \$2.00 toll. So, in total, for a full-length *E-ZPass* trip, the customer will pay \$16.00.

Now if there was not an *E-ZPass* transponder read at TP239 Eastgate Barrier or at the TP49 or TP4 Barrier Toll Plazas, but our system was able to successfully match the customer's license plate to a valid *E-ZPass* account, the total tolls will be \$19.00.

Next, for a customer who travels the exact same full-length trip and pays with cash or a credit card, they will enter at the TP239 Eastgate Barrier Toll Plaza and will pull into a cash/credit card lane and pay a flat rate \$3.75 toll. They then will enter the ticketed system at TP211 Newton Falls Barrier Toll Plaza through a cash/credit card lane and pull a ticket. They would proceed to exit the ticketed system at TP49 Swanton, exit in a cash/credit card lane and pay a toll for \$16.75. As they continue to travel westbound, they will exit at the TP4 Westgate Barrier Toll Plaza and will pay a flat rate \$3.00 toll. So, in total, for a full-length cash/credit card trip, the customer will pay \$23.50.

Now if a customer travels through an *E-ZPass* only lane and there was not an *E-ZPass* read upon exit and the identified license plate was not linked to a valid customer account, the customer would have the following unpaid tolls: \$4.75 flat rate toll at the TP239 Eastgate Barrier Toll Plaza, \$17.75 at the TP49 Swanton Toll Plaza, and a \$4.00 flat rate toll at the TP4 Westgate Barrier Toll Plaza. The total tolls would be \$26.50.

Here on the screen, you see toll scenarios for the same trips that I reviewed with you on the previous slide, however these are the Class 5 vehicle toll rates based on the previously approved toll rate increases for 2023.

Now I will turn it back to Jennifer to discuss the billing and invoicing of unpaid tolls.

**General Counsel:** So, as we discussed, those unpaid tolls are those scenarios where a customer drives through the *E-ZPass* only lane but does not have a valid transponder. In September, we discussed this process with a timeline of when a customer would receive the invoices. On this slide, you can see that we view day one as the day that the customer drives through the *E-ZPass* only lane. Days 1-14, as Lisa mentioned, the customer will have the ability to go online and pay those unpaid tolls. Additionally, in days 1-14 the customer will have the option of calling the Customer Service Center or paying through IVR. On day 15, we will review the license plate and send out an invoice to the customer. Between days 15-44, the customer will have the option to pay the invoice that was mailed to them. Again, they will have the option of paying online or calling the Customer Service Center. In days 15-44, there are no late charges assessed to the customer. On day 45, the second invoice will be mailed to the customer. At this time there will be a late fee of \$5.00 for each transaction. In the September Workshop we did discuss adding the late fee to the customer's invoice at the time of the second invoice. At that time, we discussed a one-time \$5.00 late fee. However, our outside consultant did inform us that they base their revenue projections on assessing a \$5.00 late fee per toll or per transaction. I will illustrate how this will work in the upcoming slides. Between days 45-74, the customer will have the same options to pay their invoice, either online or through the Customer Service Center. The final invoice will be mailed to the customer on day 75 and the customer will again have the same options of paying online or through the Customer Service Center. However, if after 105 days, the customer has not paid the invoice or disputed the invoice or be in a pending appeal, then the account can be sent to collections through the Attorney General's Office or referred to the Bureau of Motor Vehicles for a registration hold.

This will be an example of what the second invoice that would be mailed to the customer and what that would look like. This shows the various means that Lisa just discussed and how those various toll plazas will show up on their invoices. This is looking as if the customer is driving from the Pennsylvania/Ohio border across the state and exiting at the Ohio/Indiana border. Again, this is for the unpaid toll schedule, so someone not having a valid *E-ZPass* account. The customer will enter and will have that barrier rate of \$4.75 assessed. The \$5.00 late fee will be assessed at this point, again, this is at the second invoice, meaning that the customer has not made payment from the first 14 days after driving through the lane or after receiving their first invoice.

The next line on this invoice shows that closed ticketing system. In this, If they were to enter at 211-Newton Falls and exit at 49-Swanton, they would have an unpaid toll rate fee of \$17.75 with again the late fee added on.

Finally, you will have the last barrier toll at Westgate of \$4.00 and a late fee. So, for an individual who is driving through an *E-ZPass* lane without a valid *E-ZPass* account, the total amount due after 45 days would be \$41.50. I don't have the invoices for the third invoice or final invoice, but I did want to note that there will not be a continuation of late fees meaning that they

will not continue to accumulate. So, the third invoice would have the same amount due as well as the final invoice.

Now, these fees, including the toll schedules and any late fees, are not spelled out specifically in the Administrative Code. So, if you look through those redlined notes that I sent to the Commission Members, you will not see these fees spelled out rather all of these fees are detailed in the published toll rate schedules. This again is just a slide that will depict the various ways and time periods that a customer will receive their invoices and the fees that will be assessed at each point.

The first invoice mailed out day 15, shows there are no additional fees added. The second invoice mailed at day 45 will have that \$5.00 late fee added to each toll that remains unpaid. That third invoice or final notice will be mailed on day 75. It will have the same balance that was due and owing on day 45 if no payments have been made. Now, looking ahead if we still do not receive a payment, at day 90 we do have the option of referring Ohio license plates to the Bureau of Motor Vehicles to have that registration hold placed on the vehicles. Also, at day 90 for both in state and out-of-state drivers, we have the ability to refer that account to collections to assist the Commission with collecting any unpaid toll amounts at that time.

That concludes our presentation. We would be happy to answer any questions.

**Chairman:** Any questions?

**Representative Ghanbari:** Thank you, Mr. Chairman. On the V-toll piece, is there an extra cost if someone uses a V-toll over an *E-ZPass* because you had mentioned someone may have to manually go and review that?

**Chief Financial Officer:** Mr. Chairman and Representative Ghanbari, the way that the toll rate is calculated is that for *E-ZPass* rates we add \$1.00 for Classes 1-3, and \$2.00 for Classes 4-8.

**Representative Ghanbari:** Do other states that honor the *E-ZPass* also offer V-toll?

**Chief Financial Officer:** Yes, V-toll is common throughout the Inter Agency Group.

**Representative Ghanbari:** I know we are getting into the weeds on some of these things, is it 14 calendar days or 14 business days?

**Chief Financial Officer:** It is 14 calendar days.

**Representative Ghanbari:** Is that articulated in the stuff that you are sending to JCARR?

**General Counsel:** So, we do have days within our Administrative Code already spelled out on how we review days internally.

**Representative Ghanbari:** When you talk about vehicles from other states that travel here that may be a violator, you mentioned the ability to reach out to their Bureau of Motor Vehicles, what authorities does the Turnpike Commission have to reach out to the Bureau of Motor Vehicles or are you using the Ohio State Highway Patrol, or the Attorney General's Office? The second part of that question is, how do you coordinate that with rental car agencies to figure out who is renting a car at the time?

