

MINUTES OF THE 518th MEETING OF THE OHIO TURNPIKE COMMISSION
November 14, 2005

Pursuant to the bylaws, the Ohio Turnpike Commission met for a regular meeting at the Commission's Administration Building at 10:00 a.m. on November 14, 2005, with members of the staff: Jerry Pursley, Deputy Executive Director; Dan Castrigano, Chief Engineer; Noelle Tsevdos, General Counsel; Kathleen Weiss, Director of Contracts Administration; James T. Steiner, CFO/Comptroller; W. R. Fleischman, Assistant Chief Engineer; Kerry Ferrier, Traffic Engineer; Tim Ujvari, Maintenance Engineer; Stuart May, Maintenance Engineer, Sharon D. Isaac, Director of Toll Operations; Dave Miller, Director of Audit & Internal Controls; Dick Morgan, Director of Information Systems; Richard Lash, Director of Safety Services; Bob Gahr, Assistant Director of Safety Services; Andrew Herberger, Customer Services Manager, William Keaton, Telecommunications Manager; Lauren Dehrmann, Manager, Public Affairs; Jennifer Diaz, Crickett Jones, Tracy Cowley and Diane Pring.

Chairman Balog asked the Assistant Secretary-Treasurer to call the roll.

Present: Mr. Balog, Mr. Regula, George Dixon; Mr. Kidston and Deputy Director Mo Darwish; Representative Buehrer and Senator Armbruster (*time: 10:05 a.m.*)

Absent: None.

Chairman Balog said Gordon Proctor was unable to attend today's meeting, however, Deputy Director Mo Darwish is here and is authorized to vote in his place. The Chairman called the meeting to order.

The 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 Bank; Bobby Everhart, URS; Tony Yacobucci, Jacob Merriman, HNTB; Todd Cooper, Dick Corporation; Howard O'Malley, B & T Express; Captain Roger Hannay, OSHP; Frank Lamb, Huntington National Bank; John Petty, National City Investments; Bob Hagstron, AVI Food Systems; Donald Bank, Butler, Wick, Steve Mayer, Floyd Jeffries, Operating Engineers; Representative Tom Patton.

The Chairman said this is the 518th 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 due to the Thanksgiving holiday. 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 Chairman said could I have a motion to adopt the minutes of the September 12, 2005 Commission Meeting?

Commissioner Dixon moved and Commissioner Kidston seconded. All other Members voted in the affirmative, and the minutes were adopted.

The Chairman said we'll proceed with the report of the Secretary-Treasurer.

Commissioner Dixon said the following items have been sent to the Members since the last regularly scheduled meeting of the Commission on September 12, 2005:

1. Minutes of the September 12, 2005 Commission Meeting
2. Traffic & Revenue Report, September, 2005
3. Traffic & Revenue Report, October, 2005 *
4. Total Revenue by Month and Year, September, 2005
5. Total Revenue by Month and Year, October, 2005 *
6. Investment Report, September, 2005
7. Investment Report, October, 2005 *
8. Financial Statements, September 30, 2005
9. Budget Report, Nine Months, 2005
10. Various News Releases

* in Commission Member's folders

The Chairman said as Chairman of the Commission, I make the appointments to the Commission's Audit Subcommittee. If the Members agree with the appointments, we'll present a resolution confirming those appointments when the Executive Director presents his report.

The Chairman said Commission Resolution No. 45-2002 established an Audit Subcommittee on December 9, 2002. This Subcommittee is the body to which the Commission's Director of Audit and Internal Controls directly reports audit-related matters. The Subcommittee also serves as the highest point of contact for the Commission's external independent auditors.

Routine duties of the members of this committee consist of:

- Monitoring the activities of the Commission's Internal Audit Department through review of monthly and quarterly reports prepared by the Director of Audit and Internal Control.
- Meeting with external independent auditors each year as required by various AICPA Professional Standards.
- Participating in a closing meeting each year with the external independent auditors subsequent to the completion of the annual fiscal audit.

Most recently, the previous Chairman, Tom Noe, and myself served on the Audit Subcommittee. At this time, I'd like to formally appoint our current Vice-Chairman, David Regula and Commission Member Ed Kidston to the Audit Subcommittee. If you are willing to accept those appointments, I'd appreciate it. Thank you.

We'll now go to the Executive Director to formalize those appointments.

Executive Director Gary Suhadolnik said Mr. Chairman, you have done a very good job explaining it so I don't think there is much for me to say. I do have a resolution which the Members can vote on to confirm those two appointments to the Audit Subcommittee. It's very important, as we are about to begin the next annual audit.

Would our General Counsel please read the Resolved?

General Counsel read the Resolved as follows:

"RESOLVED that Commission Members, **David O. Regula** and **Edward A. Kidston** are appointed and have agreed to serve on the **Audit Subcommittee**"; and

"FURTHER RESOLVED that the **Audit Subcommittee** shall meet and confer in accordance with all applicable public meeting laws"; and

"FURTHER RESOLVED that the above-mentioned action is confirmed as having taken place at this meeting in accordance with law and the Commission's Code of Bylaws and the assistant secretary-treasurer is directed to enter this resolution in the journal of the Commission as a record thereof."

The Chairman said is there a motion?

Deputy Director Darwish moved and Commissioner Regula seconded.

The Chairman said is there any discussion or questions? If not, please call the roll.

The "Resolution Confirming Appointments to the Commission's Audit Subcommittee" was moved for adoption.

WHEREAS, pursuant to Resolution No. 42-2002 adopted on November 21, 2002, the Commission confirmed the chief auditor's responsibilities in "special" auditing matters and confirmed that David J. Miller, whose title is currently director of audit and internal controls of the Ohio Turnpike Commission, report directly to the Commission in all "auditing" matters, but will continue to report to the executive director and his successor, in all administrative matters; and

WHEREAS, pursuant to resolution No. 45-2002 adopted on December 9, 2002, the Commission created a standing **Audit Subcommittee**; and

WHEREAS, since Joseph A. Balog was recently elected Chairman of the Ohio Turnpike Commission and former Commission member, Thomas W. Noe, is no longer a member of said subcommittee due to his recent resignation, the Commission has determined it is in the best interests of the Ohio Turnpike Commission to appoint two (2) new Members.

NOW, THEREFORE BE IT

RESOLVED that Commission Members, **David O. Regula** and **Edward A. Kidston** are appointed and have agreed to serve on the **Audit Subcommittee**; and

FURTHER RESOLVED that the **Audit Subcommittee** shall meet and confer in accordance with all applicable public meeting laws; and

FURTHER RESOLVED that the above-mentioned action is confirmed as having taken place at this meeting in accordance with law and the Commission's Code of Bylaws and the assistant secretary-treasurer is directed to enter this resolution in the journal of the Commission as a record thereof.

(Resolution No. 43-2005 adopted November 14, 2005)

The Resolution was adopted with all Members voting in the affirmative. The resolution was numbered No. 43-2005.

The Executive Director said I'd like to present a second resolution which authorizes me to issue a public notice and hold a public meeting to consider extending the temporary toll decrease for the Ohio Turnpike until **December 31, 2006**. This resolution authorizes the meeting or the public hearing and depending upon what transpires at that meeting, we'll come back with a recommendation and the Commission will vote on whether to continue the temporary toll reduction for another six (6) months.

Would our General Counsel please read the Resolved?

General Counsel read the Resolved as follows:

"RESOLVED, that the Commission hereby authorizes the executive director or his designee to issue public notice and to conduct a public meeting required by law regarding its intention to extend the temporary reduction in the toll rate schedule through December 31, 2006, for Classes 2 thru 9, in an effort to attract more commercial carriers to utilize the Turnpike instead of using state routes that are located adjacent to the Turnpike, so that additional analytical data regarding the effects of the trial program on commercial traffic volumes can be gathered while fuel prices stabilize; and

"RESOLVED, that the executive director shall prepare a report to the Commission after issuing public notice and holding the public meeting required by law.

The Chairman asked, is there a motion?

Deputy Director Darwish moved and Commissioner Regula seconded.

