

MINUTES OF THE 428TH MEETING OF THE OHIO TURNPIKE COMMISSION

March 17, 1997

Pursuant to the bylaws, the Ohio Turnpike Commission met in regular session in the Administration Building at 682 Prospect Street, Berea, Ohio at 10:10 a.m. on March 17, 1997, with members of the staff: Gino Zomparelli, General Counsel and Deputy Executive Director-External Services; Robert Arlow, Deputy Executive Director-Operations; Anthony A. DiPietro, Deputy Executive Director-Administration; Craig Rudolph, Comptroller; David H. Ransbury, Chief Engineer; Daniel F. Castrigano, Maintenance Engineer; Sharon Isaac, Director of Toll Operations; John Mitchell, Director of Management Information Services; Robert P. Barnett, Director of Information and Research; and others in attendance.

Present: Earl W. Williams, Jerry Wray, Marilyn R. Baker, Ruth Ann Leever, Umberto P. Fedeli

Absent: Senator M. Ben Gaeth, Representative Richard A. Hodges

The Chairman said the minutes of the last Commission meeting held on February 3, 1997, had been distributed to the Members for their comments and he would accept a motion to adopt them without reading.

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

Ayes: Mrs. Leever, Mrs. Baker, Mr. Williams, Mr. Wray, Mr. Fedeli

Nays: None

The Chairman declared the minutes stood approved with all Members present voting in the affirmative.

The Chairman said the meeting was the 428th of the Ohio Turnpike Commission. He said it was being held at the Commission's headquarters as provided for in the Commission's Code of Bylaws. He said Senator Gaeth and Representative Hodges were unable to attend the day's meeting.

The Chairman said there were a number of guests at the meeting and he would ask them to identify themselves as follows: Eric Erickson, Ohio Company; Fred McFall, Host Marriott; Larry McQuillian, ARCI; Bobby Everhart, URS Greiner Co.; Captain Paul Ash, Ohio State Highway Patrol; David Patch, **The (Toledo) Blade**; Frank Lamb, Huntington; Gary Joseph, ODOT; P. Ryan Connors, Connors & Co.; Gordon Reis, Seasongood & Mayer; Brian Hummer, Kokosing Construction Company; Ed Presley, Key Bank; Cleve Brooks, SBK Brooks; Steve Wood and Jim Calpin, Paine Webber; Jim Garvey, McDonald & Co.; Georgiana Seman, National City Bank; Barbara Lesko, Executive Director's secretary; and Diane Pring, General Counsel's secretary.

The Chairman said that various reports would then be received and the Commission would act on a number of resolutions, draft copies of which had been previously sent to the

Members and updated drafts were also in the Members' folders. He said the resolutions would be explained during the appropriate reports. He said the report of the Secretary-Treasurer, Mrs. Baker, would be received.

Mrs. Baker said the following listed items had been sent to the Members since the last regularly scheduled meeting of the Commission on February 3, 1997:

1. Weekly Traffic Statistics
2. Traffic Accident Summary for January and February 1997
3. Traffic and Revenue Report for January and February 1997
4. Financial Statement for January and February 1997
5. Draft of Commission Meeting Minutes February 3, 1997
6. Investment Transactions, January and February 1997
7. Various News Releases

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He ascertained there would be no reports from Budget and Finance, Audit/Legal or Service Plazas. He said the report on Employee Relations would be received.

Mr. DiPietro said he was pleased to report that meetings with employees had tentatively been set up at the eight maintenance buildings across the Turnpike. He said the meetings would begin on April 2 and employees at the various toll facilities, as well as those from all the maintenance sections, would be invited to attend either a morning or afternoon session.

Mr. DiPietro said a variety of topics covering generally raised questions would be discussed and also additional questions and comments would be sought from employees during the courses of the meetings.

The Chairman said the report on Employee Relations was accepted as offered. He ascertained there would be no report from the Director of the Ohio Department of Transportation. He said the report of the Executive Director would be received.

Mr. Plain said there were a number of resolutions that needed to be introduced at the meeting and he would start with a Resolution Awarding Contract No. 43-97-04. He said it was for the reconstruction of the Lime City Road Bridge over the Turnpike at milepost 65.4, the reconstruction of the Tracy Road Bridge over the Turnpike at milepost 67.7 and reconstruction of the Lemoyne Road Bridge over the Turnpike at milepost 70.8, all in Wood County, Ohio. He said the Commission received four bids and the bid of the S. E. Johnson Companies of Maumee in the total amount of \$3,581,076.85 was the lowest bid received. He said he would read the Resolved of the resolution as follows:

"RESOLVED that the bid of The S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$3,581,076.85 for the performance of Contract No. 43-97-04, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 43-97-04 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Fedeli said he would abstain from voting on that resolution.

Mr. Wray asked what was meant by a System Project.

Mr. Plain asked Mr. Rudolph to explain a System Project to Mr. Wray.

Mr. Rudolph said that the current Turnpike statutes considered the Turnpike as a series of projects. He said that when the 1994 Trust Agreement was issued, the Turnpike was designated in its entirety as the project. He said that from time to time the Commission would designate further additions to the system by formally identifying them as "System Projects" so that they accrued to the benefit of the bondholders. He said the statement in the resolution indicated that the project was a System Project and could be paid for with trust fund money.

Mr. Wray asked if there were some projects that were not part of the system.

Mr. Rudolph said that everything was part of the system, but only because the Commission had designated everything as part of the system.

Mr. Wray asked if it would be possible for the Commission to designate something that was not part of the system and, if so, would that violate the process.

Mr. Rudolph said it would not because they did not have to be designated as system projects.

Mr. Lamb said that if the project was not designated a system project then bond proceeds could not be used to pay for it. He said that would be one delineation.

Mr. Plain said he recommended the resolution be adopted.

A Resolution Awarding Contract No. 43-97-04 was moved for adoption by Mrs. Baker, seconded by Mr. Williams as follows:

RESOLUTION NO. 11-1997

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for the reconstruction of the Lime City Road Bridge over the Ohio Turnpike at Milepost 65.4; reconstruction of the Tracy Road Bridge over the Ohio Turnpike at Milepost 67.7; and reconstruction of Lemoyne Road Bridge (and east and west Hanley Roads) over the Ohio Turnpike at Milepost 70.8 in Wood County, Ohio;

"WHEREAS, the Commission has received bids from four bidders for the performance of said contract;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of The S. E. Johnson Companies, Inc. of Maumee, Ohio in the amount of \$3,581,076.85 for the performance of Contract No. 43-97-04 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by The S. E. Johnson Companies, Inc.

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of The S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$3,581,076.85 for the performance of Contract No. 43-97-04, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 43-97-04 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mrs. Baker, Mr. Williams, Mr. Wray, Mrs. Leever

Nays: None

Abstain: Mr. Fedeli

The Chairman declared the resolution stood adopted with all Members present, except himself, voting in the affirmative. The resolution was identified as No. 11-1997.

