

**MINUTES OF THE 706th OHIO TURNPIKE AND
INFRASTRUCTURE COMMISSION
MARCH 20, 2023**

This regular meeting of the Ohio Turnpike and Infrastructure Commission was **CALLED TO ORDER** on March 20, 2023, at 10:00 a.m., located at 682 Prospect Street, Berea, Ohio 44017.

Following the **PLEDGE OF ALLEGIANCE**, members of the Ohio Turnpike and Infrastructure Commission answered to **ROLL CALL** as follows:

ROLL CALL:

Members Present:

- Chairman, Jerry N. Hruby;
- Vice Chairman, Timothy J. Paradiso;
- Secretary-Treasurer, Sandra K. Barber;
- Commission Member, Guy C. Coviello;
- Ohio Department of Transportation (ODOT) Member Ex-Officio, through its director's designee, Myron Pakush;
- Office of Budget and Management Member (OBM) Ex-Officio, through its director's designee, Michael Babin; and
- Ohio House Member Haraz N, Ghanbari.

Members Excused: Ohio House Member Bill Reineke

Ohio Turnpike and Infrastructure Commission Employees Present:

- Assistant Secretary-Treasurer and Executive Director, Ferzan M. Ahmed, P.E.;
- Chief Engineer, Chris Matta;
- General Counsel, Jennifer Monty Rieker;
- Chief Financial Officer, Lisa M. Mejac;
- Director of Audit and Internal Control, David Miller;
- Director of Toll Operations, Laurie Davis;
- Director of Marketing and Communications, Adam Greenslade;
- Director of Administration, Matthew Cole;
- Deputy General Counsel, Heather A. Veljkovic;
- Director of Contracts Administration, Aimee W. Lane;
- Comptroller, Joseph Gardner;
- Chief Information Officer, Chriss Pogorelc;
- Patrol Secretary, Kristin Obermeyer;
- Internal Audit Manager, Jeffery Bartlett;
- Operations Supervisor, Tara Cottrell;
- Assistant Toll Plaza Supervisor, Anna Barrios;
- Division II Superintendent, Matthew McMullen;

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- Western Division Service Plaza Manager, Stefan Kondelka;
- Procurement Manager, Kevin Golick;
- Procurement Coordinator, Barbara Black;
- Construction Engineer, Anne Powell;
- Design and Planning Engineer, Daniel Rodriguez;
- Administrative Assistant, Lisa Drozdowski;
- Paralegal, Suzanne Coleman;
- Public Information Officer, Chuck Cyrill;
- Chief Inspector, Joseph Mannion;
- Legal Administrative Assistant, Jennifer Diaz;
- Maintenance Operations Engineer, Bryan Emery;
- Ohio State Highway Patrol Staff Lieutenant, Richard Reeder; and
- Marketing and Communications Specialist I, Zakk Sheehan.

Others Present:

- Michael Burgess, Prime AE;
- Jerry Bailey, A.P. O'Horo;
- Rick Capone, QCI;
- Anthony Ewers, QCI;
- Frank Kinor, Jr., CT Consultants;
- Zack Deems, AECOM;
- Mark Wimer, AECOM;
- Mike Woodring, AECOM;
- Maureen Murman, Huntington;
- Steve Brookman, Huntington;
- Hamid Homae, TBD Advising;
- Kevin Westover, Huntington;
- Kyle Layton, DGL;
- Jacob Siesel, IUOE 18; and
- Mary Cobham, Cosmos Technologies.

MINUTES OF THE FEBRUARY 21, 2023 REGULAR COMMISSION MEETING:

Motion: Commission Member Coviello

Seconded: Vice Chairman T. Paradiso

Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,

Nays: None

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MINUTES ADOPTED: 5-AYES, 0-NAYS.

REPORTS:

- Report of the Secretary-Treasurer, Sandra K. Barber.

ADMINISTRATIVE REPORTS:

- Executive Director, Ferzan M. Ahmed, P.E.
 - Recognition of Graduates of 2023 Tri-C Corporate College Frontline Supervisor Program: Anna Barrios, Elizabeth Pastiva, and Kimberly Price (Toll Operations); Matthew McMullen, Michael Oberdorf, and Mark Pritchard (Maintenance); Stefan Kondelka and Cole Pallas (Service Plaza Operations); Taylor Birth (Customer Service Center); Tara Cottrell (Communications Center). Congratulations to Matt Cole and Lauren Hakos for implementing this program.
 - TCS Update: detailed schedule analysis will be needed to determine which delays are excusable.
 - Retirements: Pat Dugan (Maintenance – Elmore) and David Guyer (Toll Operations)– both have served the Commission for 25 years.
 - New Hires: 17 new staff including 3 full-time Toll Collectors and 1 part-time Collector, a Toll Audit Manager, and 2 Roadway Service Workers in the Maintenance Department at Swanton.
 - Recognition of OSHP Trooper and OSHP Maintenance Worker who on March 1, 2023 took turns performing CPR on a customer until EMS arrived on scene.

RESOLUTION:

Resolution Approving the Selection of Kleinfelder, Inc. for Project No. 71-22-16, Facility Improvements at the Blue Heron and Wyandot Service Plazas, in the Total Amount of \$98,370.00.

Motion: Secretary-Treasurer Barber
Seconded: Commission Member Coviello

Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,

Nays: None.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS.

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RESOLUTION NO.: [Resolution No. 22-2023](#)

RESOLUTION:

Resolution Authorizing Modification to Contract with CT Consultants, Inc. for Material Testing and Quality Control Services Under Project No. 99-21-04 in the Increased Not-To-Exceed Amount of \$2,815,000.00.

Motion: Vice Chairman Paradiso
Seconded: ODOT Member Ex-Officio Pakush

Chairman Hruby asked the Chief Engineer to explain why the increase was needed.

