

**MINUTES OF THE 657<sup>th</sup> MEETING OF THE  
OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION  
DECEMBER 17, 2018**

**Chairman:** Good morning. 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.

Representative Patton called and advised that he is unable to attend today's meeting.

Will the Assistant Secretary-Treasurer please call the roll?

**Assistant Secretary-Treasurer Randy Cole:** Chairman Hruby

**Chairman Jerry Hruby:** Here

**Assistant Secretary-Treasurer:** Vice Chairman Paradiso

**Commissioner Timothy Paradiso:** Here

**Assistant Secretary-Treasurer:** Secretary-Treasurer Barber

**Secretary-Treasurer Sandra Barber:** Here

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

**Commissioner Guy Coviello:** Here

**Assistant Secretary-Treasurer:** Ms. Johnson

**Commissioner Vickie Eaton Johnson:** Here

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

**Commissioner Michael Peterson:** Here

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

**Commissioner Myron Pakush:** Here

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

**Commissioner Kurt Kauffman:** Here

**Assistant Secretary-Treasurer:** Senator LaRose

**Senator Frank LaRose:** Here

**Chairman:** We have a quorum. This is the 657<sup>th</sup> Meeting of the Ohio Turnpike and Infrastructure Commission. We are meeting at the Commission's headquarters, as provided for in the Commission's Code of Bylaws for a Commission Meeting.

Various reports will be received. We will act on several resolutions. Draft copies have previously been sent to the Members and updated versions are in the Members' folders. The resolutions will be explained during the appropriate reports.

May I have a motion to adopt the Minutes of the November 19, 2018, Commission Meeting? Any questions, comments, or additions? Hearing none, please call the roll.

**MOTION:** A motion to adopt the Minutes of the November 19, 2018, Commission Meeting was made by Mr. Paradiso and seconded by Mr. Peterson. All Commission Members present voted to approve the Minutes.

**Chairman:** The Minutes are adopted. If there are no questions, we will proceed 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 November 19, 2018:

1. Seven Resolutions;
2. Draft Minutes of the November 19, 2018, Commission Meeting; and
3. Agenda for today's meeting.

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

1. Traffic Crash Summary Report, November 2018;
2. Traffic and Revenue Report, November 2018;
3. Total Revenue by Month and Year, November 2018;
4. Investment Report, November 2018; and
5. Financial Statement, November 2018.

That concludes my report, Mr. Chairman.

**Chairman:** On behalf of the Commission, it is an honor for us to be able to recognize you for the outstanding service that you have given to the Turnpike and to the greater good of the State of Ohio. We will begin with a presentation by Captain Eric Sheppard of the Ohio State Highway Patrol.

**Captain Eric Sheppard:** First off, I would like to thank the Commission for allowing us to be here today to recognize the efforts of three particular individuals.

The Ohio Turnpike, traditionally, has always been the safest roadway here in the State of Ohio. Arguably, one of the safest in the nation. A lot of that has to do with the engineering and the constant maintenance completed and evaluated by the Turnpike Commission. Also, in conjunction with that, is the law enforcement presence and responsibilities typically led by the Ohio State Highway Patrol.

Those responsibilities tested us on August 14, 2018. Three individuals responded to what initially was thought to be just a standard one car crash. As further calls came in, it turned out that one car crash was just an individual who had pulled off to the side of the roadway and was about to make a very serious life changing decision. He exited the car, proceeded to get on top of the wall of the Cuyahoga Valley Bridge, which is over a 100 feet in height. Three individuals responded. Trooper William Head, Trooper Stephen Pacheco and Trooper Tony Stephens. For over thirty minutes these individuals utilized compassion, sensitivity, and were able to convince him not to make that life changing decision. They talked him of the wall and when the moment was appropriate, their quick actions secured him, removed him from the wall and that individual is here today receiving the help he needs. We are here to congratulate the Troopers and show them appreciation by giving them the Superintendent Certificate of Recognition for each of their efforts. Again, thank you for allowing me to be here today.

**Chairman:** Thank you, Captain Sheppard. We will move on to the resolution. Safety Services Manager, Cory Skoczen, please.

**Mr. Skoczen:** Good morning, Mr. Chairman and Commission Members. I have two resolutions for your consideration this morning.

The first resolution for your consideration is to recognize and honor the distinguished service of Trooper William Head, Trooper Stephen Pacheco, and Trooper Tony Stephens for their heroic actions on August 14, 2018. These Troopers were dispatched to a call and upon arrival, a patron was sitting on the edge of the Cuyahoga Valley Bridge. The selfless and courageous actions displayed by Trooper Head, Trooper Pacheco, and Trooper Stephens helped preserve a life that day.

With your permission, may the General Counsel please read the title of the Resolution?

**General Counsel:** Resolution Honoring the Heroic and Courageous Actions of Ohio State Highway Patrol Troopers William L. Head, Stephen W. Pacheco and Tony D. Stephens on August 14, 2018.

**Chairman:** Any questions or comments?

**Director Cole:** I often told many of my friends and my wife that we all have dark days through the course of the year, loss, tragedy. Here on the Turnpike, we do take an awful lot of pride and work very hard on our safety and as you work through the year, there are days, unfortunately while over the four years that I have been here, where we have had some dark days. We have had some bad crashes. We have had some fatalities. So, as I think through the year, I think about that safety record, August 14, 2016, was one of our worst days. On that day, we had a horrible traffic crash in one of our construction zones where for reasons unknown, a commercial truck driver plowed into the construction zone, into stopped traffic, causing ten other cars to collide and a young teenager from New York lost her life. On August 14, 2018, thanks to these three gentlemen, we got one back. Instead of the day that had tragedy, instead it is one that we can take great pride in and know that we got one back. Thank you very much, gentlemen. That really makes a difference for all of us at the Turnpike.

**Chairman:** I want to add one thing that hasn't been said yet. When law enforcement gets involved in a situation such as that, sometimes it is at great risk and threat to the officer. Sometimes, people who want to end their lives don't care about their own life and they don't care about the officer's life and sometimes when an officer attempts to save someone they do that at the risk of their own life, perhaps going over the wall with that person. It is a very brave thing that you did and a very compassionate thing that you did. Thank you so very much.

Any further comments? Hearing none, please call the roll.

**MOTION:** A motion to adopt the *Resolution Honoring the Heroic and Courageous Actions of Ohio State Highway Patrol Troopers William L. Head, Stephen W. Pacheco and Tony D. Stephens on August 14, 2018*, was made by Chairman Hruby, seconded by Peterson, and approved by all Commission Members present. Resolution No. 70-2018.

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

**Mr. Skoczen:** As you can see, the Ohio State Highway Patrol provides the highest level of service. We cannot thank them enough for all they do to keep the Ohio Turnpike one of the safest roadways in the country.

So, the second resolution for your consideration is to execute a new five (5) year contract with the Ohio Department of Public Safety. The current contract will expire on December 31, 2018. This contract covers the policing of the Ohio Turnpike for five-years, from January 1, 2019 to December 31, 2023. Only a few minor changes were made in the language from the previous contract to increase operation efficiencies and streamline the billing process.

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

**General Counsel:** Resolution Authorizing a Contract with the Director of Public Safety for the Ohio State Highway Patrol for Policing the Ohio Turnpike.

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

**MOTION:** A motion to adopt the *Resolution Authorizing a Contract with the Director of Public Safety for the Ohio State Highway Patrol for Policing the Ohio Turnpike*, was made by Mrs. Barber, seconded by Ms. Johnson, and approved by all Commission Members present. Resolution No. 71-2018.