Mr. Plain said the next resolution was a Resolution Awarding Contract No. 43-97-05 for the reconstruction of the Billman Road Bridge over the Turnpike at milepost 75.2, the reconstruction of the Dutch Road Bridge over the Turnpike at milepost 76.3, reconstruction of the Martin-Williston Road Bridge over the Turnpike at milepost 78.7, reconstruction of the Swartzman Road Bridge over the Turnpike at milepost 82.2 and reconstruction of the Kingsway Road Bridge over the Turnpike at milepost 89.4 in Sandusky County, Ohio. He said there were

four bidders on the contract and the low bid was submitted by Harper Supply of Archbold, Ohio in the amount of \$6,329,361.26. He said he would read the Resolved as follows:

"RESOLVED that the bid of Harper Supply, Inc. of Archbold, Ohio, in the amount of \$6,329,361.26 for the performance of Contract No. 43-97-05, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 43-97-05 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Plain said he recommended the resolution be adopted.

A Resolution Awarding Contract No. 43-97-05 was moved for adoption by Mrs. Baker, seconded by Mrs. Leever as follows:

RESOLUTION NO. 12-1997

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for the reconstruction of the Billman Road Bridge over the Ohio Turnpike at Milepost 75.2; reconstruction of the Dutch Road Bridge over the Ohio Turnpike at Milepost 76.3; and reconstruction of Martin-Williston Road Bridge over the Ohio Turnpike at Milepost 78.7 in Sandusky and Ottawa Counties; and also reconstruction of Swartzman Road Bridge over the Ohio Turnpike at Milepost 82.2 and reconstruction of Kingsway Road Bridge over the Ohio Turnpike at Milepost 89.4 in Sandusky County, Ohio;

"WHEREAS, the Commission has received bids from four bidders for the performance of said contract;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of Harper Supply, Inc. of Archbold, Ohio in the amount of \$6,329,361.26 for the performance of Contract No. 43-97-05 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by Harper Supply, Inc.;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of Harper Supply, Inc. of Archbold, Ohio, in the amount of \$6,329,361.26 for the performance of Contract No. 43-97-05, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 43-97-05 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mrs. Baker, Mrs. Leever, Mr. Williams, Mr. Wray, Mr. Fedeli

Nays: None

The Chairman said the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 12-1997.

Mr. Plain said the third resolution was a Resolution Awarding Contract No. 43-97-07 for the reconstruction of the Exit 7 ramp over the Turnpike located at milepost 118.6 in Erie County, Ohio. He said that there were four bidders on that particular project with the low bid of Kokosing Construction Co. of Columbus, Ohio in the total amount of \$2,187,858.55.

Mr. Plain said he would read the Resolved as follows:

"RESOLVED that the bid of Kokosing Construction Company, Inc. of Columbus, Ohio, in the amount of \$2,187,858.55 for the performance of Contract No. 43-97-07, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and the executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 43-97-07 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Plain said he recommended the resolution be adopted.

A Resolution Awarding Contract No. 43-97-07 was moved for adoption by Mr. Williams, seconded by Mrs. Baker as follows:

RESOLUTION NO. 13-1997

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for the reconstruction of the Exit 7 ramp bridge over the Ohio Turnpike located at Milepost 118.6 in Erie County, Ohio;

"WHEREAS, the Commission has received bids from four bidders for the performance of said contract;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of Kokosing Construction Company, Inc. of Columbus, Ohio in the amount of \$2,187,858.55 for the performance of Contract No. 43-97-07 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by Kokosing Construction Company, Inc.

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of Kokosing Construction Company, Inc. of Columbus, Ohio, in the amount of \$2,187,858.55 for the performance of Contract No. 43-97-07, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 43-97-07 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mr. Williams, Mrs. Baker, Mr. Wray, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 13-1997.

Mr. Plain said the next resolution was for the rejection of a bid for Contract No. 55-97-02 for the construction of Interchange 2A and reconstruction of County Road 24/Township Road 24 (proposed S. R. 66) located at milepost 25.5 in Fulton County, Ohio. He said only one bid had been received for that project and it was submitted by Miller Brothers Construction of Archbold, Ohio in the amount of \$10,864,795.16. He said that bid was about 18% over the engineer's estimate for the work involved and the Chief Engineer's recommendation was that the Commission reject the bid, take a look at the specifications, make certain revisions to them and then go out for bids as soon as possible. He said that he knew that it was a critical interchange project for the state, but under the circumstances he could not make the recommendation for award on that particular contract.

Mr. Williams asked why only one bid was received on the contract.

Mr. Plain said there were probably a number of reasons, but he would let Mr. Ransbury comment.

Mr. Ransbury said some potential contractors had a problem with getting some fill dirt for the project. He said another contractor said they were just being selective in their bidding because there was a lot of bidding going on at that time. He said yet another contractor told him they were unable to get out onto the site to examine the earth material that they had to work with because the right-of-way was not fully cleared. He said that contractor felt that they didn't want to take a chance with that.

Mr. Ransbury said further that, if some of those issues could be resolved, he thought the Commission would get more bidders. He said the engineering staff was planning on doing more things to allow dirt to be used from the site rather than being transported in from a longer distance. He said the staff had been able to work something out on that.

Mr. Ransbury said further that the staff also wanted to do something with sequencing the work on County Road 24 which they thought would be advantageous to everybody.

Mr. Wray asked how much of a delay Mr. Ransbury was talking about.

Mr. Ransbury said it would be at least a month until the next Commission meeting. He said the staff was ready within the next week to get out advertising and perhaps make the next Commission meeting for award.

Mr. Plain said it was the staff's goal to make the next Commission meeting for award so they could keep moving on the project.

Mr. Plain said further that he would read the Resolved as follows:

"RESOLVED that the above-mentioned bid hereto received pursuant to the advertisement for bids upon Contract No. 55-97-02 for construction of Interchange 2A and reconstruction of County Road 24/Township Road 24 (proposed S. R. 66) located at milepost 25.5 in Fulton County, Ohio; be and the same hereby is rejected, and the executive director is authorized to notify the bidder in writing of said action, and to return to the bidder the bid security furnished by it; and

"FURTHER RESOLVED that the executive director and general counsel hereby are authorized and directed to take any and all action necessary to re-advertise for bids for contracts for construction of Interchange 2A and reconstruction of County Road 24/Township Road 24 (proposed S. R. 66) located at milepost 25.5 in Fulton County, Ohio; forthwith."

Mr. Plain said he recommended the resolution be adopted.

