

## MINUTES OF THE 499th MEETING OF THE OHIO TURNPIKE COMMISSION

January 26, 2004

Pursuant to the bylaws, the Ohio Turnpike Commission met for a special meeting at the Commission's Administration Building at 10:09 a.m. on January 26, 2004, with members of the staff: Jerry Pursley, Deputy Executive Director; James Steiner, CFO/Comptroller; Noelle Tsevdos, General Counsel; W. R. Fleischman, Assistant Chief Engineer; Tim Ujvari, Maintenance Engineer; Kathleen Weiss, Director of Contracts Administration; Dave Miller, Chief Auditor; Dick Morgan, Director of Information Systems; William Keaton, Telecommunications Manager; Kerry Ferrier, Traffic Engineer; Lauren Hakos-Dehrmann, Manager, Public Affairs; Heidi Jedel, Crickett Jones, Tracy Cowley and Diane Pring.

The Vice-Chairman apologized for his tardiness and said he had two problems – school is running late this morning and secondly, some of the OSHP's finest were patrolling the Turnpike. I'm happy to report that by using your name (Captain Ferguson) he just gave me a warning. I thought I'd just let you know. The Trooper said I couldn't come up with that excuse if I tried. I said I'm late for a Turnpike Commission meeting and the Trooper bought it. I couldn't believe it. He was very polite, too. What a way to start a Monday. OK so let's start.

The Vice-Chairman called the special meeting to order. As you all know, Bill Wilkins recently accepted the position of Tax Commissioner effective January 12, 2004. So as Vice-Chairman I will chair the subsequent meetings until such time as Governor Taft appoints a new member to the Commission and we hold a new election of officers.

Vice-Chairman Noe asked the Assistant Secretary-Treasurer to please call the roll.

Present: Mr. Noe, Mr. Dixon, Mr. Balog and Mr. Darwish

Absent: Representative Buehrer and Senator Schuring

The Vice-Chairman said Representative Buehrer called this morning and said he would be unable to attend today's meeting. Wait until I see him, he only lives twenty miles from me. The Ohio Department of Transportation's Director, Gordon Proctor, is not here today, but his representative, Deputy Director Mo Darwish, is authorized to vote for him. Nice to see you, Mo.

The Vice-Chairman said we have a number of guests here today, so I'd like everyone to introduce themselves as we customarily do: Eric Erickson, Fifth Third Securities; Mike Burgess, Bobby Everhart, URS Corporation, Rich Exner, The (Cleveland) Plain Dealer; Dennis Albrecht, Dick Corporation; Tony Yacobucci, HNTB; Frank Lamb, Huntington Bank; Steve Szanto, Public Finance Management; Glenn Stephens, G. Stephens; Susan Nobillo, Nat City Investments; Capt. Robert Ferguson, Brandon Dixon (George Dixon's son) and Jeff Milum, Operating Engineers Local 18.

The Vice-Chairman said this is the 499th meeting of the Ohio Turnpike Commission, and we are meeting here in the Commission's headquarters as provided for in the Commission's Code of Bylaws for a special meeting. (This is a special meeting because we could not meet on the normal third Monday of the month because of Martin Luther King's birthday.) Various reports will be received and we will act on several resolutions, draft copies of which have been previously sent to Members and updated drafts are also in the Members' folders. The resolutions will be explained during the appropriate reports.

The Vice-Chairman asked for a motion to adopt the Minutes of the December 15, 2003 meeting.

Commissioner Dixon moves and Commissioner Balog seconds. All members voted in the affirmative and the minutes were adopted.

The Vice-Chairman said we will proceed with the report of the Secretary-Treasurer, Mr. Dixon.

The following items have been sent to the members since the last regularly scheduled meeting of the Commission on December 15, 2003:

1. Minutes of the December 15, 2003 Commission Meeting
2. Traffic & Revenue Report, December, 2003
3. Total Revenue by Month & Year, December, 2003
4. Investment Report, December, 2003
5. Financial Statements, December 31, 2003 \*
6. Budget Report (*Twelve Months – 2003*) \*
7. Traffic Accident Summary (2003 Annual Report) \*
8. Various News Releases

\* in Commission Members' folders

Vice Chairman Noe asked if the Executive Director had a report.

Executive Director Suhadolnik said he had a couple comments before he presented his resolutions. Most folks are aware but just to make the Commission Members aware, our Chief Engineer, Dan Castrigano, is recovering at home. His spleen was bleeding, and he has been home for a number of weeks. I believe this is a very serious injury. We hope that he'll be back maybe at the end of this week. Dan is a workaholic, and he asked us to get him a computer. We are e-mailing him, and we are shuffling documents back and forth. He actually has accomplished a lot of work even though he is home recovering.

The second item I'd like to mention to the Commission Members is that during the second week in February, I will be on vacation, and Mr. Pursley, per our Bylaws, will be in charge for that week.

The third item I'd like to mention to our Vice-Chairman is we don't get the fine so if you were stopped and got a ticket, we would not collect the fine for that violation on the Turnpike. It goes to the local community.

Vice-Chairman said you're kidding. Remind me to make a donation, then.

Director Suhadolnik said he had two resolutions to present. The first one is the Implementation of Revisions to the Commission's Schedule of Weight Classifications for Classes 8 and 9. Presently our Class 8 which is basically a fully-loaded tractor-trailer stops at 78,000 pounds. Apparently, that was the weight limit in Ohio some years ago. When the weight limit was changed the Turnpike did not change the Class 8 weight category to 80,000 pounds, and we want to do that. The Commission some months ago, I think in September, authorized me to hold three public hearings. The three public hearings were held. Only two people from the public attended those meetings. Both expressed support, and we had no opposition. So I would ask you today to adopt the resolution to allow us to change Class 8 from 78,000 to 80,000 pounds and obviously a corresponding weight change in Class 9. I'll ask General Counsel to read the resolution.

