

## MINUTES OF THE 433RD MEETING OF THE OHIO TURNPIKE COMMISSION

September 15, 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 September 15, 1997, with members of the staff: Gino Zomparelli, General Counsel and Deputy Executive Director-External Affairs; Robert Arlow, Deputy Executive Director-Operations; Anthony DiPietro, Deputy Executive Director-Administration; Andrea Plassard, Acting Comptroller; David H. Ransbury, Chief Engineer; Daniel F. Castrigano, Maintenance Engineer; Sharon Isaac, Director of Toll Operations; John Mitchell, Director of Management Information Systems; Richard Lash, Director of Safety Services; Robert P. Barnett, Director of Information and Research; and others in attendance.

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

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

The Chairman said the minutes of the last Commission meeting of August 18, 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: Mr. Williams, Mr. Joseph, Mrs. Baker, Mrs. Leever, Mr. Fedeli

Nays: None

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

The Chairman said the meeting was the 433rd meeting of the Commission. He said it was being held at the Commission's headquarters as provided for in the Commission's Code of Bylaws. He said Jerry Wray, Senator Gaeth and Representative Hodges were unable to attend the day's meeting. He said Mr. Joseph was at the meeting in place of Mr. Wray and he was authorized to represent and vote for Mr. Wray. He said Mr. Plain also could not attend the day's meeting and Mr. Zomparelli would be giving both Mr. Plain's report and his own.

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; Steve Wood, Paine Webber; Capt. Paul Ash and Staff Lieutenant Tim Escola, Ohio State Highway Patrol; Larry McQuillin, Advanced Restaurant Concepts, Inc.; Steve Szanto, Huntington Capital Corp.; Brian Connors, Connors & Co.; Erin Rainey, ODOT; Cleve Brooks, SBK-Brooks; Paul Sciria, Sciria & Associates; Frank Lamb, Huntington Bank; Paul Stubbins, Seasongood & Mayer; Mike McIntyre, The (Cleveland) Plain Dealer; Stu Shear and Steve Mendoza, Ohio Bureau of Services for the Visually Impaired; Fred McFall, Host Marriott; Charles Visconsi and Bob Brown, Key Capital Markets; Dan Rohr, Banc One Capital; Rob Fleischman, Assistant Chief Engineer; Debbie Moore, Human Resources Manager; David Miller, Chief Auditor; Cassandra

Thomas, MBE Coordinator; Anthony Palombo, Staff Counsel; Barbara Lesko, Executive Director's secretary and Diane Pring, General Counsel's secretary.

The Chairman said 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 in the Members' folders. He said the resolutions would be introduced during the appropriate reports by Mr. Zomparelli in Mr. Plain's absence.

The Chairman said that, if there were no questions, the report of the Secretary-Treasurer, Mrs. Baker, would be received.

Mrs. Baker said that the following items had been sent to the Members since the last regularly scheduled meeting of the Commission on August 18, 1997:

1. Weekly Traffic Statistics
2. Traffic Accident Summary for August 1997
3. Traffic and Revenue Report for August 1997
4. Financial Statement for August 1997
5. Draft of Commission Meeting Minutes of August 18, 1997
6. Investment Transactions, August 1997
7. Turnpike Notes - August 1997
8. Various News Releases

The Chairman said the report of the Secretary-Treasurer was accepted as offered. He ascertained there would be no report on Budget and Finance. He said the report on Audit/Legal would be received.

Mrs. Plassard said the Commission's six-month audit by Coopers & Lybrand had been finalized and reports had been distributed last week.

The Chairman said the report on Audit/Legal was accepted as offered. He ascertained there would be no report on Service Plazas. He said the report on Employee Relations would be received.

Mr. DiPietro said the staff and outside counsel had another session on September 4 with the union relative to the part-time Toll Collectors' contract. He said they didn't make very much progress or any progress at all in that meeting. He said they stood ready to meet with the union again if, in fact, that was their choice.

Mr. Zomparelli said Mr. DiPietro could go ahead and talk about the other item.

Mr. DiPietro said that in the Members' folders there was a copy of a fax sheet that was originally prepared on June 23 and revised last week relative to some research that was done on wage increases that would be recommended for the non-bargaining unit employees of the Commission. He said that, based on the information obtained from the Consumer Price Index, the averages of increases granted to the UE local in 1996, 1997 and planned for January 1998, increases given State of Ohio employees in recent contracts and previous awards made to Commission non-bargaining unit employees, he recommended that the Commission's non-bargaining unit employees be granted a 3% increase in their wages. He said he believed there was a resolution which had been drafted.

Mr. Zomparelli said that from the Executive Director's report he had a number of resolutions to present on behalf of Mr. Plain, who was not at the meeting. He said one of the resolutions was a resolution recommending and awarding a general wage increase to the non-bargaining, non-union employees of the Commission. He said that would involve all the employees in the administration building and the supervisors and foremen in the field in the Toll Operations and Maintenance Departments. He said the resolution was not the first one on the agenda, but since Mr. DiPietro gave his report he would present it as the first resolution.

Mr. Williams asked what was the effective date of the increase.