A Resolution Rejecting the Bid for Contract No. 55-97-02 was moved for adoption by Mrs. Leever, seconded by Mr. Williams as follows:

RESOLUTION NO. 14-1997

"WHEREAS, the Commission has duly advertised according to law for bids upon Contract No. 55-97-02 for construction of Interchange 2A and reconstruction of County Road 24/Township Road 24 (proposed S. R. 66) located at Milepost 25.5 in Fulton County, Ohio;

"WHEREAS, the Commission has received a bid from one bidder in response to the subject invitation;

"WHEREAS, said bid has been reviewed and analyzed by the Commission's chief engineer and he has reported thereon, and he, and also the Commission's executive director, have made recommendations with respect thereto;

"WHEREAS, the Commission has been advised by its general counsel that it may lawfully reject all bids for the aforesaid invitation;

"NOW, THEREFORE, BE IT

"RESOLVED that the above-mentioned bid hereto received pursuant to the advertisement for bids upon Contract No. 55-97-02 for construction of Interchange 2A and reconstruction of County Road 24/Township Road 24 (proposed S. R. 66) located at Milepost 25.5 in Fulton County, Ohio; be and the same hereby is rejected, and the executive director is authorized to notify the bidder in writing of said action, and to return to the bidder the bid security furnished by it; and

"FURTHER RESOLVED that the executive director and general counsel hereby are authorized and directed to take any and all action necessary to re-advertise for bids for contracts for construction of Interchange 2A and reconstruction of County Road 24/Township Road 24 (proposed S. R. 66) located at Milepost 25.5 in Fulton County, Ohio; forthwith."

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

Ayes: Mrs. Leever, Mr. Williams, Mr. Wray, Mrs. Baker, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 14-1997.

Mr. Plain said the next resolution was a Resolution Awarding Contract No. 59-97-01 for the mainline repairs and resurfacing between mileposts 71.1 and 80.8 including guardrail improvements, located in Wood, Ottawa and Sandusky Counties, Ohio. He said the Commission received three bids for the performance of the contract and the low bid was submitted by Miller Brothers Construction, Inc. of Archbold, Ohio in the amount of \$7,106,132.09, using crushed, air-cooled blast furnace slag in the surface course. He said he would read the Resolved as follows:

"RESOLVED that the bid of Miller Brothers Construction, Inc. of Archbold, Ohio, in the amount of \$7,106,132.09, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 59-97-01, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the bid and of said contact; and

"FURTHER RESOLVED that Project No. 59-97-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Wray asked if the staff sought bids using slag and stone.

Mr. Plain said alternate bids were sought.

Mr. Wray asked that if the staff intended to use slag how, did they decide after the bids were received.

Mr. Plain said the staff preferred to use slag because of the superior skid resistance in the surface course. He said, however, the alternate bids were placed in the contracts because in the past exorbitant bids for slag had been received so the staff had the ability to go to the limestone. He said that alternative kept the prices for slag in line with what they ought to be.

Mr. Wray asked that if the prices were out of line then Mr. Plain might make a different recommendation.

Mr. Plain said if that occurred a recommendation might be made to reject and re-advertise or to award the contract using limestone. He said that had cured the problem in the past and the staff had not had that problem for a long time.

Mr. Plain said he recommended the resolution be adopted.

A Resolution Awarding Contract No. 59-97-01 was moved for adoption by Mrs. Baker, seconded by Mr. Williams as follows:

RESOLUTION NO. 15-1997

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for mainline repairs and resurfacing between Milepost 71.1 to Milepost 80.8, including guardrail improvements, located in Wood, Ottawa and Sandusky Counties, Ohio;

"WHEREAS, the Commission has received bids from three bidders and each bidder submitted alternate bids for the performance of said contract;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of Miller Brothers Construction, Inc. of Archbold, Ohio, in the amount of \$7,106,132.09, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 59-97-01 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by Miller Brothers Construction, Inc.

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of Miller Brothers Construction, Inc. of Archbold, Ohio, in the amount of \$7,106,132.09, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 59-97-01, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 59-97-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mrs. Baker, Mr. Williams, Mr. Wray, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 15-1997.

Mr. Plain said the next resolution was a Resolution Awarding Contract No. 59-97-02 for mainline repairs and resurfacing between mileposts 144.0 to 153.5 and Interchange No. 9 at milepost 152.2 including guardrail improvements, in Lorain and Cuyahoga Counties, Ohio. He said bids were received from two bidders for the performance of that contract with the low bid being submitted by the S. E. Johnson Companies in the amount of \$4,887,317.56. He said he would read the Resolved as follows:

"RESOLVED that the bid of The S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$4,887,317.56, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 59-97-02, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 59-97-02 is designated a System Project under the Commission's 1994 Master Trust Agreement."

The Chairman said he would abstain from voting on that resolution.

Mr. Plain said he recommended the resolution be adopted.

A Resolution Awarding Contract No. 59-97-02 was moved for adoption Mrs. Leever, seconded by Mrs. Baker as follows:

RESOLUTION NO. 16-1997

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for mainline repairs and resurfacing between Milepost 144.0 to Milepost 153.5, and Interchange No. 9 at Milepost 152.2, including guardrail improvements, located in Lorain and Cuyahoga Counties, Ohio;

"WHEREAS, the Commission has received bids from two bidders and each bidder submitted alternate bids for the performance of said contract;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before

the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of The S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$4,887,317.56, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 59-97-02 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by The S. E. Johnson Companies, Inc.;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of The S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$4,887,317.56, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 59-97-02, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 59-97-02 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mrs. Leever, Mrs. Baker, Mr. Wray, Mr. Williams

Nays: None

Abstain: Mr. Fedeli

The Chairman declared the resolution stood adopted with all Members present, excluding himself, voting in the affirmative. The resolution was identified as No. 16-1997.

Mr. Plain said the next resolution was a Resolution Awarding Contract No. 59-97-03 for the mainline repairs and resurfacing between mileposts 177.4 to 180.1 and Interchange No. 12

at milepost 180.3, including guardrail improvements, in Summit County, Ohio. He said bids were received from four bidders for the performance of the contract with the low bid being submitted by The McCourt Construction Company in the amount of \$2,324,592.45. He said he would read the RESOLVED as follow:

"RESOLVED that the bid of The McCourt Construction Company of Akron, Ohio, in the amount of \$2,324,592.45, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 59-97-03, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 59-97-03 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Plain said he recommended the resolution be adopted.

A Resolution Awarding Contract No. 59-97-03 was moved for adoption by Mr. Williams, seconded by Mrs. Leever as follows:

RESOLUTION NO. 17-1997

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for mainline repairs and resurfacing between Milepost 177.4 to Milepost 180.1, and Interchange No. 12 at Milepost 180.3, including guardrail improvements, located in Summit County, Ohio;

"WHEREAS, the Commission has received bids from four bidders and each bidder submitted alternate bids for the performance of said contract;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of The McCourt Construction Company of Akron, Ohio, in the amount of \$2,324,592.45, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 59-97-03 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by The McCourt Construction Company;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of The McCourt Construction Company of Akron, Ohio, in the amount of \$2,324,592.45, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 59-97-03, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 59-97-03 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mr. Williams, Mrs. Leever, Mr. Wray, Mrs. Baker, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 17-1997.