The Chairman said before we call the roll, I think most people are aware that approximately one year ago, we reduced the tolls for the commercial vehicles on the Turnpike. Those tolls will expire on June 30, 2006, and this resolution starts the procedure which would allow us to extend those reduced tolls for the commercial vehicles for the next six-month period from July 1 through December 31, 2006. As the resolution indicates, there are a number of different factors affecting the Turnpike's revenue. This will be the first period of time for the six-month period if we adopt this resolution, that we will be operating the Turnpike without the State's gas tax payment. We are unsure and unclear exactly how the fuel price increase is going to affect the use of the Turnpike, so we thought it would be best to go ahead and act cautiously and prudently to extend the temporary toll reduction for another six-month period. This is the start of that process. If the Commission goes ahead and approves the resolution today, we will hold public hearings and meetings and the staff will come up with a recommendation and the Commission can go ahead and formally approve that at a later date if they believe that is the correct avenue for us.

The Chairman said, are there any questions or comments? If not, please call the roll.

The "Resolution Authorizing the Executive Director to Issue Public Notice and Hold a Public Meeting Extending the Ohio Turnpike Commission's Temporary Schedule of Tolls for Class 2 through 9 until December 31, 2006" was moved for adoption.

WHEREAS, the Commission, by Resolution 38-1955, established a schedule of tolls and classifications of weight which was effective October 1, 1955; and

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; and

WHEREAS, the 1994 Master Trust Agreement allows the Commission to make a temporary change to the schedule of tolls that it deems to be necessary and proper, so long as the Comptroller/Chief Financial Officer certifies that the Commission will not fail to comply with the debt service requirements set forth in the Trust Agreement; and

WHEREAS, the Commission desires to extend the temporary changes to the schedule of tolls for Classes 2 through 9 vehicles that it adopted by Resolutions 62-2004 and 1-2005, respectively, for an additional trial period of up to six (6) months, in an effort to attract more commercial carriers to utilize the Turnpike instead of using state routes that are located adjacent to the Turnpike, so that additional analytical data regarding the effects of the trial program on commercial traffic volumes can be gathered while fuel prices stabilize; and

WHEREAS, the Commission does not anticipate receiving any supplemental payments from the Ohio Department of Transportation for the period from July 1, 2006

through December 31, 2006, to assist in the funding of this continuation of the temporary change since such continuation shall not cause the Commission to fail to comply with the debt service requirements in the Trust Agreement; and

WHEREAS, the provisions of Ohio Revised Code Section 5537.26 require the Commission to issue a public notice and hold a public meeting prior to taking any action to extend the temporary reduction in the toll rate schedule;

NOW, THEREFORE, BE IT

RESOLVED, that the Commission hereby authorizes the executive director or his designee to issue public notice and to conduct a public meeting required by law regarding its intention to extend the temporary reduction in the toll rate schedule through December 31, 2006, for Classes 2 thru 9, in an effort to attract more commercial carriers to utilize the Turnpike instead of using state routes that are located adjacent to the Turnpike, so that additional analytical data regarding the effects of the trial program on commercial traffic volumes can be gathered while fuel prices stabilize; and

RESOLVED, that the executive director shall prepare a report to the Commission after issuing public notice and holding the public meeting required by law.

(Resolution No. 44-2005 adopted November 14, 2005)

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 44-2005.

The Executive Director said that concludes my report, Mr. Chairman.

The Chairman asked Deputy Executive Director, Jerry Pursley, for his report.

Mr. Pursley said I have three resolutions for the Commission to consider this morning. The first resolution is to award Agreement TRM-8A for cleaning and janitorial services at the Commission's Erie Islands and Commodore Perry Service Plazas. Following our normal procedure as we do with these contracts, an RFP was advertised in five different newspapers and copies of the RFP were mailed to 45 known cleaning and janitorial service companies. Four of the companies responded with proposals. The evaluation committee comprised of myself, the customer services manager, and the western division service manager reviewed the proposals, awarded technical scores and those scores were then divided by the cost proposal submitted by each respondent. As a result of that process, the evaluation committee recommends that an agreement be awarded to ServiceMaster by Horton of Oberlin, Ohio in the total annual fee of **\$279,600** for each side/plaza. ServiceMaster by Horton is a national franchise with experience and resources to perform this kind of work and they have provided janitorial services at these two plazas for the last six years.

The terms of this agreement will be for an initial term of two years commencing December 1, 2005 with an option to extend the agreement for no more than five successive (1) year periods.

Will the General Counsel please read the Resolved?

“RESOLVED that the proposal submitted by **ServiceMaster by Horton** of Oberlin, Ohio, which included the following price proposal:

<u>Service Plaza</u>	<u>Monthly Per Plaza Fee</u>	<u>Annual Fee</u>	<u>Hourly Rate *</u>
Erie Islands	\$23,300.00	\$279,600.00	\$13.00
Commodore Perry	\$23,300.00	\$279,600.00	\$13.00

** for any added requested services*

is, and is by the Commission determined to be, the **best** of all proposals received for the performance of Agreement TRM-8A and is accepted; and

“FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to execute an agreement with **ServiceMaster by Horton** to furnish cleaning and janitorial services at the Commission’s **Erie Islands and Commodore Perry Service Plazas** under Agreement TRM-8A, for an initial term of **two (2) years commencing December 1, 2005**, with an option to extend the agreement for no more than five (5), successive one (1) year periods, in the form heretofore prescribed by the Commission pursuant to the aforesaid RFP, and to take any and all action necessary or proper to carry out the terms of said RFP and said agreement; and

“FURTHER RESOLVED that the Commission directs the return of the proposal guaranty provided by all RFP respondents, with their proposal, as soon as said agreement with ServiceMaster by Horton is executed.”

The Chairman said, is there a motion to adopt?

Commissioner Kidston moved and Commissioner Regula seconded.

The Chairman said, are there any questions?

Representative Buehrer asked is the scope of this agreement just internal to the building or is it the entire site?

Mr. Pursley said it is primarily internal although there is trash to be picked up on the outside. The landscaping and things like that are run by another service.

Director Suhadolnik said I'd like to add that the OTC bills about one-half of this cost back to the other vendors obviously because they are cleaning the "common area space" used by their customers.

Representative Buehrer said I might add that I talked to the Executive Director some months earlier about the exterior appearance of some of our parking lots. I think it has improved over the last six months based on my unscientific spot monitoring of the service plazas. I think it is something that we need to keep vigilant, about not only the inside, but also the outside areas.

The Chairman said good point, are there any other questions?

Director Suhadolnik said I'd like to mention that when we had one set of plazas closed (Blue Heron/Wyandot) it created quite a burden on the next sets of service plazas in either direction. It was hard to keep up, and even when they installed more dumpsters; they filled up so fast because of the heavy volume. Once the new service plazas opened, some of the problems at the other service plazas were alleviated.

Commissioner Dixon asked when was the last time we did a study on bringing this service in-house as opposed to contracting it out?

Mr. Pursley said as far as I know no such study has ever been conducted by the Ohio Turnpike.

Mr. Dixon said maybe we should consider it. We've got all these stations and I don't know if this is a good price or not. Maybe it would be worth it to spend the money to find out if we could do it in-house cheaper.

The Chairman said that's a good point, but the question I wonder is I see their hourly rate is \$13 an hour.

Mr. Dixon said but how many hours? Again, that's why we could do the study.

The Chairman said this is a proposed contract, when does the existing contract expire?

Mr. Dixon said this is not something we need to do tomorrow. I'd like to do it right and suggest we do a study to give us some good information. Then we could use this information for future consideration.

Mr. Pursley said the current contract expires on November 30th. The new contract starts on December 1st. I would suggest that if we are going to do the study we do it during the first two years of the term of the contract.

Mr. Dixon said that's fine.

The Chairman said will you get back to us, Gary?

The Director said, yes we will within the next 90 days.

The Chairman said, any other questions? Please call the roll.

The "Resolution Awarding Agreement TRM-8A for Cleaning and Janitorial Services at the Commission's Erie Islands and Commodore Perry Service Plazas" was moved for adoption.

