

# MINUTES OF THE 529<sup>th</sup> MEETING OF THE OHIO TURNPIKE COMMISSION

February 26, 2007

**Chairman:** It's 10:00 a.m. Good morning. The meeting will come to order. Will the Assistant Secretary-Treasurer please call the roll?

**Assistant Secretary-Treasurer:** Mr. Balog

**Mr. Balog:** Here

**Assistant Secretary-Treasurer:** Mr. Regula

**Mr. Regula:** Here

**Assistant Secretary-Treasurer:** Mr. Dixon

**Mr. Dixon:** Here

**Assistant Secretary-Treasurer:** Mr. Kidston

**Mr. Kidston:** Here

**Assistant Secretary-Treasurer:** Keith Swearingen representing ODOT

**Mr. Swearingen:** Here

**Assistant Secretary-Treasurer:** We do not have a Senate representative yet and Representative Reinhard's office indicated that he will not be here today.

**Chairman:** Thank you. ODOT's acting Director, Keith Swearingen, is here today on behalf of the yet to be installed new ODOT Director. Welcome to the meeting.

**Mr. Swearingen:** Thank you.

**Chairman:** We have a number of guests here today and keeping with past practice, I would like everyone to introduce themselves. We will start with you Jim, please.

**Those in attendance:** Jerry Pursley, Deputy Executive Director; Dan Castrigano, Chief Engineer; Jim Steiner, CFO/Comptroller, Ohio Turnpike; Eric Erickson, Fifth Third Securities; Bobby Everhart, URS; Heidi Jedel, Ohio Turnpike; Jennifer Diaz, Ohio Turnpike; Mike Swan, Dick Corporation; Kathy Weiss, Director-Contract Administration, Ohio Turnpike; Roger Hannay, Highway Patrol; Don Glosser, Lichtenstein; Rob Fleischman, Assistant Chief Engineer, Ohio Turnpike; Tony Yacobucci, HNTB; Joshua Burks, HNTB; Larry Antoskiewicz, North Royalton Councilman; Donald Willey, North Royalton Councilman; John Conner, Key Bank; Brett Bailey, Key Bank; Tim Ujvari,

Maintenance Engineer, Ohio Turnpike; David Miller, Director of Audit and IC, Ohio Turnpike; Matt Stuzinski, Nat. City Investments; Mark Fisher, A.G. Edwards; Glenn Stevens, G. Stevens; Stephen Szanto; Cabrera Capital; Dave Sabol, PSI; Maureen Murman, First Merit Bank; Floyd Jeffries, Ohio Operating Engineers; Don Taggart, I.U.O.E. Local 18; Bob Martell, HFS; Lauren Hakos, Public Affairs Manager, Ohio Turnpike.

**Chairman:** This is the 529<sup>th</sup> 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. Various reports will be received and we will act on several resolutions of which draft copies have been previously sent to the members and updated drafts are in the members' folders. The resolutions will be explained during the appropriate reports. Can I have a motion to adopt the minutes of December 18, 2006?

**Mr. Dixon:** So moved

**Chairman:** Can I have a second?

**Mr. Regula:** Second

**Chairman:** Roll please

**Executive Director:** Mr. Dixon

**Mr. Dixon:** Yes

**Executive Director:** Mr. Regula

**Mr. Regula:** Yes

**Executive Director:** Mr. Kidston

**Mr. Kidston:** Yes

**Executive Director:** Mr. Swearingen

**Mr. Swearingen:** Yes

**Executive Director:** Mr. Balog

**Mr. Balog:** Yes

**Executive Director:** Fives yeas and the minutes are adopted.

**Mr. Balog:** If there are no questions, we will proceed with the report of the Secretary-Treasurer, Mr. Dixon.

**Mr. Dixon:** Thank you Mr. Chairman. The following items have been sent to the members since the last scheduled meeting of the Commission on December 18, 2006. They are as follows:

- Minutes of the December 18, 2006 Commission Meeting
- Traffic & Revenue Report, December 2006 and January 2007
- Total Revenue by Month and Year, December 2006 and January 2007
- Investment Report, December 2006 and January 2007
- Financial Statement, December 2006 and January 2007
- Traffic Crash Summary, December 2006
- 2006 Annual Report
- Budget Report for 2006
- Various News Releases

That completes my report, Mr. Chairman. I'd be happy to answer any questions.

**Chairman:** Any questions on that information? Thank you.

**Mr. Dixon:** Thank you sir.

**Chairman:** Executive Director, Mr. Suhadolnik.

**Executive Director:** Mr. Chairman, thank you very much. I have no report except to say that I think our folks in the Maintenance Department did an excellent job of maintaining the road during a couple of weeks of very heavy snowfall.

**Chairman:** Thank you. Chief Engineer, Dan.

**Chief Engineer:** Thank you Mr. Chairman. I have five resolutions for your consideration this morning. The first is a resolution pertaining to Contract No. 43-07-01. This contract is for bridge deck repairs and rehabilitation to Brigham-Fraker Road at Milepost 42.9, Reighard-Whiteville Road, Milepost 43.9; and Utah Road, Milepost 45.4, all located in Fulton County, Ohio. All three of these structures pass over the Ohio Turnpike. We received four bids in response to the Contract. The apparent low bid was submitted by E.S. Wagner Company of Oregon, Ohio in the amount of \$2,008,518.38. The total amount bid is below the engineer's estimate and this bidder has performed similar work for the Commission in the past. The resolution also includes provisions to assign DGL Consulting Engineers of Maumee, Ohio to the project for

construction administration and inspection and PSI Industries for materials testing and inspection. If the General Counsel would please read the resolved.