General Counsel read the Resolved as follows:

"RESOLVED that the Commission, having duly and fully considered the proposed revisions and the recommendations of the executive director with respect thereto, does hereby direct that its Schedule of Tolls for the Ohio Turnpike be, and the same hereby is, revised as follows:

**Class 8: Vehicles weighing not more than a total gross weight from 65,001 through 80,000 pounds; and**

**Class 9: Vehicles weighing not more than a total gross weight from 80,001 through 90,000 pounds**

"FURTHER RESOLVED that the changes in Classes 8 and 9 comprising a part of the Commission's Schedule of Tolls be effective on February 1, 2004."

The Vice-Chairman asked, is there a motion?

Commissioner Dixon moves and Commissioner Balog seconds.

The Vice-Chairman asked if there were any comments or discussion.

Commissioner Dixon said I should know this, but what impact does this have on our revenues? Do we get more money?

Director Suhadolnik said, we believe it will have a minimal although possibly a positive impact on revenue. There are really only very few vehicles that would fall into that range – we actually think what's happening is when there are trucks which are fully loaded, they are not sure whether they will fall into the more expensive classification 9 so they may just avoid the Turnpike. We are hoping that by raising this additional 2,000 pounds that will make more of those fully-loaded trucks want to get on the Turnpike knowing they are in the less expensive Class 8 category. We really can't say that it may be a loss or gain, but we tend to think it will be a gain, but a very small gain.

The Vice-Chairman asked the Assistant Secretary-Treasurer to call the roll.

The "Resolution Revising the Ohio Turnpike Commission's Schedule of Weight Classifications for Classes 8 and 9" was moved for adoption as follows:

**RESOLUTION NO. 1-2004**

"WHEREAS, the Commission, by Resolution 38-1955, established a schedule of tolls and classifications of weight which was effective October 1, 1955, which is attached hereto and incorporated herein by reference;

"WHEREAS, the Commission by Resolutions 40-1956, 16-1981, 16-1995, 18-1995, 56-1995 and 59-1995, has adopted several different revisions in the schedules of toll rates which imposed changes in the schedules of toll rates then in effect, but did not impose any change in the weight of any vehicles encompassed in any classification of vehicles; and

"WHEREAS, the 1994 Master Trust Agreement allows the Commission to make any reasonable change to the classifications of weight that it deems to be necessary and proper; and

"WHEREAS, the Commission desires to implement a change to Class 8 category of the weight classifications to encompass vehicles with a total gross weight from 65,001 lbs. through 80,000 lbs. and a corresponding change in the Class 9 category of the weight classifications to encompass vehicles with a total gross weight from 80,001 lbs. through 90,000 lbs., which changes are reflected in the attached proposal which is incorporated herein by reference; and

"WHEREAS, the Commission believes that the proposed changes to Classes 8 and 9 categories are necessary and proper, and will be more consistent with the provisions of Ohio Revised Code Section 5577.04(E), which governs the maximum gross weight of any vehicles traveling on any public highway, street, bridge or culvert; and

"WHEREAS, pursuant to Resolution No. 40-2003 adopted September 15, 2003, the Commission authorized the executive director to issue public notice and hold public hearings regarding the Commission's proposal to revise its current Schedule of Weight Classifications for Classes 8 and 9 categories; and

"WHEREAS, the Commission issued public notice and held three public meetings on its proposal, with said meetings held in Toledo on October 14, in Boardman on November 12 and at the Commission's administrative offices on December 9, 2003, as required by the provisions of Ohio Revised Code Section 5537.06; and

"WHEREAS, there were no objections raised from the citizens attending these meetings, as reflected in the attached report to the executive director, which is incorporated herein by reference; and

"WHEREAS, the executive director having submitted a recommendation to the Commission with respect to the proposed revisions for Classes 8 and 9 hereby recommends that such revisions be instituted to become effective on February 1, 2004, and

"NOW, THEREFORE BE IT

"RESOLVED that the Commission, having duly and fully considered the proposed revisions and the recommendations of the executive director with respect thereto, does hereby direct that its Schedule of Tolls for the Ohio Turnpike be, and the same hereby is, revised as follows:

**Class 8: Vehicles weighing not more than a total gross weight from 65,001 through 80,000 pounds; and**

**Class 9: Vehicles weighing not more than a total gross weight from 80,001 through 90,000 pounds**

"FURTHER RESOLVED that the changes in Classes 8 and 9 comprising a part of the Commission's Schedule of Tolls be effective on February 1, 2004."

OHIO TURNPIKE COMMISSION  
PROPOSED TOLL CLASSIFICATIONS

CLASS	<u>CURRENT CLASSIFICATIONS</u>		<u>PROPOSED CHANGES</u>		<u>PROPOSED CLASSIFICATIONS</u>	
	GROSS VEHICLE WEIGHT IN POUNDS		GROSS VEHICLE WEIGHT IN POUNDS		GROSS VEHICLE WEIGHT IN POUNDS	
	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
1	-	7,000	-	-	-	7,000
2	7,001	16,000	-	-	7,001	16,000
3	16,001	23,000	-	-	16,001	23,000
4	23,001	33,000	-	-	23,001	33,000
5	33,001	42,000	-	-	33,001	42,000
6	42,001	53,000	-	-	42,001	53,000
7	53,001	65,000	-	-	53,001	65,000
8	65,001	78,000	-	2,000	65,001	80,000
9	78,001	90,000	2,000	-	80,001	90,000
10	90,001	115,000	-	-	90,001	115,000
11	115,001	127,400	-	-	115,001	127,400



Inter-Office Communication

January 22, 2004

The  
Ohio  
Turnpike  
Commission

TO: Executive Director

FROM: Director, Contracts Administration and  
Governmental Affairs

RE: **Public Hearings Concerning Revision to the Ohio Turnpike  
Commission's Schedule of Weight Classifications for Classes 8  
and 9**

Pursuant to Commission Resolution 40-2003, adopted September 15, 2003, the Commission authorized you to issue public notice and hold public hearings regarding its proposal to revise the current Schedule of Weight Classifications for Classes 8 and 9 categories. As required pursuant to Ohio Revised Code Section 5537.06, the Commission issued public notice and held three (3) public hearings in cities geographically spread across the Turnpike's mainline.

