



Record of Meeting | September 9, 2021

The Illinois State Toll Highway Authority's ("Tollway") Board of Directors met in regular session on Thursday, September 9, 2021. The meeting was held pursuant to the By-Laws of the Tollway upon call and notice of the meeting executed by Chairman Willard S. Evans, Jr. and posted in accordance with the requirements of the Open Meetings Act, 5 ILCS 120/1, *et seq.*

Due to necessary precautions relating to COVID-19, in accordance with the Gubernatorial Disaster Proclamation and current conditions, and consistent with the Open Meetings Act, it was determined by Chairman Willard S. Evans, Jr. that an in-person meeting of the body was neither practical nor prudent. In compliance with all conditions of Section 7(e) of the Open Meetings Act, 5 ILCS 120/7(e), the Board of Directors meeting was conducted by audio conference. A telephone access number was provided for members of the public to monitor and/or participate in the meeting.

[Bolded entries indicate issues which may require follow-up to present or report to the Board.]

Call to Order / Roll Call

Chairman Evans called the meeting to order at approximately 2:14 p.m. He then asked the Board Secretary to call the roll, those Directors present and absent being as follows:

Board Members Present:
Chairman Willard S. Evans, Jr.
Director James Connolly
Director Stephen Davis
Director Alice Gallagher
Director Jacqueline Gomez
Director Karen McConnaughay
Director Scott Paddock
Director Gary Perinar
Director James Sweeney

Board Members Not Present:
Governor JB Pritzker <i>[ex officio]</i>
Acting Secretary Omer Osman <i>[ex officio]</i>

The Board Secretary declared a quorum present.



Chairman Evans introduced Captain Jason Bradley, Illinois State Police District 15, to provide a safety message.

Safety Message

Captain Jason Bradley stated that September 19 - 25 is National Child Passenger Safety Protection week and provided information regarding child passenger protection laws and the importance of properly restraining children in vehicles.

Chairman Evans thanked Captain Bradley for the Safety Message.

Public Comment

Chairman Evans opened the floor for public comment. No public comment was offered.

Chairman's Items

Item 1: Approval of the Minutes of the Regular Board of Directors Meeting held July 22, 2021.

Chairman Evans entertained a motion to approve **Chairman's Item 1**, the Minutes of the regular Board of Directors meeting held on July 22, 2021, as presented. Director Perinar made a motion to approve the Minutes, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.

Item 2: Approval of the Minutes of the Executive Session of the Board of Directors Meeting held July 22, 2021.

Chairman Evans stated that without objection, action on Chairman's Item 2, concerning the minutes of the closed meeting, will be deferred until after consideration in Executive Session.

Item 3: Committee Reports

Chairman Evans dispensed with committee reports, noting that all Directors were present for the committee meetings.



Item 4: Additional items

Having no further items, Chairman Evans turned the floor over to Executive Director José Alvarez.

Executive Director's Items

Executive Director Alvarez welcomed Directors, and having no further items, returned the floor to Chairman Evans.

Items for Consideration

Finance

Item 1: *Renewal of Contract 15-0054 with First Data Merchant Services LLC for the purchase of Merchant Card Processing Services in an amount not to exceed \$110,500,000.00 (Tollway Request for Proposal).*

Item 2: *Renewal of Contract 16-0155 with various financial firms to provide Bond Underwriting Services (Tollway Request for Proposal).*

Item 3: *Resolution authorizing issuance of up to \$200 million Toll Highway Senior Revenue Bonds to finance a portion of costs of the Move Illinois Program.*

Chairman Evans entertained a motion to consolidate for consideration and action Finance Items 1 thru 3. Director Perinar made a motion to consolidate these items, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.

The motion to consolidate these items having carried, Chairman Evans entertained a motion to approve **Finance Items 1 thru 3**. Director Perinar made a motion to approve these items, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)



Nays: (0)

The motion PASSED.

Information Technology

Item 1: Award of Contract 21-0025 to Emergent, LLC for the purchase of Red Hat Software Licenses, Maintenance, and Support in an amount not to exceed \$729,078.98 (Tollway Invitation for Bid).

Item 2: Award of Contract 21-0126 to C.D.S. Office Systems Incorporated (d.b.a. CDS Office Technologies) for the purchase of IWIN Toughbooks for Illinois State Police District 15 in an amount not to exceed \$432,380.00 (Tollway Invitation for Bid).

Item 3: Award of Contract 21-0137 to Presidio Networked Solutions Group, LLC for the purchase of Cisco Hardware, Software, Maintenance, and Support in an amount not to exceed \$1,739,863.64 (Order Against DoIT Master Contract).