**General Counsel:** RESOLVED that the bid of **E.S. Wagner Company** of Oregon, Ohio, in the amount of **\$2,008,518.38**, for the performance of Contract No. 43-07-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the chairperson and executive director, or either of them, hereby is authorized: (1) to execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **DGL Consulting Engineers, LLC** of Maumee, Ohio, to Contract 43-07-01 for the purpose of performing construction administration and inspection, with such assignment in accordance with the Engineering Design Services Agreement specific to this Project between the Ohio Turnpike Commission and DGL Consulting Engineers, LLC; and

FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **Professional Service Industries, Inc. (PSI)** of **Cleveland, Ohio** to Contract 43-07-01 for the purpose of performing materials testing and inspection, with such assignment in accordance with the 2007-2008 General Engineering Services Agreement between the Ohio Turnpike Commission and PSI; and

**[FURTHER RESOLVED that Project No. 43-07-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.]**

**Chairman:** Motion to adopt?

**Mr. Kidston:** So moved

**Chairman:** Is there a second?

**Mr. Regula:** Second

**Chairman:** Question or discussion on the resolution that is before us? Please call the roll.

**Executive Director:** Mr. Kidston

**Mr. Kidston:** Yes

**Executive Director:** Mr. Regula

**Mr. Regula:** Yes

**Executive Director:** Mr. Dixon

**Mr. Dixon:** Yes

**Executive Director:** Mr. Balog

**Mr. Balog:** Yes

**Executive Director:** Mr. Swearingen

**Mr. Swearingen:** Yes

**Executive Director:** Five yeas and the resolution is adopted.

**RESOLUTION NO. 1-2007**

**Resolution Awarding Contract No. 43-07-01**

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for deck repairs and rehabilitation of bridges over the Ohio Turnpike at Brigham-Fraker Road, Milepost 42.9; Reighard-Whiteville Road, Milepost 43.9; and Utah Road, Milepost 45.4, all located in Fulton County, Ohio, herein designated **Contract No. 43-07-01**; and

WHEREAS, the Commission has received bids from four (4) bidders for the performance of said Contract; and

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

WHEREAS, the chief engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 43-07-01 was received from **E.S. Wagner Company of Oregon, Ohio**, in the amount of **\$2,008,518.38**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the director of contracts administration that all bids for Contract No. 43-07-01 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of E.S. Wagner Company for Contract No. 43-07-01 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by E.S. Wagner Company; and

WHEREAS, the Commission's executive director has reviewed the reports of the chief engineer and the director of contracts administration and, predicated upon such analyses, has made his recommendation to the Commission to award Contract No. 43-07-01 to E.S. Wagner Company; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **E.S. Wagner Company** of Oregon, Ohio, in the amount of **\$2,008,518.38**, for the performance of Contract No. 43-07-01 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the chairperson and executive director, or either of them, hereby is authorized: (1) to execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **DGL Consulting Engineers, LLC** of Maumee, Ohio, to Contract 43-07-01 for the purpose of performing construction administration and inspection, with such assignment in accordance with the Engineering Design Services Agreement specific to this Project between the Ohio Turnpike Commission and DGL Consulting Engineers, LLC; and

FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **Professional Service Industries, Inc. (PSI)** of **Cleveland, Ohio** to Contract 43-07-01 for the purpose of performing materials testing and inspection, with such assignment in accordance with the 2007-2008 General Engineering Services Agreement between the Ohio Turnpike Commission and PSI; and

**[FURTHER RESOLVED that Project No. 43-07-01 is designated a System Project under the Commission's 1994 Master Trust Agreement.]**

**Chief Engineer:** Thank you. The second resolution pertains to Contract No. 59-07-01. This contract is for resurfacing of the eastbound and westbound roadways from Mileposts 5.7 to 14.8 in Williams County. We only received one bid in response to this contract. The single bid was in excess of 10% over the engineer's estimate and therefore, the contract cannot be considered for reward. It is therefore recommended that the contract be rejected and re-advertised for this contract at a later date. Would the General Counsel please read the resolved?

**General Counsel:** RESOLVED that the above-mentioned bid heretofore received pursuant to the advertisement for bids upon a Contract for Repairs and Resurfacing of the Eastbound and Westbound Roadways from Milepost 5.7 to 14.8 located in Williams County, Ohio, herein designated **Contract No. 59-07-01**, be and the same hereby is rejected, and the director of contracts administration is authorized to notify the bidder in writing of said action, and to return to the bidder its bid security; and

FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to take any and all action necessary, at the appropriate time, to re-advertise for bids for **Contract No. 59-07-01**, Repairs and Resurfacing of the Eastbound and Westbound Roadways from Milepost 5.7 to 14.8 located in Williams County, Ohio.

**Chairman:** Motion to adopt?

**Mr. Regula:** So moved

**Chairman:** Is there a second?

**Mr. Kidston:** Second

**Chairman:** Any questions on the motion or discussion? I just have one. A seven million dollar contract, it's not like it is a little bitty job, how come we only had one bidder?

**Chief Engineer:** Mr. Chairman, again I think this is reflective of the overall asphalt industry at first; with the consolidation of the industry that we have seen over the past several years. We did talk after the bid was open to a bidder that is doing some work with us right now in Wood County and they said at the time that the paving was scheduled for this job, they seemed to think that they had their hands full, a full plate at this particular time, so they decided not to bid.

**Chairman:** Was that Shelly?

**Chief Engineer:** Yes it was.

**Chairman:** They usually give us a bid on most of them. I was surprised not to see it was them.

**Chief Engineer:** That is correct.

**Chairman:** Is our plan to just to go ahead and change maybe the actual time we are going to do the work? What is our strategy?

**Chief Engineer:** Mr. Chairman, we are going to take a look at the specifications for the asphalt in this contract and possibly making a change to that to bring down the price of the contract and also looking into rebidding it in the Fall of this year, or if we can't fit it in the Fall then push it off until the Spring of '08.