WHEREAS, on October 4, 2005, the Commission issued its Request for Proposals (RFP) to furnish cleaning and janitorial services at the Commission's **Erie Islands and Commodore Perry Service Plazas** (*Agreement TRM-8A*) for an initial term of two (2) years, which may be extended for not more than five (5) successive one-year periods; and

WHEREAS, the Commission's RFP was advertised in five (5) different newspapers and copies of the RFP were mailed to forty-five (45) known cleaning and janitorial service firms; and

WHEREAS, four (4) companies presented proposals to furnish cleaning and janitorial services at the Commission's Erie Islands and Commodore Perry Service Plazas, which proposals were duly opened on October 25, 2005, as provided in said published notice; and

WHEREAS, an evaluation committee comprised of the deputy executive director, the customer service manager and the western division service plaza manager reviewed the proposals submitted and awarded technical scores to each respondent, which scores were then divided by the cost proposal submitted by each respondent in order to identify the "best" cost performance index among the four (4) respondents; and

WHEREAS, as a result of this process, the evaluation committee has recommended that an agreement be awarded to **ServiceMaster by Horton** of Oberlin, Ohio, which submitted the following price proposal:

<u>Service Plaza</u>	<u>Monthly Per Plaza Fee</u>	<u>Annual Fee</u>	<u>Hourly Rate *</u>
Erie Islands	\$23,300.00	\$279,600.00	\$13.00
Commodore Perry	\$23,300.00	\$279,600.00	\$13.00

** for any added requested services*

WHEREAS, the director of contracts administration advises that: 1) the RFP conforms to the requirements of applicable statutes, 2) due and full consideration has been given to the proposals received, the respondents' qualifications and abilities to perform the required services, and 3) the aforesaid proposals were solicited on the basis

of the same terms and conditions with respect to all RFP respondents and potential respondents; and

WHEREAS, the director of contracts administration further advises that ServiceMaster by Horton has provided a proposal guaranty and evidence of its ability to provide the required performance bond and insurance as set forth in the RFP, and that the Commission may legally accept said proposal from ServiceMaster by Horton; and

WHEREAS, the Commission's director of contracts administration has also reviewed and concurs with the evaluation committee's recommendation of ServiceMaster by Horton, as reflected in her written report, which report is before the Commission; and

WHEREAS, the executive director has reviewed the evaluation committee's and the director of contracts administration's written recommendations and concurs with the selection of ServiceMaster by Horton; and

WHEREAS, the Commission has determined that the proposal submitted by **ServiceMaster by Horton** of Oberlin, Ohio, is the **best** of all proposals received in response to the advertisement of said contract.

NOW, THEREFORE, BE IT

RESOLVED that the proposal submitted by **ServiceMaster by Horton** of Oberlin, Ohio, which included the following price proposal:

<u>Service Plaza</u>	<u>Monthly Per Plaza Fee</u>	<u>Annual Fee</u>	<u>Hourly Rate *</u>
Erie Islands	\$23,300.00	\$279,600.00	\$13.00
Commodore Perry	\$23,300.00	\$279,600.00	\$13.00

** for any added requested services*

is, and is by the Commission determined to be, the **best** of all proposals received for the performance of Agreement TRM-8A and is accepted; and

FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to execute an agreement with **ServiceMaster by Horton** to furnish cleaning and janitorial services at the Commission's **Erie Islands and Commodore Perry Service Plazas** under Agreement TRM-8A, for an initial term of **two (2) years commencing December 1, 2005**, with an option to extend the agreement for no more than five (5), successive one (1) year periods, in the form heretofore prescribed by the Commission pursuant to the aforesaid RFP, and to take any and all action necessary or proper to carry out the terms of said RFP and said agreement; and

FURTHER RESOLVED that the Commission directs the return of the proposal guaranty provided by all RFP respondents, with their proposal, as soon as said agreement with ServiceMaster by Horton is executed.

(Resolution No. 45-2005 adopted November 14, 2005)

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 45-2005.

Mr. Pursley said my next resolution is a Resolution Authorizing the Acquisition of Ethernet Network Equipment. Before I get into the actual purchase of the two pieces of equipment, I'd first like to call the attention of the Commission Members to the Position Paper prepared by Dick Morgan, our Information Systems Director, and Bill Keaton, our Telecommunications Manager in which they recommend unifying network equipment under one primary manufacturer. The position paper documents problems of building and sustaining a data network consisting of a hodgepodge of devices from various manufacturers, each of which are designed to be proprietary. The problems include: compatibility, network management and staff training when devices from different manufacturers connect and operate differently. As a result, Mr. Morgan and Mr. Keaton recommend using network equipment from one primary manufacturer. They recommend that the manufacturer be Cisco Systems, Inc. for several reasons. First, because Cisco's equipment is compatible with the existing Ethernet equipment; Cisco's equipment is highly reliable; Cisco has excellent customer service and technical support; and Cisco is one of the few providers that have local technical support. Also, they are proven to be a worldwide leader in providing network hardware, software and security solutions. Finally, Cisco's pricing is highly competitive and also available through the State-term contracts.

Mr. Pursley also said that, while we were looking at this purchase, we also checked with some of the state agencies – the Ohio Lottery Commission, in particular. They have chosen this same path to go with a single manufacturer.

Regarding the equipment to be purchased, the first piece of equipment is the Network Attached Storage (NAS). As I'm sure the Members are aware, the Commission backs up all data each night using its main servers. That puts significant strain on these servers because they also perform all other back-end processing necessary like toll transactions, financial, payroll, human resources, purchasing and Maintenance Dept. work orders. The result is that the network processing has become slower and more susceptible to disruptions.

NAS is an additional server with back-up unit that will increase data storage capacity some 33 times what the OTC currently has. That is not only important to have this system performing in a better and quicker fashion, but also as we look at adding other functions in the future that are going to be "memory hogs." These are the ITS (Intelligent Transportation System) that is being studied by one of our consultants and the GIS (Geographical Information System.) The cost of the equipment is **\$138,638.97**, which was the lowest price of any equipment that meets the Commission's requirements.

The second piece of equipment is the Ethernet Switch called a “Layer 3” switch that will replace equipment from various manufacturers that have reached the end of their useful life. A Layer 3 switch will help eliminate choke points in the network created by inefficient routing of data throughout the network. The cost of this device is **\$76,926.30**, and it is also available under the State-term contract.

If there are any questions of a technical nature, we have Dick Morgan, our Director of the Information Systems Department as well as Bill Keaton, our Telecommunications Manager, in the audience.

Would our General Counsel please read the Resolved?

General Counsel read the Resolved as follows:

“RESOLVED that the Commission’s purchasing manager may proceed with the two (2) above-described equipment purchases in the total estimated amount of **\$215,565.27** via the DAS Cooperative Purchasing Program under State Term Schedule 533110-3, and take any and all action necessary to properly carry out the terms of said Contracts.”

The Chairman said, is there a motion to approve?

Commissioner Kidston moved and Commissioner Regula seconded.

The Chairman asked are there any questions or discussion?

Commissioner Dixon said I won’t even pretend to understand this equipment, but if we approve this resolution, are we married to Cisco as far as any expansions in the system? Am I correct?

Mr. Pursley said, this resolution is simply for the purchase of these two pieces of equipment. We did present the Position Paper that was generated by our two departments endorsing Cisco as a primary provider, but this resolution does not directly address that.

Commissioner Dixon said so these two pieces of equipment are not universal? For any other expansion or addition, I can use other equipment from other manufacturers?

Mr. Pursley said we are trying to not use equipment from other manufacturers because of the compatibility problems.

Commissioner Dixon said that is the basis of my question. So, we will be married to Cisco if we make this move.

Mr. Pursley said it's our suggestion that we stick with a single, primary manufacturer.

Commissioner Dixon said thank you, I understand.

Commissioner Kidston said along those same lines, how often do we have to replace equipment of this type for this system?

Mr. Pursley asked Mr. Morgan to respond.

Mr. Morgan said some of the equipment we are replacing will be seven (7) years old.

Commissioner Kidston said on an ongoing basis, is seven (7) years a life span that we can expect?

Mr. Morgan said typically you are looking at 3-5 years at the rate technology is going today. We have been trying to stay around five (5) years.

Commissioner Kidston asked what other pieces of additional equipment makes up this network? Can you use layman's terms, if you can?

Mr. Morgan said a great deal. There is one whole room of equipment in the other building that supports all the networking as well as the telephone network.

Commissioner Kidston said so Mr. Dixon's comment that we are tied to Cisco is a valid point?

Mr. Morgan said that is valid, however, we are recommending Cisco as a primary vendor. If there is a better vendor out there in the future, we would like to look at that vendor for purposes of supplying our needs.

Commissioner Dixon said I want to say I don't have a fear of being tied to Cisco. I just want the Commission to understand that the numbers in the resolution are relatively low. We just went through the same thing at the RTA. Subsequent numbers get bigger and bigger when you are dealing with this type of equipment and we will be married to Cisco once we do this, which is not a bad situation. As I mentioned we just did the same thing at RTA at a cost of \$5 million. I don't have a problem with Cisco, I just want to get that information out so we understand.