Commission Member Coviello asked about the cause of the project delays; Commission Member Coviello also asked if there is additional work required, or if it was related to timing.

Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,
Nays: None.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS.

RESOLUTION NO.: [Resolution No. 23-2023](#)

RESOLUTION:

Resolution Authorizing a Modification to the Contract with AECOM Technical Services, Inc. to Perform Phase II Construction Administration and Inspection Services Under Project No. 71-18-09 for an Estimated Aggregate Not-to-Exceed Amount of \$887,680.00;

Motion: ODOT Member Ex-Officio Pakush
Seconded: Vice Chairman Paradiso

Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,
Nays: None.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS.

RESOLUTION NO.: [Resolution No. 24-2023](#)

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RESOLUTION:

Resolution Authorizing the Selection of DGL Consulting Engineers, LLC for Construction Administration and Inspection Services Under Project No. 99-23-07 in the Not-to-Exceed Amount of \$1,500,000.00

Motion: Vice Chairman Paradiso
Seconded: Commission Member Coviello

Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,
Nays: None.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS.

RESOLUTION NO.: [Resolution No. 25-2023](#)

RESOLUTION:

Resolution Authorizing the Selection of DLZ Ohio, Inc. for Construction Administration and Inspection Services Under Project No. 99-23-08 in the Not-to-Exceed Amount of \$750,000.00

Motion: Secretary-Treasurer Barber
Seconded: Commission Member Coviello

Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,
Nays: None.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS.

RESOLUTION NO.: [Resolution No. 26-2023](#)

RESOLUTION:

Resolution Authorizing Modification to Task 6 and Task 7 Under Contract with Arcadis U.S. Inc. for Project No. 71-19-07 for a Total Aggregate Not-To-Exceed Amount of \$4,736,705.66

Motion: ODOT Member Ex-Officio Pakush
Seconded: Chairman Hruby

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Chairman Hruby requested explanation of delays.

Chief Engineer Chris Matta responded first assignment was in 2019, and Arcadis has been instrumental in the Toll Collection System project; Tasks 6 and 7 are for construction administration and inspection of certain construction projects related to the TCS Modernization, which projects are delayed. Those delays will be reviewed to determine whether any of the costs associated with the delays can be recovered.

Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,
Nayes: None.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS.

RESOLUTION NO.: [Resolution No. 27-2023](#)

RESOLUTION:

Resolution Approving the Selection of A.P. O’Horo Company for Project No. 58-22-01 in
the Total Amount of \$3,676,000.00 (Daniel Rodriguez, Design and Planning Engineer)

Motion: Chairman Hruby
Seconded: Vice Chairman Paradiso

Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,
Nayes: None.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS.

RESOLUTION NO.: [Resolution No. 28-2023](#)

RESOLUTION:

Resolution Authorizing the Purchase of Three (3) Wheel Loaders and Training in the Total
Amount of \$676,821.72 Under the Sourcewell Cooperative Purchasing Program (Bryan
Emery, Maintenance Operations Engineer)

Motion: Vice Chairman Paradiso
Seconded: Commission Member Coviello

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Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,
Nays: None.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS.

RESOLUTION NO.: [Resolution No. 29-2023](#)

RESOLUTION:

Resolution Authorizing an Agreement with Any Domestic Work, Inc. for Janitorial Services at the Middle Ridge and Vermilion Valley Service Plazas in the Amount of \$948,000.00 Per Year

Motion: Secretary-Treasurer Barber
Seconded: ODOT Member Ex-Officio Pakush

Vice Chairman Paradiso thanked Director of Service Plaza Operations Andrew Herberger for demonstrating sensitivity to the Commission’s concerns about wages and customer experience.

Secretary-Treasurer Barber thanked Director of Service Plaza Operations Andrew Herberger for providing information and responding to questions the Commission has asked in previous meetings.

Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,
Nays: None.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS.

RESOLUTION NO.: [Resolution No. 30-2023](#)

RESOLUTION:

Resolution Authorizing the Filing of Twenty “No Change Rules” with the Joint Committee on Agency Rule Review.

Motion: Chairman Hruby
Seconded: Secretary-Treasurer Barber

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Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,
Nays: None.

RESOLUTION ADOPTED: 5-AYES, 0-NAYS.

RESOLUTION NO.: [Resolution No. 31-2023](#)

REPORT OF CHIEF FINANCIAL OFFICER: 2023 Traffic and Revenue

Reports reviewed and submitted (attached)

**REPORT OF THE OHIO STATE HIGHWAY PATROL, STAFF LIEUTENANT
RICHARD REEDER:**

COMMENTS:

Chairman Hruby: The next Meeting shall be held on **Monday, April 17, 2023, 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 706th Commission Meeting.

Motion: Secretary-Treasurer Barber
Seconded: ODOT Member Ex-Officio Pakush

Ayes: Chairman Hruby, Vice Chairman Paradiso, Secretary-Treasurer Barber,
Commission Member Coviello, ODOT Member Ex-Officio Pakush,
Nays: None.

MOTION CARRIED: 5-AYES, 0-NAYS

MEETING ADJOURNED: 11:02 a.m.