**Chairman:** Thank you. Any further questions? Call the roll please.

**Executive Director:** Mr. Regula

**Mr. Regula:** Yes

**Executive Director:** Mr. Kidston

**Mr. Kidston:** Yes

**Executive Director:** Mr. Balog

**Mr. Balog:** Yes

**Executive Director:** Mr. Dixon

**Mr. Dixon:** Yes

**Executive Director:** Mr. Swearingen

**Mr. Swearingen:** Yes

**Executive Director:** Five yeas and the resolution is adopted.

**RESOLUTION NO. 2-2007**

**Resolution Rejecting the Bid Received for Contract No. 59-07-01**

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for Repairs and Resurfacing of the Eastbound and Westbound Roadways from Milepost 5.7 to 14.8 located in Williams County, Ohio, herein designated **Contract No. 59-07-01**; and

WHEREAS, the Commission received one (1) bid for the performance of said Contract from Gerken Paving, Inc. of Napoleon, Ohio; and

WHEREAS, said bid has been reviewed and analyzed by the Commission's chief engineer whose report concerning said analysis is before the Commission; and

WHEREAS, the Commission's chief engineer reports that the sole bid for Contract No. 59-07-01, as submitted by Gerken Paving, Inc., was approximately 10.3% above the engineer's estimate and, therefore, cannot be considered for award and should be rejected; and

WHEREAS, the Commission's director of contracts administration concurs with the chief engineer's recommendation and has submitted a report advising the Commission that, pursuant to the bidding documents for Contract No. 59-07-01 and Ohio Revised Code Section 5537.07(A), the Commission has expressly reserved the right to reject any and all bids, and that pursuant to Ohio Revised Code Section 153.12, the Commission legally must reject all bids if they are greater than ten percent (10%) above the engineer's estimate; and



WHEREAS, the Commission's executive director has made his recommendation to the Commission to reject the sole bid received for Contract No. 59-07-01 predicated upon the analysis of the chief engineer and the director of contracts administration; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the above-mentioned bid heretofore received pursuant to the advertisement for bids upon a Contract for Repairs and Resurfacing of the Eastbound and Westbound Roadways from Milepost 5.7 to 14.8 located in Williams County, Ohio, herein designated **Contract No. 59-07-01**, be and the same hereby is rejected, and the director of contracts administration is authorized to notify the bidder in writing of said action, and to return to the bidder its bid security; and

FURTHER RESOLVED that the executive director and director of contracts administration hereby are authorized to take any and all action necessary, at the appropriate time, to re-advertise for bids for **Contract No. 59-07-01**, Repairs and Resurfacing of the Eastbound and Westbound Roadways from Milepost 5.7 to 14.8 located in Williams County, Ohio.

**Chief Engineer:** The third resolution this morning is Contract 59-07-03 pertaining to the resurfacing and repairs of the westbound roadway for Milepost 186.9 to Milepost 205.4, located in Portage County, Ohio. We received two bids in response to this contract. The apparent low bid was submitted by Shelly & Sands of Akron, Ohio in the total amount of \$5,189,828.50. This bid was below the engineer's estimate and this bidder has also performed a job similar in the past satisfactorily for the Commission. The resolution also includes provisions to assign ms consultants of Youngstown, Ohio to the contract for the purposes of performing construction inspection and solar testing laboratories to the contract for materials testing and inspection. Again, if the General Counsel would please read the resolved.

**General Counsel:** RESOLVED that the bid of **Shelly & Sands, Inc.** of Akron, Ohio, in the amount of **\$5,189,828.50** for the performance of Contract No. 59-07-03 is, and is by the Commission, determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the chairperson and executive director, or either of them, hereby is authorized: (1) to execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **ms consultants, inc.** of **Youngstown, Ohio**, to Contract 59-07-03 for the purpose of performing construction inspection, and **Solar Testing Laboratories, Inc.** of **Brooklyn Heights, Ohio** for the purpose of performing material testing and inspection, with such assignments in accordance with the 2007-2008 General

Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

**[FURTHER RESOLVED that Project No. 59-07-03 is designated a System Project under the Commission's 1994 Master Trust Agreement.]**

**Chairman:** Motion to adopt?

**Mr. Kidston:** So moved

**Chairman:** Is there a second?

**Mr. Regula:** Second

**Chairman:** Any questions on the resolution?

**Mr. Kidston:** Dan what type of process do we go through as far as assigning the consultant and the testing labs?

**Chief Engineer:** Mr. Chairman and Commission Member Kidston, every two years we go through a prequalification process where the bidders respond to our request for qualifications where they can let us know what jobs they are interested in. For other than design projects, where we put out the formal request for proposals, we assign these jobs based on their geographic location to the jobs and to also try to spread the work around as evenly as we can.

**Mr. Kidston:** Is that a request for proposal or do the consultants bid against each other on the particular job?

**Chief Engineer:** No, Mr. Chairman and Commission Member Kidston, you cannot assign an engineering technical contract based solely on bid price. You have to go by qualifications.

**Chairman:** Mr. Dixon, you had something?

**Mr. Dixon:** Question. So in this one, we only had two bids also, right?

**Chief Engineer:** Yes

**Mr. Dixon:** Shelly & Sands won this? We do a lot of business with Shelly & Sands, don't we?

**Chief Engineer:** We do a fair amount.

**Mr. Dixon:** Could one of the reasons that we don't get a lot of bids on these deals is that it is presumed that Shelly & Sands are going to get the contract anyway, so people don't bid on them.

**Chief Engineer:** I don't think so, Commission Member Dixon. Remember, there is Shelly & Sands and there is Shelly. They are the two companies which are not related and seem to do the majority of the bidding.

**Mr. Dixon:** I mean, it's just with the nature of things in this state. It is just crazy to me that we don't get more people bidding on these contracts, five, seven million dollar contracts, I don't know.

**Chairman:** I would think part of it is having the ability to provide to do the contract when it is five to seven million dollars because it is such a large contract. I think as Dan indicated earlier when I asked the same question as to why there was only one bidder on the far westerly part is that there has been this consolidation. You used to have Northern Ohio, you had four or five different companies.