The first hearing was held in Toledo on October 14, 2003. It was properly advertised in both *The Toledo Blade* and *The Daily Reporter*. One (1) individual, a member of the Ohio Trucking Association, appeared supporting the change in weight classifications. A proper transcript was made of the hearing and has been placed in the file.

The second hearing was held in Boardman on November 12, 2003. It was properly advertised in both *The Youngstown Vindicator* and *The Daily Reporter*. One (1) individual, another member of the Ohio Trucking Association, appeared supporting the change in weight classifications. A proper transcript was made of the hearing and has been placed in the file.

The third hearing was held in Berea at the Commission's administrative offices on December 9, 2003. It was properly advertised in both *The Plain Dealer* and *The Daily Reporter*. No one appeared. A proper transcript was made of the hearing and has been placed in the file.

As evidenced by the hearing record, no opposition has been expressed to this change in the schedule of weight classifications as proposed by the Commission. The requirements of Ohio Revised Code Section 5537.06 have been properly met, and with no opposition, it is appropriate at this time for the Commission to give final approval to the change in the schedule of weight classifications, to be effective February 1, 2004.

Kathleen G. Weiss  
Director, Contracts Administration

KGW/bp  
Cc: Deputy Executive Director  
General Counsel  
Comptroller  
Customers Services Manager

The Resolution was adopted with all members voting in the affirmative. The resolution was identified as No. 1-2004.

Director Suhadolnik said the second resolution I'd like to present deals with the replacement of some small front loaders that we have. We are asking to purchase eight (8) skid steer loaders under the DAS Cooperative Purchasing Program. You may recall, earlier in the year I asked the Commission to pass a resolution to allow us to join that program, which we did. The reason we are purchasing eight (8) is because we have eight (8) maintenance facilities, so each of our maintenance facilities will have one piece of this equipment. The equipment being replaced is twelve (12) years old, and we think it has been through its useful life. This equipment is multi-purpose. It can be used for loading, when we put in fencing, install posts; we can attach a planer to it so it can grind areas in the pavement as necessary. We can also attach a larger grinder to this equipment so it can do a larger surface area more efficiently. The price is around \$249,000.00, so I would ask our General Counsel to read that part of the resolution.

General Counsel read the Resolved as follows:

"RESOLVED that the Commission's purchasing agent may proceed with the purchase of eight (8) skid steer loaders with attachments, pursuant to Requisition #E9052 through the DAS Cooperative Purchasing Program, specifically, Ohio State STS515 Co-op Contract #776515E, and take any and all action necessary to properly carry out the terms of said contract."

Director Suhadolnik added that this expenditure was in our Capital Budget that we asked you to approve last month.

The Vice-Chairman asked if there was a motion.

Commissioner Balog moves and Deputy Director Darwish seconds.

The Vice-Chairman asked if there were any questions or comments concerning this resolution.

The "Resolution Authorizing the Purchase of Eight (8) Skid Steer Loaders under ODAS Cooperative Purchasing Program" was moved for adoption as follows:

#### **RESOLUTION 2-2004**

"WHEREAS, pursuant to Resolution No. 32-2003 adopted on July 21, 2003, the Ohio Turnpike Commission's executive director was authorized to participate in state contracts under the Department of Administrative Services ("DAS," ) Office of State Purchasing Cooperative Purchasing Program, through which members may purchase supplies, services, equipment and other materials pursuant to Ohio Revised Code Section 125.04; and

"WHEREAS, a fee has been paid by the Ohio Turnpike Commission to DAS, and, as such, the Commission is a current member of the DAS Cooperative Purchasing Program; and

"WHEREAS, the Commission's maintenance engineer is recommending the purchase of eight (8) new skid steer loaders with attachments to replace the Commission's existing twelve-year old equipment, and he has determined that the cost of obtaining the aforesaid equipment through the DAS Cooperative Purchasing Program at an estimate of **\$249,324.00** is competitive; and

"WHEREAS, the Maintenance Department's staff performed a thorough evaluation of the proposed equipment, which will be acquired from the Bobcat Company under Ohio State STS515 Co-op Contract #776515E, and has determined that the new equipment is more versatile than the Commission's existing equipment and should provide their department with improved efficiency;

"WHEREAS, the Commission's Maintenance Department has initiated Requisition #E9052 to ODAS for the purchase of eight (8) skid steer loaders with attachments, a copy of which is attached hereto, and has submitted a disposal request for the used equipment to the Commission's purchasing agent, together with a Used Equipment Schedule, which will be included with the advertisement of the used equipment's disposal; and

"WHEREAS, the Commission's director of contracts administration has reviewed the proposed equipment purchase and has advised the Commission that said purchase is in conformance with Ohio Revised Code Section 5537.07 and Commission Resolution No. 32-2003; and

"WHEREAS, the executive director concurs in the recommendations of both the maintenance engineer and the director of contracts administration and recommends that the Commission approve the purchase of the eight (8) skid steer loaders via the DAS Cooperative Purchasing Program;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission's purchasing agent may proceed with the purchase of eight (8) skid steer loaders with attachments, pursuant to Requisition #E9052 through the DAS Cooperative Purchasing Program, specifically, Ohio State STS515 Co-op Contract #776515E, and take any and all action necessary to properly carry out the terms of said contract."