**Chairman:** The resolution passes unanimously. We will move on to the report of our DED/CFO/Comptroller, Marty Seekely.

**DED/CFO/Comptroller:** Thank you, Mr. Chairman. I have a brief update on our traffic and revenue for the month of November and one resolution for your consideration this morning.

This first chart shows the monthly passenger car miles traveled on the Ohio Turnpike over the past two years. Passenger car vehicle miles traveled were down 3.7% in November. There were a few days of snow in November this year while last November was very mild.

Commercial traffic was not as good as it has been over that last year but it was still 0.3% higher in November.

The decrease in passenger car traffic in November more than offset the effect of the toll rate increase and as a result passenger car toll revenue was down 2.6% from last year.

The slight increase in commercial traffic combined with the toll rate increase caused commercial vehicle toll revenues to increase 2.5% in November.

This chart shows year-to-date toll revenues through the month of November during each year over the past decade. Year-to-date total toll revenues were \$9.7 million or 3.5% above the amount from last year.

That completes my report on traffic & revenue. I would now like to present the proposed 2019 Operating Budget for your consideration.

This pie chart provides an overview of the proposed 2019 revenue budget. Tolls are obviously the major source of the Commission's funding, representing 89% of projected 2019 revenues. Concessions generated from sales of food, fuel and other retail goods and services at the Commission's service plazas are estimated to be 4.6% of total revenues. The remaining 6.4% consists of investment earnings, fuel taxes and other miscellaneous revenues.

This slide shows a comparison of the proposed 2019 budget to the 2018 budget for pledged funds.

The toll revenue budget is \$11 million or 3.6% higher than last year's budget. Tolls will be increased 2.7% on January 1 next year.

The concession revenues budget is \$395,000.00 or 2.5% more than last year's budget.

Investment revenue is budgeted to increase by \$4.2 million or 48% from last year's budget. The large increase is due to the increase in short term interest rates by the Federal Reserve over the last year.

The increase in the other revenues budget relates primarily to higher monthly transponder usage fees due to an increase in the number of transponders issued to customers.

The proposed 2019 pledged revenues budget totals \$355.4 million, an increase of \$16 million or 4.7% from the 2018 budget.

This slide shows the projected 2019 vehicle miles traveled, the percentage of those miles expected to be paid with *E-ZPass*<sup>®</sup> and the resulting calculation of toll revenue by vehicle class.

Total vehicle miles traveled are budgeted to decrease 0.8% from the 2018 budget. The budgeted amount of commercial vehicle miles traveled is projected to increase 9% while the budgeted amount of passenger car miles traveled is projected to decrease 5.7% from last year's budget.

The *E-ZPass*<sup>®</sup> rate of usage for Class 1 vehicles (passenger cars) is budgeted to increase to 57.6% in 2019. Increases in *E-ZPass*<sup>®</sup> usage are budgeted for most of the commercial vehicle classes 2 through 7 as well.

Consequently, the additional revenue generated by the toll rate increase combined with the slight decrease in vehicle miles traveled results in total toll revenue of \$320.5 million which is an increase of \$11 million from our 2018 toll revenue budget.

It is expected that only 3.6% of the Commission's 2019 budget will be spent on administration and insurance. We project that 12.3% of the budget will be needed for the maintenance of the roadway and structures, 16.1% for the operation of the toll and service plazas, and 4.8% for traffic control, safety, patrol and communications.

The Commission currently has about \$2 billion in Senior and Junior Lien Bonds outstanding. The debt service on those bonds will require 36.5% of the Commission's 2019 expenditures budget, leaving 27.5% available for capital projects.

This slide contains our 2019 staffing budget. We have budgeted for a reduction of eleven fulltime non-bargaining positions, ten of which are toll supervisory positions. This reduction is in anticipation of the use of automated toll payment machines on the midnight shift at seven additional toll plazas starting in January of next year and the planned closing of nine toll plazas as part of the new toll system in 2021.

We also plan on reducing the number of full-time toll collectors by nine and the number of full-time maintenance workers by two through attrition.

The total 2019 staffing budget is 945 which is a net decrease of twenty-two full-time positions and an increase of four part-time positions from last year's budget.

The decrease in budgeted personnel combined with the negotiated 2% increase in bargaining employees' wages and a similar 2% increase in non-bargaining employees' wages results in a \$238,000.00, or 0.4% increase in wage expense.

Most of the increase in Administration & Insurance is due to increased legal fees and increased wage and fringe benefit expense.

The increase in Maintenance of Roadway & Structures is primarily due to the increase in wage costs.

The decrease in Services & Toll operations expenses is due to a reduction in fulltime wages and fringe benefits.

The increase in Traffic Control, Safety & Patrol is primarily due to expected wage increases and an increase in equipment maintenance costs.

Total 2019 operating, maintenance and administrative expenses are expected to increase by \$1.5 million or 1.2% over the 2018 budget.

Debt service payments on our existing \$520 million in Senior Lien debt and \$1.5 billion in Junior Lien debt are estimated to be \$131.2 million in 2019.

The Commission's Master Trust Agreement requires that we maintain an expense reserve equal to one-twelfth of our annual operating, maintenance and administrative expense budget.

With the proposed increase in our expense budget of \$1.5 million, we are required to add one-twelfth of this amount, or \$126,000.00 to the Expense Reserve Fund.

The remaining transfers from pledged funds support the Capital Budget that the Chief Engineer will be presenting in a few minutes.

We are proposing a transfer of \$10 million to the Renewal and Replacement Fund and a transfer of \$84.2 million to the System Projects Fund.

The 2019 budgeted debt coverage ratio on our Senior Lien debt is 3.14 and the composite debt coverage ratio on all of our debt is 1.78.

To be eligible to issue additional senior lien bonds, our Master Trust Agreement requires a minimum coverage ratio of 1.5 on our senior debt during the fiscal year immediately preceding the issuance of the bonds, when calculated using the maximum annual debt service on the bonds then outstanding and the bonds proposed to be issued.

The bond rating agencies generally require a debt coverage ratio of at least 2.0 in order to maintain the Commission's "AA" credit rating on our senior debt.

To be eligible to issue additional junior lien bonds, our Junior Lien Master Trust Agreement requires a projected minimum composite debt coverage ratio of 1.5.

When meeting with the credit rating agencies, we have indicated that we would try to maintain a minimum composite debt coverage ratio of 1.7

This is the proposed 2019 budget for non-pledged funds.

The major source of non-pledged revenue is five cents in fuel tax from each gallon of fuel sold at the Commission's service plazas.

Other sources of non-pledged revenue are generated by charging the food and retail vendors operating at the service plazas a fee equal to 1% of sales for future service plaza capital expenditures.

As the Chief Engineer will explain in his presentation, these non-pledged funds are also used to support the Commission's Capital Budget.

This chart shows the Commission's Operating Budgets for the last eleven years. The red line represents budgeted revenues which have steadily increased from \$212 million in 2009 to \$360 million in 2019.

The green line represents budgeted operating expenditures which have been held fairly constant over this period and have increased slightly from \$123.3 million in 2009 to \$129.7 million in 2019.

The difference between our revenues, the red line, and our operating expenditures, the green line, represent our income from operations which has more than doubled over this period from \$89 million in 2009 to \$230 million in 2019.

This has enabled the Commission to fund the increase in debt service payments from \$56 million in 2009 to \$131 million in 2019 and an increase in the amount of funds transferred to our capital improvements funds from \$33 million in 2009 to \$99 million in 2019.

The total proposed 2019 Operating Budget is \$360,069,000.00.