Mr. Zomparelli said they were recommending an effective date of September 21 (Sunday), which would be the commencement of a new payroll period at a rate of 3%. He said the increase would not be retroactive.

Mr. Zomparelli said he had prepared a resolution entitled Resolution Approving and Adopting General 1997 Wage Increase for Certain Commission Employees. He said he would read the RESOLVED as follows:

"RESOLVED that the Ohio Turnpike Commission hereby approves the recommendations of the Employee Relations Group, which recommendations have had prior approval of the chairperson and the executive director, and adopts such recommendations granting regular, full-time Commission employees, who are not members of a collective bargaining unit, a general wage or salary increase of 3% effective September 21, 1997."

Mr. Zomparelli said that, again, the Executive Director recommended adoption of the resolution.

Mrs. Baker asked if the 3% was the same raise that had been offered to the bargaining unit.

Mr. Zomparelli said Mrs. Baker was correct.

Mrs. Baker said that at that time the bargaining unit had not accepted the raise.

Mr. Zomparelli said that was the situation. He said the fact-finder recommended a 3% increase over a three-year period for the part-time Toll Collectors and it was their understanding that the part-time employees had voted not to accept the fact-finder's recommendation.

A Resolution Approving and Adopting General 1997 Wage Increase for Certain Commission Employees was moved for adoption by Mrs. Baker, seconded by Mrs. Leever as follows:

#### **RESOLUTION NO. 42-1997**

"WHEREAS, the Commission's Employee Relations Group has made a recommendation to the executive director and the executive director, in turn, has made a recommendation to the chairperson concerning wage and salary adjustments for certain of its regular, full-time employees, who are not part of a collective bargaining unit, and the chairman has approved such recommendation;

"NOW, THEREFORE, BE IT

"RESOLVED that the Ohio Turnpike Commission hereby approves the recommendations of the Employee Relations Group, which recommendations have had prior approval of the chairperson and the executive director, and adopts such recommendations granting regular, full-time Commission employees, who are not members of a collective bargaining unit, a general wage or salary increase of 3% effective **September 21, 1997.**"

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. Joseph, 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. 42-1997.

Mr. Zomparelli said he had several construction-related resolutions to present to the Commission and the first one was entitled Resolution Awarding Contract 43-97-06. He said it was a contract to reconstruct the Sandusky River bridges, which included third lane construction from mileposts 91.21 to 92.72 in Sandusky County. He said six bids were received on the contract. He said the lowest bid was submitted by C. J. Mahan Construction Co. of Grove City, Ohio.

Mr. Zomparelli said the company was the lowest bidder and had not performed work for the Commission before, but had satisfactorily completed similar projects for both the State of Ohio and nearby states. He said the Chief Engineer had reviewed all the bids and made his recommendation and the Executive Director had concurred in the recommendation of awarding the contract to the C. J. Mahan Construction Company. He said he would read the RESOLVED as follows:

"RESOLVED that the bid of the C. J. Mahan Construction Company of Grove City, Ohio, in the amount of \$20,851,257.33 for the performance of Contract No. 43-97-06, 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 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. 43-97-06 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Zomparelli said the Chief Engineer was present and the Deputy Executive Director-Operations was present if the Members had any questions. He said he was sure Mr. Joseph was probably familiar with C. J. Mahan Construction because they had done work for ODOT.

Mr. Joseph said he was, but he didn't know them personally.

Mr. Zomparelli said he recommended that the resolution be adopted.

A Resolution Awarding Contract No. 43-97-06 was moved for adoption by Mr. Williams, seconded by Mrs. Leever as follows:

**RESOLUTION NO. 43-1997**

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for the reconstruction of the Sandusky River Bridges which includes third-lane construction from Milepost 91.21 to Milepost 92.79 located in Sandusky County, Ohio;

"WHEREAS, the Commission has received bids from six 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 C. J. Mahan Construction Company of Grove City, Ohio in the amount of \$20,851,257.33 for the performance of Contract No. 43-97-06 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 C. J. Mahan Construction Company;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of the C. J. Mahan Construction Company of Grove City, Ohio, in the amount of \$20,851,257.33 for the performance of Contract No. 43-97-06, 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 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. 43-97-06 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. Williams, Mrs. Leever, Mr. Joseph, 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. 43-1997.

Mr. Zomparelli said the next resolution was entitled Resolution Awarding Contract No. 43-97-10. He said it was a contract for reconstructing the Vermilion River mainline bridges and the Angling Road, S.R. 60 and Vermilion Road bridges over the Turnpike in Erie and Lorain Counties. He said six bids were received for the project. He said The S. E. Johnson Companies was the lowest bidder and had done work for the Commission in the past. He said the Chief Engineer had reviewed the bid and had recommended, along with the Executive Director, acceptance of the bid of S. E. Johnson in the amount of \$9,799,668.56. He said he would read the RESOLVED as follows:

"RESOLVED that the bid of The S. E. Johnson Companies of Maumee, Ohio, in the amount of \$9,799,668.56 for the performance of Contract No. 43-97-10, 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 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. 43-97-10 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Zomparelli said he recommended the resolution be adopted.