**General Counsel:** Mr. Chairman and Representative Ghanbari, we are entering in a Memorandums of Understanding (MOUs) with the various states surrounding us to enable us to review the Bureau of Motor Vehicles for those other states. So, those MOUs spell out when we can send over a plate to be reviewed and the information will be provided back to us. Each state is slightly different, but we are typically receiving the name and address of either the registered owner or if it is a lessee, we will get the information as well too. That information will come back to us and that will help us with those out-of-state drivers. With regard to the dealer plates or rental car plates, those are a different category that we are dealing with within our MOUs, so if we do receive information back from the Bureau of Motor Vehicles that it is a rental car agency, we will be in contact with those various rental car agencies to indicate that there is an unpaid toll amount on the account and that it is our understanding that the rental car agencies will then go to the driver at time period and seek collection from them.

**Representative Ghanbari:** Okay, I understand there is no late charges that would be added, what about a processing fee because if you are going to be mailing three invoices out stamps are going to add up, envelopes are going to add up, and then is it going to be an in-house bill or invoice that is mailed to these folks or will that be contracted to a company that does bulk mailing or things like for bills?

**Chief Financial Officer:** Mr. Chairman and Representative Ghanbari, we have a contract with InfoSend, so that has already been presented to the Commission for approval.

**Representative Ghanbari:** So, the Commission will absorb the costs of that vendor fee?

**Chief Financial Officer:** That is correct.

**Representative Ghanbari:** Why not pass that on to the violator?

**Chief Financial Officer:** Well, I mean it is not directly passed on, but our goal is to build the rates and the additional fees, which are minimal, we don't want to have it be punitive to the customer, so it is a balancing act. We have to ultimately see what we pay out in all these costs versus what we are collecting back and we have to balance that, so we do our best to estimate what those costs are and build that into the toll rates, build that into the \$5.00 fee per transaction and then we will assess that in the upcoming years and see where the balance is between the fees and what we collect in terms of revenue.

**Representative Ghanbari:** Okay, you had a slide that showed a sample invoice that showed exit times but on that slide there was an entry toll but not an entry time, so if someone wanted to contest this, and I am not an attorney, but if someone wanted to contest this, wouldn't

you want to provide the full picture to the court or to whomever is going to be litigating that, that not only did they enter the toll plaza at this location, this is the time they entered it, because you are showing the time they exit, but what happens to that time in between, so is there a way to have a more complete picture?

**Chief Financial Officer:** Are you looking at the barrier?

**General Counsel:** Mr. Chairman and Representative Ghanbari, it's the second invoice. This invoice is actually just a sample to walk through Lisa's timeline of going from east to west. On the invoice that gets mailed to the customer, the entry plaza, and we are still working through this, will likely say, "unknown." We don't have cameras at the entrances to the Turnpike. We only have cameras at the exits. So, we won't know where they entered and we won't know what time they entered. So, based on the way that we are looking at this, there essentially being charged a max fare. So, we wanted to provide the 211 to show that would be the farthest point that they would have been able to enter the Turnpike and then we will have the exit and the exit time captured on the cameras. With regard to the disputes and the appeals process, they would need to present information to us that they entered somewhere else on the Turnpike. The evidence that would be accepted would be the toll ticket that they pulled or some other evidence to show that they entered somewhere other than 211-Newton Falls to establish that max fare.

**Representative Ghanbari:** To mean as the non-voting Member of the Commission, it doesn't make much sense to me that we wouldn't have cameras that would be able to articulate where they came on at a plaza. I think you just said there is not cameras at those entry points.

**General Counsel:** That is correct.

**Representative Ghanbari:** I am not sure why there aren't cameras there, but I would also say, and I know I asked this question earlier of presentation dealing with license plate readers and security, don't we want to know what vehicles are coming on to our Turnpike in the event something happens and I guess the best way to do that would be to have some kind of cameras at the entrances to the Turnpike?

**Chief Financial Officer:** Mr. Chairman and Representative Ghanbari, it was a business decision made when an analysis was done to implement the new toll collection system to not have cameras, not to incur the expense because they are very expensive upon entrance. In addition to the complexity of correlating those specific trips to customer accounts, getting that image upon entrance is a difficult trip to correlate. So, at that time the decision was made years ago to not have cameras upon entrance.

**Representative Ghanbari:** I appreciate the answer, but I don't follow the rationale, so maybe I can get with you offline? I would encourage the Commission to maybe go back and have another look at having those cameras there for a whole variety of reasons. Let alone to know who's coming on to our Turnpike in the event that there is a need to know that. Thank you.

**Chairman:** Thank you. Another other questions or comments?

**Mr. Pakush:** Mr. Chairman, I have just one question when you are talking about the dispute and the appeals process, I was wondering if that process is included with this submittal to JCARR.

**General Counsel:** Mr. Chairman and Commission Member Pakush, so the appeals process is actually part of the Ohio Revised Code. We are not making any changes to that. Although, we do reference those changes in what is being submitted to JCARR in the Sections 4-01 through 4-07.

**Chairman:** Anyone else?

**Director Ahmed:** I have a comment, Mr. Chairman. The current toll rate schedules were established in 2013 by the Commission and they will expire at the end of 2023. Future toll rate schedules were projected in the bond documents that Lisa talked about closing and the recently completed bond refunding. Those projected rates include provisions for inflation that Mr. Coviello pointed out earlier today, as well as the long terms needs of the Commission that I eluded to in my report, so the proposed future rates, as well as work rules will be discussed in hearings that the staff will schedule in the near future.

**Chairman:** Any other questions or comments? That was a good report. Thank you very much. A lot of information. A lot of questions. A lot more to follow. I was watching the audience out there and I think it was a wakeup call as far as what the cost is, but you know when you are on *E-ZPass* you pay little attention, you pay your bill and that is how that goes. Thank you very much. We appreciate it.

Anything further, Lisa?

**Chief Financial Officer:** That completes my report, Mr. Chairman. Our goal is to educate ourselves internally and be able to educate you all. It is complex, so we have a lot of presentations that I've been preparing internally to get everything straight and now present that to you all.

**Chairman:** Thank you very much. We will now move on to the report of the General Counsel, Jennifer Rieker.

**General Counsel:** Thank you, Mr. Chairman and Commission Members. As we discussed during Lisa's presentation, I do have one resolution for your consideration and that resolution is to begin the rule making process for the Ohio Administrative Code Authorizing the Filing of Rule 5537-1-01, et seq with the Office of Common Sense Initiative and the Joint Committee on Agency Rule Review (JCARR).

The Ohio Turnpike and Infrastructure Commission previously adopted administrative rules for the control and regulation of traffic, operation of vehicles, the collection of tolls and for the protection and preservation of property under its jurisdiction in accordance with the authority granted to it under Ohio Revised Code § 5537.16. As we discussed earlier this year, Senate Bill 162 amended certain sections of Ohio Revised Code as it applies to the Turnpike and provides the

Commission with additional means for collecting unpaid tolls and to stop the evasion of tolls on the Ohio Turnpike. As a result of those amendment to the Ohio Revised Code, the Turnpike needs to make changes to the Ohio Administrative Code Rules. Specifically, we are looking to make changes to 5537-1-01, 5537-2-04, 5537-2-12, 5537-2-17, 5537-2-18, 5537-2-19, 5537-2-20, 5537-2-21, 5537-3-01, 5537-3-05, 5537-4-01, 5537-4-02, 5537-4-03, 5537-4-04, 5537-4-05, 5537-4-06, 5537-4-07, 5537-5-02, 5537-7-01, 5537-8-01, and 5537-9-06. I will not read all of those changes, although you have received copies of a redline formatting of those proposed changes in your Commission packet.