Senator Armbruster said based on this change, I'd say seven years was probably too long with the existing technology. So based on that, if you bring in the new Cisco equipment, how many other changes do you anticipate? When you bring in the Cisco equipment and the other equipment is that much older, is

there going to be any kind of compatibility problems? I think the Commission ought to hear it now rather than four months from now. If the OTC has to buy additional equipment, we need to remember the Cisco conversation.

Mr. Morgan said we have had a high-level study done that has highlighted some of the shortcomings of our existing system that basically we have outgrown. Over the course of time, yes there will be other equipment that needs to be replaced at a significant cost. We are still looking to have another study done to provide a detailed analysis of the remainder of the OTC's equipment needs.

Senator Armbruster asked, but the purchase of this equipment is going to allow you to back-up or get rid of the snags in your current equipment? There are no compatibility problems now because, as you bring this on, you will be able to study it further to significantly make other changes later on?

Mr. Morgan said, right.

Senator Armbruster said I hope that helps you somewhat.

Mr. Dixon said I think it's all kind of a moot point. If we choose Company XYZ, we are going to be locked into their system down the line either way. Again, I have a good feeling about Cisco because I have some experience with dealing with them at the RTA. They have been responsive, and I am very satisfied with the results we have gotten. But you should understand that you will be using them when you make these other changes.

The Chairman said, please call the roll.

The "Resolution Authorizing the Acquisition of Ethernet Network Equipment" was moved for adoption.

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 director of information systems has provided a report describing the efficiencies to be gained by the Commission choosing Cisco Systems, Inc., as its primary Ethernet Network Equipment provider; and

WHEREAS, the director of information systems is further recommending the purchase of Cisco Systems, Inc. equipment that will be added to the Commission's Ethernet Network which will improve both the Network's data storage capacity and also reduce "choke points" that result in slow file transfer rates and Network bottlenecks; and

WHEREAS, the director of information systems has further recommended that the Commission pursue two (2) purchases from TEC Communications, Inc. of Rocky River, Ohio (TEC), an authorized State-term distributor of Cisco Systems, Inc. products under the DAS Cooperative Purchasing Program to resolve the aforementioned network issues; and

WHEREAS, the director of information systems has performed a thorough analysis and evaluation of the proposed equipment to be acquired from TEC Communications, and has determined that the proposed new equipment is compatible with the Commission's existing Ethernet Network and that TEC Communications' pricing is the most competitive; and

WHEREAS, the equipment recommended by the director of information system to alleviate the Commission's network data storage issues is known as "Network Attached Storage," which equipment's sole function is to provide the Commission with disk storage space on a large scale and is available from TEC via State Term Schedule 533110-3 in the estimated amount of \$138,638.97; and

WHEREAS, the equipment recommended by the director of information systems to help eliminate the aforementioned choke points, known as "Layer 3 Switching Devices", is also available from TEC via State Term Schedule 533110-3 in the estimated amount of \$76,926.30; and

WHEREAS, the Commission's director of contracts administration has reviewed the proposed equipment purchases and has advised the Commission that said purchases are in conformance with Commission Resolution No. 32-2003, the above-described purchases are available through the DAS Cooperative Purchasing Program and the Commission may lawfully approve said acquisitions in the total estimated amount of **\$215,565.27** under the State Term Contract; and

WHEREAS, the executive director concurs with the recommendation to unify network equipment purchases under one (1) primary manufacturer/provider; and concurs with the recommendations of both the director of information systems and the director of contracts administration that the Commission approve the two (2) above-described equipment purchases via the DAS Cooperative Purchasing Program.

NOW, THEREFORE, BE IT

RESOLVED that the Commission's purchasing manager may proceed with the two (2) above-described equipment purchases in the total estimated amount of **\$215,565.27** via the DAS Cooperative Purchasing Program under State Term Schedule 533110-3, and take any and all action necessary to properly carry out the terms of said Contracts.

(Resolution No. 46-2005 adopted November 14, 2005)

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 46-2005.

Mr. Pursley said my final resolution to present relates to the award of a contract for professional consulting services under Project No. 71-05-03. The existing toll collection system will be ten (10) years old in 2008 and nearing the end of its useful life. I understand that toll collection systems are good for about 7-10 years. The Commission needs to plan now for either an upgrade, modification or comprehensive replacement of the toll collection system as well as evaluate future toll collection needs and look into such technologies as E-Z Pass, open-road tolling and others.

To accomplish this a RFP for professional consulting services was advertised in June 2005 for the purpose of documenting problems with the current toll collection system, reviewing current and projected traffic data, assessing the condition of the existing toll collection system and physical infrastructure and identifying and evaluating alternate toll collection systems. In consultation with key Commission staff members, the selected consultant is to recommend whether the existing toll collection system needs to be completely replaced, or can it be upgraded or modified to meet future toll collection needs. The consultant will also develop a strategic plan that includes details of the implementation, proposed business rules, cost estimates and deployment time frames.

Twelve (12) letters of interest were received from interested consulting firms and an evaluation process was conducted by our Chief Financial Officer, Jim Steiner, Director of Information Systems, Dick Morgan and Director of Audit and Internal Controls, Dave Miller. Details are included in your folders. The evaluation committee concluded that Vollmer Associates of New York was the most qualified to perform the professional consulting services required. Vollmer has many years of consulting experience with toll roads and bridges and has spearheaded projects with the Pennsylvania Turnpike, New Jersey Turnpike, New York Thruway and several Turnpikes in the State of Texas and, most recently, the Peace Bridge connecting Canada with the United States.

If approved, this project would not exceed the amount of **\$272,653.55**. Would General Counsel please read the Resolved?

“RESOLVED that the Commission hereby selects **Vollmer Associates, LLP** of New York, New York as most qualified to perform the professional consulting services required under the above-mentioned RFP, and authorizes and directs the executive director and the director of contracts administration to execute the Professional Consulting Services Agreement with Vollmer Associates, LLP, all in accordance with the terms and conditions of the Commission’s Request for Proposals, Vollmer Associates, LLP’s response thereto and its fee proposal dated November 4, 2005.”

The Chairman said is there a motion to adopt?

Commissioner Dixon moved and Commissioner Regula seconded.

The Chairman said, are there any questions on the resolution before us?

Deputy Director Darwish asked, the other three firms from Ohio cannot do the job or they don't have the experience (HNTB, Wilbur Smith or DMJM Harris)?

Mr. Pursley said, if you read through the evaluation process you'll see it was a fairly lengthy process. The evaluation committee reviewed the 12 proposals that were submitted. The committee narrowed those down to four (4). Three (3) firms were invited to make presentations to the committee and other key personnel. It was concluded, as a result of the evaluation process that Vollmer Associates was the "most qualified" to do this kind of study.

Deputy Director Darwish said I'm also a politician, so my question is the other three don't have enough experience to perform the work?

Mr. Pursley said it was the conclusion of the evaluation committee that Vollmer was "best" qualified to do the work.

Deputy Director Darwish said thank you.

The Chairman said, are there any further questions?

The "Resolution Awarding a Contract for Professional Consulting Service (Project No. 71-05-03) was moved for adoption.

WHEREAS, the Commission's Toll Collection System will be ten (10) years old in 2008 and in order to properly plan for any system replacement, upgrade or modification, an analysis of the existing system and what the Commission's future toll collection needs will be is needed; and

WHEREAS, on June 30, 2005, the Commission advertised its Request for Proposals (RFP) for Project No. 71-05-03 seeking professional consulting services to perform an analysis of the Commission's Toll Collection System and on July 21, 2005, twelve (12) letters of interest were received from firms expressing interest in serving as the Commission's professional consultant for this Project; and

WHEREAS, four (4) of the interested firms were deemed most qualified and were invited to submit proposals in response to the RFP, which responses were due on August 23, 2005; and

WHEREAS, an evaluation committee comprised of the Commission's CFO/comptroller, director of audit and internal controls and director of information systems evaluated the four (4) proposals received and awarded preliminary technical scores to the proposals; and

WHEREAS, the three (3) highest-ranked firms were then invited to make presentations to the Commission's evaluation committee, as well as various key staff members, on September 27 and 28, 2005; and

WHEREAS, the evaluation committee factored in the quality of the presentations and awarded final technical scores to the proposals of the three (3) firms; and

WHEREAS, the Commission's evaluation committee has concluded, on the basis of the proposals received, that **Vollmer Associates, LLP** of New York, New York is most qualified to perform the professional consulting services required; and