Mr. Plain said the next resolution was a Resolution Awarding Contract No. 77-97-01 for the third lane construction between mileposts 120.05 and 127.23 in Erie County, Ohio. He said there were two bids received for the contract. He said the low bid was submitted by Kokosing Construction Company, Inc. of Columbus, Ohio in the amount of \$21,253,933.49 using crushed, air-cooled blast furnace slag in the surface course. He said he would read the Resolved as follows:

"RESOLVED that the bid of Kokosing Construction Company, Inc. of Columbus, Ohio, in the amount of \$21,253,933.49 using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 77-97-01, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 77-97-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Wray said he noticed that bidders for the third lane projects submitted a base bid and an alternate. He asked if someone could explain those bids.

Mr. Ransbury said the base bid was using air-cooled, blast furnace slag in the surface course and the alternate bid was the limestone.

Mr. Plain said it was the same as for the resurfacing projects.

Mr. Wray said he thought that maybe that had something to do with traffic control.

Mr. Plain said that basic traffic control was the same on all of the projects.

Mr. Plain said he recommended the resolution be adopted.

A Resolution Awarding Contract 77-97-01 was moved for adoption by Mrs. Baker, seconded by Mr. Williams as follows:

RESOLUTION NO. 18-1997

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for 3rd lane construction between Milepost 120.05 to Milepost 127.23 located in Erie County, Ohio;

"WHEREAS, the Commission has received bids from two bidders and each bidder submitted alternate bids for the performance of said contract;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of Kokosing Construction Company, Inc. of Columbus, Ohio in the amount of \$21,253,933.49, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 77-97-01 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by Kokosing Construction Company, Inc.;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of Kokosing Construction Company, Inc. of Columbus, Ohio, in the amount of \$21,253,933.49 using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 77-97-01, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 77-97-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mrs. Baker, Mr. Williams, Mr. Wray, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 18-1997.

Mr. Plain said the next resolution was a Resolution Awarding Contract No. 77-97-05 for the third lane construction between milepost 209.53 and 214.12 and rehabilitation of Selkirk-Bush Road bridge over the Turnpike at milepost 212.50 in Trumbull County, Ohio. He said bids were received from three bidders with the low bid being submitted by Northern Ohio Paving Company/Keffler Construction Company of Twinsburg, Ohio, a joint venture in the amount of \$21,045,873.06. He said he would read the Resolved as follows:

"RESOLVED that the joint venture bid of Northern Ohio Paving Company/Keffler Construction Company of Twinsburg, Ohio, in the amount of \$21,045,873.06, using crushed, air cooled blast furnace slag in the surface course for the performance of Contract No. 77-97-05, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 77-97-05 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mrs. Baker said that since it was a joint venture she wondered which company would be listed on the performance bond.

Mr. Zomparelli said both companies would be listed on the performance bond since they are both liable.

Mrs. Baker said that was the first time she recalled a joint venture.

Mr. Plain said the Commission had received some in the past, but not too many of them.

The Chairman asked how the bids submitted for the projects compared to the estimates.

Mr. Plain said most of them came in lower or 3-5% above the estimate. He said that based on the number of bids received it appeared that maybe the Commission's estimates were a little low. He said the bids were watched very carefully. He said that when they were high the staff evaluated them to insure that the amounts properly reflected the costs of the projects.

Mr. Plain said he recommended the resolution be adopted.

A Resolution Awarding Contract No. 77-97-05 was moved for adoption by Mrs. Leever, seconded by Mr. Williams as follows:

RESOLUTION NO. 19-1997

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for third-lane construction between Milepost 209.53 to Milepost 214.12 and rehabilitation of Selkirk-Bush Road Bridge over the Ohio Turnpike at Milepost 212.50 located in Trumbull County, Ohio;

"WHEREAS, the Commission has received bids from three bidders and each bidder submitted alternate bids for the performance of said contract;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the joint venture bid of Northern Ohio Paving Company/Keffler Construction Company of Twinsburg, Ohio in the amount of \$21,045,873.06, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 77-97-05 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of

the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by Northern Ohio Paving Company/Keffler Construction Company;

"NOW, THEREFORE, BE IT

"RESOLVED that the joint venture bid of Northern Ohio Paving Company/ Keffler Construction Company of Twinsburg, Ohio, in the amount of \$21,045,873.06, using crushed, air-cooled blast furnace slag in the surface course for the performance of Contract No. 77-97-05, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 77-97-05 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mrs. Leever, Mr. Williams, Mr. Wray, Mrs. Baker, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 19-1997.

Mr. Plain said the next resolution was a Resolution Awarding Contract No. 77-97-06 for third lane construction between milepost 214.12 and 218.58 located in Trumbull and Mahoning Counties; reconstruction of Silica Road bridge over the Turnpike at milepost 218.4; reconstruction of Ellsworth-Bailey Road left and right bridges over the Turnpike at milepost 215.4; reconstruction of Gate 15, Line A bridge over the Turnpike at milepost 218.7 and reconstruction of Gate 15 at milepost 218.3 in Mahoning County, Ohio.

Mr. Plain said further that four bids were received in response to the invitation and the best bid was submitted by the S. E. Johnson Companies in the amount of \$23,105,089.98. He said the bids ranged from the low of \$23,105,089.98 to a high of \$24,175,829.70. He said the Members could see by the closeness of the bids that they were very competitive. He said the estimate was below the low bid, but under the circumstances the staff thought they had a good bid. He said he recommended the resolution be adopted.

Mr. Zomparelli said that when the bids were read at the bid opening it appeared that The McCourt Construction Company had the lowest bid. He said that, however, when the tabulation was done S. E. Johnson was found to have the successful bid.

Mr. Wray asked if there was a mistake in the bid.

Mr. Zomparelli said the S. E. Johnson had not properly added up their total. He said their total was greater when read at the bid opening. He said that when the Commission's staff went back and re-tabulated the totals they found S. E. Johnson's total was actually \$23,105,089.98.

Mr. Wray asked if S. E. Johnson did their arithmetic wrong and the Commission's staff corrected it for them.

Mr. Zomparelli said that was a matter of common course. He said the staff verified the unit prices. He said that S. E. Johnson's initial bid was read as \$23,213,089 and McCourt's was \$23,164,000, which was the lowest bid. He said when the Commission's staff went back and tabulated the bid it was found to be \$23,105,000, the new low bid. He said that was why there was a note in the second paragraph in his recommendation to the Members.

Mr. Wray said the S. E. Johnson just added up their figures wrong when they bid.

Mr. Plain said they added up their unit prices wrong.