The Chairman said he would abstain on the vote. He abstained from all voting pertaining to the Resolution Awarding Contract No. 43-97-10. He also did not participate in any discussion of such resolution.

A Resolution Awarding Contract No. 43-97-10 was moved for adoption by Mrs. Baker, seconded by Mr. Joseph as follows:

#### **RESOLUTION NO. 44-1997**

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for the reconstruction of the Angling Road Bridge over the Ohio Turnpike at Milepost 129.0; reconstruction of S. R. 60 (Savannah-Vermilion Road) Bridge over the Ohio Turnpike at Milepost 131.6; reconstruction of the Vermilion Road Bridge, Milepost 132.08 to Milepost 132.17; and reconstruction of the Vermilion Road Bridge over the Ohio Turnpike at Milepost 135.0 located in Erie and Lorain Counties, Ohio;

"WHEREAS, the Commission has received bids from six 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 \$9,799,668.56 for the performance of Contract No. 43-97-10 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 \$9,799,668.56 for the performance of Contract No. 43-97-10, 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 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. 43-97-10 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, except the Chairman, responded to roll call. The vote was as follows:

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

Nays: None

Abstain: Mr. Fedeli

The Chairman declared the resolution stood adopted with all Members present, except him, voting in the affirmative. The resolution was identified as No. 44-1997.

Mr. Zomparelli said the next resolution was titled Resolution Awarding Contract No. 58-97-01. He said the contract was for the demolition, disposal and reconstruction of the Maumee-Toledo (No. 4) Toll Plaza in Lucas County. He said two bids on the project were received.

Mr. Zomparelli said further the low bid was submitted by Mosser Construction Company, Inc. of Fremont, Ohio. He said the low bidder had also performed work for the Commission previously and satisfactorily. He said the Chief Engineer had reviewed the bid and made his recommendation to award to Mosser, and the Executive Director also concurred in the award to Mosser Construction Company. He said he would read the RESOLVED as follows:

"RESOLVED that the bid of Mosser Construction Company, Inc. of Fremont, Ohio, in the amount of \$5,583,000.42 for the performance of Contract No. 58-97-01, 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 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 bidder of its 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. 58-97-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

The Chairman asked why there were only two bidders and the other projects had six.

Mr. Zomparelli said the work was for the demolition and reconstruction of Toll Plaza No. 4.

The Chairman asked if there were fewer people in that business.

Mr. Zomparelli said yes, they had bids from two large contractors, Mosser and Rudolph-Libbe. He said there were not many of those type contractors in that area.

The Chairman asked if the low bid came in within the estimated cost.

Mr. Arlow said it did.

Mr. Zomparelli said the low bid came in below the estimate.

Mrs. Baker asked how long it would take to demolish the toll plaza and get rid of the debris.

Mr. Arlow said that normally it would take about 12 months. He said it would be done without disruption to traffic.

Mr. Ransbury said it would be finished about November 1998.

Mr. Zomparelli asked Mrs. Baker if she used that interchange.

Mrs. Baker said she certainly did.



Mr. Arlow said the interchange would not be closed at any time.

Mrs. Baker said she hoped Exit 4 was back in action before similar work was done at Exit 5.

Mr. Arlow said it would be.

A Resolution Awarding Contract No. 58-97-01 was moved for adoption by Mrs. Leever, seconded by Mr. Williams as follows:

**RESOLUTION NO. 45-1997**

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for the demolition, disposal of and reconstruction of Toll Plaza Interchange No. 4 located in Lucas County, Ohio;

"WHEREAS, the Commission has received bids from two 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 Mosser Construction Company, Inc. of Fremont, Ohio in the amount of \$5,583,000.42 for the performance of Contract No. 58-97-01 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 Mosser Construction Company, Inc.

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of Mosser Construction Company, Inc. of Fremont, Ohio, in the amount of \$5,583,000.42 for the performance of Contract No. 58-97-01, 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 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 bidder of its 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. 58-97-01 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. Leever, Mr. Williams, Mr. Joseph, 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. 45-1997.

Mr. Zomparelli said the next resolution was titled Resolution Awarding Contract No. 77-97-02. He said the contract was for third lane construction between mileposts 136.64 and 141.10 located in Lorain County. He said the contract also included the widening of four, three-span steel bridges. He said the contract received three bidders for performance of the contract.

Mr. Zomparelli said further that the low bid was submitted by Kokosing Construction Co. of Fredericktown, Ohio. He said the low bidder had satisfactorily performed work for the Commission in the past. He said the Chief Engineer and his staff reviewed the bid and he and the Executive Director recommended the acceptance of the bid of Kokosing Construction Company. He said he would read the RESOLVED as follows:

"RESOLVED that the bid of Kokosing Construction Company, Inc. of Fredericktown, Ohio, in the amount of \$14,960,393.29 for the performance of Contract No. 77-97-02, 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 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. 77-97-02 is designated a System Project under the Commission's 1994 Master Trust Agreement."

Mr. Zomparelli said the bid tab also was attached to the draft resolution and the bid also came in below the estimate. He said he recommended the resolution be adopted.