**Chief Engineer:** Cleveland Trinidad and S.E. Johnson.

**Chairman:** That all became the Shelly companies now. They have all been bought by the same companies and there are just not that many companies in the business that are doing it. You know back in the olden days Horowitz and companies of that nature were there too. At least we had two bids and they both were fairly close and they are slightly below the estimates. Any other questions or comments? Does ODOT have a comment on the bidding process?

**Mr. Swearingen:** We experience the same difficulties on some of our projects with only one bidder.

**Chairman:** I think we are at the point where we need to take a vote. Please call the roll.

**Executive Director:** Mr. Kidston

**Mr. Kidston:** Yes

**Executive Director:** Mr. Regula

**Mr. Regula:** Yes

**Executive Director:** Mr. Dixon

**Mr. Dixon:** Yes

**Executive Director:** Mr. Balog

**Mr. Balog:** Yes

**Executive Director:** Mr. Swearingen

**Mr. Swearingen:** Yes

**Executive Director:** Five yeas and the resolution is adopted.

**RESOLUTION NO. 3-2007**

**Resolution Awarding Contract No. 59-07-03**

WHEREAS, the Commission has duly advertised according to law for bids upon a Contract for repairs and resurfacing of the westbound roadway from Milepost 186.9 to Milepost 205.4, located in Portage County, Ohio, herein designated **Contract No. 59-07-03**; and

WHEREAS, the Commission has received bids from two (2) bidders for the performance of said Contract; and

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

WHEREAS, the chief engineer reports that the lowest responsive and responsible bid for the performance of Contract No. 59-07-03 was received from **Shelly & Sands, Inc.** of **Akron, Ohio**, in the amount of **\$5,189,828.50**, which bid he recommends be accepted by the Commission; and

WHEREAS, the Commission has also been advised by the director of contracts administration that all bids for Contract No. 59-07-03 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of Shelly & Sands, Inc. for Contract No. 59-07-03 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond with good and sufficient surety has been submitted by Shelly & Sands, Inc.; and

WHEREAS, the Commission's executive director has reviewed the reports of the chief engineer and the director of contracts administration and, predicated upon such analysis, has made his recommendation to the Commission to award Contract No. 59-07-03 to Shelly & Sands, Inc; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **Shelly & Sands, Inc.** of Akron, Ohio, in the amount of **\$5,189,828.50** for the performance of Contract No. 59-07-03 is, and is by the Commission,

determined to be the lowest responsive and responsible bid received for the performance of said Contract, and is accepted, and that the chairperson and executive director, or either of them, hereby is authorized: (1) to execute a Contract with said successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid bid; (2) to direct the return to the bidders of their bid security, when appropriate, and (3) to take any and all action necessary or proper to carry out the terms of said bid and of said Contract; and

FURTHER RESOLVED that the Commission hereby authorizes the executive director and the chief engineer to assign **ms consultants, inc.** of **Youngstown, Ohio**, to Contract 59-07-03 for the purpose of performing construction inspection, and **Solar Testing Laboratories, Inc.** of **Brooklyn Heights, Ohio** for the purpose of performing material testing and inspection, with such assignments in accordance with the 2007-2008 General Engineering Services Agreements between the Ohio Turnpike Commission and said engineering firms; and

**[FURTHER RESOLVED that Project No. 59-07-03 is designated a System Project under the Commission's 1994 Master Trust Agreement.]**

**Chief Engineer:** The fourth resolution is directing the Executive Director to amend our current contract with Hull & Associates. In September 2005, the Commission issued a request for proposals to select an engineering firm to perform design services for the demolition and subsequent environmental remediation for the Indian Meadow and Tiffin River Service Plazas at Milepost 20.8 in Williams County, Ohio. Resolution 24-2006 assigned Hull & Associates for the administration and inspection services for the demolition of the service plazas. The next step in this process is to do the environmental remediation at the service plazas. The original contract did include provisions for the development of remedial action plans. In accordance with the directions of the Division of the State Fire Marshall, Bureau of Underground Storage Tank Regulations, the consultant submitted proposals to perform the remedial action plans at the service plazas. We received two proposals, two for each service plaza to perform "Tier 1" Source Investigation and Delineation activities as well as "Tier 2" Evaluation and Remedial Action Plan in the total estimated amount of \$217,681.00. We have also included provisions for an additional \$50,000.00 for funding additional activities that may be required due to unforeseen subsurface conditions once we begin the delineation process. These funds are to be expended only on an "if authorized" basis. The total amount of this resolution is in the amount of \$267,681.00. If the General Counsel would please read the resolved.

**General Counsel:** RESOLVED that the Commission hereby authorizes and directs the executive director and the director of contracts administration to amend the Contract with Hull & Associates, Inc. to include the performance of the required environmental activities.

**Chairman:** Motion to adopt?

**Mr. Kidston:** So moved.

**Chairman:** Is there a second?

**Mr. Regula:** Second

**Chairman:** Questions on the motion? Please call the roll.

**Executive Director:** Mr. Kidston

**Mr. Kidston:** Yes

**Executive Director:** Mr. Regula

**Mr. Regula:** Yes

**Executive Director:** Mr. Swearingen

**Mr. Swearingen:** Yes

**Executive Director:** Mr. Balog

**Mr. Balog:** Yes

**Executive Director:** Mr. Dixon

**Mr. Dixon:** Yes

**Executive Director:** Five yeas and the resolution is adopted.

**RESOLUTION NO. 4-2007**

**Resolution Directing the Executive Director to Amend the  
Contract with Hull & Associates**

WHEREAS, in September 2005, the Commission issued a Request for Proposals to select a professional engineering firm to perform design services for the demolition and environmental remediation of the Indian Meadow & Tiffin River Service Plazas, located at Milepost 20.8 in Williams County; and