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EXHIBITS

- Resolution No. 22-2023 – Resolution Approving the Selection of Kleinfelder, Inc. for Project No. 71-22-16, Facility Improvements at the Blue Heron and Wyandot Service Plazas, in the Total Amount of \$98,370.00
- Resolution No. 23-2023 – Resolution Authorizing Modification to Contract with CT Consultants, Inc. for Material Testing and Quality Control Services Under Project No. 99-21-04 in the Increased Not-To-Exceed Amount of \$2,815,000.00
- Resolution No. 24-2023 – Resolution Authorizing a Modification to the Contract with AECOM Technical Services, Inc. to Perform Phase II Construction Administration and Inspection Services Under Project No. 71-18-09 for an Estimated Aggregate Not-to-Exceed Amount of \$887,680.00
- Resolution No. 25-2023 – Resolution Authorizing the Selection of DGL Consulting Engineers, LLC for Construction Administration and Inspection Services Under Project No. 99-23-07 in the Not-to-Exceed Amount of \$1,500,000.00
- Resolution No. 26-2023 – Resolution Authorizing the Selection of DLZ Ohio, Inc. for Construction Administration and Inspection Services Under Project No. 99-23-08 in the Not-to-Exceed Amount of \$750,000.00
- Resolution No. 27-2023 – Resolution Authorizing Modification to Task 6 and Task 7 Under Contract with Arcadis U.S. Inc. for Project No. 71-19-07 for a Total Aggregate Not-To-Exceed Amount of \$4,736,705.66
- Resolution No. 28-2023 – Resolution Approving the Selection of A.P. O’Horo Company for Project No. 58-22-01 in the Total Amount of \$3,676,000.00 (Daniel Rodriguez, Design and Planning Engineer)
- Resolution No. 29-2023 – Resolution Authorizing the Purchase of Three (3) Wheel Loaders and Training in the Total Amount of \$676,821.72 Under the Sourcwell Cooperative Purchasing Program (Bryan Emery, Maintenance Operations Engineer)
- Resolution No. 30-2023 – Resolution Authorizing an Agreement with Any Domestic Work, Inc. for Janitorial Services at the Middle Ridge and Vermilion Valley Service Plazas in the Amount of \$948,000.00 Per Year

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- Resolution No. 31-2023 – Resolution Authorizing the Filing of Twenty “No Change Rules” with the Joint Committee on Agency Rule Review

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**Resolution Approving the Selection of Kleinfelder, Inc. for Project No. 71-22-16,
Facility Improvements at the Blue Heron and Wyandot Service Plazas,
in the Total Amount of \$98,370.00**

WHEREAS, on September 20, 2022, the Ohio Turnpike and Infrastructure Commission (“Commission”) issued Request for Letter of Interest No. 16-2022 seeking letters of interest for professional engineering services, specifically Phase I Services (site inspection and engineering investigation), Phase II Services (design and plan preparation) and Phase III Services (engineering support during construction) for Project No. 71-22-16, Service Plaza Facility Improvements at the Blue Heron and Wyandot Service Plazas (SP-3) at Milepost 76.9 located in Sandusky County, Ohio, (the “Project”); and

WHEREAS, on October 11, 2022, Letters of Interest were received from two (2) firms expressing their readiness to serve as the Commission’s engineering consultant for the Project; and

WHEREAS, on the basis of the proposals received, in accordance with the Commission’s Standard Operating Procedure for Professional Design Consultant Selection Process, the Engineering staff concluded that Kleinfelder, Inc. (“Kleinfelder”), , was the most qualified to perform the necessary services for the Project, and conducted a Scope of Services meeting to confirm a mutual understanding of the Phase I Services for the Project, consisting of site inspection and engineering investigation (“Phase I Services”); and

WHEREAS, Kleinfelder submitted its fee proposal dated February 27, 2023, to perform the Phase I Services in the not-to-exceed amount of \$98,370.00 which fee proposal the Chief Engineer deemed reasonable and appropriate, and recommends that the Commission approve the award of the contract to Kleinfelder based on its technical proposal for Project No. 71-22-16; and

WHEREAS, the Commission’s Director of Contracts Administration has determined that the LOI process and the selection of Kleinfelder conform with the requirements of Ohio Revised Code Sections 153.65 to 153.71, that all legal requirements were performed and that the proposals were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Office of Equity and Inclusion determined that Kleinfelder has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 25% which meets the SBE participation goal of 25% for the Project; and

WHEREAS, the Executive Director has reviewed the recommendation of the Chief Engineer and concurs that the Commission should approve the selection of Kleinfelder to perform the Phase I Services for Project No. 71-22-16; and

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WHEREAS, this Resolution seeks authorization of Phase I Services in the not-to-exceed amount of \$98,370.00 but the contract includes Phase II Services and Phase III Services, and Commission staff will modify the contract in accordance with the Commission's contracts policy to include those additional services at the time they are necessary for successful completion of the Project, including presenting a resolution to the Commission if required; 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 Kleinfelder, Inc. is approved as the most qualified firm to perform the professional engineering services as described in the recitals for Project No. 71-22-16 and that the Executive Director is authorized to execute a contract with Kleinfelder, Inc. for Phase I Services in the not-to-exceed amount of \$98,370.00.

(Resolution No. 22-2023 adopted March 20, 2023)

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Resolution Authorizing Modification to Contract with CT Consultants, Inc. for Material Testing and Quality Control Services under Project No. 99-21-04 in the Increased Not-To-Exceed Amount of \$2,815,000.00

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected TTL Associates, Inc. (“TTL”) to perform material testing and quality control services on various Turnpike projects, designated as Project No. 99-21-04, pursuant to the approvals identified below; and

SERVICES/FEES APPROVED TO DATE

CONTRACT	SERVICES	APPROVAL	AMOUNT
Original Contract (“the “Contract”) dated May 30, 2021	Material Testing and Quality Control Services	Resolution No. 28-2021	\$2,500,000.00
First Modification dated April 24, 2022	N/A - To permit mileage reimbursements	N/A	N/A
Second Modification dated May 18, 2022	Additional funds needed for Task 12 (Material Testing and Quality Control Services for Project No. 59-22-02) and Task 13 (Material Testing and Quality Control Services for Project No. 58-22-02)	Executive Director	\$200,000.00
Third Modification dated January 25, 2023	Additional funds needed for Task 12 - Material Testing and Quality Control Services for Project No. 59-22-02	Executive Director	\$40,000.00
		TOTAL AMOUNT TO DATE:	\$2,740,000.00