A Resolution Awarding Contract No. 77-97-02 was moved for adoption by Mrs. Baker, seconded by Mr. Williams as follows:

#### **RESOLUTION NO. 46-1997**

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for third-lane construction from Milepost 136.64 to Milepost 141.10 located in Lorain County, Ohio, which contract includes the widening of four, three-span steel bridges;

"WHEREAS, the Commission has received bids from three 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 Fredericktown, Ohio in the amount of \$14,960,393.29 for the performance of Contract No. 77-97-02 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 Kokosing Construction Company, Inc.;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of Kokosing Construction Company, Inc. of Fredericktown, Ohio, in the amount of \$14,960,393.29 for the performance of Contract No. 77-97-02, 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 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. 77-97-02 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. Baker, Mr. Williams, Mr. Joseph, 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. 46-1997.

Mr. Zomparelli said the next resolution was titled a Resolution Awarding Contract No. 77-97-03. He said the contract was for third lane construction from mileposts 141.10 to 145.54 in Lorain County. He said the contract also included the widening of three, three-span bridges.

Mr. Zomparelli said further that the low bidder was The S. E. Johnson Companies of Maumee, Ohio. He said the low bidder had satisfactorily performed work for the Commission in the past. He said the Chief Engineer and Executive Director both recommended acceptance of the low bid. He said the low bid also came in below the estimate and the bid tab was attached.

Mr. Zomparelli said further that 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 \$14,813,222.04 for the performance of Contract No. 77-97-03, 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 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 bidder of its 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. 77-97-03 is designated a System Project under the Commission's 1994 Master Trust Agreement."

The Chairman said he would abstain on the vote. He abstained from all voting pertaining to the Resolution Awarding Contract No. 77-97-03. He also did not participate in any discussion of such resolution.

Mr. Zomparelli said he recommended the resolution be adopted.

Mr. Joseph said this resolution was the second that day that had an alternate surface that was being requested. He said maybe someone could educate him on that.

Mr. Zomparelli said he would let the Chief Engineer respond.

Mr. Ransbury said the base bid includes slag in the surface course of the asphalt and the alternate is the stone (limestone) in the surface course. He said the staff proposed to award on the slag due to the skid resistance over the years, plus some of the outstanding quality that they got using a particular type of slag.

Mr. Joseph asked if it was left to the bidder to determine which surface to be used or was the Engineering staff selecting the one they would rather have.

Mr. Zomparelli said the Commission asked for two bids. He said that on the bid tab Mr. Joseph could see the difference between the total base bid and the base bid, plus the alternate. He said the slight difference in cost, \$13,000, was not that much. He said they felt there is a value in the slag which was much greater than the slight difference in cost.

Mr. Joseph asked what reason would drive the staff to use the alternate.

Mr. Zomparelli said the alternate was in the bid so the Commission could compare the difference in cost.

Mr. Ransbury said that if the price of slag got way out of whack they would go with the alternate bid.

Mr. Zomparelli said it would be up to the Commission to then decide whether they wanted to award or have the staff re-bid on that project.

A Resolution Awarding Contract No. 77-97-03 was moved for adoption by Mr. Joseph, seconded by Mrs. Leever as follows:

**RESOLUTION NO. 47-1997**

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract for third-lane construction from Milepost 141.10 to Milepost 145.54 located in Lorain County, Ohio, which contract also includes the widening of three, three-span steel bridges;

"WHEREAS, the Commission has received bids from two 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 \$14,813,222.04 for the performance of Contract No. 77-97-03 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 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 \$14,813,222.04 for the performance of Contract No. 77-97-03, 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 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 bidder of its 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. 77-97-03 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, except the Chairman, responded. The vote was as follows:

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

Nays: None

Abstain: Mr. Fedeli

The Chairman declared the resolution stood adopted with all Members present, except him, voting in the affirmative. The resolution was identified as No. 47-1997.

Mr. Zomparelli said the next resolution was titled Resolution Awarding a Contract for the Purchase of Unleaded Gasoline and Diesel Fuel for a One-Year Period. He said there were six bidders for the performance of the contract. He said the invitation was divided into four groups. He said the Maintenance Engineer reviewed the bids and made a recommendation for acceptance of the bid of Petroleum Traders Corporation of Fort Wayne, Indiana for Groups I, II and IV and the bid of B. P. Oil Company of Cleveland, Ohio for Group III.

Mr. Zomparelli said further that the Maintenance Engineer advised that each bidder proposed to furnish material and services in accordance with the bid specifications. He said the Executive Director had also reviewed the bids and also recommended that the Commission award the contract to the lowest responsive and responsible bidders which were Petroleum Traders Corporation and B. P. Oil Company. He said he would read the RESOLVED as follows:

"RESOLVED that the bid of Petroleum Traders Corporation of Fort Wayne, Indiana for Groups I, II and IV and B. P. Oil Company of Cleveland, Ohio for Group III of Invitation No. 3575 is, and is by the Commission deemed to be the lowest responsive and responsible bids received and are accepted and the 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 Petroleum Traders Corporation and B. P. Oil Company 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. Zomparelli said further that the Maintenance Engineer was at the meeting to answer any questions the Members might have. He said a bid summary was in the Members bid package showing the break-up of the bidders. He said he recommended that the resolution be adopted.