Both Ohio law and our Master Trust Agreement require the Commission to adopt an annual Operating Budget on or before the first day of the year.

With your permission Mr. Chairman, I would like to ask the General Counsel to please read the title of the resolution.

**General Counsel:** Resolution Adopting Proposed 2019 Annual Operating Budget and Providing for Deposits Required Under the Master Trust Agreement During 2019.



**Chairman:** Looking at the chart and seeing the costs of an operation like this and the revenues like that, it is a well oiled machine. You all should be commended.

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

**MOTION:** A motion to adopt the *Resolution Adopting Proposed 2019 Annual Operating Budget and Providing for Deposits Required Under the Master Trust Agreement During 2019*, was made by Mr. Paradiso, seconded by Mr. Peterson, and approved by all Commission Members present. Resolution No. 72-2018.

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

**DED/CFO/Comptroller:** That completes my report, Mr. Chairman.

**Chairman:** Thank you. We will move on to the report of our Chief Engineer, Tony Yacobucci.

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

The first resolution is for the adoption of our 2019 Capital Budget. In your folders you have a detailed Capital Budget, listing all of our proposed projects for 2019. I have a brief presentation this morning which reviews the proposed 2019 Capital Budget. After the presentation, I will request that the Commission adopt the resolution approving the Capital Budget. This resolution will refer to a preliminary list of projects, which may be subject to change, and any Capital Project more than \$150,000.00.00 will be brought to the Commission for individual resolutions at the time of award.

This is an overview of the funds in the Capital Budget. These include the System Projects Fund, the Construction Fund, the Renewal and Replacement Fund, the Fuel Tax Fund and the Service Plaza Capital Improvement Fund. I will discuss each of these in more detail this morning.

The first of the five funds I will review is the System Projects Fund. System Projects are the major construction projects that are part of our capital improvement program. We will begin the year with a balance of approximately \$106.8 million, and approximately \$84.2 million will be transferred to this fund from the 2019 operating budget. We intend to carry approximately \$23 million of these funds over to 2020 to cover future projects which will result in approximately \$168.1 million available for projects in 2019.

We have identified about \$156.8 million in System Projects, of which approximately \$67 million will cover the completion of existing projects and \$89.9 million is allocated to new projects.

Continuing expenditures are for existing projects that are currently under construction and have been previously awarded in 2018. The major projects in this category primarily include the continuation of the second phase of the pavement replacement projects in Lorain and Cuyahoga

Counties, as well as various bridge deck replacement projects which were bid as multi-year construction projects.

This is the first of two slides that lists the \$89.9 million of new System Projects to be funded in 2019. \$200,000.00 has been allocated for the Pavement Replacement and Toll Collection System Modernization Projects that will be bid in mid to late 2019. Construction on these projects will not begin until 2020, hence the small budgetary numbers for 2019. The budget also includes \$57.7 million for several bridge deck replacements and rehabilitations. Two of the most significant bridge projects are for the Toll Collection System Modernization Project at new Toll Plaza 49 and the modernized Toll Plaza at Eastgate. These two projects account for \$38 million of the \$57.7 million for bridge projects, and these projects also include the widening of the pavement to account for the new open road tolling lanes. Approximately \$18 million has been programmed for resurfacing projects in 2019, in Williams, Fulton, Sandusky, Erie and Mahoning Counties.

This is the second of two slides that lists the \$89.9 million of new System Projects to be funded in 2019. We have allocated \$6.7 million for Toll System projects, which includes the new Customer Service Center System which we anticipate bringing to the Commission for approval in the next month or so, as well as a small portion of the new Toll Collection System. The budget also includes \$2.8 million for several slope failure projects and \$4 million for Engineering Design and Consulting Services for Capital Projects.

This will leave about \$11.2 million available in the System Projects Fund for other unidentified projects that may come up over the next year.

The second component of the Capital Budget is the Construction Fund. This account is funded from the 2018 senior Lien bond sale proceeds, which are to be expended on Ohio Turnpike projects. The Construction Fund includes \$4.4 million for the continuation of the Pavement Replacement Project in Cuyahoga County as well as \$1 million toward the completion of two resurfacing projects, for a total expenditure of just over \$5.4 million.

The third component of the Capital Budget is the Renewal and Replacement Fund, which is required to be funded by our Master Trust Agreement for the Commission to maintain its buildings, vehicles, equipment and various other minor projects. We will begin the year with a balance of approximately \$8.3 million, and \$10 million will be transferred to this fund from the 2019 operating budget. This will result in approximately \$18.3 million available for projects in 2019.

About \$1.5 million is committed to ongoing projects that were previously awarded in 2018. New projects total approximately \$14.4 million and include about \$3.2 million for the replacement of maintenance equipment, \$600,000.00 for maintenance vehicle replacements, and over \$8.1 million for numerous technology upgrades to both our communication equipment, as well as computer software and hardware. The technology upgrades include \$5 million for the Cisco Fiber Optic Network upgrade which is essential for our current and future Toll Collection System.

This will leave approximately \$2.4 million available in the Renewal and Replacement Fund for other unidentified projects that may come up over the next year.

The fourth component of the Capital Budget is the Fuel Tax Fund. This account is funded from five cents of the total twenty-eight cents per gallon of state fuel taxes collected for fuel sold at the service plazas being returned to the Commission. We will begin the year with a balance of approximately \$1.4 million in this fund. About \$3 million will be generated during 2019, resulting in a balance of approximately \$4.5 million available for 2019 projects.

\$139,000.00 is committed to an ongoing bridge painting project. New projects total about \$4.2 million for two bridge repainting projects.

This will leave about \$130,000.00 available in the Fuel Tax Fund for other unidentified projects that may come up over the next year.

The final component of the Capital Budget is the Service Plaza Capital Improvement Fund. This account is funded from a 1% commission of sales from the food and retail vendors operating at the fourteen service plazas. The funds are designated for capital improvements at these facilities. Revenue of approximately \$698,000.00 is projected for 2019. Adding this to the projected 2019 beginning balance of \$1.4 million results in approximately \$2.1 million available for projects.

About \$900,000.00 is committed to an ongoing roof replacement project. Approximately \$990,000.00 will be budgeted for new projects in 2019, including the renovation of the Middle Ridge and Vermilion Valley Service Plazas.

This will leave approximately \$190,000.00 available in the Service Plaza Capital Improvement Fund for other unidentified projects that may come up over the next year or in future years.

In summary, the 2019 Capital Budget includes \$184.3 million in identified projects and \$14 million for unidentified projects, for a total of \$198.3 million. That completes my 2019 Capital Budget presentation. With your permission, may the General Counsel please read the title of the resolution?

**General Counsel:** Resolution Adopting Proposed 2019 Capital Budget.

**Chairman:** Any questions or comments?

**Mr. Paradiso:** Have we had this type of work in the last few years? I do not remember ever spending this kind of money. This is pretty impressive.

**Chief Engineer:** Mr. Chairman and Commission Member Paradiso, last year's budget was about \$133 million. The year before that was about \$150 million. Again, our pavement replacement and our toll collection system upgrades is one of the reasons that our Capital Budget is to this degree of value.

**Mr. Paradiso:** Spending this kind of money, the planning that is taking place in 2018 is overwhelming. Is our staff and our infrastructure prepared to let this kind of work out and manage this kind of work?

**Chief Engineer:** Mr. Chairman and Commission Member Paradiso, absolutely. We are working very hard and trying to make sure we can deliver this program.

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

**MOTION:** A motion to adopt the *Resolution Adopting Proposed 2019 Capital Budget*, was made by Mr. Pakush, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 73-2018.