WHEREAS, on November 4, 2005, Vollmer Associates, LLP submitted a fee proposal in the not-to-exceed amount of \$272,653.55, which amount is deemed acceptable in light of the major implications on the analysis of the Commission's toll operations; and

WHEREAS, the evaluation committee has, therefore, recommended that a professional consulting agreement be entered into with Vollmer Associates, LLP to perform the analysis of the Commission's Toll Collection System; and

WHEREAS, the director of contracts administration also has advised the Commission that the RFP selection process and the selection of Vollmer Associates, LLP conforms with the requirements of Ohio Revised Code Sections 153.65 to 153.71, and that she concurs with the recommendation of the evaluation committee; and

WHEREAS, the executive director has reviewed the recommendations submitted by the evaluation committee and the director of contracts administration and concurs that the professional consulting agreement to perform an analysis to the Commission's Toll Collection System be awarded to Vollmer Associates, LLP on the basis of its superior technical rating and its negotiated fee proposal; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby selects **Vollmer Associates, LLP** of New York, New York as most qualified to perform the professional consulting services required under the above-mentioned RFP, and authorizes and directs the executive director and the director of contracts administration to execute the Professional Consulting Services Agreement with Vollmer Associates, LLP, all in accordance with the terms and conditions of the Commission's Request for Proposals, Vollmer Associates, LLP's response thereto and its fee proposal dated November 4, 2005.

(Resolution No. 47-2005 adopted November 14, 2005)

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 47-2005.

Commissioner Dixon asked is there anything that prohibits us from using some sort of “home rule” as one of the criteria to choose a company from the State of Ohio as opposed to somebody else?

General Counsel Tsevdos said I'd have to look into that.

Commissioner Dixon said would you, please. Thank you.

Mr. Pursley said that concludes my report.

Chairman Balog asked Dan Castrigano, Chief Engineer for his report.

Mr. Castrigano said I have four (4) resolutions for your consideration this morning. The first is a resolution awarding a contract for the purchase of (16) truck-mounted attenuators under Invitation No. 4032. Truck-mounted attenuators mount on the back of our dump trucks and protect our maintenance employees and the traveling public in the event of an errant vehicle entering the work zone.

You may recall on August 15, 2005 by Resolution No. 4027, we rejected the bids received in response to this product and bids were re-advertised on October 6th. We have received three (3) bids in response to this invitation. The apparent low bid was submitted by Site Safe Products, LLC. However, this bidder not only failed to submit any technical data with its bid, but also failed to identify the product. More importantly, Site Safe Products failed to submit a bid guaranty and, therefore, cannot be considered for award.

The apparent second low bid was submitted by Baldwin & Sours, Inc. of Columbus, Ohio in the total amount of **\$236,880.00**. This bidder proposed to furnish equipment and services in accordance with the specifications. I'd like to bring to your attention that this bid is approximately \$22,000 or 8.5% below the bids that we rejected in August.

Would General Counsel please read the Resolved?

General Counsel read the Resolved as follows:

“RESOLVED that the low bid of Site Safe Products, LLC is non-responsive and is rejected, and the bid of **Baldwin & Sours, Inc.** of Columbus, Ohio in the total bid price of **\$236,880.00**, under Invitation No. 4032 is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted, and the chairperson and executive director, or either of them, is hereby authorized: (1) to inform Site Safe Products, LLC that its low bid is rejected; (2) to execute a Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; (3) to direct the return to the other bidders of their bid security at such time as Baldwin & Sours, Inc has entered into a contract and furnished the performance bond required thereby; and (4) to take any and all action necessary to properly carry out the terms of said contract.”

The Chairman said, is there a motion?

Commissioner Dixon moved and Commissioner Kidston seconded.

The Chairman asked, are there any questions? If not please call the roll.

The "Resolution Awarding a Contract for the Purchase of Truck-Mounted Attenuators under Invitation No. 4032" was moved for adoption.

WHEREAS, on August 15, 2005, pursuant to Resolution No. 36-2005, the Commission rejected bids received in response to Invitation No. 4027 for the furnishing to the Commission of sixteen (16) truck-mounted attenuators, and, with slight modifications, on October 6, 2005, the Commission re-advertised for bids under Invitation No. 4032 and

WHEREAS, the expenditures of the Commission for truck-mounted attenuators under Invitation No. 4032 will exceed \$150,000 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; and

WHEREAS, the three (3) bids received in response to the Invitation were reviewed and analyzed by the maintenance engineer, whose report concerning such analysis is before the Commission; and

WHEREAS, the maintenance engineer states that the apparent low bid submitted by Site Safe Products, LLC. failed to comply with the Commission's legal and technical specifications and cannot be considered for award; and

WHEREAS, the maintenance engineer has stated that the lowest responsive and responsible bid was submitted by **Baldwin & Sours, Inc.** of Columbus, Ohio, in the total amount of \$236,880.00, and this bidder proposes to furnish equipment and services in accordance with the Commission's specifications; and

WHEREAS, the Commission's director of contracts administration has reviewed the bids received and has advised the Commission that the procedures followed by the Commission in advertising for Invitation No. 4032 were conducted in accordance with Sections 5537.07, 9.312 and 153.54 of the Ohio Revised Code, and that the bid of Baldwin & Sours, Inc. of Columbus, Ohio is the lowest responsive and responsible bid received in response to Invitation No. 4032, and the Commission may legally enter into a Contract with said bidder; and

WHEREAS, the Commission's director of contracts administration further advises that the Commission, pursuant to the bidding documents for Invitation No. 4032 and Ohio Revised Code Section 5537.07(A), expressly reserves the right to reject any and all bids, and that the low bid of Site Safe Products, LLC, which failed to comply with both the legal and technical specifications of the bidding documents, may lawfully be rejected as non-responsive by the Commission; and

WHEREAS, the executive director has reviewed the bids received and has recommended to the Commission that a contract be awarded to the lowest responsive and responsible bidder, Baldwin & Sours, Inc., and that the low bid of Site Safe Products, LLC be formally rejected.

NOW, THEREFORE, BE IT

RESOLVED that the low bid of Site Safe Products, LLC is non-responsive and is rejected, and the bid of **Baldwin & Sours, Inc.** of Columbus, Ohio in the total bid price of **\$236,880.00**, under Invitation No. 4032 is, and is by the Commission deemed to be the lowest responsive and responsible bid received and is accepted, and the chairperson and executive director, or either of them, is hereby authorized: (1) to inform Site Safe Products, LLC that its low bid is rejected; (2) to execute a Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation; (3) to direct the return to the other bidders of their bid security at such time as Baldwin & Sours, Inc has entered into a contract and furnished the performance bond required thereby; and (4) to take any and all action necessary to properly carry out the terms of said contract.

(Resolution No. 48-2005 adopted November 14, 2005)

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 48-2005.

Mr. Castrigano said the second resolution is to award contracts for Disabled Vehicle Services (DVS) along the Ohio Turnpike. Since the Turnpike's inception, we have contracted with disabled vehicle services for the safe and efficient removal of vehicles that may become disabled due to accident or mechanical failure on the road. On September 28, 2005 a RFP was issued seeking responses from DVS operators. The Turnpike is split into seven (7) zones across the road.

On October 7, 2005, we held a pre-proposal conference with the bidders and on October 19, 2005 nine responses were received for the seven (7) DVS zones. The Evaluation Committee consisting, of our Director of Safety Services and the Eastern and Western Division chief mechanics, performed evaluations of the bidders' equipment and facilities to ensure compliance with the proposal document. As a result of the process, the evaluation committee determined that the following seven companies (going from west to east) be awarded contracts: Hutch's Towing & Recovery, Inc.; Xpress Auto & Service, Inc.; Madison Motor Service, Inc.; Charlie's Towing Service, Inc.; Rich's Towing Service, Inc.; Interstate Towing & Transport Specialist, Inc. and Jeswald Auto Truck Service. The term of the contract is for an initial term of three (3) years with a two-year renewal. Six out of the seven companies are currently performing the services for the Commission under the current contract, and Interstate Towing & Transport is a new provider.

The contract also includes provisions for a \$7,000 monthly allowance to be paid to each single DVS provider for an annual expenditure of \$588,000. Would General Counsel please read the Resolved?