PROPOSED SERVICES/FEES

CONTRACT	SERVICES	APPROVAL	AMOUNT
<i>Fourth Modification</i>	Additional funds needed for Task 3 - Material Testing and Quality Control Services for Project No. 58-21-01	<i>Proposed</i>	\$75,000.00
		TOTAL AMOUNT WITH MODIFICATION:	\$2,815,000.00

WHEREAS, the Contract term commenced on the date of the first assignment letter, which was June 3, 2021, and ended on December 31, 2022, except the Contract provides that the consultant shall perform all necessary services for any projects assigned during the Contract term if the agreed upon completion date occurs after December 31, 2022; and

WHEREAS, due to the sale of its business, TTL assigned the Contract for Project No. 99-21-04 to CT Consultants, Inc. (“CT”) under an Agreement for Consent to Assignment and Assumption of Contract dated March 7, 2023; and

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WHEREAS, CT is still performing material testing and quality control services under Task 3 for Project 58-21-01, New Mainline Toll Plaza Facility, Utility Buildings, Toll Booth & Canopies at Milepost 4 in Williams County, Ohio, along with other continuing Tasks; and

WHEREAS, the Chief Engineer reports that as of March 3, 2023, the assigned services for Tasks 1 through 13 total \$2,724,013.74, leaving a contract balance of \$15,986.26 but additional modifications for services for Task 3 total \$39,909.67, resulting in a shortfall of \$23,923.41; and

WHEREAS, the Chief Engineer recommends that the Contract be modified to increase the not-to-exceed amount by \$75,000.00 to \$2,815,000.00 so funds are available to pay CT for the completion of all pending services under the Contract; and

WHEREAS, the contract modification amount of \$75,000.00, combined with prior modifications, will increase the contract by an amount that exceeds the Executive Director's contracting authority under Article V, Section 1.00 of the Commission's Code of Bylaws, and Commission approval is necessary; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to modify the Contract to increase the not-to-exceed amount by \$75,000.00 to \$2,815,000.00 to allow the CT to complete the services required under the Contract; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED, the Executive Director is authorized to amend the Contract with CT Consultants, Inc. to increase the not-to-exceed amount to \$2,815,000.00 to ensure funds are available to pay CT Consultants, Inc. for the remaining services to be performed under the Contract.

(Resolution No. 23-2023 adopted March 20, 2023)

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Resolution Authorizing a Modification to the Contract with AECOM Technical Services, Inc. to Perform Phase II Construction Administration and Inspection Services Under Project No. 71-18-09 for an Estimated Aggregate Not-to-Exceed Amount of \$887,680.00

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected AECOM Technical Services, Inc. (“AECOM”) to perform professional engineering services for Bridge Repair and Rehabilitation on the Ohio Turnpike Over Cuyahoga River at Milepost M.P. 176.9 in Summit County, Ohio, designated as Project 71-18-09 (the “Project”), on the date noted and for the scope of work identified below:

SERVICES/FEEES APPROVED TO DATE

CONTRACT	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
Original Contract	Phase IA & IB Services – Project No. 71-18-09 Site Inspection, Engineering Report, Design and Plan Preparation Services	May 1, 2019	29-2019	\$289,569.00
First Modification	Extension of Completion Date	N/A	Chief Engineer	
Second Modification	Additional Phase I Services – Project No. 71-18-09	January 7, 2022	Chief Engineer	\$15,353.00
TOTAL AMOUNT TO DATE:				\$304,922.00

PROPOSED SERVICES/FEEES

CONTRACT	SERVICES	FEE PROPOSAL	RESOLUTION NO.	NOT TO EXCEED AMOUNT
<i>Third Modification</i>	Phase II Service – Project 71-18-09 - Construction Administration and Inspection Services for Project No. 43-22-06	February 23, 2023	<i>proposed</i>	\$582,758.00
TOTAL AMOUNT WITH MODIFICATION:				\$887,680.00

WHEREAS, the Commission selected a contractor to make the public improvements that AECOM designed as part of its Phase IA & IB Services, and AECOM submitted a fee proposal dated February 23, 2023, in the not-to-exceed amount of \$582,758.00, to perform the necessary Phase II Construction Administration and Inspection Services (“Phase II Services”) under Design Project No. 71-18-09 for Construction Project No. 43-22-06, which the Chief Engineer deemed reasonable and appropriate; and

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WHEREAS, Commission action is necessary to approve the modification to the Contract in accordance with Article V, Section 1.00 of the Commission's Bylaws because the amount described in the fee proposal from AECOM, dated February 23, 2023, to perform the required Phase II Construction Administration and Inspection Services will increase the Contract by an amount that exceeds the greater of 10% or \$150,000.00; and

WHEREAS, pursuant to Resolution No. 29-2019, the Executive Director recused himself from decisions regarding the contract at issue, and the Chief Engineer recommends that the Commission approve and authorize obtaining the Phase II Construction Administration and Inspection Services from AECOM as described in the Fee Proposal dated February 23, 2023, as the services are in furtherance of and are necessary for implementing the bridge work required under Project No. 43-22-06; 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 from AECOM dated February 23, 2023, to perform the required Phase II Construction Administration and Inspection under Project No. 43-22-06, for the not-to-exceed amount of \$582,758.00 is accepted and approved, for a total maximum contract amount of \$887,680.00; and

FURTHER RESOLVED, that the Chief Engineer is authorized to amend the Contract with AECOM to incorporate the proposal dated February 23, 2023, and increase the total not-to-exceed amount payable under the agreement to \$887,680.00 in accordance with the terms and conditions of the existing Contract and AECOM's technical responses and accepted fee proposals to perform the professional engineering services identified therein in furtherance of Project No. 43-22-06.