A Resolution Awarding a Contract for the Purchase of Unleaded Gasoline and Diesel Fuel for a One-Year Period was moved for adoption by Mr. Williams, seconded by Mrs. Baker as follows:

**RESOLUTION NO. 48-1997**

"WHEREAS, the Commission has advertised for bids for Invitation No. 3575 for the furnishing to the Commission of unleaded gasoline and diesel fuel for a one-year period, and six bids were received in response to that invitation and have been reviewed by the Commission's staff;

"WHEREAS, it is anticipated that the expenditures of the Commission for unleaded gasoline and diesel fuel under Invitation No. 3575 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 six bids received in response to the invitation were reviewed by the maintenance engineer who has stated that the lowest responsive and responsible bid for Groups I, II and IV was submitted by Petroleum Traders Corporation of Fort Wayne, Indiana and the lowest responsive and responsible bid for Group III was submitted by B. P. Oil Company of Cleveland, Ohio and that Petroleum Traders Corporation and B. P. Oil Company propose to furnish materials and services in accordance with the Commission's specifications;

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

"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. 3575 is in accordance with Section 5537.07 of the Revised Code of Ohio, and that the bids of Petroleum Traders Corporation and B. P. Oil Company are the lowest responsive and responsible bids received and that the Commission may legally enter into a contract with Petroleum Traders Corporation and B. P. Oil Company to furnish unleaded gasoline and diesel fuel in accordance with Invitation No. 3575;

"WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that the contract be awarded to the lowest responsive and responsible bidders, Petroleum Traders Corporation and B. P. Oil Company;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of Petroleum Traders Corporation of Fort Wayne, Indiana for Groups I, II and IV and B. P. Oil Company of Cleveland, Ohio, for Group III of Invitation No. 3575 is, and is by the Commission deemed to be the lowest responsive and responsible bids received and are accepted and the 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 Petroleum Traders Corporation and B. P. Oil Company 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: Mr. Williams, Mrs. Baker, Mr. Joseph, 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. 48-1997.

Mr. Zomparelli said that he had two other resolutions still remaining to be introduced. He said the next resolution was titled Resolution Awarding Contract for Disabled Vehicle Services. He said the contracts would be for the furnishing of emergency, roadway vehicle services to the patrons of the Turnpike whose vehicles became disabled within a specific disabled vehicle service zone.

Mr. Zomparelli said further that nineteen companies expressed an interest in performing the disabled vehicle services for the Commission. He said Richard Lash, the Director of Safety Services, was at the meeting to answer any questions the Members might have. He said Mr. Lash had made his recommendations and the Executive Director and the Deputy Executive Director-Operations concurred in Mr. Lash's recommendations. He said those recommendations were as follows:

<u>Zone</u>	<u>Boundaries</u>	<u>Company</u>
DV-1	From Ohio-IN state line to Milepost 35.0	<b>Hutch's Towing &amp; Recovery, Inc.</b> Montpelier, OH
DV-2	From Milepost 35.0 to Milepost 71.0	<b>X-Press Auto &amp; Truck Service,</b> Swanton, OH
DV-3	From Milepost 71.0 to Milepost 110.0	<b>Madison Motor Service, Inc.,</b> Fremont, OH
DV-4	From Milepost 110.0 to Milepost 144.0	<b>Norman's Towing</b> Berea, OH
DV-5	From Milepost 144.0 to Milepost 178.0	<b>Rich's Towing Service, Inc.</b> Middleburg Heights, OH
DV-6	From Milepost 178.0 to Milepost 210.0	<b>Rivers Garage</b> Ravenna, OH
DV-7	From Milepost 210.0 to Ohio/PA state line	<b>Jeswald Auto-Truck Service</b> Youngstown, OH



Mr. Zomparelli said he would read the RESOLVED of the resolution as follows:

"RESOLVED that the Commission hereby selects the above-mentioned companies as most qualified to perform the emergency roadway vehicle services required under the above-mentioned request for proposals and authorizes and directs the executive director and the general counsel to execute the Contract for Disabled-Vehicle Services, a copy of which is before the Commission, with each of the above-mentioned companies for the respective disabled vehicle zones, all in accordance with the terms and conditions of the Commission's Request for Proposals and its responses thereto."

The Chairman said he didn't give Mr. Zomparelli any advance notice, so he might have to get back to him on a couple of his questions. He said it was something he looked at when he first got on the Commission. He said those were basically towing operations that covered the entire length of the Turnpike so that in the event there was an accident the Commission had someone basically on retainer to come and remove the vehicles out of the way.

Mr. Zomparelli said there was a performance incentive where the Commission has agreed to pay the sum of \$6,250.00 per month to the contractors to ensure that we will have service on the locations up and down the Turnpike. He said each zone was divided into mileposts.

The Chairman asked Mr. Zomparelli if he knew how many times a year or how many incidences required disabled vehicle services.

Mr. Arlow said they had that information, but not at the meeting.

The Chairman asked if it was frequent.