Requisition Number E9052 Skid Steer Loaders Division 00 Ohio Turnpike Commission  
 Cost Center Page 1  
 Total Value in Base 249,324.00

Req Type CO CONTRACTS >35,000

Requisitioner Code MAINTS S. MAY Requisition Date 3-DEC-2003  
 Authorization Code PURCH1 Purchasing Agent Authorization Date  
 Budgeted? Yes Required Date 15-MAR-2004

Name Bobcat Company  
 Address 250 East Beaton Drive  
 P.O. Box 6000  
 West Fargo ND 58078-6000

Delivery To Ohio Turnpike Commission  
 682 Prospect Street  
 Berea OH

Tax Code  
 Contact Gerald Cardon

Phone (440) 234-2081  
 Fax (440) 234-7180  
 Telex

1 SKID STEER 8.00 EA 24891.0000 EA - Rate 199,128.00 0.00 Ratio M 199,128.00  
 Currency USD 1.0000

1-33-8910-2-000000-310307-00000  
 Skid steer base unit with  
 features as follows:  
 Bobcat S250 --P/N 6731368  
 Backup Alarm --P/N 6732756  
 High Flow --P/N 6732066  
 Susp. Seat --P/N 6718875  
 Two-Speed --P/N 6732292  
 Train Kit --P/N 6901726  
 Safety Kit --P/N 6900641  
 Cab Enclosure --P/N 6733922  
 Sound Cab --P/N 6732567  
 Bucket Pos --P/N 6731921

See attached Ohio State Term  
 Co-op Contract #776515E.  
 2 LOADER BUCKET 8.00 EA 721.0000 EA - Rate 5,768.00 0.00 Ratio M 5,768.00  
 Currency USD 1.0000

1-33-8910-2-000000-310307-00000  
 Bucket Attachment as follows:  
 80-inch --P/N 6726344

See attached Ohio State Term  
 Co-op Contract #776515E.  
 3 WHEEL TRACKS 8.00 EA 2034.0000 EA - Rate 16,272.00 0.00 Ratio M 16,272.00  
 Currency USD 1.0000

1-33-8910-2-000000-310307-00000  
 Wheel tracks for skid steer  
 loader as follows:  
 Track Set --P/N 6673871

See attached Ohio State Term  
 Co-op Contract #776515E.

Requisition Number E9052 Skid Steer Loaders Division 00 Ohio Turnpike Commission  
 Cost Center Page 2  
 Total Value in Base 249,324.00

Req Type CO CONTRACTS >35,000  
 Requisitioner Code MAINTS S. MAY Requisition Date 3-DEC-2003  
 Authorization Code PURCH1 Purchasing Agent Authorization Date  
 Budgeted? Yes Required Date 15-MAR-2004

Name Bobcat Company Delivery To Ohio Turnpike Commission  
 Address 250 East Beaton Drive 682 Prospect Street  
 P.O. Box 6000 Berea OH  
 West Fargo ND 58078-6000

Tax Code  
 Contact Gerald Cardon Phone (440) 234-2081  
 Fax (440) 234-7180  
 Telex

4 PLANER 2.00 EA 12342.0000 EA - Rate 24,684.00 0.00 Ratio M 24,684.00  
 Currency USD 1.0000

1-33-8910-2-000000-310307-00000  
 Asphalt/Concrete planer  
 attachment as follows:  
 40-inch Planer --P/N 6726632

See attached Ohio State Term  
 Co-op Contract #776515E.

5 AUGER 2.00 EA 1736.0000 EA - Rate 3,472.00 0.00 Ratio M 3,472.00  
 Currency USD 1.0000

1-33-8910-2-000000-310307-00000  
 Auger attachment as follows:  
 Model 30C --P/N 6809445  
 Frame --P/N 6812980  
 12-inch bit --P/N 6666893

See attached Ohio State Term  
 Co-op Contract #776515E.

Delivery shall be as follows:  
 Hiram Maintenance Building  
 --Item 1, 4 each  
 --Item 2, 4 each  
 --Item 3, 4 each  
 --Item 4, 1 each  
 --Item 5, 1 each

Elmore Maintenance Building  
 --Item 1, 4 each  
 --Item 2, 4 each  
 --Item 3, 4 each  
 --Item 4, 1 each  
 --Item 5, 1 each

Requisition Number E9052 Skid Steer Loaders Division 00 Ohio Turnpike Commission  
Cost Center PAGE 3

Total Value in Base 749,324.00

Req Type CO CONTRACTS >35,000

Requisitioner Code MAINTS S. MAY Requisition Date 3-DEC-2003  
Authorization Code PURCH1 Purchasing Agent Authorization Date  
Budgeted? Yes Required Date 15-MAR-2004

Name Bobcat Company Delivery To Ohio Turnpike Commission  
Address 250 East Beaton Drive 682 Prospect Street  
P.O. Box 6000 Berea OH  
West Fargo ND 58078-6000

Tax Code Telephone (440) 234-2061  
Contact Gerald Cardon Fax (440) 234-7180  
Telex

The Items above are to be purchased through the Ohio State Term Co-op Contract #776515E.

Totals in Base (USD) 249,324.00 0.00 249,324.00

Recommend Shant M Date 1-14-04  
Recommend \_\_\_\_\_ Date \_\_\_\_\_  
Approved \_\_\_\_\_ Date \_\_\_\_\_  
Approved \_\_\_\_\_ Date \_\_\_\_\_

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 2-2004.

Director Suhadolnik said that completes my report, Mr. Vice-Chairman.

The Vice-Chairman asked if Mr. Jim Steiner had a report on budgetary and financial matters.

Mr. Steiner said he was happy to report that 2003 was another record year for traffic on the Ohio Turnpike. (Mr. Steiner presented a power-point presentation.) This first line graph shows monthly passenger traffic volumes for the past two years. The 2002 line is represented by the blue line and 2003 is represented by the red line. Typically our traffic is at a low point in February and peaks in August, and passenger car traffic during the past two years once again follows this pattern. You can see for most of the year passenger car traffic in 2003 was running slightly ahead of the volume for 2002 and was significantly higher during the months of October and November. The lower volumes during February and March were likely the result of the severe winter weather.

