

MINUTES OF THE NINETY-SIXTH MEETING
FEBRUARY 17, 1955

Pursuant to call of the Chairman, the Ohio Turnpike Commission met in regular open session in its offices at 139 East Gay Street in Columbus, Ohio, at 11:00 A. M. on February 17, 1955, with the key members of its staff, representatives of the Consulting Engineers, of the Trustee, members of the press, and others in attendance.

The meeting was called to order by the Vice-Chairman, the roll was called, and the attendance was reported to be as follows:

Present: Allen, McKay, Linzell, Teagarden.

Absent: Shocknessy.

The Vice Chairman announced that a quorum was present.

A motion was made by Mr. Allen, seconded by Mr. McKay, that the minutes for the meetings of October 22, 1954, November 4, 1954, November 16, 1954, December 14, 1954, and December 22, 1954, which had been examined by the members of the Commission, and upon which the required corrections had been made, be approved without reading.

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Allen, McKay, Linzell, Teagarden.

Nays: None.

The Vice-Chairman declared the motion carried.

The Vice-Chairman reported that the Chairman was ill and was unable to be present.

The Vice-Chairman reported that the 500,000th vehicle to use the Eastgate Section would roll through the toll plazas that day. He said further that toll revenue on the 22-mile section had

passed the \$200,000 mark on February 14, 1955, and that traffic had averaged more than 6,300 vehicles a day during the 79 days that the section had been in operation. He said also that toll revenue during the same period had averaged more than \$2,600 a day, and that passenger cars had accounted for 62% of the total number of vehicles and 41% of the total amount of fares paid since the Eastgate Section had been opened.

The General Counsel said that the Chairman had asked him to say to the Commission on his behalf that the members of the Commission had received invitations issued by Governor George N. Craig of Indiana to what had been denominated a "Governors' Conference on Transportation" to be held in Evansville, Indiana on the 21st of February, 1955. He said further that a committee denominated "Evansville's Committee of 100, Inc.", which apparently was in charge of the arrangements for the meeting, had stated that the meeting would discuss all phases of transportation, including toll and free highways, waterways, seaways, and railways, "in an effort to correlate the thinking and planning for the future." He said also that the Chairman had stated that he had been informed by Governor Lausche that the latter intended to attend the conference at the invitation of Governor Craig, and that the Director of Highways expected to attend but that the Chairman did not expect to attend the conference. The General Counsel said also that the Chairman had asked him to make mention that on the 1st day of February, 1955, as required by law, the Sixth Annual Report of the Ohio Turnpike Commission had been presented to the Governor, and to the Senate and to the House of Representatives of the General Assembly of Ohio.

The Vice Chairman said that in addition to Mr. Linzell, Mr. McKay and he would attend the conference at Evansville. Mr. Allen said that he could not make the conference.

The Assistant Secretary-Treasurer reported for the Secretary-Treasurer that since the last meeting of the Commission the following had been sent to all members:

1. Draft of the minutes of the meetings of October 22, 1954 and November 4, 1954, mailed January 24, 1955.
2. Draft of the minutes of the meeting of November 16, 1954, mailed February 8, 1955.

3. Draft of the minutes of the meeting of December 14, 1954, mailed February 9, 1955.
4. Draft of the minutes of the meeting of December 22, 1954, mailed January 26, 1955.
5. Auditor's report for the period ending December 31, 1955.
6. Detail of investment transactions during January, 1955, mailed January 31, 1955.
7. Traffic and revenue report for the month of January, 1955, mailed February 3, 1955.
8. Financial reports for January, 1955, mailed February 10, 1955.

The Assistant Secretary-Treasurer reported further that income from investments at the end of January, 1955 had been \$14,835,000 compared to the original forecast for the same period of \$6,468,000, or a gain of \$8,367,000. He said that the amount of the gain increased each month.

The Assistant Secretary-Treasurer reported also that for the first fifteen days of February, 1955, vehicles had numbered 80,484 and toll revenue had been \$36,517 on the Eastgate Section. He said also that although the total of vehicles had been less than in the corresponding fifteen days of January, 1955, the trucks alone had numbered 3,789 more than they had in the first half of January, 1955. He said also that on February 10, 1955 more trucks had travelled on the turnpike than in any other single day since the opening, and that the ratio of trucks to total vehicles had been 33 percent in December, 1954, 40 percent in January, 1955, and 49 percent so far in February, 1955.

The Vice-Chairman said that the report would be accepted and filed.