(Resolution No. 24-2023 adopted March 20, 2023)

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Resolution Authorizing the Selection of DGL Consulting Engineers, LLC for Construction Administration and Inspection Services Under Project No. 99-23-07 in the Not-to-Exceed Amount of \$1,500,000.00

WHEREAS, on January 30, 2023, the Ohio Turnpike and Infrastructure Commission (“Commission”) published Request for Letters of Interest (“LOI”) 1-2023 for General Construction Administration and Inspection Services for Various Turnpike Projects, referencing Project No. 99-23-07; and

WHEREAS, on February 20, 2023, Letters of Interest were received from two (2) firms expressing their desire to serve as the Commission’s engineering consultant for construction administration and inspection services for Project No. 99-23-07; and

WHEREAS, an Evaluation Team consisting of the Environmental Engineer, Construction Engineer and Maintenance Operations Engineer convened to independently review, evaluate, and score the submissions in accordance with the LOI Evaluation Process and the Commission’s Contracts Policy in order to rank the submissions; and

WHEREAS, on the basis of the Letters of Interest received, in accordance with the Commission’s Standard Operating Procedure for Professional Design Consultant Selection Process, the Evaluation Team concluded that DGL Consulting Engineers, LLC (“DGL”), of Maumee, Ohio, is the most qualified firm to perform the necessary services for Project No. 99-23-07 (M.P. 0.0 to M.P. 120.0); and

WHEREAS, the Evaluation Team recommends that an agreement be established for performance of the services as set forth in LOI 1-2023 as it relates to Project No. 99-23-07, for a period that shall continue through the completion of all assignments, in the not-to-exceed amount of \$1,500,000.00 for all assignments issued therefrom; and

WHEREAS, the Commission’s Director of Contracts Administration has determined that the LOI process and the selection of DGL conform with the requirements of Ohio Revised Code Sections 153.65 to 153.71, that all legal requirements were performed and that the Letters of Interest were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Office of Equity and Inclusion has found that DGL has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 40% which exceeds the SBE participation goal of 25% for the Project; and

WHEREAS, the Executive Director has reviewed the recommendations submitted by the Evaluation Team and Chief Engineer, and concurs that the Commission should approve the

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selection of DGL to perform the construction administration and inspection services for Project No. 99-23-07; 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 estimated to perform the required construction administration and inspection services is anticipated to exceed \$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 DGL Consulting Engineers, LLC is approved as the most qualified firm to perform the required construction administration and inspection services under Project No. 99-23-07, and that the Executive Director is authorized to execute a contract with DGL Consulting Engineers, LLC in the not-to-exceed amount of \$1,500,000.00 for all assignments issued therefrom.

(Resolution No. 25-2023 adopted March 20, 2023)

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OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Authorizing the Selection of DLZ Ohio, Inc. for Construction Administration
and Inspection Services Under Project No. 99-23-08 in the Not-to-Exceed Amount of
\$750,000.00**

WHEREAS, on January 30, 2023, the Ohio Turnpike and Infrastructure Commission (“Commission”) published Request for Letters of Interest (“LOI”) 1-2023 for General Construction Administration and Inspection Services for Various Turnpike Projects, referencing Project No. 99-23-08; and

WHEREAS, on February 20, 2023, Letters of Interest were received from four (4) firms expressing their desire to serve as the Commission’s Engineering Consultant for construction administration and inspection services for Project No. 99-23-08; and

WHEREAS, an Evaluation Team consisting of the Environmental Engineer, Construction Engineer and Maintenance Operations Engineer convened to independently review, evaluate, and score the submissions in accordance with the LOI Evaluation Process and the Commission’s Contracts Policy in order to rank the submissions; and

WHEREAS, on the basis of the Letters of Interest received, in accordance with the Commission’s Standard Operating Procedure for Professional Design Consultant Selection Process, the Evaluation Team concluded that DLZ Ohio, Inc. (“DLZ”), of Cleveland, Ohio, is the most qualified firm to perform the necessary services for Project No. 99-23-08 (M.P. 120.0 to M.P. 241.25); and

WHEREAS, the Evaluation Team recommends that an agreement be established for performance of the services as set forth in LOI 1-2023 as it relates to Project No. 99-23-08, for a period that shall continue through the completion of all assignments, in the not-to-exceed amount of \$750,000.00 for all assignments issued therefrom; and

WHEREAS, the Commission’s Director of Contracts Administration has determined that the LOI process and the selection of DLZ conform with the requirements of Ohio Revised Code Sections 153.65 to 153.71, that all legal requirements were performed and that the Letters of Interest were solicited on the basis of the same terms and conditions with respect to all respondents and potential respondents; and

WHEREAS, the Office of Equity and Inclusion has found that DLZ has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 25% which meets the SBE participation goal of 25% for the Project; and

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

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selection of DLZ to perform the construction administration and inspection services for Project No. 99-23-08; 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 estimated to perform the required construction administration and inspection services is anticipated to exceed \$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 DLZ Ohio, Inc. is approved as the most qualified firm to perform the required construction administration and inspection services under Project No. 99-23-08, and that the Executive Director is authorized to execute a contract with DLZ Ohio, Inc. in the not-to-exceed amount of \$750,000.00 for all assignments issued therefrom.