In advance of drafting those preliminary changes, I met with the Executive Director, the Chief Engineer, Chief Financial Officer, and Director of Audit and Internal Control. Together, we developed draft Administrative Rules and reviewed all other Administrative Rules as applicable. We are recommending that these changes be made to effectuate the changes that were previously discussed and allowed in Senate Bill 162. As part of the rulemaking process, it is required to submit the draft, proposed rules to the Office of Commonsense Initiative, as well as to the JCARR in accordance with the requirements of Ohio Revised Code Section 111.15. We will be submitting those changes to the Commonsense Initiative, which will then have sixteen days to review those proposed rules. It will then be submitted to JCARR. It must be submitted 65 days before the filing of anything with the Legislative Services Commission. Prior to the filing with the Legislative Services Commission, I will be coming back to this Commission to seek approval of filing those rules in their final format with the Legislative Services Commission. At this time, I would request that this Commission approve the filing of these proposed rules with the Office of Commonsense Initiative and the Joint Committee on Agency Rule Review.

**Chairman:** Is this a formal resolution?

**General Counsel:** Yes, it is a formal resolution.

**Chairman:** You've heard the request. Any questions or comments? Hearing none, please call the roll.

**MOTION:** A motion to adopt *Resolution Authorizing the Filing of Rule 5537-1-01, et seq with the Office of Common Sense Initiative and the Joint Committee on Agency Rule Review* was made by Mr. Pakush, seconded by Vice Chairman I, and approved by all Commission Members present. Resolution No. 88-2022.

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

**General Counsel:** No, that concludes my report.

**Chairman:** Thank you and thank you for input on Lisa's report. I appreciate it very much. We will now move on to the report of the Ohio State Highway Patrol, Staff Lieutenant Richard Reeder.

While you are walking up, Staff Lieutenant Reeder, are you consulted or are you part of the team here that talks about cameras and security? Referencing Representative Ghanbari's

question about having a camera at the entrance in both directions, do you have an opinion on that whatsoever?

**Staff Lieutenant Reeder:** Good morning, Mr. Chairman and Commission Members. Yes, we do have license plate readers at both entry points. Right now, they are not being used. We have to update them and that is in the works. That is going to happen, so we will have those plate readers for vehicles that are entered into the NCIC Stolen Vehicle System, so we will get those calls when those vehicles are read.

**Chairman:** Do you have the Flock System?

**Staff Lieutenant Reeder:** We do not at this point. We just have the plate readers. There has been some discussion of that.

**Chairman:** It is extremely successful.

**Staff Lieutenant Reeder:** It is. An FBI Agent from Detroit contacted me and I referred him to Columbus. It is a very interesting system, but right now we are in the process of getting new plate readers for the east and west ends and then a couple of other points that will be paid for and maintained by the Ohio State Highway Patrol.

On a serious note, there was a tragic event over the weekend with Cleveland Fire. I want to extend my personal condolences that Division of Fire and the family. That Firefighter was out doing what we do in the roadway, serving and protecting the citizens and the people who travel on our roadways. It is very sad. I just want to publicly state that our prayers are with that family and the Cleveland Division of Fire.

Moving on to my first item, on October 25, 2022, Trooper Weiss on the Hiram post was called to a vehicle stopped in the grass at Toll Plaza 232 on the Ohio Turnpike. Beaver Police and Fire responded and woke the two occupants up after they were not responding immediately. Both the driver and passenger were highly impaired and the driver was transported to St. Elizabeth's Hospital. Trooper Weiss located a small bag of methamphetamine on the driver's door and the passenger admitted that they were smoking meth in the vehicle. A probable cause search located two small, locked containers with combination locks. Glass pipes and other drug paraphernalia was located in the passenger compartment. The containers were opened and were found to have approximately 74 grams of methamphetamine, 12 grams of suspected powder cocaine, 4 clonazepam pills, 15 buprenorphine hydrochloride and naloxone hydrochloride pills, 2 buprenorphine hydrochloride pills and a scale. The driver was charged with a 4<sup>th</sup> offense OVI (felony).

On October 11, 2022, at approximately 1511 hours an oversized commercial vehicle attempted to enter the Ohio Turnpike westbound at MP 239.1 Eastgate in lane 4. As the vehicle drove through the lane his load struck the toll booth on the north side of the lane. As a result of the initial impact, the load shifted and also struck the toll booth on the south side of the lane. The crash occurred due to the load being over width and the driver missing his exit and was not supposed to get on the Ohio Turnpike.

On October 21, 2022, Trooper Avery Albright of the Milan Post attempted to initiate a welfare check and provide proper directions to a motorist he observed that was just involved in an incident a few moments prior at the 110 exit. The vehicle was slow to stop, going on and off the right shoulder while varying speeds. The driver almost drove into the ditch while stopping on the right shoulder on the off ramp to exit 118. As Trooper Albright began to approach the driver's side of the vehicle, the driver quickly accelerated and almost immediately drove over the six inch curb that divided the lanes of the ramp driving in the wrong direction. The driver continued traveling on the wrong side of the roadway towards oncoming traffic. As the driver approached another vehicle that was stopped, she drove back over the six inch curb. The driver then continued at varying speeds and almost came to a stop then quickly accelerated and turned to the left and accelerated through the toll gate arm at exit 118. She continued accelerating and did not negotiate the curve and drove through the ditch stopping on the right shoulder of US 250. The driver and passenger were ultimately taken into custody. The driver was transported to Firelands Hospital and later incarcerated at the Erie County Jail being charged with fleeing and eluding. This same couple had already been involved in an incident earlier where items were stolen from the Mahoning Valley Service Plaza.

That completes my report, Mr. Chairman.

**Chairman:** Thank you very much. We appreciate your good work and pass that on to your men and women. Anything other questions or comments?

The next meeting of the Ohio Turnpike and Infrastructure Commission will be held on December 19, 2022, at 10:00 a.m. here at the Commission's Administration Building located in Berea, Ohio.

If there is no further business, I will accept a motion to adjourn the 702<sup>nd</sup> Commission Meeting.

**MOTION:** A motion to adjourn the 702<sup>nd</sup> Commission Meeting is made by Secretary-Treasurer Barber, seconded by Mr. Pakush, and unanimously approved by all Commission Members present.

Time of adjournment: 12:27 p.m.