The Director of Highways reported that work on proposed Ohio Turnpike Project No. 2 was progressing satisfactorily. He said further that the emphasis at that time was on trying to

resolve the feasibility of two of the major variations that it had been decided would be considered. He said also that meanwhile a lot of traffic data was being compiled and some of the flying was being done and that the work was proceeding according to schedule.

The Vice-Chairman said that the report of the Director of Highways would be accepted and filed.

The Executive Director presented to the Commission bids that had been received for Contract SW-1, Contract SW-2, and Contract SW-3, and forms of contract documents for those contracts together with his, the Chief Engineer's, and the Consulting Engineers' written reports, advice, and recommendations with respect thereto.

The General Counsel presented to the Commission proofs of publication of notices of the taking of all such bids, together with his letters of advice to the Commission with respect to the bids acceptance of which was recommended by the Executive Director.

Resolution No. 15-1955, awarding sewage and water Contract SW-1 and approving contract documents for said contract, was moved for adoption by Mr. McKay, seconded by Mr. Linzell, as follows:

Resolution No. 15-1955

"WHEREAS, pursuant to authority heretofore granted, the executive director and general counsel have caused an advertisement to be published, according to law, for bids upon a contract for the construction of sewage-treatment plants and water-supply systems at service plazas Nos. 1, 2, and 3 of Ohio Turnpike Project No. 1 in Mahoning, Portage, and Cuyahoga Counties, respectively, which contract is designated Contract SW-1, and proof of said advertising is before the Commission;

WHEREAS there are before this meeting the plans and forms of other contract documents for said contract, to wit: Special Provisions for Sewage-treatment-plant and Water-supply Contracts in General, dated January 25, 1955, Special Provisions

for Contract SW-1, forms of Notice to Bidders, Proposal, and Contract;

WHEREAS bids for the performance of said contract have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS bids for said contract were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of Thompson-Starrett Company, Inc., a Delaware corporation, in the amount of \$954,500 for the performance of Contract SW-1 is, and is by the Commission determined to be, the lowest bid for the construction of the sewage-treatment plants and water-supply systems at service plazas Nos. 1, 2, and 3 of Ohio Turnpike Project No. 1; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.04 of the Revised Code of Ohio, and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for the construction of the aforesaid plants and systems; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves, adopts, and ratifies the plans and forms of other contract documents before it at this meeting for the aforesaid contract, being for and in connection with the construction of sewage-treatment plants and water-supply systems at service plazas Nos. 1, 2, and 3 of Ohio Turnpike Project No. 1, and that all action heretofore taken by the executive director, chief engineer, and general counsel, and any of them, with reference to said contract be, and hereby it is, ratified, approved, and confirmed; and

FURTHER RESOLVED that the bid of Thompson-Starrett Company, Inc., a Delaware corporation, in the amount of \$954,500, for the performance of Contract SW-1 be, and hereby it is, determined to be the lowest and best bid for the performance of the aforesaid contract, and is accepted; and that each of the executive director and the chief engineer be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, provided that neither of said persons shall be required to exercise the aforesaid authority if either of them shall receive notice that there may be a defect in the bid or other cause why the contract should not be entered into; (2) to return to all other bidders the bid security furnished by each of them, respectively; (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished; and (4) to take any and all action necessary or proper to carry out the terms of said contract."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: McKay, Linzell, Allen, Teagarden.

Nays: None.

The Vice-Chairman declared the resolution adopted.

Resolution No. 16-1955, awarding sewage and water Contract SW-2 and approving contract documents for said contract, was moved for adoption by Mr. Allen, seconded by Mr. McKay, as follows:

"WHEREAS, pursuant to authority heretofore granted, the executive director and general counsel have caused an advertisement to be published, according to law, for bids upon a contract for the construction of sewage-treatment plants and water-supply systems at service plazas Nos. 4 and 5 of Ohio Turnpike Project No. 1 in Lorain and Sandusky Counties, respectively, which contract is designated Contract SW-2, and proof of said advertising is before the Commission;

WHEREAS there are before this meeting the plans and forms of other contract documents for said contract, to-wit: Special Provisions for Sewage-treatment-plant and Water-supply Contracts in General, dated January 25, 1955, Special Provisions for Contract SW-2, forms of Notice to Bidders, Proposal, and Contract;