WHEREAS, the Commission selected **Hull & Associates, Inc.** (“Hull”) of Toledo, Ohio to perform said professional design services, and later, via Resolution 24-2006, approved on June 26, 2006, the Commission authorized Hull to perform construction administration and inspection services for said demolition, with such assignment in accordance with the engineering design services Contract between the Ohio Turnpike Commission and Hull; and

WHEREAS, under the engineering design services Contract, as executed on January 6, 2006 and as later modified to establish fees for construction administration and inspection services, total expenses incurred by the Commission with Hull amount to \$165,962.00; and

WHEREAS, in accordance with the directions of the Division of the State Fire Marshall, Bureau of Underground Storage Tank Regulations (“BUSTR”), further environmental activities must now be performed in order to determine the proper remedial action plan at the Service Plaza sites; and

WHEREAS, the original RFP contains provisions for performance of these services; and

WHEREAS, Hull has submitted proposals (two (2) for each Service Plaza site) to perform “Tier 1” Source Investigation and Delineation activities as well as “Tier 2” Evaluation and Remedial Action Plan (“RAP”) development activities as required by BUSTR in the total estimated amount of **\$217,681.00**; and

WHEREAS, the Commission’s maintenance engineer has reviewed and recommended to the Chief Engineer that the Commission proceed under Hull’s proposals; and

WHEREAS, the maintenance engineer has also recommended funding for additional activities that may be required due to unforeseen subsurface conditions in the total approximate amount of **\$50,000.00**; and

WHEREAS, the chief engineer has, therefore, recommended that the Hull engineering design services Contract be amended to authorize that firm to perform the required environmental activities in the estimated amount of **\$267,681.00**; and

WHEREAS, pursuant to the Commission’s bylaws, additional expenditures beyond 10% of the original spending authority granted by the Commission to the executive director requires Commission approval unless, among other exceptions, the increase is a result of “circumstances that would create a life, safety or health-threatening situation;” and

WHEREAS, the executive director concurs with the chief engineer’s recommendation that the engineering design services Contract be amended to allow for the performance of the required environmental activities; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Commission hereby authorizes and directs the executive director and the director of contracts administration to amend the Contract with Hull & Associates, Inc. to include the performance of the required environmental activities.

**Chairman:** Dan, you called that one your fourth one, that was actually on our list the fifth one.

**Chief Engineer:** Oh, did we go out of order here?

**Chairman:** So I assume we are going to do the herbicide issue.

**Chief Engineer:** We've got the herbicide, that is my final one this morning. The final resolution is a contract for furnishing and applying herbicide on the Turnpike right of way. This is pursuant to Invitation No. 4062. The contract was split into two groups, Group 1 from Milepost 0 to Milepost 126.4 and Group 2 from Milepost 126.4 to Milepost 241.2. The bidders could bid on either or both contracts. We received three bids in response to the bid invitation. The apparent low bids for both Groups 1 and 2 were submitted by DeAngelo Brothers' of Oak Harbor, Ohio in the total amount of \$81,140.00. This bidder has performed satisfactorily in the past for the Commission. Furthermore, the total amount bid is below the engineer's estimate. This contract also includes provisions that pending satisfactory completion of 2007, there is a one year renewal option under the contract for the 2008 season, which will bring the total over \$150,000.00, and that's the reason we are bringing it to the Commission this morning. If the General Counsel would please read the resolved.

**General Counsel:** RESOLVED that the bid of DeAngelo Brothers, Inc. in the amount of \$81,140.00 for both Groups I and II under Invitation No. 4062 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 execute a Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation in the amount of \$81,140.00 per Contract year; (2) to direct the return to the bidders of their bid security, when appropriate; (3) to take any and all action necessary to properly carry out the terms of said bid and said Contract; and (4) to determine, upon completion of a satisfactory performance evaluation, whether to exercise the one year renewal option under Invitation No. 4062 for the 2008 growing season.

**Chairman:** Motion to adopt?

**Mr. Regula:** So moved

**Chairman:** Is there a second?

**Mr. Kidston:** Second

**Chairman:** Any questions or discussion? Mr. Dixon.

**Mr. Dixon:** When we advertised this contract, through what means did we use, what means, what papers, where do we advertise?

**Chief Engineer:** Kathy do you want to address that please.



**Director of Contracts Administration:** Mr. Chairman and Commissioner Dixon, by statute we are required to advertise it in the Daily Reporter which is a publication out of Columbus that all contractors refer to. It is also placed on our website.

**Mr. Dixon:** That's the only place we advertise. See we have kind of regressed here in what we were talking about and you know creating that culture where we were going to try go out of the box and try to get some minority companies involved in some of these contracts. In my mind, this one would have been a good one. I know some of the larger ones they can't handle. But if they don't know about them then they can't bid on them and I think I have been kind of quiet on it and maybe that is my fault. I've been quiet and not paying attention to it, but I think we need to recommit ourselves to that and trying to create that culture, I know by statute we are not held to a lot of the things that public organizations that receive money from the Fed. and our regulations are not as strong, but I thought that we had agreed that there was a willingness and a want to do business with small or minority firms in this state and therefore, I am a little disappointed that this was only advertised in The Reporter. I am sure if I go back, I'll see probably a time where we dropped off, where we stopped advertising things in minority newspapers.

**General Counsel:** Mr. Chairman, Commission Member Dixon, if I might add, as part of the MBE/FBE Certification Program, the registration program, when we update the list continually, at least every quarter, we ask specifically. We compare our MBE/FBE list with DAS's list, and the City of Toledo and the City of Cleveland's list. I don't know off-hand who else we use, but we specifically ask the companies which bids they are interested or what kind of work they are interested in performing and I will have Kathy correct me if I am wrong, but we do by mail also notify them of the bids. So if they are on the mailing list of companies that have either done it before or are interested in that work, we notify them when the bid goes out. So we do make a concerted effort to get those bids and we notify them and they are under the same time frame as everyone else, but we do try to include them in the mailing list.