Mr. Zomparelli said the unit number controlled the bids.

Mr. Wray said the reason he was asking was because ODOT just went through a lawsuit. He said a contractor bid and ODOT corrected it and then made the award to the bidder.

Mr. Zomparelli said it was comforting to know that a precedent had been established.

Mr. Plain said he would read the Resolved of the resolution as follows:

"RESOLVED that the bid of The S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$23,105,089.98, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 77-97-06, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 77-97-06 is designated a System Project under the Commission's 1994 Master Trust Agreement."

The Chairman said he would abstain from voting on that resolution.

Mr. Plain said he recommended the resolution be adopted.

A Resolution Awarding Contract No. 77-97-06 was moved for adoption by Mr. Wray, seconded by Mr. Williams as follows:

RESOLUTION NO. 20-1997

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for third-lane construction between Milepost 214.12 to Milepost 218.58 located in Trumbull and Mahoning Counties; reconstruction of Silica Road Bridge over the Ohio Turnpike at Milepost 218.4 in Mahoning County; reconstruction of Ellsworth-Bailey Road Left and Right Bridges over the Ohio Turnpike at Milepost 215.4 in Trumbull County; Reconstruction of Gate 15, Line A Bridge over the Ohio Turnpike at Milepost 218.7 in Mahoning County and Reconstruction of Gate 15, Line A widening at Milepost 218.3 in Mahoning County, Ohio;

"WHEREAS, the Commission has received bids from four bidders and each bidder submitted alternate bids for the performance of said contract;

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer, and he has submitted a report concerning such analysis and his report is before the Commission and the Commission's executive director has made his recommendation to the Commission predicated upon such analysis;

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by the bidders and has determined that there is satisfactory evidence of compliance with the Commission's Minority Business Enterprise Program;

"WHEREAS, all bids for said contract were solicited on the basis of the same terms and conditions and the same specifications, and the bid of The S. E. Johnson Companies, Inc. of Maumee, Ohio in the amount of \$23,105,089.98, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 77-97-06 has been determined by the Commission to be the lowest responsive and responsible bid received;

"WHEREAS, the Commission has been advised by its general counsel that said bid conforms to the requirements of Section 5537.07, Section 9.312 and Section 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by The S. E. Johnson Companies, Inc.

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of The S. E. Johnson Companies, Inc. of Maumee, Ohio, in the amount of \$23,105,089.98, using crushed, air-cooled blast furnace slag in the surface course, for the performance of Contract No. 77-97-06, is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said contract, and is accepted, and that the chairperson [vice-chairperson] and executive director, or either 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; (2) to direct the return to the other bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said contract; and

"FURTHER RESOLVED that Project No. 77-97-06 is designated a System Project under the Commission's 1994 Master Trust Agreement."

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

Ayes: Mr. Wray, Mr. Williams, Mrs. Baker, Mrs. Leever

Nays: None

Abstain: Mr. Fedeli

The Chairman declared the resolution stood adopted with all Members present, excluding himself, voting in the affirmative. The resolution was identified as No. 20-1997.

Mr. Plain said most of the construction contract resolutions had been introduced so the next resolution was a Resolution Awarding a Contract under Invitation 3537-C for furnishing to the Commission: Group I (14) current model truck cab and chassis, 33,000# GVWR and accepting in trade (14) used trucks; Group II: furnishing and installing combination dump/spreader body, central hydraulic system and lighting system; and Group III: furnishing and installing (14) reversible front snow plows and quick hitch.

Mr. Plain said further that bids were received from eight bidders and there was a letter from General Counsel on the two that were low bidders. He said they were West Gate Ford Truck Sales, Inc. of Youngstown, Ohio for Group I and Concord Road Equipment Mfg., Inc. of Painesville, Ohio for Groups II and III. He said he would read the Resolved as follows:

"RESOLVED that the bid of West Gate Truck Sales, Inc. of Youngstown, Ohio for Group I of Invitation No. 3537-C in the amount of \$420,238.00; and the bid of Concord Road Equipment Mfg., Inc. of Painesville, Ohio for Groups II and III of Invitation No. 3537-C in the total amount of \$383,794.00 is, and is by the Commission deemed to be the lowest responsive and responsible bids received and is accepted and the chairperson [vice-chairperson] and executive director, or either of them, is hereby authorized (1) to execute a contract with the successful bidders in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidders of their bid security at such time as West Gate Ford Truck Sales, Inc., and Concord Road Equipment Mfg. have entered into a contract and furnished a performance bond required thereby; and (3) to take any and all action necessary to properly carry out the terms of said contract."

Mr. Plain said he recommended the resolution be adopted.

A Resolution Awarding a Contract under Invitation No. 3537-C was moved for adoption by Mrs. Baker, seconded by Mrs. Leever as follows:

RESOLUTION NO. 21-1997

"WHEREAS, the Commission has advertised for bids for Invitation No. 3537-C for the furnishing to the Commission **Group I:** Fourteen (14) current model truck cab and chassis, 33,000# GVWR, and accepting in-trade (14) used trucks; **Group II:** furnishing and installing (14) combination dump/spreader body, central hydraulic system and lighting system; and **Group III:** furnishing and installing (14) reversible front snow plows with quick hitch; and bids from eight bidders were received in response to that invitation and have been reviewed by the Commission's staff; and

"WHEREAS, it is anticipated that the expenditures of the Commission for (14) current model truck cab and chassis, equipped with snow and ice control equipment, as more fully described under Groups II and III of Invitation No. 3537-C shall exceed \$500,000 and in accordance with Article V, Section 1.00 of the Commission's Code of Bylaws, Commission action is necessary for the award of such contract;

"WHEREAS, the bids received in response to the invitation were reviewed by the maintenance engineer who has stated that the lowest responsive and responsible bid for Group I was submitted by West Gate Ford Truck Sales, Inc. of Youngstown, Ohio in the amount of \$420,238.00; and the lowest responsive and responsible bid for Groups II and Group III was submitted by Concord Road Equipment Mfg., Inc. of Painesville, Ohio in the total amount of \$383,794.00 and that these bidders propose to furnish materials and services in accordance with the Commission's specifications;

"WHEREAS, the Commission's general counsel has reviewed the bids received and has advised the Commission that the procedure followed by the Commission in advertising for Invitation No. 3537-C is in accordance with Section 5537.07 of the Revised Code of Ohio, and that the bid of West Gate Ford Truck Sales, Inc. for Group I is the lowest responsive and responsible bid received, and that the bid of Concord Road Equipment Mfg., Inc. for Groups II and III is the lowest responsive and responsible bid received, and that the Commission may legally enter into a contract with these bidders to furnish the truck cab and chassis described under Group I of Invitation No. 3537-C and to furnish and snow and ice control equipment described under Groups II and III of Invitation No. 3537-C; and