WHEREAS bids for the performance of said contract have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS bids for said contract were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of Mosser Construction, Inc., an Ohio corporation, in the amount of \$594,090 for the performance of Contract SW-2 is, and is by the Commission determined to be, the lowest bid for the construction of the sewage-treatment plants and water-supply systems at service plazas Nos. 4 and 5 of Ohio Turnpike Project No. 1; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.04 of the Revised Code of Ohio, and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for the construction of the aforesaid plants and systems; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves, adopts, and ratifies the plans and forms of other contract documents before it at this meeting for the aforesaid contract, being for and in connection with the construction of sewage-treatment plants and water-supply systems at service plazas Nos. 4 and 5 of Ohio Turnpike Project No. 1, and that all action

heretofore taken by the executive director, chief engineer, and general counsel, and any of them, with reference to said contract be, and hereby it is, ratified, approved, and confirmed; and

FURTHER RESOLVED that the bid of Mosser Construction, Inc., an Ohio corporation, in the amount of \$594,090, for the performance of Contract SW-2 be, and hereby it is, determined to be the lowest and best bid for the performance of the aforesaid contract, and is accepted; and that each of the executive director and the chief engineer be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, provided that neither of said persons shall be required to exercise the aforesaid authority if either of them shall receive notice that there may be a defect in the bid or other cause why the contract should not be entered into; (2) to return to all other bidders the bid security furnished by each of them, respectively; (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished; and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Allen, McKay, Linzell, Teagarden.

Nays: None.

The Vice-Chairman declared the resolution adopted.

Resolution No. 17-1955, awarding sewage and water Contract SW-3 and approving contract documents for said contract, was moved for adoption by Mr. Linzell, seconded by Mr. Allen, as follows:

Resolution No. 17-1955

"WHEREAS, pursuant to authority heretofore granted, the executive director and general counsel have caused an advertisement to be published, according to law, for bids upon a contract for the construction of sewage-treatment plans and water-supply systems at service plazas Nos. 6, 7, and 8 of Ohio Turnpike Project No. 1 in Sandusky, Lucas, and Williams Counties, respectively, which contract is designated Contract SW-3, and proof of said advertising is before the Commission;

WHEREAS there are before this meeting the plans and forms of other contract documents for said contract, to wit: Special Provisions for Sewage-treatment-plant and Water-supply Contracts in General, dated January 25, 1955, Special Provisions for Contract SW-3, forms of Notice to Bidders, Proposal, and Contract;

WHEREAS bids for the performance of said contract have been received, and were duly opened and read, as provided in the published notice for said bids, and said bids are before this meeting;

WHEREAS said bids have been analyzed by the Commission's executive director, chief engineer, and consulting engineer, and they have reported thereon to the Commission with respect to said analysis and made their recommendations predicated thereon;

WHEREAS bids for said contract were solicited on the basis of the same terms and conditions, and the same specifications with respect to all bidders and potential bidders, and the bid of Christopher Construction Co., an Ohio corporation, in the amount of \$854,423 for the performance of Contract SW-3 is, and is by the Commission determined to be, the lowest bid for the construction of the sewage-treatment plants and water-supply systems at service plazas Nos. 6, 7, and 8 of Ohio Turnpike Project No. 1; and the Commission has been advised by its general counsel that said bid conforms to the requirements of §5537.04 of the Revised Code of Ohio, and to the terms, conditions, and specifications in the legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the lowest and best bid for the construction of the aforesaid plants and systems; and

WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby approves, adopts, and ratifies the plans and forms of other contract documents before it at this meeting for the aforesaid contract, being for and in connection with the construction of sewage-treatment plants and water-supply systems at service plazas Nos. 6, 7, and 8 of Ohio Turnpike Project No. 1, and that all action heretofore taken by the executive director, chief engineer, and general counsel, and any of them, with reference to said contract be, and hereby it is, ratified, approved, and confirmed; and

FURTHER RESOLVED that the bid of Christopher Construction Co., an Ohio corporation, in the amount of \$854,423, for the performance of Contract SW-3 be, and hereby it is, determined to be the lowest and best bid for the performance of the aforesaid contract, and is accepted; and that each of the executive director and the chief engineer be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid, and upon the condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission by and in its resolution No. 69-1952, and meeting the requirements of said resolution, provided that neither of said persons shall be required to exercise the aforesaid authority if either of them shall receive notice that there may be a defect in the bid or other cause why the contract should not be entered into; (2) to return to all other bidders the bid security furnished by each of them, respectively; (3) to return said successful bidder's bid security when the aforesaid contract has been duly executed and said performance bond furnished; and (4) to take any and all action necessary or proper to carry out the terms of said bid and of said contract."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Linzell, Allen, McKay, Teagarden.

Nays: None.

The Vice-Chairman declared the resolution adopted.