(Resolution No. 26-2023 adopted March 20, 2023)

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TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Authorizing Modification to Task 6 and Task 7 Under Contract with Arcadis
U.S. Inc. for Project No. 71-19-07 for a Total Aggregate Not-To-Exceed Amount of
\$4,736,705.66**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) selected Arcadis U.S. Inc. (“Arcadis”) to perform professional services for the Toll Collection System Modernization (the “TCS Project”) pursuant to the adopted resolution (as applicable), on the date noted and for the scope of work identified below:

SERVICES/FEES APPROVED TO DATE

RESOLUTION	DATE ADOPTED	SCOPE OF SERVICES	AMOUNT AUTHORIZED
Approved by Deputy Executive Director	August 13, 2019	Task 1 services under Project No. 71-19-07, including plan review, field verification and as-built drawing plan development for 20 toll plazas	\$119,232.74
58-2019	November 18, 2019	Task 2 services under Project No. 71-19-07, including environmental support and permitting, field survey, geotechnical investigation, design, and plan preparation for the addition of a lane at Toll Plaza 64 and Toll Plaza 152	\$441,727.15
66-2020	October 19, 2020	Additional Task 2 services under Project No. 71-19-07, including adding to the plans the process for draining down an adjacent borrow-pit pond at Toll Plaza 64, and upgrades at Toll Plaza 64 and Toll Plaza 152 consistent with the Commission’s contract with a Toll Collection System integrator	\$170,256.00
80-2020	December 21, 2020	Task 3 services under Project No. 71-19-07, including preparation of construction plans, specifications, and construction estimates for bidding purposes for Toll Plazas 52 through Toll Plaza 209 (excluding Toll Plaza 64 and Toll Plaza 152)	\$755,368.18
34-2021	June 21, 2021	Task 4 services under Project No. 71-19-07, Construction Administration and Inspection Services for Project No. 59-21-03	\$290,311.72
Approved by Executive Director	September 20, 2021	Task 5 services under Project No. 71-19-07, Construction Administration and Inspection Services for Project No. 64-21-01	\$108,339.95

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Approved by Executive Director	September 21, 2021	Task 2 Services under Project No. 71-19-07, design services for rebid of addition of a lane at Toll Plaza 64 and Toll Plaza 152	\$55,822.47
2-2022	January 24, 2022	Task 6, Construction Administration and Inspection Services under Project No. 64-22-01	\$518,133.68
2-2022	January 24, 2022	Task 7, Construction Administration and Inspection Services under Project No. 64-22-02	\$514,548.90
33-2022	April 18, 2022	Task 8, Construction Administration and Inspection Services under Project No. 58-22-03 (REBID)	\$308,933.64
33-2022	April 19, 2022	Task 9, Construction Administration and Inspection Services under Project No. 58-22-02	\$336,545.61
TOTAL AMOUNT TO DATE:			\$3,619,220.04

PROPOSED FEES/SERVICES

RESOLUTION	SCOPE OF SERVICES	FEE PROPOSAL DATE	NOT TO EXCEED AMOUNT
<i>Proposed</i>	<i>Additional Task 6 Services, Construction Administration and Inspection Services under Project No. 64-22-01</i>	<i>March 6, 2023</i>	<i>\$498,955.76</i>
<i>Proposed</i>	<i>Additional Task 7 Services, Construction Administration and Inspection Services under Project No. 64-22-02</i>	<i>March 6, 2023</i>	<i>\$618,529.86</i>
TOTAL AMOUNT (incl. modifications)			\$4,736,705.66

WHEREAS, Arcadis submitted a fee proposal dated March 6, 2023, for additional Task 6 Services which include Construction Administration and Inspection Services beyond the original scoped time frame and required from February 2023 through September 2023 for Project No. 64-22-01, Toll Collection System, Western Toll Plazas (Toll Plazas 52, 59, 64, 71, 81, 91, 110, 118, 135, 140, and 142) in Lucas, Wood, Sandusky, Erie and Lorain Counties, Ohio, as part of the TCS Project (“Additional Task 6 Services”), in the amount of \$498,955.76 which amount the Chief Engineer has deemed to be reasonable and necessary; and

WHEREAS, Arcadis submitted a fee proposal dated March 6, 2023, for additional Task 7 services which include Construction Administration and Inspection Services beyond the original

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scoped time frame and required from February 2023 through September 2023 for Project No. 64-22-02, Toll Collection System, Eastern Toll Plazas (Toll Plazas 145, 151, 152, 161, 173, 180, 187, 193 and 209) in Lorain, Cuyahoga, Summit, Portage and Trumbull Counties, Ohio, as part of the TCS Project (“Additional Task 7 Services”), in the amount of \$618,529.86 which amount the Chief Engineer has deemed to be reasonable and necessary; and

WHEREAS, the amount set forth in the fee proposals from Arcadis, dated March 6, 2023, to perform the Additional Task 6 Services and the Additional Task 7 Services will increase the contract by an amount that exceeds the Executive Director’s contracting authority under Article V, Section 1.00 of the Commission’s Code of Bylaws, and Commission approval is necessary to authorize the amendment of the Agreement incorporating the fee proposal; and

WHEREAS, the Executive Director has reviewed the recommendation submitted by the Chief Engineer and approves the recommendation to authorize Arcadis to perform the Additional Task 6 Services and Additional Task 7 Services under Project No. 71-19-07; and

WHEREAS, the Commission has duly considered such recommendation.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the proposals from Arcadis dated March 6, 2023 to perform the Additional Task 6 Services in the amount of \$498,955.76 and March 6, 2023 to perform the Additional Task 7 Services in the amount of \$618,529.86 specifically described in the recitals, under Project No. 71-19-07, are approved, and the Executive Director is authorized to amend the Agreement with Arcadis to perform such additional work in accordance with the terms and conditions of the existing Agreement and Arcadis’s fee proposals dated March 6, 2023, in the aggregate not-to-exceed amount of \$4,736,705.66.