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

**Chief Engineer:** The next resolution for your consideration seeks authorization to award Contract No. 43-19-04 for the repair and rehabilitation of five (5) bridges at Mileposts 120.0, 121.9, 123.1, 131.6, and 135.4, in Erie and Lorain Counties. This work is included in the 2019 Capital Improvement Budget. On December 5, 2018, Procurement received six (6) bids in response to this Project. The apparent low bid was submitted by Mosser Construction Inc., (“Mosser”), of Fremont, Ohio, in the amount of \$4,366,413.95, which is about 8% below the Engineer’s Estimate of \$4,750,000.00. This bid was evaluated by both the design consultant, DGL Consulting Engineers, LLC, of Maumee, Ohio, as well as Commission staff and was found to contain no errors or anomalies. Mosser has satisfactorily performed projects of similar scope for the Commission in the past and based on previous years’ work volume and work presently under contract, it appears Mosser has sufficient capacity to perform this project. In addition, Mosser has committed to exceed the 10% SBE goal as set by the Office of Equity and Inclusion. Therefore, it is recommended that the Commission award Contract No. 43-19-04 to Mosser Construction Inc., of Fremont, Ohio in the amount of \$4,366,413.95. This resolution also contains provisions to assign DGL Consulting Engineers, LLC, of Maumee, Ohio, to perform construction administration and inspection services, and Solar Testing Laboratories, Inc., of Brooklyn Heights, Ohio, to perform material testing services. With your permission, may the General Counsel please read the title of the resolution.

**General Counsel:** Resolution Approving the Selection of Mosser Construction, Inc. to Repair and Rehabilitate Bridge Decks Under Project No. 43-19-04 for the Total Amount of \$4,366,413.95 and Approving the Assignments of DGL Consulting Engineers, LLC and Solar Testing Laboratories, Inc. to Perform Professional Services on the Project.

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

**MOTION:** A motion to adopt the *Resolution Approving the Selection of Mosser Construction, Inc. to Repair and Rehabilitate Bridge Decks Under Project No. 43-19-04 for the Total Amount of \$4,366,413.95 and Approving the Assignments of DGL Consulting Engineers, LLC and Solar Testing Laboratories, Inc. to Perform Professional Services on the Project*, was made by Mrs.

Barber, seconded by Mr. Paradiso, and approved by all Commission Members present. Resolution No. 74-2018.

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

**Chief Engineer:** The third resolution for your consideration seeks the Commission's authorization of continuing expenditures for the Contract with GPD Group ("GPD"), of Akron, Ohio, for the Mainline Pavement Reconstruction Program. Under Resolution No. 38-2013, the Commission awarded a Contract to GPD for Engineering Design and Construction Services for the Mainline Pavement Reconstruction Program at various locations on the Ohio Turnpike, with each assignment consisting of a five to six-mile project section, and the Commission having the option to assign up to five project sections. The fifth pavement replacement project section was authorized by the Commission under Resolution No. 16-2018 for Project No. 71-18-01 from Milepost 0.0 to Milepost 7.2 in Williams County. GPD has submitted a fee proposal dated December 7, 2018, in the not-to-exceed amount of \$839,918.00, for the performance of additional Task 2 Final Design and Construction Documentation Services which is for the final design of the pavement replacement and the new entrance and exit ramps within the proposed Toll Plaza 4 constituting the westernmost toll plaza of the Modernized Toll Collection System. The Engineering Department staff has reviewed GPD's proposal and finds it reasonable for the scope to be performed. Since these additional expenditures will increase the total cost in excess of ten percent of the previous Commission authorizations, it is required under Article V, Section 1.00 of the Commission's Code of Bylaws that the Commission must authorize such expenditures. With your permission, may the General Counsel please read the title of the resolution?

**General Counsel:** Resolution Authorizing GPD Group to Perform Additional Final Design and Construction Document Preparation Services for Project No. 71-18-01 in the Not-to-Exceed Amount of \$839,918.00.

**Chairman:** Are there any questions or comments? Hearing none, please call the roll.

**MOTION:** A motion to adopt the *Resolution Authorizing GPD Group to Perform Additional Final Design and Construction Document Preparation Services for Project No. 71-18-01 in the Not-to-Exceed Amount of \$839,918.00*, was made by Chairman Hruby, seconded by Mr. Peterson, and approved by all Commission Members present. Resolution No. 75-2018.

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

**Chief Engineer:** The fourth and final resolution for your consideration seeks the Commission's authorization to renew our Agreement for trash, recyclable, and tire debris removal and disposal service with Elytus, Ltd., of Columbus, Ohio. The service is required at forty Commission facilities including maintenance buildings, toll plazas, and the administration building, and Elytus provides an enterprise-wide third-party administrative service to handle these requirements. By taking advantage of DAS Contract No. CSP909114, Index No. GDC138, the Commission previously entered into an agreement that covered approximately 18 months of service with Elytus, Ltd. and will expire on December 31, 2018. To-date, the Contractor has satisfactorily performed the services required. Engineering staff have reviewed costs of

performing the services in-house versus the third-party administrative service, and when combined with actual refuse removal and disposal costs, find that savings are realized by utilizing the DAS contract. Furthermore, the administrative services to be provided by Elytus, Ltd. will save the Commission's administrative personnel approximately 600 hours per year. Based on the Contractor's satisfactory performance and favorable unit prices, I am recommending that the Commission renew the trash, recyclable, and tire debris removal and disposal service with Elytus, Ltd., of Columbus, Ohio, in the total estimated amount of \$250,000.00 through December 31, 2020. With your permission, may the General Counsel please read the title of the resolution?

**General Counsel:** Resolution Approving an Agreement with Elytus, Ltd. to Provide Removal and Disposal Services for Trash, Recyclables and Tire Debris during a Two-Year Period Under the DAS Cooperative Purchasing Program in the Total Estimated Amount of \$250,000.00.

**Chairman:** Any questions or comments?

**Executive Director Cole:** This is one of those projects we have done over the last few years that was a total team effort. Our facilities staff, our Accounting Department, our Procurement Department, in the past we had always just bid out our trash services and you kind of accepted who was there in the area and we did a good job. We would always try to get the best price we could. By partnering with Elytus, they analyze how much trash is actually picked up and on what schedule it is. They have advanced algorithms and software that help us make that determination. If you think about it, your trash at home, you pay whatever your fee is whether your trash can is full or not, we do the same thing, but Elytus then goes back and analyzes that and changes the pick-up cycle and/or negotiates the fees we charge based on a very careful analysis of exactly what kind of trash we have and they make recommendations on how we can dispose of things differently. Managing all of that would be awfully time consuming and difficult for our staff to do that. This is one of those places where there is a lot of the same trash hauled, but now we have a different relationship with them and it increases efficiency and drives down our total cost of operations. It is just one more of those ways, Mr. Chairman, that we work to make sure that operating line you are proud of not moving up, that we find ways to save money.

**Mr. Coviello:** Are there other areas of the operation where we can take that same concept, whether it is telephones or anything?

**Executive Director Cole:** We are using that same concept with our energy consultant which helps us with the procurement of our electricity and gas. They are analyzing across all of our facilities, our monthly bills, our usage, and making recommendations along those lines.

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

**MOTION:** A motion to adopt the *Resolution Approving an Agreement with Elytus, Ltd. to Provide Removal and Disposal Services for Trash, Recyclables and Tire Debris during a Two-Year Period Under the DAS Cooperative Purchasing Program in the Total Estimated Amount of \$250,000.00*, was made by Mr. Pakush, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 76-2018.