Mr. Arlow said yes, very frequent.

The Chairman asked if it was almost on a weekly or daily basis.

Mr. Arlow said it was on a daily basis.

Mr. Williams asked how the Commission determined what were acceptable amounts for that service. He asked if it was a flat charge per month.

Mr. Arlow said it was a flat charge per month. He said the amount was established over 7 years ago and it has not changed since being established by the former Executive Director. He said the DVS operators felt the amount was fair for their performance and having to be on call 24 hours a day, 7 days a week. He said it also was important that they be close to the Turnpike in order to respond within a short time frame. He said the amount was determined over 7 years ago and had not changed.

Mr. Zomparelli said that the Commission had to enter into contracts with disabled vehicle services because the Turnpike is a limited access road and not part of another jurisdiction of a municipality, city or village. He said the Commission had to take extra measures and extra steps to ensure that there was going to be someone out there to tow a car when it was needed and deal with disabled vehicle incidents.

The Chairman asked Captain Ash what had been his experience with the service that was received from the DVS operators.

Captain Ash said there had been excellent response time. He said they are out every day and he would guess at least 15 to 20 times a day across the Turnpike for crashes, breakdowns or people driving off the road. Mr. Arlow said the DVS operators responded to breakdowns, tire repairs or whatever type of repairs, whether it was a truck, car or motor home.

The Chairman asked if there was a complete process so that the staff knew that the DVS operators had the proper equipment, maintained it and the response time was good.

Mr. Lash said the staff did a complete evaluation of each bidder and basically went through four areas - their equipment required under the contract, their operators, the response time and their facility.

Mr. Williams asked if the Highway Patrol made the contact with the DVS operators or how was that done.

Mr. Arlow said the Berea Radio Room made the contact. He said that if the Highway Patrol found a disabled vehicle they would call the Berea Radio Room, which would then contact the DVS company. He said the DVS operators had the same radios found in Commission vehicles. He said that when the Berea Radio Room contacted the DVS operators they recorded the time of their contact and they record the time they arrived at the scene of the accident or service.

Mr. Joseph asked if the table furnished with the resolution was the evaluation of the bidders.

Mr. Lash said it was the evaluation. He said the top bidder in each zone was recommended for the contract.

Mr. Arlow said there were some that might have been very good and close and then there were some other determining factors.

Mr. Lash said they contacted the Patrol and talked to them. He said they also talked to Maintenance people and got their impressions of what they thought of all the bidders.

The Chairman said he would imagine response time had to be crucial to get the vehicles out of the way to avoid other problems.

Mr. Arlow said it was very critical. He said also critical was the distance the DVS operators had to travel from their facility to the Turnpike to get to the breakdown, accident or whatever the situation. He said all that was taken into consideration when the evaluation was performed.

The Chairman said it was important that the facilities were close enough to where the DVS operators territories were located.

Mr. Arlow said the Chairman was correct. He said they also had to have a waiting area in their facilities for people to sit while their vehicles received needed repair work. He said all those things were taken into consideration.

The Chairman said he would abstain on the vote. He abstained from all voting pertaining to the Resolution Awarding Contracts for Disabled Vehicle Services. He also did not participate in any discussion of such resolution.

A Resolution Awarding Contracts for Disabled Vehicle Services was moved for adoption by Mrs. Baker, seconded by Mr. Joseph as follows:

**RESOLUTION NO. 49-1997**

"WHEREAS, the Commission has advertised for bids for Disabled Vehicle Service (DVS) contracts for the furnishing of emergency roadway vehicle services to patrons of the Ohio Turnpike whose vehicles become disabled on the Ohio Turnpike, within a specific disabled vehicle service zone;

"WHEREAS, on September 4, 1997, the Commission received responses from a total nineteen companies who have expressed an interest in performing the above-mentioned services and said companies have completed the Commission's questionnaire, application and affidavit, which were included in the request for proposals;

"WHEREAS, the Commission's staff reviewed the documents submitted and performed on-site reviews of each company; and

"WHEREAS, the Commission's director of safety services, with the concurrence of the deputy executive director-operations and executive director has determined that the following companies best meet the Commission's requirements and recommend that DVS contracts be awarded to the following companies for the respective zones:

<u>Zone</u>	<u>Boundaries</u>	<u>Company</u>
DV-1	From Ohio-Ind. State line to Milepost 35.0	<b>Hutch's Towing &amp; Recovery, Inc.</b> Montpelier, OH
DV-2	From Milepost 35.0 to Milepost 71.0	<b>X-Press Auto &amp; Truck Service</b> Swanton, OH
DV-3	From Milepost 71.0 to Milepost 110.0	<b>Madison Motor Service, Inc.</b> Fremont, OH
DV-4	From Milepost 110.0 to Milepost 144.0	<b>Norman's Towing</b> Berea, OH
DV-5	From Milepost 144.0 to Milepost 178.0	<b>Rich's Towing &amp; Service, Inc.</b> Middleburg Hts, OH
DV-6	From Milepost 178.0 to Milepost 210.0	<b>Rivers Garage</b> Ravenna, OH
DV-7	From Milepost 210.0 to Ohio/PA state line	<b>Jeswald Auto-Truck Service</b> Youngstown, OH