**Mr. Dixon:** So was that done with this one?

**Director of Contracts Administration:** Yes, Mr. Chairman and Commissioner Dixon. Absolutely. We maintain a large database in the Purchasing Department of all of the vendors that are interested in various types of work with the Commission or providing various types of commodities. They provide us with the data input form that we then input into the database and generate for each bid invitation that goes out to bid. We will generate that report, prepare the mailing list and send that bid invitation to all of those vendors, so they would have all received it if they were interested in that work.

**Mr. Dixon:** I think I am missing something here because I know that I would have had more response on this. I think that what I would like to do, Mr. Chairman, is I think that we should be doing more in this area and I think that maybe we should go as far as trying maybe to create an office of, what would we call it, or a person or individual that seeks out small businesses, minority businesses, for us to do business with, business development, a Business Development Office. Do we have anything like that here? No we don't. I think we

should create an Office of Business Development, where we go out and if we are going to talk the talk, let's walk the walk. If we are going to do business with minority organizations, then we should create, we should try to create the culture. We have been doing that the last couple of years, I am not sure how successful we are, but now I say, let's create the statute, let's create the office, where it is business, this is the way the Turnpike is going to do business, we are going to do business with small businesses in Ohio. We are going to do business with minority businesses and we are going to create that opportunity to do business with them every chance we have and when I leave here in two or three years, or tomorrow if the Governor says I leave tomorrow, that is the one thing I would like to get accomplished because then we create that culture and we create the mechanism to do business on a regular basis with minority small businesses in this state. That is not asking too much and I would be willing to work with you, and you know I will, to set-up the mechanism if Gary can find the time to set you free to do that.

**General Counsel:** Mr. Chairman and Commission Member Dixon, I am happy to make recommendations and to give you a report at the next meeting about what the status of our program is, what it was in the past because at the time when we had a stronger policy before the litigation involving the State of Ohio we had two people in the Legal Department who were working on that and it entailed a lot more work. I am not complaining, I am just saying I will give you a status report and recommendations on what steps we need to take.

**Mr. Dixon:** I think that would be a good first step, Noelle.

**Director of Contracts Administration:** Mr. Chairman and Commission Member Dixon, if I could also just add, I believe that we have a tremendous amount of sensitivity to the types of work that we have seen an interest in the past from either disadvantaged or minority businesses, so in those areas, we have been using the various minority newspapers to advertise those various contracts and in addition, we recently hired someone in the Purchasing office who has tremendous skill in helping to cleanse that database. We want to go through that database and update it and make sure we are contacting those vendors to make sure that the type of work they are interested in is actually properly inputted into our database. So we are working on that as well.

**Mr. Dixon:** I know, but I want it to be somebody's job and I don't know when budget time comes and we start creating and spending these monies, I want you to start thinking now, so I am giving you plenty of time. I want it to be somebody's job to do this, to make sure, so that I won't have to say Kathy, I'll say person whose job it is, how come you haven't succeeded in doing what I know Kathy wants you to do? Okay? That's where I want to go with this and I don't think it's too much and I know I don't think it's asking too much. Thank you letting me have your time.

**Chairman:** Mr. Dixon I agree with you 100%, you actually stole my thunder. I was going to ask some of the same questions. As we talked about the earlier bids and that was a five million dollar bid and a seven million dollar bid, I assumed this is a low set-up that it would be easy for a person to enter into this. I am sure there is training, I am sure there is a license, I am sure there is some equipment, but it also appears to me that it would be

something that you could get into the business, that is a reasonable amount. One question I would ask before we vote on this, especially in light of Mr. Dixon's comments, is this a unilateral option? I know there is an option for the second year, it's our choice to go ahead and exercise this option?

**Chief Engineer:** That's correct, Mr. Chairman.

**Chairman:** So if we enter into this contract for one year, then we could go ahead and rebid this next year if we so desire.

**Chief Engineer:** Yes sir.

**Chairman:** Could you please put a note on it that we would like that before you exercise the option for the second year? I would like this brought back to the Commission.

**Chief Engineer:** You were correct on that Mr. Chairman. In order to apply these materials in the State of Ohio, you do have to be licensed and certified by the State of Ohio to do it.

**Chairman:** So even if we found someone that was interested in doing it, they would still have to go through a procedure before they could be licensed? I don't think it makes sense to hold up this contract, but again, I would rather just make this for the one year with the idea that you are going to bring this back to the Commission and if there is potentially someone else that could bid it that would satisfy the minority or female business status that we could allow that to be bid out for the 2008 season.

**Mr. Dixon:** I can say this, but you can't say this, but I am sure that we can find some minority friends with a license to remove bugs.

**Chief Engineer:** Mr. Chairman and Commission Member Dixon, this isn't for bugs, this is for weed control.

**Chairman:** Any other comments? Please call the roll.

**Executive Director:** Mr. Regula

**Mr. Regula:** Yes

**Executive Director:** Mr. Kidston

**Mr. Kidston:** Yes

**Executive Director:** Mr. Dixon

**Mr. Dixon:** Yes

**Executive Director:** Mr. Balog

**Mr. Balog:** Yes

**Executive Director:** Mr. Swearingen

**Mr. Swearingen:** Yes

**Executive Director:** Five yeas and the resolution is adopted.

**RESOLUTION NO. 5-2007**

**Resolution Awarding a Contract for the Furnishing and Applying Herbicide on Turnpike Right-of-Way Areas – Groups I and II**

WHEREAS, the Commission advertised for bids for Invitation No. 4062 for the furnishing and applying herbicide on right-of-way areas between Milepost 0.0 and 126.4 (Group I) and Milepost 126.4 and 241.2 (Group II) during the 2007 growing season, with an option to extend the Contract for the 2008 growing season pursuant to the same terms and conditions; and

WHEREAS, the Commission has received three bids in response to the Invitation; and

WHEREAS, it is anticipated that the expenditures by the Commission for furnishing and applying herbicide under Invitation No. 4062 will exceed \$150,000.00, and, therefore, 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 bids were reviewed and analyzed by the Commission's maintenance engineer, and he has submitted a report concerning such analysis, which report is before the Commission; and