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

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

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

**General Counsel:** No report, Mr. Chairman.

**Chairman:** We will move on to the report of our Executive Director, Randy Cole.

**Executive Director Cole:** Four years. How has it been four years? I have now become the 4<sup>th</sup> longest-serving Executive Director in Ohio Turnpike history. Only Gary Suhadolnik (2002-07), C.W. Hartford (1957-67) and the great Allan Johnson, the longest-serving Executive Director, almost 26 years (1970-1996), have served longer than I have. Mr. Chairman, you have provided great stability through your leadership. You are the 3<sup>rd</sup> longest serving Chair of the Commission. Thank you for appointing me Executive Director.

I had no idea four years ago that we would be preparing for Connected and Autonomous Vehicles (CAV), not just on the Turnpike but throughout Ohio as part of DriveOhio and across the Midwest through the Smart Belt Coalition. I never envisioned that we would be part of a feasibility study for a potential Hyperloop route between Cleveland and Chicago. To help address the changing times, the Turnpike has undertaken 76 different initiatives to upgrade technology, make operations more efficient, increase safety and add and improve services to our customers.

My first year, I had a note atop the white board in my office that read “We are separated by a fence, not a wall.” We have tried hard to be a good neighbor and willing partner in providing services and adding value across 13 counties and with the 70 communities that surround the Ohio Turnpike. I have loved using @OHTurnpikeGuy to address safety, advertise *E-ZPass*<sup>®</sup> and services at the service plazas, and educate our partners and the public about emerging technologies.

The success we have had over the last four years was only possible with the support of the Commission Members and all 950 dedicated staff of the Ohio Turnpike. From the position of Executive Director, I have had the unique vantage point of seeing the dedication and teamwork that runs through the whole organization. I wish all of you the very best in continuing the highest levels of service to our customers, communities and business partners.

On a personal note, thank you for becoming my friends, my Turnpike family. Thank you for being open to so many new ideas and being willing to adapt to change. Thank you for embracing my family at open houses, public events and even around the administration building. I have to admit, when Cyndra and I shared the news with our children that I was leaving the Turnpike at the end of Governor John Kasich’s term January 13, 2019, there were a few tears at the dinner table. My frequent OHTurnpikeGuy co-star, Porter, may have sobbed a little.

As for my next steps, many of you know how deeply I believe that we are living in transformational times, driven by disruptive technology. At the recent Blockchain Solutions conference here in Cleveland, John Donovan, the CEO of AT&T Communications told the

audience that “the advice he’s given his children is to learn an industry, then pick your head up and apply one of the emerging technologies to disrupt that industry.” We have talked here about some of these disruptive technologies like the coming 5G network, the internet of things, Blockchain, advanced data analytics, and of course, connected and self-driving vehicles.

I’ve been fortunate to spend most of the last thirty years developing an extensive knowledge of how government works at multiple levels. Over these past four years, I’ve gained a deep understanding of tolling and some of these emerging technologies. Now, I hope to play a role in Ohio and across the country, not just in the toll industry, but across government services in helping to make sure some of the new technologies are used in the best manner possible. I am very excited about the commitment to innovation by the DeWine-Husted Team and look forward to supporting them. In addition to securing employment to pay the bills, I’m working to start a non-profit organization devoted to helping government understand the impacts of these new technologies and prepare for them. No specific announcements in either regard, but hopefully, more details soon.

Wherever this new path may lead, please know that I will forever be #TurnpikeProud. My very best wishes for each of you through this holiday season and for a very happy and prosperous 2019.

That concludes my report, Mr. Chairman.

**Chairman:** Thank you, Randy. Jennifer, please read the title of the resolution.

**General Counsel:** Resolution Honoring the Distinguished Service of Executive Director, Randy Cole.

**MOTION:** A motion to adopt the *Resolution Honoring the Distinguished Service of Executive Director, Randy Cole*, was made by Mr. Paradiso, seconded by Mr. Peterson, and approved by all Commission Members present. Resolution No. 77-2018.

**Chairman:** The resolution passes unanimously. We will move on to the next resolution. Jennifer, please read the title of the resolution.

**General Counsel:** Resolution Appointing Interim Executive Director and Assistant Secretary-Treasurer.

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

**MOTION:** A motion to adopt the *Resolution Appointing Interim Executive Director and Assistant Secretary-Treasurer*, was made by Chairman Hruby, seconded by Mr. Coviello, and approved by all Commission Members present. Resolution No. 78-2018.

**Chairman:** The resolution passes unanimously.



The next meeting will be held on January 28, 2019, at 10:00 a.m. I wish you all on behalf of the Commission and our staff a Merry Christmas. If there is no further business, I will accept a motion to adjourn.

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

Time of adjournment: 11:07 a.m.

**Attendees for Record Keeping Purposes:**

Michael Burgess, Prime AE; Mario Cecchi, Cubic; Jason Watson, MSG; Ed Adamczyk, Arcadis; Scott Buchanan, AECOM; Bethany Pugh, PFM; Brian Regueiro, PFM; Hamid Homae, KS Associates; Maureen Shildwachter, Huntington; Jake Siesel, IUOE 18; Halle Jones Capers, G. Stephens; Todd Majidzadeh, Resource International; Anthony Yacobucci, Ohio Turnpike; Martin Seekely, Ohio Turnpike; Jennifer Stueber, Ohio Turnpike; Matt Cole, Ohio Turnpike; Denise Criscuolo, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Mark Musson, Ohio Turnpike; Diana Anthony, Ohio Turnpike; David Miller, Ohio Turnpike; Chris Matta, Ohio Turnpike; Lisa Mejac, Ohio Turnpike; Brian Kelley, Ohio Turnpike; Joe Mannion, Ohio Turnpike; Sharon Isaac, Ohio Turnpike; Adam Greenslade, Ohio Turnpike; and Brian Newbacher, Ohio Turnpike.

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

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Assistant Secretary-Treasurer, Martin Seekely

# **EXHIBITS**

1. Resolution No. 70-2018 – Resolution Honoring the Heroic and Courageous Actions of Ohio State Highway Patrol Troopers William L. Head, Stephen W. Pacheco and Tony D. Stephens on August 14, 2018;
2. Resolution No. 71-2018 – Resolution Authorizing a Contract with the Director of Public Safety for the Ohio State Highway Patrol for Policing the Ohio Turnpike;
3. Resolution No. 72-2018 – Resolution Adopting Proposed 2019 Annual Operating Budget and Providing for Deposits Required Under the Master Trust Agreement During 2019;
4. Resolution No. 73-2018 – Resolution Adopting Proposed 2019 Capital Budget;
5. Resolution No. 74-2018 – Resolution Approving the Selection of Mosser Construction, Inc. to Repair and Rehabilitate Bridge Decks Under Project No. 43-19-04 for the Total Amount of \$4,366,413.95 and Approving the Assignments of DGL Consulting Engineers, LLC and Solar Testing Laboratories, Inc. to Perform Professional Services on the Project;
6. Resolution No. 75-2018 – Resolution Authorizing GPD Group to Perform Additional Final Design and Construction Document Preparation Services for Project No. 71-18-01 in the Not-to-Exceed Amount of \$839,918.00;
7. Resolution No. 76-2018 – Resolution Approving an Agreement with Elytus, Ltd. to Provide Removal and Disposal Services for Trash, Recyclables and Tire Debris during a Two-Year Period Under the DAS Cooperative Purchasing Program in the Total Estimated Amount of \$250,000.00;
8. Resolution No. 77-2018 – Resolution Honoring the Distinguished Service of Executive Director, Randy Cole; and
9. Resolution No. 78-2018 – Resolution Appointing Interim Executive Director and Assistant Secretary-Treasurer.