This graph shows that after a good start in January and February, our commercial traffic volume in 2003 trailed the volume from 2002 for the rest of the year until September. The commercial traffic has shown marked improvement since September and actually peaked in the month of October rather than in the typical month of August. This graph shows that the total traffic volumes for the first past two years were fairly comparable up until the last quarter of 2003 when traffic volumes picked up significantly.

This next bar chart shows total traffic volume for the past five years. The numbers of passenger cars are shown in green, the numbers of commercial vehicles are shown in gold. The total passenger car traffic volume set a new all-time record of 39.2 million cars in 2003 exceeding the previous record set in 2002 by 582,000 cars or 1.5%.

Commercial traffic in 2003 totaled 9.09 million vehicles falling just 0.1% short of the 2002 total and just 2.1% of the previous record volume reached in 2000. Total traffic volume of 48.3 million vehicles in 2003 also was a record exceeding the previous record set in 2002 by 575,000 vehicles or 1.2%.

This line graph shows monthly toll revenues from passenger cars over the past two years. As we saw with the traffic volume revenues for February and March were below the revenues for 2002 due to the winter weather and for most of the rest of 2003 toll revenues from passenger cars were slightly higher than in 2002 particularly in the month of October and November.

This graph shows that after a good start in January, toll revenues from commercial vehicles were lower than 2002 revenues for most of the year again until September. From September through December the situation was reversed. As with traffic volumes, toll revenues from commercial vehicles peaked in the month of October rather than the typical month of August.

This graph shows that total toll revenues in 2003 were about level with those in the prior year until the last quarter of 2003 when traffic and toll revenue showed significant growth. This bar chart shows total toll revenues for the past five years. Again, revenues from passenger cars are shown in green. Revenues from commercial vehicles are shown in gold. Total revenues from passenger cars set a new all time record of \$78.8 million in 2003 exceeding the previous record set in 2002 by \$933,000.00 or 1.2%. Revenues from commercial vehicles totaled \$101.2 million in 2003 just \$145,000.00 or 0.1% short of the total in 2002 -- still, \$4.2 million or 4% short of the previous record level reached in 1999.

Total toll revenues of \$180 million in 2003 set a new record exceeding the previous record set in 2002 by \$788,000 or 0.4%.

This report shows the 2003 revenues, expenditures and transfers for the general fund comparing the actual results to the amounts that were budgeted and also comparing to the actual amounts from 2002. As a result of the traffic growth during the last quarter of the year, our actual toll revenues of \$180 million exceeded the amended 2003 budget by \$1.3 million or 0.7%.

Total general fund revenues of \$183.5 million were \$1.5 million or 0.8% more than the amount budgeted. As a result of administrative cost savings and relatively mild weather during the months of November and December, our general fund operating maintenance and administrative expenses totaling \$86.2 million were \$1.7 million or 2% less than the amount budgeted.

Total general fund expenditures including our debt service payments totaled \$141.9 million and were \$1.8 million or 1.3% less than the amount budgeted.

General fund revenues exceeded expenditures by \$41.6 million, which was \$3.3 million or 8.6% more than budgeted. The excess of revenues over the expenditures is used to fund the Commission's Capital Improvement Program. As part of the amended 2003 budget adopted in October, the Commission authorized a transfer of up to \$4.1 million from the general reserve to help pay for planned capital projects. As a result of the revenue growth during the last quarter of the year and the expense savings I just mentioned only \$566,000.00 was actually withdrawn from the General Reserve.

This report shows that the 2003 expenditures and transfers for the non-trust fund. 2003 concession and other revenue total \$14.9 million and exceeded the amounts budgeted by \$194,000.00 or 1.3% and exceeded the 2002 revenues by 10%. The cost of operating and maintaining our service plazas totaled \$7 million and exceeded the amount budgeted by \$130,000.00 or 1.9%.

Revenues in the non-trust fund exceeded expenditures by \$7.9 million and like the general fund our net revenues from non-trust fund are also used to help fund the Commission's Capital Improvement Program. After funding the service plaza capital improvement reserve and transferring the budgeted amount of \$7.5 million to the project fund, the remaining surplus of \$74,000.00 was added to the non-trust fund balance.

Mr. Vice-Chairman, that completes my report. I'll be happy to respond to any questions.

The Vice-Chairman asked if there were any questions for Mr. Steiner. My comment is you should be commended. From where we were in October until now, that's pretty good. You worked miracles or got more traffic or something, you all should be commended.

The Vice-Chairman thanked Mr. Steiner for his report and asked if there are any reports from Mr. Erickson.

No report, Mr. Vice-Chairman.

Any report from our general consultant, Mr. Yacobucci?

No report, Mr. Vice-Chairman.

Any report from our trustee, Mr. Lamb?

No report, Mr. Vice-Chairman.

Captain Ferguson, I know you have to say something, right?

Captain Ferguson said I wasn't going to, but now I can't resist. Just a short report actually. There were no fatal crashes or real unusual incidences that occurred during the month of December and so far in January. We finished 2003 with 9 fatal accidents (10 fatalities). In 2002, we also ended the year with ten fatalities.

The fatality rate on the Ohio Turnpike is 0.4 deaths per 100 million miles traveled. I don't know whether you are aware of it, but Ohio's death rate is 0.132. So when you compare the rate on the Ohio Turnpike to the rest of the state, we are doing quite well particularly when you consider that the vehicle miles traveled increases every year.

We have a strategic goal over the next five years for Ohio to lower that to one death per 100 million miles traveled on a statewide average. It's very important that we continue to concentrate on the crash reduction violations. Anything that we can do to reduce the number of deaths and fatal crashes occurring on the Ohio Turnpike. Certainly, our trooper's enforcement this morning shows that they are out there looking for violations for that type. I am also heartened that he was fair and reasonable in enforcing the laws considering what all is involved. I am also heartened that he remembered his District Commander's name when you mentioned it.