**Attendees for Record Keeping Purposes:**

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

Other Attendees: Al Biehl, TranSystems; Hamid Homae, TBD Advisors; Maureen Schildwachter, Huntington; Jon Lorincz, AECOM; Art Rometo, GAI Consultants; Jacob Siesel, IUOE Local 18; Ed Adamczyk, Arcadis; Michael Burgess, Prime AE; and Bethany Pugh, PFM;

Ohio Turnpike and Infrastructure Commission Personnel: Ferzan M. Ahmed, P.E., Ohio Turnpike; Staff Lieutenant Richard Reeder, Ohio State Highway Patrol; Jennifer Monty Rieker, Ohio Turnpike; Heather Veljkovic, Ohio Turnpike; Chris Matta, Ohio Turnpike; Jayne Ferreira, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Aimee Lane, Ohio Turnpike; Sue Coleman, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Matt Cole, Ohio Turnpike; Chriss Pogorelc, Ohio Turnpike; Chuck Cyrill, Ohio Turnpike; Valerie Reed, Ohio Turnpike; Jackie Dohoda Herberger, Ohio Turnpike; Lisa Drozdowski, Ohio Turnpike; Joseph Mannion, Ohio Turnpike; Daniel Rodriguez, Ohio Turnpike; Joseph Gardner, Ohio Turnpike; Amanda Brown, Ohio Turnpike; Taylor Birth, Ohio Turnpike; Kristin Obermeyer, Ohio Turnpike; Travis Bonnett, Ohio Turnpike; David Miller, Ohio Turnpike; and Adam Greenslade, Ohio Turnpike.

Approved as a correct record of the November 21, 2022  
Meeting of the Ohio Turnpike and Infrastructure  
Commission

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Sandra K. Barber, Secretary-Treasurer

# **EXHIBITS**

- Resolution No. 79-2022 – Resolution Authorizing Modification to the Contract with IBI Group Engineering Services USA to Perform Phase IB Services Under Project No. 71-21-05 for an Aggregate Not-to-Exceed Amount of \$556,095.00
- Resolution No. 80-2022 – Resolution Authorizing a Modification to the Contract with TranSystems Corporation of Ohio to Perform Additional Phase II Construction Administration and Inspection Services Under Project No. 43-22-05 for a Total Aggregate Contract Amount of \$1,454,401.00
- Resolution No. 81-2022 – Resolution Authorizing a Contract with Cintas Corporation Under the DAS Cooperative Purchasing Program for Uniform Rental and Laundry Services for an Estimated Amount of \$215,000.00
- Resolution No. 82-2022 – Resolution Rejecting the Sole Bid Received Project No. 43-22-06
- Resolution No. 83-2022 – Resolution Authorizing the Purchase and Installation of Cameras for Toll Plaza 239 and Nine (9) Un-Tolled Plazas from Northwestern Ohio Security Systems, Inc. in the Total Amount of \$455,079.15
- Resolution No. 84-2022 – Resolution Authorizing the Selection of Cornerstone OnDemand, Inc. for a Learning Management System in the Not-To-Exceed Amount of \$299,645.21
- Resolution No. 85-2022 – Resolution Authorizing the Award of Self-Insured Employee Benefit Group Health Benefits Plan Administration with Stop Loss Insurance to Medical Mutual of Ohio, Inc.
- Resolution No. 86-2022 – Resolution Authorizing the Award of Fully Insured Employee Group Dental Plan and Self-Insured Employee Group Vision Plan to Medical Mutual of Ohio, Inc.
- Resolution No. 87-2022 – Resolution Authorizing the Award of Employee Group Life and AD&D, and Voluntary Supplemental Life and AD&D Benefit Plans to Minnesota Life Insurance Company
- Resolution No. 88-2022 – Resolution Authorizing the Filing of Rule 5537-1-01, et seq with the Office of Common Sense Initiative and the Joint Committee on Agency Rule Review

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### Resolution Authorizing Modification to the Contract with IBI Group Engineering Services USA to Perform Phase IB Services Under Project No. 71-21-05 for an Aggregate Not-to-Exceed Amount of \$556,095.00

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected IBI Group Engineering Services USA (“IBI”), to perform the professional engineering services for the Bridge Deck Replacement and Bridge Deck Rehabilitation, Fought Road over Ohio Turnpike, MP 86.6, River Road over Ohio Turnpike, MP 93.0 and Carley Road over Ohio Turnpike, MP 94.7, Sandusky County, Ohio designated as Project 71-21-05 (the “Project”), on the date noted and for the scope of work identified below:

#### SERVICES/FEES APPROVED TO DATE

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract	Phase IA Services – Project No. 71-21-05 – architectural/engineering design services, specifically site inspection, engineering report, and survey.	January 11, 2022	Executive Director	\$95,360.00

**TOTAL AMOUNT TO DATE: \$95,360.00**

#### PROPOSED SERVICES/FEES

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
<i>First Modification</i>	Phase IB Services - Project No. 71-21-05 - preliminary and final design and plans, and assistance during the bidding process, including bid review services	October 31, 2022	<i>Proposed</i>	\$460,735.00

**TOTAL AMOUNT WITH MODIFICATION: \$556,095.00**

WHEREAS, the parties entered into a Professional Consulting Services Contract (the “Contract”), dated February 14, 2022; and

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

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

WHEREAS, IBI submitted a fee proposal dated October 31, 2022, in the not-to-exceed amount of \$460,735.00, to perform the Phase IB Services which fee proposal the Chief Engineer deemed reasonable and necessary; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize IBI Group Engineering Services USA to perform the Phase IB Design Services under Project No. 71-21-05; and

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

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the proposal from IBI Group Engineering Services USA dated October 31, 2022 to perform the Phase IB Services, specifically described in the recitals, under Project No. 71-21-05 in the not-to-exceed amount of \$460,735.00 is accepted and approved, and the Executive Director is authorized to amend the Contract with IBI Group Engineering Services USA, to perform such additional services in accordance with the terms and conditions of the existing Contract and IBI's fee proposal dated October 31, 2022, in the aggregate not-to-exceed amount of \$556,095.00.

**(Resolution No. 79-2022 adopted November 21, 2022)**

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### Resolution Authorizing a Modification to the Contract with TranSystems Corporation of Ohio to Perform Additional Phase II Construction Administration and Inspection Services Under Project No. 43-22-05 for a Total Aggregate Contract Amount of \$1,454,401.00

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected TranSystems Corporation of Ohio (“TranSystems”) to perform professional engineering services for the bridge deck replacement at Edgerton Road over the Ohio Turnpike at Milepost 169.6 and bridge replacement at State Route 21 over the Ohio Turnpike at Milepost 172.9, in Cuyahoga and Summit Counties, Ohio, the (“Project 43-22-05”) pursuant to the adopted resolutions, on the date noted and for the scope of work identified below:

#### SERVICES/FEEES APPROVED TO DATE

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
Original Contract	Phase I Services – Site Inspection, Engineering Report, Design and Plan Preparation Services	September 3, 2019	Res. 44-2019	\$198,169.00
First Modification	Phase IB Services -design and plan development for replacement of bridge at MP 172.9	April 9, 2020	Res. 36-2020	\$216,607.00
Second Modification	Phase II Services - Construction Administration and Inspection Services under Project No. 43-22-05	December 13, 2021	Res. 4-2022	\$541,714.00
<b>TOTAL AMOUNT TO DATE:</b>				<b>\$956,490.00</b>