"WHEREAS, the Commission's minority business enterprise coordinator has reviewed the documents submitted by each of the bidders and has advised that an MBE waiver has been granted to West Gate Ford Truck Sales, Inc. under Group I, and to Concord Road Equipment Mfg., Inc. under Groups II and III;

"WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that contracts be awarded to the lowest responsive and responsible bidders, West Gate Ford Truck Sales, Inc. for Group I; and Concord Road Equipment Mfg., Inc. for Groups II and III;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of West Gate Ford Truck Sales, Inc. of Youngstown, Ohio for Group I of Invitation No. 3537-C in the amount of \$420,238.00; and the bid of Concord Road Equipment Mfg., Inc. of Painesville, Ohio for Groups II and III of Invitation No. 3537-C in the total amount of \$383,794.00 is, and is by the Commission deemed to be the lowest responsive and responsible bids received and is accepted and the chairperson [vice-chairperson] and executive director, or either of them, is hereby authorized (1) to execute a contract with the successful bidders in the form heretofore prescribed by the Commission pursuant to the aforesaid invitation; (2) to direct the return to the other bidders of their bid security at such time as West Gate Ford Truck Sales, Inc., and Concord Road Equipment Mfg. have entered into a contract and furnished a performance bond required thereby; and (3) to take any and all action necessary to properly 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: Mrs. Baker, Mrs. Leever, Mr. Wray, Mr. Williams, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 21-1997.

Mr. Plain said the next resolution was a Resolution Amending Resolution No. 5-1970 regarding Volume Discount Billing Cycle and he would ask Mr. Rudolphy to review that for the Members.

Mr. Rudolphy said that, when the Commission charge account system was established in the mid 1950s, the billing cycle was determined to be twice a month on the 15th and the last day of the month. He said that when volume discounts were granted, most recently in 1970, the payment terms were defined as paying within 20 days and all prior invoices having been paid. He said that got to be cumbersome and confusing to some of the trucking companies.

Mr. Rudolphy said further that normal billing cycles are once a month with payment terms within 30 days. He said the staff was attempting to change the Commission's terms to be consistent with what were considered to be the standard practices in billing -- once a month and payment in 30 days.

Mr. Plain said he would read the Resolved of the resolution as follows:

"RESOLVED that effective March 17, 1997, the billing cycle and payment terms for all charge account customers be revised to reflect monthly billings with payment terms within thirty days after billing."

Mr. Plain said he recommended the resolution be adopted.

A Resolution Amending Resolution No. 5-1970 Regarding Volume Discount Billing Cycle was moved for adoption by Mr. Williams, seconded by Mrs. Baker as follows:

RESOLUTION NO. 22-1997

"WHEREAS, pursuant to Resolution No. 40-1956, the Commission established its volume discount program for commercial users;

"WHEREAS, pursuant to Resolution No. 5-1970, the Commission accepted the Commission's Comptroller's recommendation that such discount be conditioned upon prompt payment within twenty days after billing;

"WHEREAS, pursuant to Resolution No. 56-1995, the Commission modified its toll discount program to 15% for commercial users which have valid charge accounts with the Commission and generate \$1,000 or more in toll revenue during the calendar month, said revision effective January 1, 1996;

"WHEREAS, the Executive Director recommends that the billing cycle and payment terms for all charge account customers be revised to reflect monthly billings with payment

terms within thirty days after billing, and the Commission's comptroller concurs in said recommendation;

"WHEREAS, the Commission desires to accept said recommendation;

"NOW, THEREFORE, BE IT

"RESOLVED that, effective March 17, 1997, the billing cycle and payment terms for all charge account customers be revised to reflect monthly billings with payment terms within thirty days after billing."

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

Ayes: Mr. Williams, Mrs. Baker, Mr. Wray, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 22-1997.

Mr. Plain said the final resolution was a Resolution Designating Certain Projects as "System Projects" under the Commission's Master Trust Agreement of 1994. He said there was an Exhibit "A" attached thereto which listed: 59-97-04 for maintenance buildings; 71-97-05 for consulting services and 71-97-07 for engineering-consulting services for wastewater treatment facilities.

Mr. Plain said he would read the Resolved as follows:

"RESOLVED that the Commission hereby designates the projects set forth in Exhibit "A" as System Projects under the terms and provisions of the Commission's Master Trust Agreement of 1994."

Mr. Plain said he recommended the resolution be adopted.

Mr. Wray asked if that was so those items could be paid for with bond proceeds.

Mr. Zomparelli said that went back to Mr. Wray's previous question about when the Commission issued its bond proceeds under the provisions of its Trust Agreement with its bondholder and trustee, Huntington National Bank. He said that under the trust agreement certain funds are set up and one of the funds was called a Systems Project Fund. He said that out of that fund the Commission could account for projects specifically and pay all or part of the project. He said those funds came from bond proceeds.

Mr. Wray asked if the projects listed in the current resolution had been included in the Systems Projects specified in the Commission's Master Trust Agreement of 1994.

Mr. Zomparelli said those projects were not included in that list.

Mr. Wray said he didn't think the Commission was amending the trust agreement.

Mr. Zomparelli said the Commission was not amending the trust agreement. He said the Commission was only designating those projects as System Projects.

Mr. Zomparelli said there was a flow of money that came from the trust funds that were received when the Commission issued the bonds. He said that some of those funds were put in a System Projects Fund. He said that in order for a project to be paid for out of that fund the project had to be formally designated a System Project and that was what the Commission was doing in adopting the resolution. He said the Commission was following a formal requirement under the trust agreement.

Mr. Zomparelli said further that the Commission didn't have to pay all the money for a specific project out of the System Projects Fund, it could pay part of it. He said he thought the Comptroller would like to pay for all of it out of the Systems Project Fund. He said that perhaps Mr. Lamb, the representative of the Commission's trustee, might want to add something.

Mr. Lamb said Mr. Zomparelli had done well in his explanation. He said that under ordinary financing or conventional financing, all the bond proceeds would be sent to the trustee. He said that in order for money to be extracted a formal document would have to be presented certifying or attesting to the fact that the money being requested has been used for everything contemplated under the indenture.

Mr. Lamb said that in the financing in question the Commission had kept the bond proceeds. He said the Commission had been entrusted to keep the bond proceeds so certification has to be given specifying that the moneys spent were in fact contemplated by the indenture. He said that, therefore, the moneys for that part of the project became part of the security interest that the bondholders bargained for when they bought their securities.

Mr. Wray asked if the indenture contemplated maintenance buildings as a part of the Systems Projects.

Mr. Rudolphy said that, to clarify somewhat, it was not the staff's intention on those particular projects to use bond proceeds to pay for them, but to use trust fund money. He said trust fund money meant the excess after revenues less operating expenses.

Mr. Wary said that was just the revenues of the Turnpike.