Vice-Chairman Noe said I gave him your business card. I figured it would save some time.

Captain Ferguson said I'll give you another one before you leave. That concludes my report. I'll answer any questions that you might have.

The Vice-Chairman said thanks very much – that's great numbers.

The Vice-Chairman said, Mr. Pursley, our Deputy Executive Director, you have a couple resolutions?

Mr. Pursley said thank you Mr. Vice-Chairman. I have two resolutions for the Commission to consider this morning. The first resolution proposes to authorize the Executive Director to enter into contracts for the construction of the new interchange at S.R. 58 in Lorain County. Pursuant to Ohio Revised Code, bids for the four trades as well as combined bids were solicited for this project. The trades' bids were the lowest and they were under the engineer's estimate for this project. By approving this resolution the Commission will be authorizing the Executive Director to enter into contracts with Northern Valley Contractors for general trades and site work; South Shore Electric for electrical work; Air Temp. Mechanical, Inc. for HVAC and mechanical work and Lucas Plumbing & Heating for plumbing work. The total contract award will be \$2,595,294.45. In addition, this resolution approves the withdrawal of the bid submitted by Inland Electric due to errors in their bid and also their request to withdraw their bid as a result of those errors. The resolution also includes retaining HNTB as construction manager for the project and CTL Engineering for materials testing.

Several companies involved in this project are either MBE or FBE companies including: CTL Engineering (MBE); Clark Installation, an FBE company who will be performing work as a subcontractor for Air Temp Mechanical; Spaulding Construction, an MBE company who will be

performing work as a subcontractor for Northern Valley Contractors. At this time, I'd request General Counsel to read the resolution.

General Counsel read the Resolved as follows:

"RESOLVED that the above-mentioned bids in the total amount of **\$2,595,294.45**, for the performance of Contract No. 58-03-01, are determined by the Commission to be the lowest responsive and responsible bids received for the performance of said contract, and are accepted, and that the chairperson and executive director, or either of them, hereby is authorized: 1) to accept the withdrawal requested by Inland Electric Co. of its erroneous bid; 2) to execute a contract with each of the four (4) successful bidders in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; 3) to direct the return to the other bidders of their bid security, when appropriate; and 4) to take any and all action necessary or proper to carry out the terms of said bid and of said contracts; and

"FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **HNTB Corporation** of Cleveland, Ohio, to Project 58-03-01 for the purpose of performing construction management services. Such assignment shall be in accordance with a construction management services agreement between the Ohio Turnpike Commission and HNTB Corporation specific to Project No. 58-03-01; and

"FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **CTL Engineering, Inc.** of Columbus, Ohio, to Project 58-03-01 for the purpose of performing materials testing. Such assignment shall be in accordance with the 2003-2004 engineering services agreement and a letter agreement specific to Project No. 58-03-01 between the Ohio Turnpike Commission and CTL Engineering, Inc.; and

"FURTHER RESOLVED that Project No. 58-03-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

The Vice-Chairman asked, is there a motion?

Commissioner Dixon moves and Commissioner Balog seconds.

The Vice-Chairman asked if there were any questions or comments. He asked the Assistant Secretary-Treasurer to call the roll.

The "Resolution Awarding Contract No. 58-03-01" was moved for adoption as follows:

### **RESOLUTION NO. 3-2004**

"WHEREAS, the Commission has duly advertised according to law for bids upon a contract or contracts for the construction of the Ohio Turnpike Interchange 140 toll plaza utility building, toll booths and canopy located at Milepost 140.3 in Lorain County, herein designated as **Contract No. 58-03-01**, and

"WHEREAS, the subject project was divided into bid packages representing the four (4) trades: Bid Package 1 (general trades & site work), Bid Package 2 (electrical), Bid Package 3 (HVAC/Mechanical) and Bid Package 4 (plumbing), and bidders were given the option to submit a single bid for one trade or a combination bid for all four (4) trades under Bid Package 5; and

"WHEREAS, the Commission received bids from eleven (11) bidders for the performance of said contract or contracts; and

"WHEREAS, said bids have been reviewed and analyzed by the Commission's chief engineer and the director of contracts administration, and both have submitted a report concerning such analysis and their reports are before the Commission; and

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

"WHEREAS, Inland Electric Co., Inc. submitted a bid for the electrical trade in the amount of \$238,800.00, and on December 23, 2003, advised the Commission that an error was made by omitting a major portion of the work in its bid and has requested to withdraw its bid; and

"WHEREAS, all bids for said contracts were solicited on the basis of the same terms and conditions and the same specifications, and the following bids for the performance of Contract No. 58-03-01 have been determined by the Commission to be the lowest responsive and responsible bids received; and

<u>Bid Package</u>	<u>Bidder</u>	<u>Amount</u>
1 - Gen. Trades & Site Work	Northern Valley Contractors	\$2,002,351.45
2 - Electrical	South Shore Electric, Inc.	324,700.00
3 - HVAC/Mechanical	Air Temp. Mechanical, Inc.	208,743.00
4 - Plumbing	Lucas Plumbing & Heating, Inc.	<u>59,500.00</u>
	<b>Total Awards</b>	<b>\$2,595,294.45</b>

"WHEREAS, the Commission has been advised by its director of contracts administration that said bids conform to the requirements of Section 5537.07, Section 9.312 and Sections 153.50 through 153.54, all of the Revised Code of Ohio, and that a performance bond with good and sufficient surety has been submitted by each company;