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Honoring the Heroic and Courageous Actions of Ohio State Highway Patrol Troopers William L. Head, Stephen W. Pacheco and Tony D. Stephens on August 14, 2018**

WHEREAS, William L. Head, Stephen W. Pacheco and Tony D. Stephens, are employed by the Ohio State Highway Patrol; and

WHEREAS, on August 14, 2018, Trooper William L. Head was dispatched to an incident at the Cuyahoga River Bridge located on the Ohio Turnpike at Milepost 177 eastbound; and

WHEREAS, while en route, telephone calls were received advising that a person at the scene was preparing to jump from the bridge; and

WHEREAS, due to the nature of the incident, Trooper Stephen W. Pacheco and Trooper Tony D. Stephens were dispatched to the scene; and

WHEREAS, Trooper William L. Head located and made contact with the patron who was sitting on the concrete wall of the bridge; and

WHEREAS, upon their arrival on scene, Trooper Stephen W. Pacheco and Trooper Tony D. Stephens also made contact with the patron; and

WHEREAS, Trooper William L. Head, Stephen W. Pacheco and Trooper Tony D. Stephens, while engaging with the patron with exceptional care and compassion were able to grab the patron and bring him back over the wall; and

WHEREAS, the heroic actions of Trooper William L. Head, Trooper Stephen W. Pacheco and Trooper Tony D. Stephens saved the life of the distressed patron; and

WHEREAS, the Commission Members view the extraordinary bravery exhibited by Trooper William L. Head, Trooper Stephen W. Pacheco and Trooper Tony D. Stephens in responding to this life threatening emergency, as an example of excellence for which formal and public recognition should be given; and

NOW, THEREFORE, BE IT

RESOLVED, that the Ohio Turnpike and Infrastructure Commission, by the adoption of this Resolution, hereby expresses its deep appreciation for the distinguished manner in which Trooper William L. Head, Trooper Stephen W. Pacheco and Trooper Tony D. Stephens responded to the life threatening situation that occurred at Milepost 177 eastbound on the Turnpike on August 14, 2018; and

FURTHER RESOLVED, that Trooper William L. Head, Trooper Stephen W. Pacheco and Trooper Tony D. Stephens, while performing their duties, exhibited extraordinary bravery and courage in an effort to preserve the life of a distressed patron; and

FURTHER RESOLVED, that the Commission also considers that the people of the State of Ohio are fortunate in receiving the compassionate and unselfish services that they rendered; and

FURTHER RESOLVED, that the Commission extends its best wishes to Trooper William L. Head, Trooper Stephen W. Pacheco and Trooper Tony D. Stephens and their families; and

FURTHER RESOLVED, that the Secretary-Treasurer be, and hereby she is, directed to send a certified copy of this Resolution to Trooper William L. Head, Trooper Stephen W. Pacheco and Trooper Tony D. Stephens.

**(Resolution No. 70-2018 adopted December 17, 2018)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Authorizing a Contract with the Director of Public Safety for the Ohio State Highway Patrol for Policing the Ohio Turnpike**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) and the Director of the Ohio Department of Public Safety (“ODPS”) are authorized pursuant to Ohio Revised Code Section 5503.32 and Section 5537.04 to enter into contracts with respect to the policing of Turnpike projects by the Ohio State Highway Patrol (“OSHP”); and

WHEREAS, the Commission’s current Contract with the ODPS, which provides for the policing of the Ohio Turnpike by the OSHP, will expire on December 31, 2018; and

WHEREAS, the OSHP’s Commander of Finance & Logistic Services and the Commission’s Director of Contract Administration have jointly drafted and reviewed a new Contract, a copy of which is before this Commission, which covers the policing of the Ohio Turnpike by the OSHP for a five-year period from January 1, 2019, to December 31, 2023; and

WHEREAS, the Commission’s Safety Services Manager, who oversees the Contract for the OSHP’s services, and the CFO/Comptroller have both reviewed the draft of the new Contract and recommend that it be executed by the parties, along with the attendant Schedule of Rates Exhibits, which shall be reviewed and re-executed twice each calendar year; and

WHEREAS, the Executive Director has reviewed the report of the Director of Contract Administration, who has advised that the Commission has full legal authority to enter into the proposed Contract with the ODPS, and he recommends that the attached Contract be executed; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the Executive Director is authorized to execute the Contract for Policing of the Ohio Turnpike with the Director of the Ohio Department of Public Safety and the Superintendent of the Ohio State Highway Patrol, which provides for the Ohio State Highway Patrol to police the Ohio Turnpike for a five-year term beginning January 1, 2019 and ending on December 31, 2023, and to take any or all action necessary or proper to carry out the terms of said Contract.

**(Resolution No. 71-2018 adopted December 17, 2018)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Adopting Proposed 2019 Annual Operating Budget and Providing for Deposits Required Under the Master Trust Agreement During 2019**

WHEREAS, Ohio Revised Code Section 5537.17(F) requires the Commission to submit a copy of its Proposed Annual Operating Budget to the Governor, the Presiding Officers of each House of the General Assembly, the Director of Budget & Management, and the Legislative Service Commission, no later than the first day of the calendar or fiscal year; and

WHEREAS, Article V, Section 5.01 of the Amended and Restated Master Trust Agreement dated April 8, 2013, between the Commission and The Huntington National Bank as Trustee (“Master Trust Agreement”), provides that the Commission shall adopt an annual operating budget on or before the first day of each fiscal year and shall file the same with the Trustee; and

WHEREAS, the Deputy Executive Director/CFO/Comptroller and the Executive Director have recommended that the Commission adopt the attached proposed 2019 Annual Operating Budget; and

WHEREAS, the Commission, in order to comply with the provisions of Ohio Revised Code Section 5537.17(F), and the provisions of the Master Trust Agreement, takes the following action.

NOW, THEREFORE, BE IT

RESOLVED that, in accordance with Article V, Section 5.01 of the Master Trust Agreement, the Commission hereby adopts the following as its 2019 Annual Operating Budget, and the Executive Director, his successor or the Deputy Executive Director/CFO/Comptroller are directed to transmit a copy of the budget to the appropriate state officials as set forth in Ohio Revised Code Section 5537.17(F) and to The Huntington National Bank as Trustee, as required under Section 5.01(a)(iii) of the Master Trust Agreement, and to make those deposits or transfers of funds as are necessary to effectuate said budget attached hereto and incorporated by reference into this resolution.

FURTHER RESOLVED that any 2019 revenues remaining in the General Fund after making payments for the Cost of Operation, Maintenance and Administration, Debt Service, the redemption of the remaining 2009 bonds and all budgeted transfers shall be transferred to the Systems Projects Fund.