#### PROPOSED SERVICES/FEEES

CONTRACT	SERVICES	FEE PROPOSAL	APPROVAL	AMOUNT
<i>Third Modification</i>	<i>Additional Phase II Services - Construction Administration and Inspection Services under Project No. 43-22-05</i>	September 19, 2022	<i>proposed</i>	<i>\$497,911.00</i>
<b>TOTAL AMOUNT WITH MODIFICATION:</b>				<b>\$1,454,401.00</b>

WHEREAS, additional Phase II Construction and Administration and Inspection Services were necessary because the Commission extended the phasing of Project No. 43-22-05 from one season to two seasons and TranSystems submitted a fee proposal dated September 19, 2022, in the not-to-exceed amount of \$497,911.00, to perform additional Phase II Construction Administration and Inspection Services under Project No. 43-22-05, which the Chief Engineer deemed reasonable and appropriate; and

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

Phase II Construction Administration and Inspection Services from TranSystems as described in the Fee Proposal dated September 19, 2022, as the services are in furtherance of and are necessary for implementing the bridge work required under Project No. 43-22-05; and

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

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Fee Proposal of TranSystems Corporation of Ohio dated September 19, 2022, to perform additional Phase II Construction Administration and Inspection Services, specifically described in the recitals, under Project No. 43-22-05, in the not-to-exceed amount of \$497,911.00 is accepted and approved, and the Executive Director is authorized to amend the contract with TranSystems Corporation of Ohio to perform such additional services in accordance with the terms and conditions of the existing contract and TranSystems Corporation of Ohio's Fee Proposal dated September 19, 2022, in the aggregate not-to-exceed amount of \$1,454,401.00.

**(Resolution No. 80-2022 adopted November 21, 2022)**

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Authorizing a Contract with Cintas Corporation Under the DAS Cooperative Purchasing Program for Uniform Rental and Laundry Services for an Estimated Amount of \$215,000.00**

WHEREAS, under Resolution No. 32-2003, adopted on July 21, 2003, the Executive Director is authorized to participate in state contracts under the Ohio Department of Administrative Services (“DAS”) Cooperative Purchasing Program, through which members may purchase supplies, services, equipment and other materials in accordance with Ohio Revised Code Section 125.04; and

WHEREAS, since 2018, the Ohio Turnpike and Infrastructure Commission’s (“Commission”) Maintenance Department has subscribed to the uniform and laundry service available under the DAS Cooperative Purchasing Program and has found that participation in the DAS contract has resulted in cost savings to the Commission, better quality attire and greater employee participation in wearing uniform clothing; and

WHEREAS, the Chief Engineer recommends that the Commission continues to participate in the uniform and laundry service for all maintenance employees under DAS Contract Schedule No. RS900118, Index No. GDC020 with the Cintas Corporation, of Strongsville, Ohio, for the period of January 1, 2023, through July 31, 2025, in the estimated amount of \$215,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Engineer and concurs with the recommendation that the Commission approve a contract with Cintas Corporation for uniform and laundry service for all maintenance employees under the DAS Cooperative Purchasing Program as described above; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws because the expenditure 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 uniform and laundry services for all maintenance employees through the DAS Cooperative Purchasing Program under DAS Contract Schedule No. RS900118, Index No. GDC020, under an agreement with Cintas Corporation, for the period of January 1, 2023, through July 31, 2025, in the estimated amount of \$215,000.00, is approved.

**(Resolution No. 81-2022 adopted November 21, 2022)**



## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### Resolution Rejecting the Sole Bid Received Project No. 43-22-06

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice in accordance with law advertising its invitation to bid upon a contract for Bridge Repair and Rehabilitation, Ohio Turnpike over Cuyahoga River at Milepost 176.9, Summit County, Ohio, designated as Project No. 43-22-06 (hereinafter the “Project”); and

WHEREAS, the Commission received one (1) bid to perform the Contractor’s obligations on the Project, and the Chief Engineer’s report analyzing the sole bid is before the Commission; and

WHEREAS, Section 5537.07(A) of the Ohio Revised Code, as well as the Instructions to Bidders, provide that the Commission may reject any and all bids; and

WHEREAS, the Chief Engineer reports that the sole bid received is in excess of 100% above the Engineer’s Estimate and because the sole bid is such a high percentage above the Engineer’s Estimate, he recommends that the Commission reject the bid and rebid the Project; and

WHEREAS, based on the foregoing, the Executive Director concurs with the recommendation that the Commission reject the sole bid on the Project; and

WHEREAS, the Commission has duly considered said recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the sole bid received in response to Project No. 43-22-06 is rejected.

**(Resolution No. 82-2022 adopted November 21, 2022)**

## **TCS MODERNIZATION PROJECT**

### **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

#### **Resolution Authorizing the Purchase and Installation of Cameras for Toll Plaza 239 and Nine (9) Un-Tolled Plazas from Northwestern Ohio Security Systems, Inc. in the Total Amount of \$455,079.15**

WHEREAS, under Resolution No. 32-2003, adopted on July 21, 2003, the Executive Director is authorized to participate in state contracts through the Ohio Department of Administrative Services (“DAS”) Cooperative Purchasing Program, through which members may purchase supplies, services, equipment and other materials in accordance with Ohio Revised Code Section 125.04; and

WHEREAS, pursuant to Resolution No. 10-2022 adopted January 24, 2022, the Ohio Turnpike and Infrastructure Commission (“Commission”) authorized the purchase of a Toll Plaza Camera System, consisting of hardware and software components, professional services for cabling and installation and one-year of monitoring services for the Commission’s toll plazas, specifically at twenty (20) toll plazas between Milepost 52 and Milepost 209 which will make up the ticketed portion of the new Toll Collection System (“TCS”); and

WHEREAS, the Toll Plaza Camera System was purchased from Northwestern Ohio Security Systems, Inc. (“NWOSS”), of Lima, Ohio, through the DAS Purchasing Program under State of Ohio Master Maintenance Agreement No. 7635, in the total amount of \$1,139,995.12; and

WHEREAS, the Toll Plaza Camera System was purchased based on the Commission’s External Technologies Task Force (ETTF)’s determination that the NWOSS camera system best meets the needs of the Commission for a uniform camera system to improve the coverage of the current system and improve safety and security at the toll plaza buildings as well as other Commission facilities; and

WHEREAS, the installation of the Toll Plaza Camera System at the twenty (20) toll plazas between Milepost 52 and Milepost 209 is expected to be completed by the end of 2022; and

WHEREAS, pursuant to Resolution No. 66-2022 adopted August 15, 2022, the Commission authorized the purchase of the hardware and software components, professional services for cabling and installation of additional cameras and related equipment at new Toll Plazas 4, 49 and 211 and one year of monitoring services, in the total amount of \$330,072.01; and

WHEREAS, as part of the TCS, Toll Plaza 239 is scheduled for renovation in 2023 and based on its design, the ETTF recommends the installation of cameras and related equipment at Toll Plaza 239, focusing on the following key areas: pole mounted pan tilt zoom (PTZ) camera, gantry mounted PTZ camera; fixed back gate camera; ATPM cameras used for remote customer support; coverage of crosswalks; and coverage at the front and rear doors; and