Chairman Evans entertained a motion to consolidate for consideration and action Information Technology Items 1 thru 3. Director Perinar made a motion to consolidate these items, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.

The motion to consolidate these items having carried, Chairman Evans entertained a motion to approve **Information Technology Items 1 thru 3**. Director Perinar made a motion to approve these items, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED

Engineering



Item 1: Award of Contract RR-21-4587 to The George Sollitt Construction Company for M-5 Maintenance Facility on the Jane Addams Memorial Tollway (I-90) at Mile Post 64.8 (Central Road) in the amount of \$33,810,492.00.

Item 2: Award of Contract I-21-4582 to Lorig Construction Company for Roadway and Bridge Reconstruction on the Tri-State Tollway (I 294) from Mile Post 30.3 (Ramp F, South of I-290) to Mile Post 32.3 (South of St. Charles Road) in the amount of \$43,486,390.70.

Item 3: Award of Contract RR-21-4588 to Utility Dynamics Corporation for Systemwide Lighting Repairs, Systemwide in the amount of \$1,956,226.00.

Item 4: Award of Contract RR-21-9237 to Utility Dynamics Corporation for I-88 and I-90 CCTV Camera Installation on the Reagan Memorial Tollway (I-88) from Mile Post 59.0 to Mile Post 91.2 and Jane Addams Memorial Tollway (I-90) from Mile Post 5.1 to Mile Post 26.4 in the amount of \$2,997,133.20.

Item 5: Change Order / Extra Work Order on I-18-4704 to Curran Contracting Company for Advance Earthwork, Drainage and Retaining Wall Construction on the Elgin O'Hare Western Access (I-490) Mile Post 4.3 (Devon Ave.) to Mile Post 5.6 (South of Touhy Ave.) in the amount of \$502,698.34, increasing compensation from \$48,024,677.92 to \$48,527,376.26.

Item 6: Change Order / Extra Work Order on I-19-4476 to Plote Construction, Inc. / Dunnet Bay Construction Company (JV) for Roadway and Bridge Widening and Reconstruction on the Tri State Tollway (I-294) at (Eisenhower Expressway I-290) and St. Charles Road in the amount of \$389,996.84, increasing compensation from \$31,213,950.11 to \$31,603,946.95.

Item 7: Change Order on I-19-4449 to Plote Construction, Inc. / Dunnet Bay Construction Company (JV), for Roadway and Bridge Widening and Rehabilitation on the Tri-State Tollway (I-294) from Mile Post 36.3 (Wolf Road) to Mile Post 39.8 (Balmoral Avenue) in the amount of \$353,892.07, increasing compensation from \$65,581,575.41 to \$65,935,467.48.

Item 8: Change Order / Extra Work Order on RR-20-4545 to K-Five Construction Corporation for Systemwide Pavement Repairs, Systemwide in the amount of \$1,246,654.23, increasing compensation from \$4,223,189.06 to \$5,469,843.29.

Item 9: Change Order on I-19-4464 to Judlau Contracting, Inc. for I-57 Roadway and Bridge Widening and I-294 Ramp Construction on the Tri-State Tollway (I-294) from Mile Post 7.0 to Mile Post 8.5 and Interstate 57 from Mile Post 349.2 to Mile Post 350.6 in the amount of \$335,545.60, increasing compensation from \$66,180,334.43 to \$66,515,880.03.



Item 10: Acceptance of Proposal from DLZ Illinois, Inc./ ABNA of Illinois, Inc. on Contract RR-21-4566 for Construction Management Services Upon Request, Systemwide in an amount not to exceed \$3,000,000.00.

Item 11: Acceptance of Proposal from Gasperec Elberts Consulting, LLC on Contract RR-21-4565 for Construction Management Services Upon Request, Systemwide in an amount not to exceed \$3,000,000.00.

Item 12: Acceptance of Proposal from Program Management & Control Systems, LLC on Contract I-21-4734 for Construction Management Services Upon Request, Systemwide in an amount not to exceed \$3,000,000.00.

Item 13: Acceptance of Proposal from TransLand Engineering Group, LLC on Contract I-21-4567 for Construction Management Services Upon Request on the Tri-State Tollway (I-294) in an amount not to exceed \$2,000,000.00.

Item 14: Acceptance of Proposal from HBK Engineering, LLC on Contract RR-21-4570 for Utility Relocation Assistance Upon Request, Systemwide in an amount not to exceed \$3,000,000.00.

Item 15: Acceptance of Proposal from Shannon and Wilson, Inc. / Strata Earth Services, LLC dba Strata on Contract I-21-4568 for Geotechnical and Environmental Services Upon Request, Systemwide in an amount not to exceed \$3,000,000.00.