**(Resolution No. 72-2018 adopted December 17, 2018)**

# OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

## Resolution Adopting Proposed 2019 Capital Budget

WHEREAS, under Article V, Section 5.03(b)(i) of the Amended and Restated Master Trust Agreement dated April 8, 2013 (“Master Trust Agreement”), the Commission covenants that “from the revenues of the [Turnpike] System it will at all times maintain the System in good repair and in sound operating condition and will make all necessary repairs, renewals, improvements and replacements;” and

WHEREAS, in accordance with Article IV of the Master Trust Agreement, the 2019 Annual Operating Budget includes transfers of revenues to the System Projects Fund, Renewal and Replacement Fund, Fuel Tax Fund, Construction Fund and Service Plaza Capital Improvement Fund; and

WHEREAS, the transfers of 2019 revenues to the System Projects Fund, Renewal and Replacement Fund, Fuel Tax Fund, Construction Fund and Service Plaza Capital Improvement Fund are intended to be added to any unspent balances in these funds and the total is to be available for capital expenditures; and

WHEREAS, the Commission’s Chief Engineer and Deputy Executive Director/CFO/Comptroller have prepared the attached Capital Budget that includes a recommended preliminary list of 2019 capital projects totaling up to \$184,354,920, which list is subject to change, and \$13,961,415 in uncommitted funds, which may be used for currently unidentified capital projects that may be needed during 2019; and

WHEREAS, the Executive Director has reviewed and concurs with the recommendations of the Chief Engineer and Deputy Executive Director/CFO/Comptroller; and

WHEREAS, the Commission has duly considered said recommendations.

NOW, THEREFORE, BE IT

RESOLVED that, in accordance with the requirements of Article IV of the Master Trust Agreement, the Commission hereby authorizes expenditures from the System Projects Fund, Renewal and Replacement Fund, Fuel Tax Fund, Construction Fund and Service Plaza Capital Improvement Fund for 2019 capital projects, which shall constitute System projects, with such expenditures not-to-exceed a combined total of up to \$198,316,335, and which projects shall be awarded in accordance with the requirements of Article V of the Commission’s Code of Bylaws dated July 1, 2013.

FURTHER RESOLVED that the Executive Director of the Ohio Turnpike and Infrastructure Commission will provide a certified copy of this resolution to the Huntington National Bank, as Trustee for the Bondholders.

**(Resolution No. 73-2018 adopted December 17, 2018)**

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Approving the Selection of Mosser Construction, Inc. to Repair and Rehabilitate Bridge Decks Under Project No. 43-19-04 for the Total Amount of \$4,366,413.95 and Approving the Assignments of DGL Consulting Engineers, LLC and Solar Testing Laboratories, Inc. to Perform Professional Services on the Project**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice in accordance with law advertising its invitation to bid upon a Contract for the overhead bridge repairs and rehabilitations of River Road (T.R. 126) at Milepost 120.0, Wikel Road (T.R. 127) at Milepost 121.9, Chapin Road (T.R. 131) at Milepost 123.1, State Route 60 at Milepost 131.6 and Gifford Road (T.R. 46) at Milepost 135.4 in Erie and Lorain Counties (“Project No. 43-19-04”); and

WHEREAS, the Commission received six bids to perform the Contractor’s obligations on the Project, and the report of the Commission’s Chief Engineer and Deputy Chief Engineer concerning the review and analysis of the bids is before the Commission; and

WHEREAS, the Chief Engineer and Deputy Chief Engineer report that Mosser Construction, Inc., of Fremont, Ohio (“Mosser”), submitted the apparent low bid on Project No. 43-19-04 in the total bid amount of \$4,366,413.95, which they recommend the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Director of Contracts Administration advises that bids for Project No. 43-19-04 were solicited from all bidders on the basis of the same terms, conditions and specifications, that the bid of Mosser for Project No. 43-19-04 conforms to the requirements of Ohio Revised Code Sections 5537.07 and 9.312, and that Mosser submitted a performance bond with good and sufficient surety and made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project; 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 amount of the bids received will require expenditures under Contract No. 43-19-04 that will exceed \$150,000.00; and

WHEREAS, the Commission’s Executive Director has reviewed the reports of the Chief Engineer and the Director of Contracts Administration and concurs in the recommendation to select Mosser as the lowest responsive and responsible bidder for Project No. 43-19-04; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the bid of Mosser Construction, Inc. for Project No. 43-19-04 in the amount of \$4,366,413.95 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a Contract based on said bid; and



FURTHER RESOLVED that the Executive Director and the Chief Engineer are authorized to assign DGL Consulting Engineers, LLC, of Maumee, Ohio, to perform all necessary construction administration and inspection services in accordance with its contract previously authorized under Resolution No. 36-2017, and assign Solar Testing Laboratories, Inc., of Brooklyn Heights, Ohio, to perform the necessary materials testing services in accordance with the 2019-2020 Miscellaneous Professional Services Agreement; and

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

**(Resolution No. 74-2018 adopted December 17, 2018)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Authorizing GPD Group to Perform Additional Final Design and Construction Document Preparation Services for Project No. 71-18-01 in the Not-to-Exceed Amount of \$839,918.00**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected Glaus, Pyle, Schomer, Burns & Dehaven, Inc., dba GPD Group, of Akron, Ohio (“GPD Group”), through Resolution No. 38-2013 to perform Engineering Design and Construction Services for Pavement Reconstruction Program sections at various locations on the Ohio Turnpike, with the Commission having the option to assign up to five projects that each consist of a five to six-mile section of roadway; and

WHEREAS, the Commission previously authorized exercising the options to assign GPD Group to perform Preliminary Engineering (“Task 1”) and Final Design Services (“Task 2”) for four pavement reconstruction project sections under Resolution No. 38-2013 for Project No. 71-13-06 in Cuyahoga County, Resolution No. 11-2014 for Project No. 71-14-07 in Portage County, Resolution No. 64-2014 for Project No. 71-14-12 in Portage County, and Resolution No. 58-2016 for Project No. 71-16-13 in Lorain and Cuyahoga Counties, where the Commission accepted GPD Group’s fee proposals in the total amount \$2,260,312.00 for completing Task 1 and Task 2 Services on all four previous base pavement reconstruction project sections; and

WHEREAS, the Commission accepted the recommendation of the Chief Engineer to incorporate the fifth pavement reconstruction project within the improvements contemplated under the Strategic Plan for Modernizing the Toll Collection System and approved authorization under Resolution No. 16-2018 for GPD Group to perform Task 1 – Preliminary Engineering Services and a portion of the Task 2 – Final Design and Construction Document Preparation Services for Project No. 71-18-01 from Milepost 0.0 to Milepost 7.2 in the total not-to-exceed amount of \$594,295.00; and

WHEREAS, GPD Group submitted a fee proposal dated December 7, 2018 to perform additional Task 2 – Final Design and Construction Document Preparation Services for Project No. 71-18-01 in the total not-to-exceed amount of \$839,918.00, which amount the Chief Engineer and Deputy Chief Engineer have deemed to be reasonable and necessary; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Engineer and Deputy Chief Engineer and approves the recommendation to authorize GPD Group to perform the Additional Task 2 Services under Project No. 71-18-01.

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that GPD Group is assigned additional Task 2 - Final Design and Construction Document Preparation Services under Project No. 71-18-01 from Milepost 0.0 to Milepost 7.2 in Williams County in the not-to-exceed amount of \$839,918.00, and the Executive Director is authorized to amend the Contract with GPD Group to perform such services in accordance with the terms and conditions of the Commission’s

RFP for Pavement Reconstruction Design Services, GPD Group's response thereto and its fee proposals therefor; and

FURTHER RESOLVED that the Executive Director has the authority under Article V, Section 1.00 of the Code of Bylaws to further amend the Contract with GPD Group to perform additional services necessary for Project No. 71-18-01 that does not exceed ten percent of the total not-to-exceed amount approved to date for the Contract, and approve such extra work or change orders under said contracts as a result of an increase in necessary quantities, newly mandated requirements that did not exist at the time of original contract awards, or circumstances that would create a life, safety, or health threatening situation or would unduly delay the completion of the Project or increase its costs.