WHEREAS, the ETTF recommends the installation of cameras and related equipment at the TCS's nine (9) Un-Tolled Plazas, located at what is today Toll Plazas 13, 25, 34, 39, 215, 216, 218, 232 and 234, to include four (4) cameras at each location focusing on the following key areas: pole mounted pan tilt zoom camera, gantry mounted PTZ camera and coverage at the front and rear doors; and

WHEREAS, NWOSS submitted proposals to furnish all required hardware and software components, professional services for cabling and installation for the cameras needed for Toll Plaza 239 and nine (9) Un-Tolled Plazas and one year of Milestone Dashboard monitoring services through the DAS Purchasing Program under State of Ohio Master Maintenance Agreement No. 7635 the amount of \$68,386.68 for Toll Plaza 239, and \$386,692.47 for the nine (9) Un-Tolled Plazas, for a total amount of \$455,079.15; and

WHEREAS, the additional cameras and related equipment are compatible with the Administration Building, Service Plaza, Maintenance Building and other Toll Plaza installations; and

WHEREAS, the Chief Information Officer and the ETTF recommend that the Commission approve the purchase of hardware and software components, professional services for cabling and installation for the cameras and one year of Milestone Dashboard monitoring services for installations at Toll Plaza 239 and nine (9) Un-Tolled Plazas in the total amount of \$455,079.15; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the expenditures required to purchase and install the additional cameras exceeds \$150,000.00; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Information Officer and the ETTF and concurs that the Commission should approve the purchase of hardware and software components, professional services for cabling and installation of cameras at Toll Plaza 239 and nine (9) Un-Tolled Plazas and one (1) year of Milestone Dashboard monitoring services through the DAS Purchasing Program under State of Ohio Master Maintenance Agreement No. 7635; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of additional cameras for Toll Plaza 239 and nine (9) Un-Tolled Plazas is necessary for maintaining and improving the security and safety of the Commission, its customers and staff; and

FURTHER RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of the hardware and software components, professional services for cabling and installation of additional cameras and related equipment at Toll Plaza 239 and nine (9) Un-Tolled Plazas and one year of Milestone Dashboard monitoring services from Northwestern Ohio Security

Systems Inc. of Lima, Ohio, through the DAS Purchasing Program under State of Ohio Master Maintenance Agreement No. 7635, in the total not-to-exceed amount of \$455,079.15, is approved.

**(Resolution No. 83-2022 adopted November 21, 2022)**

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Authorizing the Selection of Cornerstone OnDemand, Inc. for a Learning Management System in the Not-To-Exceed Amount of \$299,645.21**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) emphasizes providing training opportunities to Commission employees as training aligns with the Commission’s Quality of Work/Life Strategic Initiative stating: “we are committed to provided Ohio Turnpike employees with stable employment and a friendly, respectful and team-oriented culture that include a diversity and inclusion strategy; training; effective communications from leadership; and the ability to be heard and valued;” and

WHEREAS, the Commission previously contracted with Cornerstone OnDemand, Inc. (“Cornerstone”) for a learning management system (“LMS”) which allowed the Commission to provide necessary online training to employees across the Turnpike’s 241 miles, including trainings required by the state (*i.e.*, diversity and inclusion training, cybersecurity, naloxone administration, and more); and

WHEREAS, the Commission understands that Commission data is stored in the United States and the majority of client support services are performed in the United States, but Cornerstone utilizes personnel located outside the United States for more complex client support matters; and

WHEREAS, the Commission’s Training & Development Manager researched companies offering LMS services and found that each LMS reviewed uses virtual, cloud-based support accessible outside the United States, which is a common practice; and

WHEREAS, the research also confirmed that the only data accessible to any Cornerstone personnel located outside the United States is limited to non-personal, identifiable or confidential information, such as employee name, position title, location and manager; and

WHEREAS, Ohio’s Executive Orders 2019-12D and 2022-02D generally prohibit the expenditure of public funds on services performed outside the United States or data storage outside the United States, unless a waiver is obtained from the State of Ohio, Department of Administrative Services (“Ohio DAS”); and

WHEREAS, the Director of Contracts Administration confirmed with Ohio DAS that limited client support services performed outside the United States are considered ancillary to the main services under the contract and Ohio DAS approves waivers in these circumstances; and

WHEREAS, Ohio DAS approved a waiver for Cornerstone’s services under Executive Orders 2019-12D and 2022-02D; and

WHEREAS, the Commission’s Director of Contracts Administration determined that the selection of Cornerstone OnDemand, Inc. complies Section 5537.07(F) of the Ohio Revised Code; and

WHEREAS, the Training & Development Manager obtained three proposals for LMS services and found that each company offers similar services, but the additional cost and time involved in transferring training records and data from Cornerstone to a new provider would be costly and disadvantageous to the Commission and could cause significant downtime and Cornerstone performed satisfactorily under a prior contract; and

WHEREAS, the Training & Development Manager recommends selecting Cornerstone OnDemand, Inc. for a learning management system for an initial three-year term at \$117,222.22, and two additional, two-year options to extend the contract at \$87,203.54 (first renewal term) and \$95,228.45 (second renewal term) for a total not-to-exceed amount of \$299,654.21; and

WHEREAS, the Executive Director has reviewed the recommendation of the Training & Development Manager and concurs that the Commission should approve the selection of Cornerstone OnDemand, Inc. for a learning management system; and

WHEREAS, Commission action is necessary to approve the contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the expenditure exceeds \$150,000.00; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the selection of Cornerstone OnDemand, Inc. is approved to provide a learning management system and that the Executive Director is authorized to enter into a contract with Cornerstone OnDemand, Inc. for an initial three-year term at \$117,222.22, and two additional, two-year options to extend the contract at \$87,203.54 (first renewal term) and \$95,228.45 (second renewal term) for a total not to exceed amount of \$299,654.21.

**(Resolution No. 84-2022 adopted November 21, 2022)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Authorizing the Award of Self-Insured Employee Benefit Group Health Benefits Plan Administration with Stop Loss Insurance to Medical Mutual of Ohio, Inc.**

WHEREAS, in October 2016, the Ohio Turnpike and Infrastructure Commission (“Commission”) executed a contract with Arthur J. Gallagher & Company (“Gallagher”) to perform health care consulting services to assist the Commission with ongoing administration, marketing, and renewal of employee insurance programs for a term of three years, with two (2) two- year extensions;

WHEREAS, the Commission issued its Request for Proposals (“RFP”) to five (5) carriers on August 16, 2022, to select the outside party or parties that will provide the Commission’s Group Health Benefit Plans for Commission employees, including medical, prescription drug, hearing coverage and stop loss insurance (“Group Health Benefits Plans”) commencing on January 1, 2023; and

WHEREAS, the Commission presently has a self-funded arrangement for the provision of Group Health Benefits Plans to its employees; and

WHEREAS, the RFP required respondents to submit offers on medical benefits that were combined with prescription drug benefits and hearing care, but also invited responses that contained proposals bundling any other combination benefits in any single package or proposals containing separate offers for stop loss insurance, or vision care separately; and