General Counsel read the Resolved as follows:

“RESOLVED that the proposals submitted by each of the following companies for the respective zones:

<u>Zone</u>	<u>Boundaries</u>	<u>Company</u>	<u>Monthly Allowance</u>
DVS-1	From Ohio-Ind. State line to MP 35.0	Hutch's Towing & Recovery, Inc. Holiday City, OH	\$7,000.00
DVS-2	From MP 35.0 to MP 71.0	Xpress Auto & Service, Inc. Swanton, OH	\$7,000.00
DVS-3	From MP 71.0 to MP 110.2	Madison Motor Service, Inc. Fremont, OH	\$7,000.00
DVS-4	From MP 110.2 to MP 145.5	Charlie's Towing Service, Inc. Middleburg Hts., OH	\$7,000.00
DVS-5	From MP 145.5 to MP 180.3	Rich's Towing Service, Inc. Middleburg Hts., OH	\$7,000.00
DVS-6	From MP 180.3 to MP 209.2	Interstate Towing & Transport Specialist, Inc. Macedonia, OH	\$7,000.00
DVS-7	From MP 209.2 to Ohio/PA State line	Jeswald Auto Truck Service Youngstown, OH	<u>\$7,000.00</u>
Total Annual Value:			\$588,000.00

are, and are by the Commission determined to be, the **best** of all proposals received in response to the Commission's RFP and are accepted"; and

“FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to execute contracts with each of above-mentioned DVS Operators for an initial three (3) year term commencing **January 1, 2006**, with an option to renew the Contracts for one (1), two (2) year period each, and further authorizes them to take any and all action necessary or proper to carry out the terms of said proposals and said contracts"; and

“FURTHER RESOLVED that the Commission direct the return of the proposal guaranty provided by all RFP respondents with their proposals as soon as said Contracts are executed.”

The Chairman said, is there a motion to adopt?

Commissioner Dixon moved and Commissioner Kidston seconded.

The Chairman said, are there any questions?

Commissioner Regula said, I assume they are required to tow any class of vehicle? Is that correct?

Mr. Castrigano said that's correct. We specify in the contract they need to have seven (7) vehicles of various sizes that could tow any vehicle traveling on the Turnpike.

Commissioner Regula said what timeframe do we give the Operator to remove the vehicle off the Turnpike?

Mr. Castrigano said the DVS Operator is required to be on the scene within 45 minutes of receipt of the call from OTC's Radio Room.

Commissioner Regula asked if an individual car breaks down, does the owner have the capacity to call their own DVS operator? How long do we allow that car to sit there?

Mr. Castrigano if the vehicle breaks down due to mechanical failure and is not impeding traffic, we permit them to make provisions for their own service. Typically, if that car remains overnight, the next day, the OTC's DVS Operator will remove it.

Commissioner Dixon asked, just for clarification, the \$7,000 monthly allowance, is that "not to exceed" or is that what they get no matter how many times they respond?

Mr. Castrigano said the \$7,000 represents a monthly payment that the OTC provides to each DVS Operator. They are required to remain on call 24 hours per day/7 days a week on site with their garage. They are required to maintain their equipment and their dedicated equipment not more than 15 miles off the Turnpike. In addition to the \$7,000, they have to re-coup their actual towing services from the person broken down on the road. However, the OTC caps those rates.

Commissioner Dixon said the \$7,000 is paid whether it is one or 1,000 cars per month?

Mr. Castrigano said yes. It should be noted that in the current contract, it is \$6,250 per month and it has been that amount since 1989. Some of the other changes made in the contract, prior to providing them with the incentive, they do have to tow Commission-owned vehicles that breakdown at no charge to the Commission. Also, in the past if a vehicle would break down and when the tow truck arrived, the vehicle was gone, the OTC would pay them for coming out.

(These are known in the industry as “disregards”). The OTC will no longer pay on disregards since we pay them the allowance now. It’s kind of a balance.

Commissioner Dixon asked, do we have any idea how many cars they tow per month?

Mr. Castrigano asked Mr. Dick Lash, Director of Safety Services to respond to that question.

Mr. Lash said it varies greatly from month to month, but the DVS Operators service approximately **1,000** motorists a month between the seven (7) zones. That includes all services including lockouts, towing, flat tires, gas, fires, etc. They perform a full-range of services.

Commissioner Dixon said that’s a lot. Thank you.

Commissioner Regula asked, do we require these DVS Operators to be bonded or do we audit them in any way?

Mr. Castrigano asked Kathleen Weiss, Director of Contracts Administration, to respond.

Ms. Weiss said yes. In fact, this year we instituted both the performance bond requirement, and we further required the bidders to post a bid guaranty with their bid proposal.

The Chairman said, if there are no further questions, please call the roll.

The “Resolution Awarding Contracts for Disabled Vehicle Services” was moved for adoption.

WHEREAS, on September 28, 2005, the Commission re-issued its Request for Proposals (RFP) seeking responses from Disabled Vehicle Services (DVS) Operators interested in furnishing emergency roadway vehicle services to Ohio Turnpike travelers whose vehicles become disabled within specific DVS zones; and

WHEREAS, the RFP was advertised in four (4) newspapers of general circulation in major cities along the Ohio Turnpike, as well as the *Daily Reporter*, and copies of the RFP were mailed to fifty-nine (59) companies, including DVS Operators that have provided services to the Commission in the past and which have expressed an interest in continuing to provide said services; and

WHEREAS, a pre-proposal conference was held on October 7, 2005 with interested DVS Operators to further clarify the requirements of the re-issued RFP, and on October 19, 2005, nine (9) responses to the RFP were received for the seven (7) designated DVS zones on the Turnpike (with two (2) responses received for Zone 1 and Zone 6); and

WHEREAS, an evaluation committee consisting of the Commission's director of safety services, and both the eastern/western division chief mechanics performed a review and evaluation of each of the DVS Operators' facilities and their towing and recovery equipment; and

WHEREAS, the evaluation committee then awarded technical scores to each DVS Operator, which scores reflected each DVS Operator's overall operation and ability to perform the services required under the RFP on a twenty-four (24) hour, seven (7) day per week basis; and

WHEREAS, as a result of this process, the evaluation committee has determined that the following companies best meet the Commission's requirements and recommends that DVS contracts be awarded to the following companies for their respective zones:

<u>Zone</u>	<u>Boundaries</u>	<u>Company</u>	<u>Monthly Allowance</u>
DVS-1	From Ohio-Ind. State line to MP 35.0	Hutch's Towing & Recovery, Inc. Holiday City, OH	\$7,000.00
DVS-2	From MP 35.0 to MP 71.0	Xpress Auto & Service, Inc. Swanton, OH	\$7,000.00
DVS-3	From MP 71.0 to MP 110.2	Madison Motor Service, Inc. Fremont, OH	\$7,000.00
DVS-4	From MP 110.2 to MP 145.5	Charlie's Towing Service, Inc. Middleburg Hts., OH	\$7,000.00
DVS-5	From MP 145.5 to MP 180.3	Rich's Towing Service, Inc. Middleburg Hts., OH	\$7,000.00
DVS-6	From MP 180.3 to MP 209.2	Interstate Towing & Transport Specialist, Inc. Macedonia, OH	\$7,000.00
DVS-7	From MP 209.2 to Ohio/PA State line	Jeswald Auto Truck Service Youngstown, OH	<u>\$7,000.00</u>
Total Annual Value:			\$588,000.00

WHEREAS, the Commission's chief engineer and the director of contracts administration both concur with the evaluation committee's recommendations and have communicated their agreement to the Commission; and

WHEREAS, the director of contracts administration also advises that: 1) the RFP conforms to the requirements of any applicable statutes, 2) due and full consideration has been given to the proposals received, the respondents' qualifications and their abilities to perform the required disabled vehicle services, and 3) the aforesaid proposals were solicited on the basis of the same terms and conditions with respect to all RFP respondents and potential respondents; and

WHEREAS, the director of contracts administration further advises that all selected DVS Operators have provided a proposal guaranty and evidence of their ability to provide the required performance bond and insurance as set forth in the RFP, and that the Commission may legally accept said proposals; and

WHEREAS, the executive director has reviewed the evaluation committee's and the director of contracts administration's written recommendations and concurs with the above-listed selection of DVS Operators; and

WHEREAS, the Commission has determined that the proposals submitted by the above-mentioned DVS Operators are the **best** of all proposals received in response to the advertisement of said contracts.