(Resolution No. 27-2023 adopted March 20, 2023)

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TCS MODERNIZATION PROJECT

OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Approving the Selection of A.P. O’Horo Company for Project No. 58-22-01
in the Total Amount of \$3,676,000.00**

WHEREAS, on January 13, 2023, the Ohio Turnpike and Infrastructure Commission (“Commission”) published notice in accordance with law to advertise an invitation to bid upon a contract for Project No. 58-22-01, Mainline Toll Plaza 239 Renovation at Milepost 239 located in Mahoning County, Ohio (the “Project”); and

WHEREAS, on February 24, the Commission received four (4) bids to perform the Contractor’s obligations on the Project and the report of the Commission’s Chief Engineer concerning the review and analysis of bids is before the Commission; and

WHEREAS, the Chief Engineer reports that A.P. O’Horo Company (“A.P. O’Horo”), of Youngstown, Ohio, submitted the lowest and most responsive bid on the Project in the total bid amount of \$3,676,000.00, which he recommends the Commission accept and approve authorization for the Executive Director to award; and

WHEREAS, the Commission’s General Counsel advises that it is in the best interest of the Commission to obtain builder’s risk insurance for this Project and recommends that the Commission approve the purchase of such insurance for the Project; and

WHEREAS, the Director of Contracts Administration determined that bids for the Project were solicited on the basis of the same terms and conditions and the same specifications, that selecting the bid of A.P. O’Horo conforms to the requirements of Ohio Revised Code Sections 153.54, 5537.07 and 9.312, and A.P. O’Horo submitted a performance bond with good and sufficient surety; and

WHEREAS, the Office of Equity and Inclusion has found that A.P. O’Horo has made a good faith effort to attain the participation of small or otherwise disadvantaged businesses on the Project and has made a commitment of 12.4% which exceeds the SBE goal of 10% for 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 the Project that will exceed \$150,000.00; and

WHEREAS, the Chief Engineer recommends the Commission select A.P. O’Horo as the lowest responsive and responsible bidder for the Project; and

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WHEREAS, the Commission's Executive Director concurs with the Chief Engineer's recommendation that the Commission approve the award of the Project to A.P. O'Horo as the lowest responsive and responsible bidder; 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 A.P. O'Horo Company for Project No. 58-22-01 in the amount of \$3,676,000.00 is approved as the lowest responsive and responsible bid received and the Executive Director is authorized to execute a contract based on said bid.

FURTHER RESOLVED, that the Executive Director or the General Counsel, individually, is authorized to obtain builder's risk insurance for the Project, after obtaining competitive quotes, for the Project.

(Resolution No. 28-2023 adopted March 20, 2023)

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OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Authorizing the Purchase of Three (3) Wheel Loaders and Training in the Total
Amount of \$676,821.72 Under the Sourcewell Cooperative Purchasing Program**

WHEREAS, the Commission is authorized to participate in contracts awarded by Sourcewell Cooperative Purchasing Program, a political subdivision cooperative purchasing program, for the purchase of equipment, materials, supplies or services under Ohio Revised Code Section 9.48, and the Commission authorizes its continued membership in the Sourcewell cooperative purchasing program; and

WHEREAS, the Maintenance Operations Engineer has determined that the purchase of three (3) wheel loaders and related training is necessary for the continued efficient operation of the Maintenance Department and to replace existing wheel loaders that have reached the end of their viable economic life and recommended for disposal under the Commission's Property Disposal Policy; and

WHEREAS, the Maintenance Department staff has recommended that the best equipment available to perform its operations is three (3) 2023 Caterpillar 926M Wheel Loader with fusion quick disconnect coupler, bucket, forks and material handling arm; and

WHEREAS, the three (3) wheel loaders and training are available for acquisition through the Sourcewell Cooperative Purchasing Program, under Sourcewell Contract No. 032119-CAT from Ohio CAT, of Broadview Heights, Ohio, in the total amount of \$676,821.72; and

WHEREAS, Commission action is necessary under Article V, Section 1.00 of the Commission's Code of Bylaws because the expenditure required to purchase the three (3) wheel loaders and training exceeds \$150,000.00; and

WHEREAS, the Executive Director and Chief Engineer have reviewed the recommendation of the Maintenance Operations Engineer and concur with the recommendation that the Commission approve the purchase of the three (3) wheel loaders and training from Ohio CAT through the Sourcewell Cooperative Purchasing Program.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the purchase of three (3) wheel loaders, specifically three (3) 2023 Caterpillar 926M Wheel Loader with fusion quick disconnect coupler, bucket, forks and material handling arm, from Ohio CAT through the Sourcewell Cooperative Purchasing Program under Contract No. 032119-CAT, and maintenance and familiarization training, in the total amount of \$676,821.72, is approved.

(Resolution No. 29-2023 adopted March 20, 2023)

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OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

Resolution Authorizing an Agreement with Any Domestic Work, Inc. for Janitorial Services at the Middle Ridge and Vermilion Valley Service Plazas in the Amount of \$948,000.00 Per Year

WHEREAS, on December 23, 2022, the Ohio Turnpike and Infrastructure Commission (“Commission”) issued a Request for Proposals Number 21-2022 (“RFP”) to furnish janitorial services at the Commission’s Middle Ridge and Vermilion Valley Service Plazas for an initial term of three years, with the option to renew for up to three, two-year renewal terms; and

WHEREAS, on February 3, 2023, one company submitted a Proposal to furnish the janitorial services at the Middle Ridge and Vermilion Valley Service Plazas; and

WHEREAS, an Evaluation Team comprised of Service Plaza staff evaluated the service Proposal and awarded a technical score to the Respondent; and

WHEREAS, the Office of Equity and Inclusion reviewed the participation commitments the respondent made to small business entity (SBE) certified firms and determined that Any Domestic Work, Inc. demonstrated a good faith effort to meet the program goal of 15%; and

WHEREAS, Contracts Administration verified that the proposal demonstrated a good faith effort committing to a significant economic presence in Ohio; and

WHEREAS, an evaluation of the proposed wage scale verified that the respondents hourly wages met or exceeded wages for similar positions in the Cleveland-Elyria region based on the most recent Bureau of Labor Statistics data; and