WHEREAS, responses to the RFP were submitted on September 9, 2022, by three (3) respondents that offered to provide the Group Health Benefit Plans, and such responses were reviewed and analyzed by the Commission’s independent and disinterested employee benefits consultant, Arthur J. Gallagher & Company, and the Commission’s internal Evaluation Team consisting of the Director of Administration, the Human Resources Manager, and the Human Resources Generalist (“Evaluation Team”); and

WHEREAS, the Evaluation Team reviewed the proposal results compiled by Gallagher and determined that Medical Mutual of Ohio, Inc. (“Medical Mutual”) located in Cleveland, Ohio, under a continuing self-funded arrangement, will provide the Commission with the lowest liability when offering Group Health Benefits Plans to its employees, and that Medical Mutual proposed the best overall Group Health Benefits Plans; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws for the award of the contract for the Employee Group Health Benefits Plans because required expenditures over the term of the agreement will exceed \$150,000.00; and

WHEREAS, the Commission’s Evaluation Team and its independent and disinterested consultant recommend that the Commission authorize the award of a five-year contract for the self-insured administration of Group Health Benefits Plans and the award of a one-year contract for Stop Loss Insurance to Medical Mutual on the basis of its Proposal dated September 1, 2022,

and its best and final offer dated September 26, 2022 with premiums as follows:

	Year	Premium
<b>Medical Admin</b>	2023	\$317,187
	2024	\$317,187
	2025	\$317,187
	2067	\$326,704 (cap
	2027	\$336,504 (cap)
<b>Rx Admin</b>	2023	\$20,361
	2024	\$21,472
	2025	\$22,212
<b>Stop Loss</b>	2023	\$737,290

WHEREAS, the Executive Director has also reviewed the recommendation submitted by the Evaluation Team and concurs with the recommendation to award the contract to Medical Mutual for the administration of the self-insured Group Health Benefits Plans with stop loss insurance; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Proposal from Medical Mutual offering to provide the Commission's self-insured Group Health Benefits Plans with stop loss insurance is selected as the best proposal submitted, and that the Executive Director is authorized and directed to award a contract for the Commission's self-insured Group Health Benefits Plans with \$250,000.00 stop loss insurance to Medical Mutual commencing January 1, 2023 for the award of a five-year contract for the self-insured administration of Group Health Benefits Plans and the award of a one-year contract for Stop Loss Insurance to Medical Mutual with a premium for 2023-2025 of \$951,561.00, 2026 of \$326,703.00 and 2027 of \$336,504.00 for Group Health Plans and a premium for 2023 of \$737,290.00 for Stop Loss Insurance; and

FURTHER RESOLVED, that the Executive Director is authorized to take any and all action necessary to properly carry out the terms of the contract with Medical Mutual, and make any modifications thereto during the term thereof that are necessary to fulfill any newly mandated requirements, address circumstances that would create a threat to life, safety, or health or wellbeing of Commission employees or otherwise interfere with the purpose and intent of the Group Health Benefits Plans or stop loss insurance, including the approval of claims made during the term of the agreement.

**(Resolution No. 85-2022 adopted November 21, 2022)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Authorizing the Award of Fully Insured Employee Group Dental Plan and Self-Insured Employee Group Vision Plan to Medical Mutual of Ohio, Inc.**

WHEREAS, in October 2016, the Ohio Turnpike and Infrastructure Commission (“Commission”) executed a contract with Arthur J. Gallagher & Company (“Gallagher”) to perform health care consulting services to assist the Commission with ongoing administration, marketing, and renewal of employee insurance programs for a term of three years, with two (2) two- year extensions;

WHEREAS, Gallagher, on behalf of the Commission issued a Request for Proposals (“RFP”) to eight (8) carriers on July 7, 2022, to select an outside party or parties that will provide the Commission’s Group Dental and Vision Benefits Plans for Commission employees, including Dental Care Coverage (“Group Dental Benefits Plan”) and Vision Care Coverage (“Group Vision Benefits Plan”), commencing on January 1, 2023; and

WHEREAS, the Commission presently has a self-funded arrangement for the provision of Group Vision Benefits Plan and a fully insured arrangement for the provision of Group Dental Benefits Plan to its employees; and

WHEREAS, the RFP required respondents to submit offers on group dental benefits and group vision benefits; and

WHEREAS, responses to the RFP were submitted on August 19, 2022, by five (5) respondents that offered to provide Group Dental Coverage and Group Vision Coverage, and such responses were reviewed and analyzed by the Commission’s independent and disinterested employee benefits consultant, Arthur J. Gallagher & Company, and the Commission’s internal Evaluation Team consisting of the Director of Administration, the Human Resources Manager, and the Human Resources Generalist (“Evaluation Team”); and

WHEREAS, the Evaluation Team reviewed the proposal results compiled by Gallagher and determined that Medical Mutual of Ohio, Inc. (“Medical Mutual”) located in Cleveland, Ohio, under a fully insured arrangement for Group Dental Coverage and a self-funded arrangement for Group Vision Coverage, will provide the Commission with the lowest liability when offering Group Dental and Vision Benefits Plans to its employees, and that Medical Mutual proposed the best overall Group Dental and Vision Benefits Plans; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws for the award of the contract for the Employee Group Dental and Vision Benefits Plans because required expenditures over the term of the agreement will exceed \$150,000.00; and

WHEREAS, the Commission’s Evaluation Team and its independent and disinterested consultant recommend that the Commission authorize the award of a two-year contract for the fully insured administration of the Group Dental Benefits Plan and the award of a three-year self-

insured administration of the Group Vision Benefits Plan to Medical Mutual on the basis of its Proposal dated September 1, 2022, and its best and final offer dated September 26, 2022 with premium amounts as follows:

	Year	Premium
<b>Group Dental Benefits</b>	2023	\$618,404.00
	2024	\$618,404.00
<b>Group Vision Benefits</b>	2023	\$2,591.00
	2024	\$2,591.00
	2025	\$2,591.00

WHEREAS, the Executive Director has also reviewed the recommendation submitted by the Evaluation Team and concurs with the recommendation to award the contract to Medical Mutual for the administration of the fully insured Group Dental Benefits Plan and self-insured Group Vision Benefits Plan; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Proposal from Medical Mutual offering to provide the Commission’s fully insured Group Dental Benefits Plan and self-insured Group Vision Benefits Plan is selected as the best proposal submitted, and that the Executive Director is authorized and directed to award a contract for the Commission’s fully insured Group Dental Benefits Plan and self-insured Group Vision Benefits Plan to Medical Mutual commencing January 1, 2023 for the award of a two-year contract for the fully insured administration of the Group Dental Benefits Plan and the award of a three-year self-insured administration of the Group Vision Benefits Plan to Medical Mutual on the basis of its Proposal dated September 1, 2022, and its best and final offer dated September 26, 2022 with a premium amount for 2023 and 2024 of \$618,404.00 per year for Group Dental Benefits and a premium amount for 2023-2025 of \$7,773.00 cumulative for Group Vision Benefits; and

FURTHER RESOLVED, that the Executive Director is authorized to take any and all action necessary to properly carry out the terms of the contract with Medical Mutual, and make any modifications thereto during the term thereof that are necessary to fulfill any newly mandated requirements, address circumstances that would create a threat to life, safety, or health or wellbeing of Commission employees or otherwise interfere with the purpose and intent of the Group Dental and Vision Benefits Plans, including the approval of additional costs associated with vision claims made during the term of the agreement.