NOW, THEREFORE, BE IT

RESOLVED that the proposals submitted by each of the following companies for the respective zones:

<u>Zone</u>	<u>Boundaries</u>	<u>Company</u>	<u>Monthly Allowance</u>
DVS-1	From Ohio-Ind. State line to MP 35.0	Hutch's Towing & Recovery, Inc. Holiday City, OH	\$7,000.00
DVS-2	From MP 35.0 to MP 71.0	Xpress Auto & Service, Inc. Swanton, OH	\$7,000.00
DVS-3	From MP 71.0 to MP 110.2	Madison Motor Service, Inc. Fremont, OH	\$7,000.00
DVS-4	From MP 110.2 to MP 145.5	Charlie's Towing Service, Inc. Middleburg Hts., OH	\$7,000.00
DVS-5	From MP 145.5 to MP 180.3	Rich's Towing Service, Inc. Middleburg Hts., OH	\$7,000.00
DVS-6	From MP 180.3 to MP 209.2	Interstate Towing & Transport Specialist, Inc. Macedonia, OH	\$7,000.00
DVS-7	From MP 209.2 to Ohio/PA State line	Jeswald Auto Truck Service Youngstown, OH	<u>\$7,000.00</u>
Total Annual Value:			\$588,000.00

are, and are by the Commission determined to be, the **best** of all proposals received in response to the Commission's RFP and are accepted; and

FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to execute contracts with each of above-mentioned DVS Operators for an initial three (3) year term commencing **January 1, 2006**, with an option to renew the Contracts for one (1), two (2) year period each, and further authorizes them to take any and all action necessary or proper to carry out the terms of said proposals and said contracts; and

FURTHER RESOLVED that the Commission direct the return of the proposal guaranty provided by all RFP respondents with their proposals as soon as said Contracts are executed.

(Resolution No. 49-2005 adopted November 14, 2005)

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 49-2005.

Mr. Castrigano said the next resolution relates to the award of contract for currency and coin pick-up and delivery along the Turnpike. We have contracted with a provider to pick-up and deliver currency and coins from our 31 toll plaza locations, six (6) days a week. On September 26, 2005, we issued a Request for Proposals (RFP) for currency and coin pick-up. This contract is for an initial term of two (2) years with a possible two-year renewal. On October 18th we received three (3) responses to the RFP. An evaluation committee consisting of: the Director of Toll Operations, the Director of Audit and Internal Controls, and a representative from our Accounting Department performed a technical review of the proposals. As a result of this review, the evaluation committee has recommended a two-year contract be entered into with Brink's U.S., a division of Brink's Incorporated of Cleveland, Ohio.

The approximate cost listed on the draft resolution are based upon a six (6) days a week pick-up or 303 pick-ups per year. The first year contract will be in the amount of **\$428,320.80** and the second year in the amount of **\$441,189.21**. It should be noted that Brink's is our current provider and has been performing satisfactorily. The first year contract amount is an approximate 1% increase over our current contract.

Would General Counsel please read the Resolved?

General Counsel read the Resolved as follows:

"RESOLVED that the proposal submitted by **Brink's U.S.** of Cleveland, Ohio

	<u>First-year</u>	<u>Second-year</u>	<u>Total</u>
<i>Approximately:</i>	\$428,320.80	\$441,189.21	\$869,510.01

(based on an estimated 303 pick-up and delivery days each year)

is, and is by the Commission determined to be, the **best** of all proposals received in response to the Commission's Request for Proposals and is accepted; and

"FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to execute a contract with Brink's U.S. for a two (2) year term commencing **January 1, 2006**, with an option to extend the contract for one (1), two (2) year period, and further authorizes them to take any and all action necessary or proper to carry out the terms of said proposal and said contract; and

“FURTHER RESOLVED that the Commission directs the return of the proposal guaranty provided by all RFP respondents with their proposals as soon as said contract with Brink’s U.S. is executed.”

The Chairman said, is there a motion?

Commissioner Dixon moved and Commissioner Kidston seconded.

The Chairman said, are there any questions on the resolution?

Commissioner Kidston asked, what day don’t they pick-up – Sunday?

Mr. Castrigano said, that’s correct.

Commissioner Kidston asked, is it possible to go every other day?

General Counsel Tsevdos responded that there is a state law that governs public deposits of public funds and it regulates how often deposits have to be made. Actually, our CFO, Mr. Steiner, and I talked about this when he was working on the budget. We can look into this matter with the Attorney General’s Office to see whether we have some flexibility. However, our reading of the law of the Ohio Revised Code is that it has to be made in accordance with the practice we are following right now.

Commissioner Dixon said it’s a lot of money.

Chairman Balog said, please call the roll.

The “Resolution Awarding Contract for Currency and Coin Pick-up and Delivery” was moved for adoption.

WHEREAS, on September 26, 2005, the Commission issued its Request for Proposals (RFP) for currency and coin pick-up and delivery from its thirty-one (31) toll plaza locations to include scheduled pick-up six (6) days per week for a term of two (2) years, with one (1) possible two (2) year renewal term; and

WHEREAS, the Commission’s RFP was advertised in four (4) newspapers of general circulation in major cities along the Ohio Turnpike, and *The Daily Reporter*, and copies of the RFP were mailed to nine (9) companies identified as major participants in the armored car industry; and

WHEREAS, proposals were duly opened on October 18, 2005, as provided in said published notice, with three (3) companies presenting proposals to furnish the above-mentioned services for the Commission; and

WHEREAS, an evaluation committee consisting of the Commission’s director of toll operations, the director of audit and internal controls and one of the Commission’s staff accountants reviewed the proposals submitted and awarded technical scores to each, which scores were then divided by the cost proposals submitted by each

respondent in order to identify the best cost performance index among the three (3) armored car service providers; and

WHEREAS, as a result of this process, the evaluation committee has recommended that a two (2) year contract be awarded to **Brink's U.S.**, a division of Brink's, Incorporated of Cleveland, Ohio which submitted the following costs proposal:

	<u>First-year</u>	<u>Second-year</u>	<u>Total</u>
<i>Approximately:</i>	\$428,320.80	\$441,189.21	\$869,510.01

(based on an estimated 303 pick-up and delivery days each year)

WHEREAS, the Commission's chief engineer and the director of contracts administration both concur with the evaluation committee's recommendation and have communicated their agreement to the Commission; and

WHEREAS, the director of contracts administration also advises that: 1) the RFP conforms to the requirements of any applicable statutes, 2) due and full consideration has been given to the proposals received, the respondents' qualifications and their abilities to perform the required services, and 3) the aforesaid proposals were solicited on the basis of the same terms and conditions with respect to all RFP respondents and potential respondents; and

WHEREAS, the director of contracts administration further advises that Brink's U.S. has provided a proposal guaranty and evidence of its ability to provide the required performance bond and insurance as set forth in the RFP and that the Commission may legally accept said proposal from Brink's U.S.; and

WHEREAS, the executive director has reviewed the evaluation committee's and the director of contracts administration's written recommendations and concurs with the selection of Brink's U.S.; and

WHEREAS, the Commission has determined that the proposal submitted by Brink's U.S. is the **best** of all proposals received in response to the advertisement of said Contract.

NOW, THEREFORE, BE IT

RESOLVED that the proposal submitted by **Brink's U.S.** of Cleveland, Ohio

	<u>First-year</u>	<u>Second-year</u>	<u>Total</u>
<i>Approximately:</i>	\$428,320.80	\$441,189.21	\$869,510.01

(based on an estimated 303 pick-up and delivery days each year)

is, and is by the Commission determined to be, the **best** of all proposals received in response to the Commission's Request for Proposals and is accepted; and

FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to execute a contract with Brink's U.S. for a two (2)

year term commencing **January 1, 2006**, with an option to extend the contract for one (1), two (2) year period, and further authorizes them to take any and all action necessary or proper to carry out the terms of said proposal and said contract; and

FURTHER RESOLVED that the Commission directs the return of the proposal guaranty provided by all RFP respondents with their proposals as soon as said contract with Brink's U.S. is executed.

(Resolution No. 50-2005 adopted November 14, 2005)

The resolution was adopted with all Members voting in the affirmative. The resolution was identified as No. 50-2005.

Mr. Castrigano said my final resolution this morning relates to awarding a contract for engineering consulting services for the renovation of the "west wing" of the Administration facility. The Commission Members may recall that in the last two years, we did a renovation project on the "east wing" of this facility. This contract will provide the contract documents to complete this process.