**(Resolution No. 75-2018 adopted December 17, 2018)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Approving an Agreement with Elytus, Ltd. to Provide Removal and Disposal Services for Trash, Recyclables and Tire Debris during a Two-Year Period Under the DAS Cooperative Purchasing Program in the Total Estimated Amount of \$250,000.00**

WHEREAS, pursuant to 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, the Commission maintains fifty-nine facilities across northern Ohio that produce trash, recyclable, and tire debris requiring removal and disposal, and the Commission has historically packaged its trash, recyclable, and tire debris removal and disposal services for competitive bidding, selected multiple contractors to service its facilities, coordinated the various contractors’ pickup and removal activities and verified and reconciled numerous invoices from each contractor for its designated facilities; and

WHEREAS, the Engineering Department identified a service available under the DAS Cooperative Purchasing Program from Elytus, Ltd., of Columbus, Ohio (“Elytus”), to provide comprehensive enterprise-wide refuse and recyclable material disposal services through a single contractor that would assume responsibility, as the third-party administrator, for competitively bidding, recommending, coordinating, managing and compensating the companies that provide removal and disposal service at the facilities; and

WHEREAS, the Commission, through its Executive Director under the authority of Article V, Section 1.00 of its Code of Bylaws, engaged Elytus for a limited duration to assess the third party administrator services available under the DAS Cooperative Purchasing Program, and the trial period resulted in the determination that the Commission saved costs and freed staff from performing ancillary administrative tasks that allowed them to focus their worktime on performing core aspects of their jobs; and

WHEREAS, the trash, recyclable, and tire debris removal and disposal services that Elytus performs under the DAS Cooperative Purchasing Program through Contract No. CSP909114, Index No. GDC138 was extended through December 31, 2020, and the Deputy Chief Engineer recommends that the Commission approve authorization for Elytus to continue to perform the Commission’s requirements for trash, recyclable, and tire debris removal and disposal services for an additional two-year period, which requirements are estimated to cost the Commission \$250,000.00 throughout the additional term; and

WHEREAS, the Chief Engineer and Executive Director reviewed and approved the request of the Deputy Chief Engineer and concur with the recommendation for the Commission to authorize the agreement with Elytus to perform the services necessary to fulfill the Commission’s requirements for trash, recyclable, and tire debris removal and disposal services; and

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

NOW, THEREFORE, BE IT

RESOLVED by the Ohio Turnpike and Infrastructure Commission that the Executive Director is authorized to enter into an agreement with Elytus, Ltd., of Columbus, Ohio, to provide the third-party administrator services necessary to fulfill the Commission's requirements for trash, recyclable, and tire debris removal and disposal services during a two-year period through the DAS Cooperative Purchasing Program under DAS Contract No. CSP909114, Index No. GDC138 in the total estimated amount of \$250,000.00, is approved.

**(Resolution No. 76-2018 adopted December 17, 2018)**

## **OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION**

### **Resolution Honoring the Distinguished Service of Executive Director, Randy Cole**

WHEREAS, the Ohio Turnpike and Infrastructure Commission appointed Randy Cole to serve as Executive Director beginning December 22, 2014, a position which he will hold until January 13, 2019; and

WHEREAS, the Commission wishes to formally acknowledge Mr. Cole's distinguished service to the Commission and the traveling public; and

WHEREAS, Mr. Cole has won the favor and admiration of both the Commission employees and the Union through tremendous work to recognize the daily efforts by the staff, including Mr. Cole's leading the Turnpike's 60<sup>th</sup> anniversary in 2015, the Memorial Sign Dedication Program for those who were killed in the line of duty on the Turnpike and the many, many other personal recognitions by Mr. Cole of the staff's extra efforts to serve the Commission's mission; and

WHEREAS, in addition to his endless efforts at improving the efficiency, upgrading technology and reducing waste in the daily operations of the Turnpike, during Mr. Cole's tenure as the Executive Director, he has led the Commission in accomplishing the following and more:

- Development of the Plan to Modernize the Turnpike Toll Collection and Customer Service Center Systems, as well as the expansion of Toll Plaza 180
- Excellent financial stewardship in completing the funding of Governor Kasich's Jobs and Transportation Plan by issuing \$530 million in bonds while securing ratings upgrades from Moody's
- Led the successful resolution of the class action lawsuit against the Commission
- Extensive technology improvements including automating in-lane credit card processing, MARCS radio and VOIP phone system upgrades, expanding email to all employees, Computer Aided Dispatch Solution, Vendor Managed Inventory, Employee Self Service and Online Benefit Enrollment systems and electronic timekeeping
- Brought electric vehicle charging stations to four service plazas
- Ensuring the Commission as well as the State of Ohio are prepared for future disruptive technological changes by serving in leadership roles on the IBTTA, DriveOhio, NOACA Hyperloop, and the Smart Belt Coalition

WHEREAS, the members and staff of the Commission wish to give formal and public recognition for the honorable, exceptionally dedicated, and effective service of Randy Cole as Executive Director for the Commission.

NOW, THEREFORE, BE IT

RESOLVED that the Ohio Turnpike and Infrastructure Commission hereby acknowledges and expresses its gratitude to Randy Cole for his four years of dedicated service, and the Commission also considers that the people of the State of Ohio have been fortunate in receiving the unselfish services that he rendered; and

FURTHER RESOLVED that the Commission extends its best wishes to Randy Cole, his wife, Cyndra, and their children Alex, Eden, Aubrey, Porter and Alden, and desires that Randy Cole have much success and well-being in all matters and activities that he shall undertake in the future; and

FURTHER RESOLVED that the Secretary-Treasurer be, and hereby she is, directed to send a certified copy of this Resolution to Mr. Cole.

**(Resolution No. 77-2018 adopted December 17, 2018)**

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### **Resolution Appointing Interim Executive Director and Assistant Secretary-Treasurer**

WHEREAS, on or before December 12, 2018, Executive Director Randy Cole notified the Commission of his intention to resign his position as Executive Director of the Commission effective at 11:59 p.m., January 13, 2019; and

WHEREAS, on behalf of the Commission, the Chairman has accepted the resignation of Randy Cole; and

WHEREAS, in accordance with Article I, Section 2.00 of the Commission's Code of Bylaws, the Chairman has recommended that Martin S. Seekely, Chief Financial Officer and Deputy Executive Director, be appointed to serve as the Interim Executive Director effective at 12:00 a.m., January 14, 2019, until the Commission conducts a search and appoints a permanent Executive Director; and

WHEREAS, Randy Cole also served as the Assistant Secretary-Treasurer of the Commission, and the Secretary-Treasurer has recommended that the Interim Executive Director be appointed to serve as the Interim Assistant Secretary-Treasurer until such time as a permanent Executive Director is appointed by the Commission, and that the Commission assent to said interim appointment as required under Article I, Section 1.00 of the Commission's Code of Bylaws.

NOW, THEREFORE, BE IT

**RESOLVED** that, until such time as the Commission appoints a permanent Executive Director, the Commission hereby appoints Martin S. Seekely to serve as the Interim Executive Director of the Commission beginning at 12:00 a.m. on January 14, 2019, and he shall be authorized to perform all of the duties and powers granted to the Executive Director as governed by Article V, Section 1.00 of the Commission's Code of Bylaws dated July 1, 2013; and

**FURTHER RESOLVED**, that the Interim Executive Director is appointed to serve as the Interim Assistant Secretary-Treasurer, and is authorized to perform all duties set forth in Article I, Section 5.10 of the Commission's Code of Bylaws dated July 1, 2013.

**(Resolution No. 78-2018 adopted December 17, 2018)**