"WHEREAS, it is anticipated that the expenditures of the Commission for the furnishing of emergency roadway vehicle services under the Commission's request for proposals 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 contracts;

"WHEREAS, to insure the quality of services provided under the DV contract, the contract documents provide for the incentive payment by the Commission of \$6,250.00 per month to each of the above-mentioned companies and further provides for a two-year term with an option for a further two-year period under certain criteria;

"WHEREAS, the Commission has duly considered such recommendations;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission hereby selects the above-mentioned companies as most qualified to perform the emergency roadway vehicle services required under the above-mentioned request for proposals and authorizes and directs the executive director and the general counsel to execute the Contract for Disabled-Vehicle Services, a copy of which is before the Commission, with each of the above-mentioned companies for the respective disabled vehicle zones, all in accordance with the terms and conditions of the Commission's Request for Proposals and its responses thereto."

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

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

Nays: None

Abstain: Mr. Fedeli

The Chairman declared the resolution stood adopted with all Members present, except him, voting in the affirmative. The resolution was identified as No. 49-1997.

Mr. Zomparelli said he had one more resolution to introduce. He said the resolution was titled Resolution Authorizing the Executive Director to take further action concerning award of Contract 53-96-01. He said that due to the planned renovation of the Commission's service plazas, the Commission desires to provide sanitary sewer improvements at Mahoning Valley and Glacier Hills Service Plazas. He said the Commission's Maintenance Engineer advises that awarding a contract at the October Commission Meeting would put the contract into winter weather season thereby impeding construction progress. He said that, therefore, the resolution authorized the Executive Director to take action.

Mr. Zomparelli said he would read the RESOLVED as follows:

"RESOLVED that the authority hereby granted to the executive director and general counsel shall include authority, if deemed appropriate, to execute a contract with the lowest responsive and responsible bidder;

"FURTHER RESOLVED that the executive director may take such action aforesaid, provided that the deputy executive director-operations concurs in the maintenance engineer's recommendation of award and that the general counsel issues an opinion that the successful bidder complies with all statutory requirements of the State of Ohio and complies with the policies of the Commission; and

"FURTHER RESOLVED that the executive director of the Ohio Turnpike Commission is hereby authorized to take any action necessary concerning award and execution of Contract No. 53-96-01 for the sanitary sewer improvements at Mahoning Valley and Glacier Hills Service Plazas prior to the next meeting of the Commission, including the award of contract for such invitation or the rejection of the bids received in response thereto."

Mr. Zomparelli said further that it was anticipated that the expenditure would exceed the \$500,000 amount of the Executive Director's authority, and he cannot sign an agreement without prior approval and ratification or adoption of a resolution by the Commission Members. He said he recommended that the resolution be adopted.

The Chairman said he had a couple of questions. He asked what the engineer's estimate was on the project.

Mr. Castrigano said the estimate was \$590,000.

The Chairman asked when the bids were due.

Mr. Castrigano said the bids were due on September 26.

The Chairman said that, therefore, the project had to start before the next Commission meeting.

Mr. Zomparelli said the Chairman was correct. He said that, although it had yet to be discussed, the next Commission meeting might be held toward the second half of October. He said that by that time the staff will have had an opportunity to evaluate bids. He said that waiting until the October meeting would cause problems with the approaching winter season.

A Resolution Authorizing the Executive Director to Take Further Action Concerning Award of Contract No. 53-96-01 was moved for adoption by Mrs. Leever, seconded by Mrs. Baker as follows:

**RESOLUTION NO. 50-1997**

"WHEREAS, due to the planned renovation of the Commission's service plazas, the Commission desires to provide for sanitary sewer improvements at Mahoning Valley and Glacier Hills Service Plazas;

"WHEREAS, the Commission is re-advertising for bids for Contract No. 53-96-01 for sanitary sewer improvements at Mahoning Valley and Glacier Hills Service Plazas, Milepost 237.2, located in Mahoning County, Ohio;

"WHEREAS, it is anticipated that the expenditures of the Commission for the sanitary sewer improvements at Mahoning Valley and Glacier Hills Service Plazas under Contract No. 53-96-01 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 Purchasing Agent advises that the bid opening date is scheduled for September 26, 1997, and the next regularly scheduled meeting of the Commission is tentatively scheduled for the latter part of October, 1997;

"WHEREAS, the Commission's maintenance engineer advises that awarding the subject contract at the October Commission Meeting would put this contract into the winter weather season, thereby impeding construction progress;

"WHEREAS, the Commission desires to delegate to the executive director authority to take action on behalf of the Commission concerning the award of a contract for the sanitary sewer improvements at Mahoning Valley and Glacier Hills Service Plazas, if such action is deemed necessary prior to the next Commission meeting so that the sanitary sewer improvements will be accomplished prior to the onset of inclement weather;

"NOW, THEREFORE, BE IT

"RESOLVED that the authority hereby granted to the executive director and general counsel shall include authority, if deemed appropriate, to execute a contract with the lowest responsive and responsible bidder;

"FURTHER RESOLVED that the executive director may take such action aforesaid, provided that the deputy executive director-operations concurs in the maintenance engineer's recommendation of award and that the general counsel issues an opinion that the successful bidder complies with all statutory requirements of the State of Ohio and complies with the policies of the Commission; and

"FURTHER RESOLVED that the executive director of the Ohio Turnpike Commission is hereby authorized to take any action necessary concerning award and execution of Contract No. 53-96-01 for the sanitary sewer improvements at Mahoning Valley and Glacier Hills Service Plazas prior to the next meeting of the Commission, including the award of contract for such invitation or the rejection of the bids received in response thereto."