WHEREAS, the maintenance engineer reports that the lowest responsive and responsible bid for both Groups I and II of Invitation No. 4062 in the total amount of **\$81,140.00** per growing season was submitted by **DeAngelo Brothers, Inc. of Oak Harbor, Ohio**, and that this bidder proposes to furnish materials and services in accordance with the Commission's specifications; and

WHEREAS, the Commission has also been advised by the director of contracts administration that all bids for Invitation No. 4062 were solicited on the basis of the same terms and conditions and the same specifications, that the bid of DeAngelo Brothers for the Contract resulting from Invitation No. 4062 conforms to the requirements of Ohio Revised Code Sections 5537.07, 9.312 and 153.54, and that a performance bond of good and sufficient surety has been submitted by DeAngelo Brothers; and

WHEREAS, the executive director has reviewed the reports of the maintenance engineer and the director of contracts administration and, predicated upon such analysis, has made his recommendation to the Commission to award the Contract for Invitation No. 4062 to DeAngelo Brothers, Inc.; and

WHEREAS, the Commission has duly considered such recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the bid of **DeAngelo Brothers, Inc.** in the amount of **\$81,140.00** for both Groups I and II under Invitation No. 4062 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 execute a Contract with the successful bidder in the form heretofore prescribed by the Commission pursuant to the aforesaid Invitation in the amount of **\$81,140.00** per Contract year; (2) to direct the return to the bidders of their bid security, when appropriate; (3) to take any and all action necessary to properly carry out the terms of said bid and said Contract; and (4) to determine, upon completion of a satisfactory performance evaluation, whether to exercise the one year renewal option under Invitation No. 4062 for the 2008 growing season.

**Chief Engineer:** That is all I have this morning Mr. Chairman.

**Chairman:** Thank you. Staff reports? CFO/Comptroller, Jim.

**CFO/Comptroller:** Good morning Mr. Chairman and Commission Members. I would like to give you an update on the traffic and revenue for the first month of this year. This chart shows passenger car miles traveled on the Ohio Turnpike over the past two years. The traffic in 2006 tended to move in the opposite direction of gas prices. For the year, vehicle miles traveled by passenger cars in 2006 were slightly lower than in 2005 and were actually lower than in every year since 2001. The decline in January of this year may be the result of a combination of factors including weather, economic conditions, and the modest toll adjustments that went into effect the first of the year. The miles traveled by passenger cars in the month of January 2007 were 3.7% below the level reached last year. Due to a strong economy, the commercial vehicle miles traveled in 2006 exceeded the levels from 2005. However, as the year progressed the magnitude of the increase gradually slowed until traffic declined in the month of December. Traffic rebounded in January of this year and commercial vehicle miles traveled were 1.8% higher than last year. However, a closer look at commercial traffic reveals that the average weight of trucks traveling on the turnpike has been declining the last several months and this is important because our tolls are based on vehicle weight and miles traveled. This chart shows miles traveled by commercial vehicles in Classes 4 through 7 weighing from 23,000 to 65,000 pounds. The vast majority of these vehicles are 18-wheelers that are carrying either lightweight products or partial loads of heavier materials. Traffic in 2006 consistently exceeded the levels from 2005 and vehicle miles traveled in January 2007 exceeded the total from January 2006 by 6.4%. In contrast, the travel by trucks in Classes 8 through 11, weighing over 65,000 pounds, started to slow last summer and dropped off significantly the last three months. Vehicle miles traveled in January 2007 were 4.7% below the total from January 2006. One possible explanation is that

the economy may be expanding at a somewhat slower pace than it was during the first half of 2006, particularly the housing and auto sectors. Despite the decline in traffic, the revenues from passenger cars were up 5.2% in January compared to last year due to the recent toll rate adjustment. Revenues from commercial vehicles were up 10.6% in January compared to last year. Revenues from commercial vehicles in weight Classes 4 through 7, these are the lighter vehicles, were up 18.7% in January compared to 2006. In contrast, revenues from trucks in weight Classes 8 through 11 were up just 2.4% in January, including a toll rate increase of about 8% that was implemented at the beginning of the year. According to a statement issued by the Federal Reserve on January 31<sup>st</sup> and I quote “recent indicators have suggested somewhat firmer economic growth and some tentative signs of stabilization have appeared in the housing market. Overall the economy seems likely to expand at a moderate pace over coming quarters.” So hopefully this predicted economic growth will help reverse the recent decline in the average weight of trucks traveling the turnpike in the months ahead. With the benefit of the modest toll adjustments implemented at the beginning of the year, total toll revenues were at an all time high in January. They were up 8.6% in comparison to last year. However, this is about 3% lower than expected. While at this point, the shortfall has been offset by expense savings resulting from the mild January weather, some capital expenditures may need to be deferred if current traffic trends continue for an extended period of time.

This final chart shows total revenue from all sources for each January this decade. Total revenues in January 2007 were within 1/10<sup>th</sup> of 1% of the revenues from last year. As intended, the toll adjustments implemented on January 1<sup>st</sup> have offset the loss of \$1.3 million dollars per month that had been received from ODOT to purchase turnpike capacity. Hopefully, the improved traffic growth in the coming months will generate additional revenues to help offset inflationary operating cost increases and to provide funding for needed capital projects. That completes my report Mr. Chairman. I’ll be happy to respond to any questions.

**Chairman:** So Jim as I looked at the last chart, if you go back to 2000 to 2007 in about a seven year period our January in 2000 is about \$1 million dollars less than our January 2007. So in seven years we are up about 7%, which is about 1% per year and we’ve probably have had at least a 20% or 20+% increase in that time So I think my belief, when we voted for it, that the toll adjustment was a proper thing to do and was a prudent measure. I don’t think I see anything here that indicates it isn’t. Also, the issue with the more commercial miles on the turnpike than in the previous January indicates that the commercial vehicles haven’t abandoned the turnpike and using the parallel roads.