"NOW, THEREFORE, BE IT

"RESOLVED that the above-mentioned bids in the total amount of **\$2,595,294.45**, for the performance of Contract No. 58-03-01, are determined by the Commission to be the lowest responsive and responsible bids received for the performance of said contract, and are accepted, and that the chairperson and executive director, or either of them, hereby is authorized: 1) to accept the withdrawal requested by Inland Electric Co. of its erroneous bid; 2) to execute a contract with each of the four (4) successful bidders in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; 3) to direct the return to the other bidders of their bid security, when appropriate; and 4) to take any and all action necessary or proper to carry out the terms of said bid and of said contracts; and

"FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **HNTB Corporation** of Cleveland, Ohio, to Project 58-03-01 for the purpose of performing construction management services. Such assignment shall be in accordance with a construction management services agreement between the Ohio Turnpike Commission and HNTB Corporation specific to Project No. 58-03-01; and



"FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **CTL Engineering, Inc.** of Columbus, Ohio, to Project 58-03-01 for the purpose of performing materials testing. Such assignment shall be in accordance with the 2003-2004 engineering services agreement and a letter agreement specific to Project No. 58-03-01 between the Ohio Turnpike Commission and CTL Engineering, Inc.; and

"FURTHER RESOLVED that Project No. 58-03-01 is designated a System Project under the Commission's 1994 Master Trust Agreement."

The resolution was adopted with all members voting in the affirmative. The resolution was identified as No. 3-2004.

Mr. Pursley said with regard to the second resolution, Section 5.04 of the Commission's Master Trust Agreement requires that the Commission employ an independent engineer of nationwide and favorable repute to annually inspect and report to the Commission on the condition of the Turnpike facilities. Five engineering firms submitted proposals for this work and an evaluation committee consisting of the Commission's Chief Engineer, Assistant Chief Engineer, and Traffic Engineer concluded that HNTB Corporation of Cleveland was most qualified to perform the services required. By passing this resolution, the Commission will be awarding a contract to HNTB for a term of five years from 2004 to 2008. The cost for each of those years' services is included in the attached documents to the resolution. The Commission will note that additional costs are anticipated to be incurred during the years 2004, 2005 and 2006 to pay for necessary bridge inspection. I'd like to request our General Counsel to read the resolution.

"RESOLVED that the Commission hereby selects **HNTB Corporation** of Cleveland, Ohio to serve as its consulting engineer and authorizes and directs the executive director and the director of contracts administration to enter into a five-year contract with **HNTB Corporation** for services as the consulting engineer to the Commission, all in accordance with the terms and conditions of the Commission's Request for Proposals, HNTB's response thereto and its fee proposal dated December 16, 2003."

Deputy Director Darwish moves and Commissioner Balog seconds.

The Vice-Chairman asked if there are any questions or comments.

The Vice-Chairman asked the Assistant Secretary-Treasurer to call the roll.

The "Resolution Awarding a Contract for Consulting Engineering Services" was moved for adoption as follows:

#### **RESOLUTION NO. 4-2004**

"WHEREAS, in Section 5.04 of the Master Trust Agreement dated February 15, 1994, between the Commission and The Huntington National Bank, Trustee, the Commission covenants that it will employ an independent engineer for the purpose of performing and carrying out the duties imposed on the consulting engineer by the Master Trust Agreement, and that such consulting engineer shall have a "nationwide and favorable repute" for skill and experience in such work; and

"WHEREAS, on November 7, 2003, the Commission published its Request for Proposals (RFP) for Consulting Engineering Services to engineering firms having the qualifications called for in the Master Trust Agreement and also published the RFP in a newspaper of general circulation statewide, and on November 25, 2003, responses were received from five firms expressing an interest in serving as the consulting engineer to the Commission; and

"WHEREAS, an evaluation committee comprised of the Commission's chief engineer, assistant chief engineer and traffic engineer evaluated the results of the technical proposals received from the five firms, and

"WHEREAS, the Commission's evaluation committee has concluded, on the basis of the proposals, that HNTB Corporation of Cleveland, Ohio ("HNTB") is most qualified to perform the services required; and

"WHEREAS, a fee negotiation was conducted with HNTB and HNTB has submitted a cost proposal deemed to be appropriate and reasonable by the evaluation committee which has resulted in the chief engineer's recommendation that a contract be awarded to HNTB for a five-year period commencing with the Commission's approval of this resolution and the execution of a formal agreement; and

"WHEREAS, the director of contracts administration has also reviewed the proposals submitted and concurs in the recommendation of the evaluation committee that the contract be awarded to HNTB on the basis of its superior technical rating and its fee proposal dated December 16, 2003, a copy of which is attached hereto, and has reported her agreement to the executive director and the Commission members; and

"WHEREAS, the executive director concurs with the findings of the chief engineer and the director of contracts administration that the consulting engineer's contract shall be awarded to HNTB for a period of five-years; and

"WHEREAS, the Commission has duly considered such recommendations;

"NOW, THEREFORE, BE IT

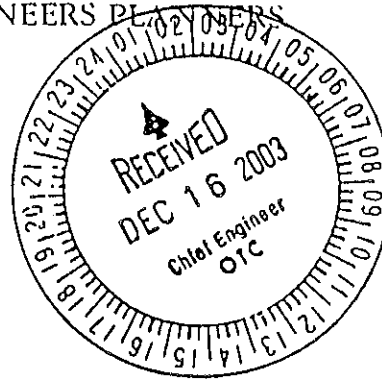
"RESOLVED that the Commission hereby selects **HNTB Corporation** of Cleveland, Ohio to serve as its consulting engineer and authorizes and directs the executive director and the director of contracts administration to enter into a five-year contract with **HNTB Corporation** for services as the consulting engineer to the Commission, all in accordance with the terms and conditions of the Commission's Request for Proposals, HNTB's response thereto and its fee proposal dated December 16, 2003."