**(Resolution No. 86-2022 adopted November 21, 2022)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Authorizing the Award of Employee Group Life and AD&D, and Voluntary Supplemental Life and AD&D Benefit Plans to Minnesota Life Insurance Company**

WHEREAS, in October 2016, the Ohio Turnpike and Infrastructure Commission (“Commission”) executed a contract with Arthur J. Gallagher & Company (“Gallagher”) to perform health care consulting services to assist the Commission with ongoing administration, marketing, and renewal of employee insurance programs for a term of three years, with two (2) two- year extensions;

WHEREAS, Gallagher, on behalf of the Commission issued a Request for Proposals (“RFP”) to seven (7) carriers on August 4, 2022, for the furnishing of Employee Group Life and Accidental Death and Dismemberment Insurance (“AD&D”) Benefit Plans (“Group Life and AD&D Benefit Plans”); and

WHEREAS, responses to the RFP were submitted on August 19, 2022, by three (3) insurance companies offering to provide the Group Life and AD&D Benefit Plans, and such responses were reviewed and analyzed by the Commission’s independent and disinterested employee benefits consultant, Arthur J. Gallagher & Company, and the Commission’s internal Evaluation Team consisting of the Director of Administration, the Human Resources Manager, and the Human Resources Generalist (“Evaluation Team”); and

WHEREAS, the Evaluation Team reviewed the proposal results compiled by Gallagher and determined that Minnesota Life Insurance Company and its administrator, Securian Financial (“Minnesota Life”), located in St. Paul, Minnesota, submitted the best proposal to provide the Group Life and AD&D Benefit Plans to the Commission and its employees; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission’s Code of Bylaws for the award of the contract for Employee Group Life and AD&D Benefit Plans because required expenditures over the term of the agreement will exceed \$150,000.00; and

WHEREAS, the Commission’s Evaluation Team and its independent and disinterested consultant recommend that the Commission authorize the award of a three-year contract for Group Life and AD&D Benefit Plans to Minnesota Life, with two possible two-year renewal terms on the basis of its proposal dated August 30, 2022, which was its best and final offer, with an annual premium amount of \$56,186.00 for the initial three-year contract term, subject to adjustments for the renewal terms, which will be negotiated at time of renewal; and

WHEREAS, the Executive Director has also reviewed the recommendation submitted by the Evaluation Team and concurs with the recommendation to award the contract to Minnesota Life to provide the Group Life and AD&D Benefit Plans; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the proposal from Minnesota Life offering to provide the Commission's Group Life and AD&D Benefit Plans is selected as the best proposal submitted, and that the Executive Director is authorized and directed to award a contract for the Commission's Group Life and AD&D Benefit Plans to Minnesota Life for an initial three-year term commencing January 1, 2023, with two, two-year options to renew, , with an annual premium amount of \$56,186.00 for the initial three-year contract term, subject to adjustments for the renewal terms, which will be negotiated at time of renewal; and

FURTHER RESOLVED, that the Executive Director is authorized to take any and all action necessary to properly carry out the terms of the contract with Minnesota Life, and make any modifications thereto during the term thereof that are necessary to fulfill any newly mandated requirements, address circumstances that would create a threat to life, safety, or health or wellbeing of Commission employees or otherwise interfere with the purpose and intent of the Group Life and AD&D Benefit Plans.

**(Resolution No. 87-2022 adopted November 21, 2022)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Authorizing the Filing of Rule 5537-1-01, et seq with the Office of Common Sense Initiative and the Joint Committee on Agency Rule Review**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) previously adopted administrative rules for the control and regulation of traffic, operation of vehicles, the collection of tolls and for the protection and preservation of property under its jurisdiction in accordance with the authority granted to it under Ohio Revised Code § 5537.16, as promulgated in the provisions of Sections 5537-1-01 through 5537-9-05 of the Ohio Administrative Code; and

WHEREAS, Senate Bill 162 amended certain sections of Ohio Revised Code § 5537.01, et seq to expand the authority of the Commission regarding evasion of tolls on the Ohio turnpike;

WHEREAS, the General Counsel has further advised the Commission that, as a result of the amendments to Ohio Revised Code § 5537.01, et seq, Ohio Administrative Rules 5537-1-01, 5537-2-04, 5537-2-12, 5537-2-17, 5537-2-18, 5537-2-19, 5537-2-20, 5537-2-21, 5537-3-01, 5537-3-05, 5537-4-01, 5537-4-02, 5537-4-03, 5537-4-04, 5537-4-05, 5537-4-06, 5537-4-07, 5537-4-07, 5537-5-02, 5537-7-01, 5537-8-01, and 5537-9-06 require revisions; and

WHEREAS, the General Counsel in conjunction with the Executive Director, Chief Engineer, Chief Financial Officer, and Director of Audit and Internal Control, developed drafted administrative rules applicable; and

WHEREAS, the Executive Director and General Counsel have recommended that the Commission begin the process for adopting the attached Administrative Rules 5537-1-01, 5537-2-04, 5537-2-12, 5537-2-17, 5537-2-18, 5537-2-19, 5537-2-20, 5537-2-21, 5537-3-01, 5537-3-05, 5537-4-01, 5537-4-02, 5537-4-03, 5537-4-04, 5537-4-05, 5537-4-06, 5537-4-07, 5537-4-07, 5537-5-02, 5537-7-01, 5537-8-01, and 5537-9-06, which rules are attached in preliminary draft form to this Resolution; and

WHEREAS, the General Counsel has advised the Commission that it is required to submit the drafted rule to the Office of Common Sense Initiative and the Joint Committee on Agency Rule Review in accordance with the requirements of O.R.C. Section 111.15 and prior to implementation by the Commission, and has recommended that the Commission begin the process for promulgating and finalizing the drafted rules prior to the implementation of electronic tolling; and

WHEREAS, in accordance with applicable statutory provisions, including Sections 111.15 of the Ohio Revised Code, the Commission must file with the Office of Common Sense Initiative and the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State any new rule or amended rule in accordance with the procedures set forth in the statutes and the Commission wishes to comply with the procedural requirements necessary to implement the rule.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby authorizes the Executive Director and General Counsel to finalize the attached rules 5537-1-01, 5537-2-04, 5537-2-12, 5537-2-17, 5537-2-18, 5537-2-19, 5537-2-20, 5537-2-21, 5537-3-01, 5537-3-05, 5537-4-01, 5537-4-02, 5537-4-03, 5537-4-04, 5537-4-05, 5537-4-06, 5537-4-07, 5537-4-07, 5537-5-02, 5537-7-01, 5537-8-01, and 5537-9-06 for filing either in its current form or as may be modified in order to comply with the requirements imposed by the Joint Committee on Agency Rule Review; and

FURTHER RESOLVED, that the Commission hereby authorizes the General Counsel to initiate the process necessary to adopt the attached rule in accordance with Sections 111.15 of the Ohio Revised Code.

**(Resolution No. 88-2022 adopted November 21, 2022)**