WHEREAS, the sealed price proposal was opened separately and reviewed after the technical score was assigned to the proposal, and the Evaluation Team determined that selecting the proposal from Any Domestic Work, Inc. for the Middle Ridge and Vermilion Valley Service Plazas serves the best interests of the Commission based on the combined merits of the technical proposals and pricing; and

WHEREAS, the Evaluation Team recommends that the Commission approve an agreement as a result of this process based on the Proposal submitted by Any Domestic Work, Inc. of Parma, Ohio for the Middle Ridge and Vermilion Valley Service Plazas, which accepting the following price proposals serve the best interests of the Commission:

<u>Company</u>	<u>Service Plazas</u>	<u>Monthly</u>	<u>Annually</u>
Any Domestic Work, Inc.	Middle Ridge and Vermilion Valley (Combined)	\$39,500.00 (per plaza, per month)	\$948,000.00

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Hourly Rate: \$11.65 which applies to services and supplies for requested services beyond the specified contracted scope.

WHEREAS, the estimated cost of the contract over the initial 3-year term is \$2,844,000; and the cost for each 2-year option to renew is \$1,896,200; the combined cost over a possible nine (9) year term is \$8,532,000.00, subject to possible rate adjustments as provided for in the RFP and form agreement; and

WHEREAS, the Director of Contracts Administration has determined that all legal requirements have been performed and that the proposal was solicited on the basis of the same terms, conditions and specifications with respect to all respondents and the Commission may legally enter into an agreement with Any Domestic Work, Inc.; and

WHEREAS, the Executive Director has considered the recommendations and concurs with the selection of Any Domestic Work, Inc. to perform the necessary services.

NOW, THEREFORE, BE IT

RESOLVED, by the Ohio Turnpike and Infrastructure Commission that the Proposal submitted by Any Domestic Work, Inc. is selected as the best proposal in terms of service and price to perform janitorial services at the Middle Ridge and Vermilion Valley Service Plazas for \$948,000.00 per year, and that the Executive Director is authorized to enter into an agreement on the basis of the Proposal for a term of three years, with three two-year options to renew for an estimated total amount of \$8,532,000.00 over the entire term of the agreement, including renewals, if exercised.

(Resolution No. 30-2023 adopted March 20, 2023)

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OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

**Resolution Authorizing the Filing of Twenty “No Change Rules”
with the Joint Committee on Agency Rule Review**

WHEREAS, the Ohio Turnpike and Infrastructure Commission (“Commission”) has 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 Section 5537.16 of the Ohio Revised Code, as promulgated in the provisions of Sections 5537-1-01 through 5537-9-05 of the Ohio Administrative Code; and

WHEREAS, the General Counsel has advised the Commission that the following Ohio Administrative Rules are now up for review as required by Section 111.15 of the Ohio Revised Code; and

Ohio Administrative Code Section	No Change	Review Date
5537-2-01	Compliance with police orders	4/30/2023
5537-2-02	Compliance with signs, signals and markings	4/30/2023
5537-2-03	Speed regulations	7/1/2023
5537-2-05	One-way traffic	4/30/2023
5537-2-06	Entering traffic lanes	4/30/2023
5537-2-07	Space between moving vehicles	4/30/2023
5537-2-08	Stopping or suddenly decreasing speed	4/30/2023
5537-2-09	Driving lane-passing	4/30/2023
5537-2-10	Overtaking a vehicle	4/30/2023
5537-2-11	Crossing medial strip	7/01/2023
5537-2-13	No passing areas	4/30/2023
5537-2-14	Operating on shoulders	4/30/2023

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5537-2-15	Stopping, parking, or standing of vehicles	4/30/2023
5537-2-16	Impounding of vehicles	4/30/2023
5537-3-02	Hitchhiking and loitering prohibited	4/30/2023
5537-3-03	Commercial activity	4/30/2023
5537-3-04	Aircraft prohibited	8/31/2023
5537-3-06	Engine brake	4/30/2023
5537-5-01	Damage to property	4/30/2023
5537-6-01	Vehicle and traffic law	4/30/2023

WHEREAS, the General Counsel has further advised the Commission that, as a result of the periodic administrative rule review required every five years pursuant to the requirements set forth in Section 111.15 of the Ohio Revised Code, all of the above-mentioned Ohio Administrative Rules do not require change; and

WHEREAS, administrative rules previously adopted by the Commission in accordance with Section 5537.16 of the Ohio Revised Code that have been identified as not requiring revision must be filed with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State as “No Change Rules” in accordance with Section 119.03 of the Ohio Revised Code; and

WHEREAS, the Commission concurs that the process for adopting proposed amendments to the administrative rules, for promulgating a newly proposed rule, and for adopting “No Change Rules” should be initiated.

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby authorizes the Executive Director and/or General Counsel to initiate the process of submitting its “No Change Rules,” on Ohio Administrative Rules 5537-2-01, 5537-2-02, 5537-2-03, 5537-2-05, 5537-2-06, 5537-2-07, 5537-2-08, 5537-2-09, 5537-2-10, 5537-2-11, 5537-2-13, 5537-2-14, 5537-2-15, 5537-2-16, 5527-3-02, 5537-3-03, 5537-3-04, 5537-3-06, 5537-5-01, 5537-6-01 in order to comply with the statutory rule-making requirements imposed by the Joint Committee on Agency Rule Review; and

FURTHER RESOLVED, that the Commission shall be presented with an additional resolution once the aforementioned statutory procedures for filing the rules have been completed,

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which resolution shall authorize the filing in final form of all the administrative rules with the Joint Committee on Agency Rule Review, the Legislative Service Commission and the Secretary of State.

(Resolution No. 31-2023 adopted March 20, 2023)