ARCHITECTS ENGINEERS PLANNERS

55 One One Plaza  
Suite 500  
Cleveland, Ohio  
44115-1111  
216-322-1100  
Fax 216-322-0555

December 16, 2003



Mr. Daniel F. Castrigano, P.E.  
Chief Engineer  
The Ohio Turnpike Commission  
682 Prospect Street  
Berea, OH 44017

Re: Ohio Turnpike Commission  
Five-Year Consulting Engineering Service Contract  
Revised Fee Proposal

Dear Mr. Castrigano:

Submitted herewith is our revised fee proposal for providing Consulting Engineering Services to the Ohio Turnpike Commission for a period of 60 months, beginning January 1, 2004 through December 31, 2008. The proposed services include the Annual Inspection of the Ohio Turnpike facilities, one in-depth inspection of six major river/roadway crossings, attendance at Commission meetings, Consulting Services, and preparation of Annual Report, including facility replacement costs.

**BASIC SERVICES**

HNTB's proposed Basic Services include:

1. Annual General Bridge Inspection of 674 structures
2. Annual Pipe Culvert Inspection of 270 structures
3. Annual Building Inspection of 60 facilities
4. Annual Roadway Inspection of 241 mile facility
5. Annual Overhead Sign Support Inspection of approximately 250 structures
6. Preparation of Field Notes and Reports for the above inspections
7. Preparation of Annual Consulting Engineer's Report
8. Attendance at Commission Meetings
9. Consultations and Meeting with OTC staff

An expanded scope of services, including description of the tasks, is shown on Attachment A-1.

## **MAJOR BRIDGE INSPECTION SERVICES**

HNTB will perform one in-depth inspection of the following six major structures:

1. Maumee River Bridges
2. Sandusky River Bridges
3. Huron River Bridges
4. Vermilion River Bridges
5. Cuyahoga River Bridges
6. Olde SR 8 over the Turnpike

These in-depth inspections will be performed per Ohio Department of Transportation standards and regulations. The In-depth inspections will occur on each structure once during the contract in the year identified below. An expanded scope of services, including description of the tasks, is shown on Attachment A-1.

## **ADDITIONAL SERVICES**

HNTB will perform additional services as outlined in our November 25, 2003 technical proposal during the contract period. The detailed scope and fee for the additional services will be developed and negotiated during the contract. They include but are not limited to the following:

1. Geographical Information System Implementation
2. Communication Systems
3. ITS/AVI/Toll Collection/Freeway Management Systems
4. Presentation Graphics
5. Emergency Repairs
6. Miscellaneous Assignments

## **SCHEDULE**

The annual inspection reports will be submitted on or before the following dates.

1. Field Notes for General Bridge Inspections – July 31
2. Field Notes for General Culvert Inspections – July 31
3. Field Notes for General Roadway Inspections – July 31
4. Field Notes for Building Inspections – August 31
5. Major Bridge In-Depth Inspection Reports – August 31
6. Annual Consulting Engineer's Report – September 30

**COMPENSATION AND PAYMENT**

HNTB's compensation for the basic services is proposed on the basis of Lump Sum of \$223,464.00 for calendar year 2004. The derivation of the proposed 2004 fee is shown on Attachment A-2. The lump sum compensation for each of the remaining years of the contract will increase slightly due to annual salary adjustments and cost of living increases as shown in the table below. Equal payments will be made monthly during each calendar year as shown in the table.

<b>YEAR</b>	<b>LUMP SUM AMOUNT</b>	<b>PAYMENT SCHEDULE</b>
2004	\$223,464.00	12 @ \$18,622.00
2005	\$230,172.00	12 @ \$19,181.00
2006	\$237,072.00	12 @ \$19,756.00
2007	\$244,188.00	12 @ \$20,349.00
2008	\$251,520.00	12 @ \$20,960.00
<b>TOTAL</b>	<b>\$1,186,416.00</b>	

HNTB's compensation for the major bridge inspection services will be made on a lump sum basis for each in-depth inspection performed on a structure. The derivation of the proposed major bridge inspection fees is shown in Attachment A-3. The lump sum rates (per each inspection) are shown in the following table and are applicable for the year identified.

<b>BRIDGE</b>	<b>LUMP SUM AMOUNT</b>	<b>YEAR</b>
Maumee River	\$20,706.00	2004
Sandusky River	\$20,670.00	2004
Huron River	\$23,876.00	2005
Vermilion River	\$15,456.00	2005
Cuyahoga River	\$26,642.00	2006
Olde SR 8 over Turnpike	\$13,976.00	2006

Subconsultant's providing equipment rental services will be utilized to perform the in-depth inspection services. Subconsultant quotes and derivation of the proposed subconsultant fees are also shown in Attachment A-3. Compensation for those services will be reimbursable expenses for actual costs and are estimated to be as shown below. These estimates may vary slightly from year to year and are estimated for the year noted above.

BRIDGE	EQUIPMENT RENTAL (ESTIMATED)
Maumee River	\$15,900.00
Sandusky River	\$15,500.00
Huron River	\$8,000.00
Vermilion River	\$8,700.00
Cuyahoga River	\$22,200.00
Olde SR 8 over Turnpike	\$5,100.00

Compensation of Additional Services can be made on a billing rate schedule or via a negotiated agreement. HNTB Ohio's 2004 Billing Rates are included as Attachment A-4.

We sincerely appreciate the opportunity to submit this proposal and look forward to providing Consulting Engineering Services to the Commission.

Respectfully submitted,

**HNTB OHIO, INC.**



Anthony D. Yacubucci, PE  
Project Manager

Attachments

Mr. Pursley said that concludes my report, Mr. Vice-Chairman.

The Vice-Chairman asked General Counsel, Noelle Tsevdos, for her report.


General Counsel responded no report.

The Vice-Chairman said he might call Mr. Wilkins and tell him he might have broken his record. He asked if there was any other business to bring before the Commission. If not, I will entertain a motion to adjourn.

Commissioner Balog moves and Deputy Director Darwish seconds.

All Members voted in the affirmative to adjourn. Time of adjournment was 10:38 a.m.

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



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George F. Dixon, Secretary-Treasurer