Mr. Rudolphy said Mr. Wray was correct, but it was still trust fund revenues and governed by the trust agreement. He said all the revenues, with the exception of concession revenues and certain other revenues, were pledged revenues under the trust agreement.

Mr. Rudolphy said further that through the normal flow of funds, which were pledged revenues, the staff paid the operating and maintenance expenditures and what remained flowed into System Project Fund. He said that, in addition, bond proceeds went into the System Project Fund. He said it was the staff's intention to use the regular flow of fund money, the pledged revenues less operating expenditures, to pay for those projects. He said they still had to be designated as System Projects so that they could be paid for with trust fund money.

Mr. Plain said he recommended the resolution be adopted.

A Resolution Designating Certain Projects as "Systems Projects" under the Commission's Master Trust Agreement of 1994 was moved for adoption by Mrs. Baker, seconded by Mrs. Leever as follows:

RESOLUTION NO. 23-1997

"WHEREAS, on February 15, 1994, the Ohio Turnpike Commission adopted the Master Trust Agreement with Huntington National Bank, as trustee, ("Trust Agreement") securing State of Ohio, Turnpike Revenue Bonds;

"WHEREAS, the Trust Agreement of 1994 established certain Projects and certain Project Funds;

"WHEREAS, the comptroller has reviewed proposed projects and in order to make such payment, these projects must be officially designated by the Commission as "System Projects";

"WHEREAS, there is attached hereto "Exhibit A" which lists a number of the ongoing projects, and the Commission, pursuant to the request of its comptroller, desires to designate these projects as "System Projects"

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission hereby designates the projects set forth in "Exhibit A" as System Projects under the terms and provisions of the Commission's Master Trust Agreement of 1994."

The following projects have been authorized and established as "System Projects" but have not been officially designated as "System Projects" prior to the Commission's March 17, 1997, meeting:

The projects are as follows:

- 56-97-04** Maintenance Buildings - improvements, repairs and replacement (installation of natural gas service, Amherst Maintenance Building)
- 71-97-05** Engineering-Consulting Service: Architectural/engineering design, and construction/inspection services for satellite office facilities, Berea Administration site, Cuyahoga County, Ohio
- 71-97-07** Engineering -Consulting Service: Design of wastewater treatment facilities, Service Plaza 4 and Service Plaza 7

Exhibit "A"

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

Ayes: Mrs. Baker, Mrs. Leever, Mr. Wray, Mr. Williams, Mr. Fedeli

Nays: None

The Chairman declared the resolution stood adopted with all Members present voting in the affirmative. The resolution was identified as No. 23-1997.

Mr. Plain said all the resolutions for the meeting had been introduced.

Mr. Wray asked if he could get a one-page summary of the amount of contracts that were going on that time of the year, how much contract work had been awarded and the percentage of minority participation.

Mr. Plain said the Commission required a 10% minority participation on all Turnpike projects. He said the staff could supply that information to Mr. Wray.

Mr. Williams asked how many on-site visitations were done to insure that the minority participation was there.

Mr. Zomparelli said that Mrs. Thomas should speak on that matter.

Mrs. Thomas said it was the intention of the Commission to have at least a 10% minority award participation. She said the Commission had three goals that have been aggressively worked on: (1) certifying minority-owned companies with the Commission by making sure they met the Commission's rigid requirements; (2) conduct on-site visits of those companies; and (3) increase the number of minority-owned companies qualified to do business with the Commission.

Mrs. Thomas said further that she had conducted seven on-site visits since the last Commission meeting to certify minority-owned companies. She said she had actually looked at their articles of incorporation, equipment and met their staffs.

Mrs. Thomas said that, to date, the Commission had 211 certified minority-owned companies. She said it was a detailed process in which numerous records had to be tracked down. She said those companies also were re-certified on a yearly basis to make sure there were no ownership changes. She said also that certification was pending on 39 other minority-owned companies.

Mrs. Thomas said further that, as already stated, the Commission's goal was 10% minority participation in construction, engineering and purchasing of supplies and equipment. She said she was pleased to announce that, with the award of the contracts at the day's meeting, business totaling \$11,250,878.89 was going to minority companies.

Mrs. Thomas said further that, regarding on-site inspections, once the construction season started she would be going out and making those visits to verify that the minority-owned companies were there and doing the work. She said the Commission's goal was to increase the number of minority-owned companies that participated in Turnpike business.

Mrs. Thomas said further that achieving that goal would give the Commission more competition and help more MBEs, as well as non-MBE companies. She said she was going to be working closely with Mr. Plain and Mr. Zomparelli to ensure that the Commission gave the minority companies the fullest opportunity to do business with it.

Mr. Williams asked if the on-site visits would be announced or unannounced.

Mrs. Thomas said they would be unannounced because announcing them defeated the purpose of the visit.

Mr. Wray asked if the Commission had a WBE.

Mrs. Thomas said the Commission did not have just a woman program, but it would certify a woman company that was minority-owned.

Mr. Wray said that, for the one-page summary he requested earlier, an example would be how much total volume of work was awarded at that day's meeting and how much was MBE.

Mr. Williams asked if that information would be supplied to all the Members.

Mr. Zomparelli said that would be done. He said the staff kept track of that information.

Mr. Wray said he needed two numbers--how much total volume of work was going on at the Turnpike and how much was MBE.

Mr. Plain said the staff couldn't do anything until it knew the numbers.

Mr. Wray said that he was interested in knowing the estimated amount of work planned for calendar year 1997.

Mr. Plain said the staff could put out estimates and they would be misrepresented by the newspapers or somebody else.

Mr. Zomparelli said that was the problem.

Mr. Plain said the staff knew currently what was awarded and the other ones were just estimates. He said the awarded contracts provided the actual figures so the staff knew what the dollars were going to be.

The Chairman said what Mr. Plain was referring to was that different numbers had been quoted in newspapers that implied the Commission was unsure of the figures. He said the Commission didn't know what the numbers were until they were bid.

Mr. Wray said he wasn't a newspaper. He said he wanted to know if there would be 20 projects or 50 and what was the estimated cost. He said the staff could give it to him within \$10 million if they so desired.

Mr. Zomparelli said the staff had that information and could provide it to Mr. Wray.

Mr. Plain said he would like to report on a few more things at the meeting. He said that since the last Commission meeting he and Gino Zomparelli met with the editorial boards of the following newspapers: **The (Toledo) Blade**; **The (Lorain) Morning Journal**; **The (Youngstown) Vindicator**; **The (Akron) Beacon Journal**; **The (Columbus) Dispatch**; and **The (Elyria) Chronicle-Telegram**. He said they also were joined by the publishers at **The (Columbus) Dispatch** and **The (Elyria) Chronicle-Telegram**. He said he also met personally with Flora Rathburn, the new metropolitan editor of **The (Cleveland) Plain Dealer**.