The Executive Director reported that construction of Ohio Turnpike Project No. 1 was 66.06 percent completed as of February 15, 1955 as compared to a scheduled completion of 65.9 percent. He said further that there were some half dozen contracts that were definitely behind schedule and that the Consulting Engineers and the Chief Engineer had been conversant with that fact and had had those contractors in for conferences and had talked over the problems involved. He said also that Mr. John J. Jenkins, Jr., a partner of the Consulting Engineers, felt that all of the contracts could be completed within the scheduled period. The Executive Director said that some of the contractors who were behind schedule had made arrangements to sublet some of their work so as to insure completion and that others of the contractors had done some planning to speed up their work. He said also that he was not as sanguine about a couple of the contracts as the Consulting Engineer appeared to be, and that it would be necessary to watch the contractors involved very carefully if the Commission was to be assured that those contracts would be ready for opening by October 1, 1955.

The Executive Director reported further that while he had been on vacation the Acting Deputy Executive Director had named Mr. Russell H. Deetz of the Chief Engineer's staff as the project manager of the Eastgate Section to coordinate all the activities on the section with the exception of those involving the collection of tolls and the auditings which would remain under the Comptroller. He said also that Mr. Deetz would report directly to the Executive Director. He said further that he approved of the action of the Acting Deputy Executive Director but that he regarded it as a temporary measure only which would hold until an operating organization should actually be employed for the entire turnpike.

The Executive Director reported further that the Acting Deputy Executive Director had named Mr. C. W. Hartford as Acting Supervisor of Concessions following a discussion with the Executive Director about the handling of problems that were being presented by concessionaires. He said that the Acting Supervisor of Concessions would coordinate matters relating to the concessionaires.

The Executive Director reported also that valuable experience was being obtained on the Eastgate Section with respect to matters of equipment and winter operations and that that experience had indicated that some changes would have to be made in some of the Commission's equipment specifications although on the whole the equipment was performing quite satisfactorily.

The Executive Director reported also that the Consulting Engineers had submitted a report showing that the estimated increases in construction costs due to design changes and quantity variations had totalled some \$4, 237, 054 as of January 31, 1955. He said that that figure did not include contractors' claims.

The Executive Director reported further that the first billboard which had been erected along Ohio Turnpike Project No. 1 in the Eastgate Section had been removed after the Commission had screened the billboard with trees but that two additional billboards had since been put up along that section. He said further that, implementing the policy of the Commission, he had that morning approved requisitions for trees to screen the two new billboards and that it was proposed to continue to carry out the policy of the Commission to screen all billboards that are placed along the turnpike insofar as it should be possible to do so.

The Vice-Chairman thanked the Executive Director for his report.

The General Counsel reported that there had been no major developments of any kind to date with respect to any pending litigation of the Commission.

The Vice Chairman thanked the General Counsel for his report.

Mr. McKay said that he assumed that the water situation in North Royalton must be progressing satisfactorily since he had had no complaints on that score for several weeks. The General Counsel said that within past few days the drilling of the well which had been authorized by the Commission had been successfully

completed and that, contrary to the predictions of some of the local people, an adequate supply of highly potable water had been secured, so that if that condition existed with respect to any others who might be affected, it would appear that the turnpike construction would not have done any serious or irremediable damage.

Resolution No. 18-1955, ratifying actions of administrative officers, was moved for adoption by Mr. McKay, seconded by Mr. Allen, as follows:

Resolution No. 18-1955

"WHEREAS the executive director, acting deputy executive director, executive assistant, chief engineer, general counsel, assistant secretary-treasurer, comptroller, administrative assistant to the executive director, and chief, right-of-way section of the Commission have, by various written and oral communications, fully advised the members of the Commission with respect to their official actions taken on behalf of the Commission since the Commission's last meeting, and the Commission has duly reviewed and considered the same;

NOW, THEREFORE, BE IT

RESOLVED that all official actions taken by the aforesaid administrative officers of the Commission on its behalf since the Commission's meeting on January 18, 1955 are hereby ratified, approved, and confirmed."

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: McKay, Allen, Linzell, Teagarden.

Nays: None.

The Vice Chairman declared the resolution adopted.

There being no further business to come before the Commission, a motion was made by Mr. Linzell, seconded by Mr. McKay, that the meeting adjourn subject to call of the Chairman.

A vote by ayes and nays was taken and all members present responded to roll call. The vote was as follows:

Ayes: Linzell, McKay, Allen, Teagarden.

Nays: None.

The Vice Chairman declared the meeting adjourned. The time of adjournment was 11:58 o'clock A. M.

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



A. J. Allen, Secretary-Treasurer.