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. Joseph, 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. 50-1997.

Mr. Zomparelli said those were all the resolutions he had to present on behalf of the Executive Director.

The Chairman said the report of Mr. Zomparelli for Mr. Plain was accepted as offered. He said the report of Captain Ash would be received.

Captain Ash said that over the Labor Day weekend Patrol officers assisted nearly 1,000 patrons in the service plazas in their Operation Safe Stop. He said that assistance to patrons was up about 15 % over last year and crashes were down about 8 %. He said he thought the Patrol's officers were doing a really good job on the Turnpike.

Captain Ash said also that on Saturday, September 13, two officers from the Milan Post handled a stolen car call from one of the Turnpike's service plazas. He said that, after a short pursuit off the Turnpike, they apprehended two individuals who were wanted for about 250 burglaries in northwest Ohio and Michigan.

The Chairman said the report of Captain Ash was accepted as offered. He ascertained there would be no report from the Trustee. He said the report of the Deputy Executive Director-Operations would be received.

Mr. Arlow said that, as discussed at the last Commission meeting, contractors were falling behind on some deliveries of bridge steel. He said that to date there were still five bridges that were six weeks behind on their bridge steel. He said that, according to all the Turnpike's third lane bridge contractors, they would be completed on or near the time that their original completion date was scheduled. He said it looked like the third lane completions would be done on schedule by late October or early November.

Mr. Arlow said further that the toll plaza renovation at Exit 12 would be completed at the end of September.

The Chairman asked if there was any new progress on new interchanges.

Mr. Arlow said that Exit 2A was still under construction and it had another year yet. He said the plans for the tie-in of Interstate Route 77 to Exit 11 should be done by the end of this year and it should be bid in the spring of next year.

Mr. Arlow said further that the Executive Director was setting up a meeting with all the parties concerned with the State Route 58 project. He said that at that meeting, which has not been set yet because Mr. Plain has not had a response from all the parties, Mr. Plain will give a timetable and a date to get the situation resolved so the staff could move forward with building the interchange. He said that, hopefully, the matter can be resolved and the staff could still make the late spring/early summer construction season next year.

Mr. Arlow said further that the renovation of Exit 5 was on the drawing board at that time. He said he thought that also could be bid next spring.

The Chairman said that by next spring the Commission will have either built or have under construction 15 new interchanges since 1990. He asked Mr. Arlow when he thought the last new interchanges would be built.

Mr. Arlow said by 1999 the I-77 tie-in and the Exit 5 renovation should be completed and if they could get S. R. 58 underway it also should be completed in 1999.

The Chairman said the report of the Deputy Executive Director-Operations was accepted as offered.

Mrs. Leever said she moved that the Commission adjourn the meeting to hold an executive session in order to discuss, prepare and review labor matters including compensation and other terms and conditions of employment in connection with negotiations, bargaining sessions or labor matters involving the Commission's employees. She said that at the end of such executive session, the Commission meeting shall re-convene.

The Chairman asked if a date had been set for the next Commission meeting.

Mr. Zomparelli said October 20 was the date the Executive Director had recommended. He said a meeting was needed.

The Chairman asked if there would be resolutions to act on.

Mr. Arlow said there were a number of construction projects that would be bid within the next 3-4 weeks and the Commission would need to act on them at the October 20th meeting.

A motion to adjourn the Commission meeting to hold an executive session was moved by Mrs. Leever, seconded by Mr. Joseph. 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. Joseph, Mr. Williams, Mrs. Baker, Mr. Fedeli

Nays: None

(The time of adjournment was 10:50 a.m. and the meeting re-convened at 11:20 a.m.)

The Chairman said the Commission meeting would re-convene automatically.

Mr. Zomparelli said the next meeting date had to be set and then the current meeting adjourned.

The Chairman said the next Commission meeting would be held on October 20.

Mr. Joseph asked if it was on a Monday. He said he would not be able to attend. He said he would have to check with Mr. Wray.

Mrs. Baker asked if she could clarify the date of the next Turnpike Legislative Oversight Committee meeting.

Mr. Zomparelli said the meeting date was next Thursday, September 25.

There being no further business before the Commission, a motion was made by Mr. Williams, seconded by Mrs. Baker that the meeting adjourn until the next meeting on October 20.



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. Joseph, Mrs. Leever, Mr. Fedeli

Nays: None

The Chairman declared the meeting adjourned. The time of adjournment was 11:25 a.m.

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

  
Marilyn R. Baker Secretary-Treasurer