Mr. Plain said that on Monday, February 24th, the Commission's Customer Advisory Group met for the first time in kind of a get-acquainted session. He said he discussed the Commission's construction program and gave a brief history of the Turnpike and each of the members told a little about themselves. He said he thought there was a good mix on that board and they seemed very compatible.

The Chairman said to Mr. Wray that perhaps he was unaware of establishing an outside board of advisors from a cross section of Turnpike users to give the Commission their opinions about the operation of the toll road. He said the board was made up of representatives of trucking companies, and major tourist attractions, as well as traveling sales people. He said the Commission was trying to be as sensitive to the public as possible.

The Chairman asked how many attended the meeting.

Mr. Plain said about 10 people attended the meeting.

Mr. Plain said also that in the Members' folders was some employment information relating to minority hiring by the Commission. He said **The (Cleveland) Plain Dealer** recently misinterpreted that information in a story. He said also enclosed was a copy of his response and General Counsel's response to the article. He said the responses showed where the Turnpike facilities were located and what the minority hiring percentages were for those facilities.

Mrs. Leever said she thought it was great that Mr. Plain and Mr. Zomparelli met with the editorial boards of the newspapers. She said she thought it was necessary and about time. She said she was very grateful to them for attending those meetings. She said she felt that it was far better to take an affirmative step than to respond negatively.

The Chairman said he would like to see a kind of ongoing visitation to some of the legislative leaders as well. He said Mr. Plain and other staff members should go out and visit the Speaker of the House, the President of the Senate and Senator Oelslager, chairperson of the Turnpike's Legislative Oversight Committee, to let them know what the Commission was doing. He said that, occasionally, the staff should put out a report to be distributed to different legislative members. He said he thought the more communication the Commission had the better.

Mr. Plain said he agreed with the Chairman. He said he also wanted to mention for the record that an article David Patch did for **The (Toledo) Blade** on the U. S. 24 issue was very good. He said it kind of mirrored what he had been talking to the editorial boards about.

Mr. Plain said further that Mr. Patch did some in-depth survey work and talked to truck drivers and others that used U. S. 24 and he thought that issue was pretty much resolved. He said he wanted to thank Mr. Patch for a good reporting job.

The Chairman said Mr. Patch had been very fair with the Commission and the Members appreciated that.

The Chairman said the report of the Executive Director was accepted as offered. He said the report of Captain Ash would be received.

Captain Ash said he had no report, but he had brought with him that day the Patrol's State Dispatcher of the Year, Rhonda Tyree. He said Ms. Tyree had been with District 10 as a dispatcher in Berea for a little over five years. He said she was selected by her peers and the District staff as District Dispatcher of the Year. He said that on March 17, 1997, she was selected as Dispatcher of the Year for the State of Ohio. He said it was the first time District 10's Dispatcher of the Year had been honored statewide. He said everyone in the District was very proud of her.

Mr. Plain said that Captain Ash might want to mention that a former Staff Lieutenant at District 10 had moved up the advancement ladder a little bit.

Captain Ash said former Staff Lieutenant Kenneth P. Marshall was now the Patrol's new Superintendent. He said that he had a very good rapport with the people at the Turnpike. He said he was the only one with the Patrol in Columbus who seemed to know where the Turnpike was located.

The Chairman said the report of Captain Ash was accepted as offered. He ascertained there would be no report from the consulting engineers or the investment advisor. He said the report of General Counsel would be received.

Mr. Zomparelli said the Members had in their files a Schedule of Insurance. He said the Commission passed a resolution in February giving the Executive Director authority to enter into insurance coverage that were thought to exceed \$500,000. He said the coverage came in lower and the schedule was in the file.

Mr. Zomparelli said further that the staff supplied the Commission's trustee, Huntington National Bank, with the insurance schedule pursuant to the Master Trust Agreement. He said the Commission's annual insurance costs last year were \$415,000. He said the new insurance schedule for 1997 was \$348,000, or \$60,000 less. He said that the Commission did a good job with the RFP and it received some good bids for general liability and auto.

Mr. Plain said he had one more thing to mention and that was he had asked Mr. Wray if the Commission could get an accounting of all the soft-match that the Turnpike had generated for ODOT over the years. He said he thought it amounted to a considerable amount of dollars spent in performing Turnpike construction. He said ODOT got credit in their soft-match to gain Federal dollars.

Mr. Plain said further that ODOT got around \$180 million under the ISTEA provisions for the actual construction of the Turnpike. He said the Commission not only did not get credit for helping advance economic development, but also for aiding ODOT as well. He said he thought

the Commission deserved some credit for generating portions of those moneys for its friends at ODOT.

Mr. Wray said it was a soft match. He said there is no new money. He said it was a draw down.

Mr. Plain said it was a draw down based on the Commission's construction dollars and not just ODOT's construction dollars. He said there was a distinction there.

The Chairman said that when the staff was in Columbus meeting with legislators they should make a point of stopping to meet with their friends at ODOT, the Commission's "big brother."

Mr. Wray said he supported the Commission's position to be more pro-active. He said that was a good idea.

The Chairman said there was an article in that day's newspaper regarding President Clinton's idea of having many existing highways across the country turned into toll roads. He said that, obviously, Washington had the same concern that ODOT had about the amount of money that would be required to do all the roadway projects in the state.

The Chairman said further that the Congressman in his district, Congressman Steven LaTourette, had indicated that he was upset at Washington for not returning the Federal fuel taxes collected in Ohio. He said only about \$.70 of each \$1.00 collected came back to the state.

Mr. Wray said that about \$1 billion was collected and a little over \$600 million came back to Ohio for highways.

The Chairman said that over a ten or fifteen year period of time the money not returned to the state accumulated to billions of dollars. He said he had been asked what he thought of the proposal to convert existing highways to toll roads and he said that it was a potential alternative amongst many others.

The Chairman said further that he thought it was the Commission's position that if there was anything it could do to help, it would at least extend its concerns. He said he knew ODOT was under tremendous pressure for all the projects that needed to be done and, unfortunately, there was limited funding. He said that if there was anything the Commission could do, it was open to communication.

Mr. Wray said that, currently, there is ISTEA, and a lot of folks believe ISTEA is a solution. He said there is a group supporting Step 21, which is similar to the System Identification Act. He said it has new categories and new employment lists to provide more money to Ohio.

Mr. Plain said everyone knew that something had to be done because the infrastructure was crumbling around us and the moneys were required to keep it viable or we will all suffer.

There being no further business before the Commission, a motion was made by Mrs. Baker, seconded by Mr. Williams that the meeting adjourn until the next meeting on April 21.

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

Ayes: Mrs. Baker, Mr. Williams, Mr. Wray, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the meeting adjourned. The time of adjournment was 11:30 a.m.

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



Marilyn R. Baker, Secretary-Treasurer