On February 2, 2005, the OTC issued a RFP for engineering design construction administration and inspection services for this project. On February 16, 2005, letters of interest were received from six (6) firms. Four of these firms were deemed most qualified and were invited to submit a formal response to our RFP. The Commission's engineering staff reviewed the proposals and concluded that DLZ Ohio was the "most qualified" to perform the subject work. As a result DLZ performed some preliminary design services in the amount of **\$73,516.00** and, on October 3, 2005, subsequently submitted a final design fee for the Phase II work in the amount of **\$126,534.00**. The total of the design contract to provide the construction documents is not to exceed **\$200,050.00**.

Would General Counsel please read the Resolved?

General Counsel read the Resolved as follows:

"RESOLVED that the Commission concurs that **DLZ Ohio, Inc.** is most qualified to perform the services required under the above-mentioned RFP, and authorizes the executive director and the director of contracts administration to execute the modification to the previously awarded engineering and consulting services contract with DLZ Ohio, Inc., all in accordance with the terms and conditions of the Commission's Request for Proposals and its responses thereto."

The Chairman said, is there a motion?

Commissioner Regula moved and Commissioner Dixon seconded.

The Chairman said, are there any questions?

Commissioner Kidston said, what is the total project cost?

Mr. Castrigano said the current budget amount is \$1.8 million.

Chairman Balog said, this is the section of the Administration Building that has not been renovated and it's 50 years old?

Mr. Castrigano said that's correct. The majority of the building is the original construction back in 1955. There is a portion tacked onto that which will also undergo renovation from 1973. More importantly, this will address the original HVAC systems that are in the portion of the 1955 building.

Commissioner Regula asked, is the whole building currently sprinkled?

Mr. Castrigano said, yes, that's correct.

The Chairman said, if there are no other questions, please call the roll.

The "Resolution Awarding a Contract for Engineering and Consulting Services to DLZ Ohio, Inc. (Project No. 71-05-02)" was moved for adoption.

WHEREAS, on February 2, 2005, the Commission published notice of its Request for Proposals (RFP) for Project No. 71-05-02 seeking engineering design, construction administration and inspection services relating to renovations to the west wing of the Berea Administration Building in Cuyahoga County; and

WHEREAS, on February 16, 2005, Letters of Interest were received from six (6) firms expressing their interest in serving as the Commission's Engineering Design Consultant on this Project, of which four (4) were deemed most qualified and invited to submit proposals in response to the RFP; and

WHEREAS, the Commission's engineering staff reviewed the proposals submitted and concluded, on the basis of the proposals, that DLZ Ohio, Inc., of Cleveland, Ohio was most qualified to perform the above-mentioned services and, as a result, a contract for Phase 1 preliminary design services was awarded to DLZ Ohio, Inc. in the amount of **\$73,516.00**; and

WHEREAS, on October 3, 2005, DLZ Ohio, Inc., submitted its fee proposal for Phase 2 final design services in the amount of **\$126,534.00**, which proposal has been deemed appropriate and reasonable by the chief engineer who, therefore, recommends that the contract awarded to DLZ Ohio, Inc. be modified to add the Phase 2 final design services; and

WHEREAS, the total not-to-exceed contract amount shall now be **\$200,050.00**, which is in excess of the \$150,000.00 spending authority granted the Executive Director under the Commission's Bylaws and, therefore, the contract modification to perform the Phase 2 final design services requires Commission approval; and

WHEREAS, the Commission has been advised by its director of contracts administration that said RFP selection process and the selection of DLZ Ohio, Inc. conformed with the requirements of Ohio Revised Code Sections 153.65 to 153.71; and

WHEREAS, the executive director has also reviewed the recommendation submitted by the chief engineer and concurs that modification of the DLZ Ohio contract should be approved by the Commission on the basis of its favorably negotiated fee proposal; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission concurs that **DLZ Ohio, Inc.** is most qualified to perform the services required under the above-mentioned RFP, and authorizes the executive director and the director of contracts administration to execute the modification to the previously awarded engineering and consulting services contract with DLZ Ohio, Inc., all in accordance with the terms and conditions of the Commission's Request for Proposals and its responses thereto.

(Resolution No. 51-2005 adopted November 14, 2005)

Mr. Castrigano said that concludes my report, Mr. Chairman.

Chairman Balog said thank you, Dan.

The Chairman asked Jim Steiner, CFO for his report.

Mr. Steiner said I'd like to do a brief update on our traffic revenue through the month of October. This first slide shows our passenger car miles traveled on the Turnpike over the past two years. Most of this year, our passenger car miles have been trailing the number from 2004 and unfortunately, they have dropped rather precipitously the past three months. Passenger car miles were down 4.8% in August, 7% in September and 6.1% in October compared to last year. The record high fuel prices are likely the primary reason for this steep decline.

Due to the improved economy, the increase in the speed limit and the temporary reduction in toll rates and the increased speed and weight enforcement on parallel state routes, the miles traveled by commercial vehicles during the last twelve months continue to exceed those of the prior year, however, while commercial vehicles miles traveled were up 20% for the month of August, they were up only 11.4% in September and 10.1% in October compared to last year. This is because the increase in the speed limit became effective September 8, 2004.

The next bar chart shows year-to-date miles traveled. Passenger car miles traveled during the first ten months of 2005 were down 2.9% from last year while miles traveled by commercial vehicles were up 16%. Like the miles traveled, toll revenues from passenger cars have been lagging behind revenues from last year, and the situation has deteriorated the past three months. Revenues from passenger car miles were down 4.5% in August, 6.8% in

September and 5.8% in October compared to 2004. Despite the growth of commercial traffic, 2005 toll revenues from commercial vehicles are short of those from last year due to the temporary reduction in toll rates which became effective January 1, 2005. Revenues from commercial vehicles were down 3.1% in August, 10.5% in September and 11.6% in October in comparison to last year.

This slide shows our year-to-date revenues through the month of October for each of the last six years. Revenue from passenger cars during the first ten months of 2005 were down \$1.8 million or 2.7% from last year while the revenues from commercial vehicles were down \$6.6 million or 7.1%. Total toll revenue during the first ten months of this year were down \$8.3 million or 5.3% in comparison to last year.

Finally, this slide shows our total revenues from all sources through the month of October for each of the last six years. Including ODOT's purchase of excess capacity amounting to \$13 million, total revenues are \$6.8 million or 3.8% higher than those from last year. Without the capacity purchase from ODOT, total revenues would be \$6.2 million or 3.5% lower than the revenues from last year and they would be \$6.9 million or 3.9% lower than the revenues from the first ten months of calendar year 2000.

Mr. Steiner said that completes my report, Mr. Chairman. I'd be happy to respond to any questions.

Chairman Balog asked if there were any questions for Mr. Steiner. Thank you, Jim.

The Chairman asked Mr. Eric Erickson, financial advisor, for his report.

Mr. Erickson said, no report, Mr. Chairman.

The Chairman asked Mr. Tony Yacobucci, HNTB's general consultant, for his report.

Mr. Yacobucci said we have completed all the inspections of the facilities that were in work zones from last year. There is nothing significant to report.

The Chairman asked Mr. Frank Lamb, our trustee from Huntington Bank for his report.

Mr. Lamb said, no report Mr. Chairman.

The Chairman asked Captain Hannay from OSHP for his report.

Captain Hannay said I'd like to briefly update you since our last meeting. We had two persons killed at Exit 209 (Warren interchange in Trumbull County.)

On October 20th a small SUV attempting to exit off the ramp (westbound) lost control and overturned. Neither passenger was wearing a safety belt and died. Over the weekend on Saturday, November 12th, in an unusual circumstance, a cornfield north of the Turnpike, caught fire and heavy smoke drifted across the Turnpike in the Milepost 42 and nine (9) vehicles were involved in crashes. There were no significant injuries as a result of those crashes, but a lot of property damage.

The Chairman asked if the Members had any questions for Captain Hannay.

Director Suhadolnik asked if alcohol was involved in the accident in October.

Captain Hannay said we do believe alcohol was involved, but we do not have a report as yet.

The Chairman said if there is no further business before the Commission, I'll accept a motion to adjourn until our next meeting which is scheduled Monday, **December 19th** at 10:00 a.m. As a point of information, the Commission's Holiday and Employee Recognition Luncheon will be held on Friday, December 23rd.

Deputy Director Darwish moved to adjourn, and Commissioner Dixon seconded. All Members voted in the affirmative to adjourn. Time of adjournment was 10:59 a.m.

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

George F. Dixon, Secretary-Treasurer