**CFO/Comptroller:** That is correct Mr. Chairman.

**Chairman:** Any questions or comments from the Commission Members? Thank you.

**CFO/Comptroller:** Thank you Mr. Chairman.

**Chairman:** Next would be our Financial Advisor.

**Financial Advisor:** No report today

**Chairman:** General Consultant, Tony.

**General Consultant:** No report today.

**Chairman:** Ohio State Highway Patrol, Captain.

**Captain Hannay:** No report today Mr. Chairman.

**Chairman:** Knock on wood we are clear this year so far.

**Captain Hannay:** Yes sir. We are off to a wonderful start.

**Chairman:** That is good to hear. We don't like to talk about fatalities, but 2006 was good, so hopefully 2007 will also follow. One is too many, but statistically we've been fairly good. I would like to just make a quick comment, myself and the Executive Director and some other people attended meetings, a number of meetings. I have only attended one and that was in North Royalton from some cities that are adjacent to the turnpike and I indicated at that meeting that I would talk to the other Commission Members about it. Some of the cities that are adjacent to the turnpike have complained about a couple of issues, specifically flooding in this area. The Cleveland area last June had significant rains and significant amounts of flooding and some of the people are saying that the third lane of the turnpike is part of the problem. So the engineers have been reviewing our water draining issues and meeting with most of the municipalities of the area that were affected by the flooding to discuss that and we have, myself and the Executive Director, have talked and I think it is very important that we go ahead and take action if, in fact, we are causing any problem and do whatever we need to. We cannot afford to have people being flooded out from the turnpike.

The second issue that the people raised was the issue of noise and noise walls. Actually, as you go down most interstates in Ohio and other parts of the United States you see noise walls being constructed and you go down the turnpike and you don't see any except of few private ones that have been built adjacent to the turnpike by individuals. We have basically stated at those meetings that the turnpike does not have an obligation to provide noise walls and we just actually don't have it our budget to go ahead and provide noise walls. We will cooperate with any community or any governmental agency that is interested in putting up noise walls if there would be any type of federal money available, naturally we would participate and accept it, likewise, if there is any state money available, but with our revenue being fairly conservative in what we did as far a toll adjustment with the idea that our business model is to try to keep all of the commercial vehicles we can on the turnpike and off of the other roads, we just don't have it in our budget to go ahead and do noise walls. We have had different estimates, but from what I have been told it is about \$2 million dollars per lane mile per side, so if you do both sides of a road, it would cost you in the vicinity, depending on the terrain and things of that nature, but \$4 million dollars is the budget number and we just don't see that \$4 million dollars per lane when you have the 241 mile

roadway. That money is just too staggering of a sum and how do you make a decision? Well I am going to go ahead and put it over here in this one mile or two mile and then ignore all of the other areas that need it. The people in Toledo are saying the same thing and the people in the Youngstown area. Any place where there is a heavy population their complaining about the noise. So what we have said, and I think we need to go ahead and I assume that other board members are in agreement with it, is that if there is some type of government funding available we certainly will participate with that, but it just isn't in our budget to come up with that type of money to go ahead and "fix" the noise problem. Most of the people who live adjacent to the turnpike, which is a 50+ year old road, bought their homes, or developed their homes, or moved into that home when the turnpike was already there. One of the things that we did hear at the meetings was that there was a belief that the third lane has added additional noise and that the concrete barrier in the center is also providing additional noise with a kind of a spin or bounce off. One of the things that I would like our Engineering Department to look at was something that was brought up at the North Royalton meeting, is there any type of deadening that we can do on the existing concrete median barriers, especially in the areas where they might be excessively high because of elevation changes, that would help alleviate what they are saying is the bounce back noise, where the noise is coming off of the vehicles hitting the center median barrier and then going ahead and causing more noise to the residential areas. So if you could look into that a little bit Dan, I know that the people at the North Royalton meeting, and Dan was there, had talked about some noise barriers that were used on interior walls that might be very reasonable to install in comparison to the \$4 million dollars a lane mile for sure, so if you could do that.

**Chief Engineer:** I will Mr. Chairman.

**Chairman:** Does anyone else have any comments on it? Any other further business from any of the Commission Members?

**Executive Director:** I just have one comment, before you adjourn and talk about the next Commission date I also want to remind people that we have the March meeting date, but the April date has been adjusted to the 9<sup>th</sup> of April. I just want to remind people of that date and while we haven't kicked it around among the staff here, there may be a possibility that we can eliminate one of those two dates depending upon how some of our bid requests come in.

**Mr. Dixon:** April 9<sup>th</sup>?

**Executive Director:** April 9<sup>th</sup>, yes.

**Chairman:** So March is set for March 19<sup>th</sup> and April is set for April 9<sup>th</sup> and May would be the standard date?

**Mr. Dixon:** So we may not need both of those?

**Executive Director:** I didn't say both. We might not need one or the other.



**Mr. Dixon:** That's what I mean, one or the other.

**Executive:** One or the other, we will see how the issues fall and we may be able to eliminate one of those two meetings. We will try.

**Chairman:** Any questions? Motion to adjourn?

**Mr. Dixon:** So moved.

**Mr. Kidston:** Second

**Chairman:** Please call the roll.

**Executive Director:** Mr. Dixon

**Mr. Dixon:** Yes

**Executive Director:** Mr. Kidston

**Mr. Kidston:** Yes

**Executive Director:** Mr. Swearingen

**Mr. Swearingen:** Yes

**Executive Director:** Mr. Balog

**Mr. Balog:** Yes

**Executive Director:** Mr. Regula

**Mr. Regula:** Yes

**Executive Director:** Five yeas and the meeting is adjourned.

**Chairman:** Thank you.

The meeting adjourned at 10:44 a.m.

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

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George F. Dixon, Secretary-Treasurer