Item 16: Acceptance of Proposal from Hanson Professional Services, Inc. on Contract RR-21-4564 for Design Services Upon Request, Systemwide in an amount not to exceed \$4,000,000.00.

Item 17: Acceptance of Proposal from WSP USA, Inc. on Contract RR-21-9982 for Consulting Engineer Services, Systemwide in an amount not to exceed \$113,302,968.00. – Item deferred.

Item 18: Acceptance of Proposal from Rubinos & Mesia Engineers, Inc. on Contract I-19-4469 for Supplemental Design Services on the Jane Addams Memorial Tollway (I-90) at Mile Post 19.8 (Bypass U.S. 20) in an amount of \$719,600.00, increasing compensation from \$2,278,626.27 to \$2,998,226.27.

Item 19: Award of Contract 19-0200 to BHFX, LLC for the purchase of Web-Based Plan Room and On-Call Printing Services in an amount not to exceed \$1,080,457.80 for an initial five-year term and a possible five-year renewal term in an amount not to exceed \$1,080,457.80 (Tollway Request for Proposal).

Item 20: Award of Contract 21-0135 to Fence Masters, Inc. for the purchase of Guardrail Repairs in an amount not to exceed \$789,661.00 (Tollway Emergency).



*Item 21: Land Acquisition – Sale of Excess Property authorization for Parcel NS-700-19-001.EX.
Cost to Tollway: N/A.*

Chairman Evans stated that Engineering Item 17 will be deferred to a future meeting.

Chairman Evans then stated that Director Gallagher indicated in advance her wish to recuse herself on Engineering Item 11. Chairman Evans requested this item be taken first.

Chairman Evans entertained a motion to approve **Engineering Item 11**. Director Perinar made a motion to approve this item, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (8)

Nays: (0)

Recusals: Director Gallagher (1)

The motion PASSED.

Chairman Evans stated that he and Director Davis have both indicated in advance their wish to recuse themselves on Engineering Item 14. Chairman Evans requested this item be taken next.

Chairman Evans entertained a motion to approve **Engineering Item 14**. Director Perinar made a motion to approve this item, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney (7)

Nays: (0)

Recusals: Director Davis, Chairman Evans (2)

The motion PASSED.

Chairman Evans stated that Director Davis indicated in advance his wish to also recuse himself on Engineering Items 2 thru 7, 9 and 18. Chairman Evans requested that these items be taken next as a group.

Chairman Evans entertained a motion to consolidate for consideration and action Engineering Items 2 thru 7, 9 and 18. Director Perinar made a motion to consolidate these items, seconded



by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (8)

Nays: (0)

Recusals: Director Davis (1)

The motion PASSED.

The motion to consolidate these items having carried, Chairman Evans entertained a motion to approve **Engineering Items 2 thru 7, 9 and 18**. Director Perinar made a motion to approve these items, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (8)

Nays: (0)

Recusals: Director Davis (1)

The motion PASSED.

Chairman Evans entertained a motion to consolidate for consideration and action Engineering Items 1, 8, 10, 12, 13, 15, 16 and 19 thru 21. Director Perinar made a motion to consolidate these items, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.

The motion to consolidate these items having carried, Chairman Evans entertained a motion to approve **Engineering Items 1, 8, 10, 12, 13, 15, 16 and 19 thru 21**. Director Perinar made a motion to approve these items, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)



Nays: (0)

The motion PASSED.

Legal

Item 1: Approval of Intergovernmental Agreement with the Village of Hinsdale. Cost to the Tollway: \$0.

Item 2: Approval of Intergovernmental Agreement with the Cook County Department of Transportation and Highways. Cost to the Tollway: \$0.

Item 3: Amendment to Land Acquisition Resolution 22280 for the Elgin O'Hare Western Access Project (EOWA) to add 17 parcels that may need to be acquired by condemnation. See *ISTHA v. DiBenedetto*. Cost to the Tollway: As discussed in Executive Session.

Item 4: Approval of Settlement Agreement. Cost to the Tollway: As discussed in Executive Session.

Item 5: Authorization to enter into a Litigation Settlement Agreement – Property Owner – Valinvest Holding, LLC; Tollway Parcel No. TW-7-12-003. Cost to the Tollway: As discussed in Executive Session.

Item 6: Authorization to Enter into a Worker's Compensation Settlement – James Tallerico. Cost to the Tollway: As discussed in Executive Session.

Chairman Evans stated that without objection, action on Legal Items 3 thru 6 will be deferred until after consideration in Executive Session.

Chairman Evans entertained a motion to approve **Legal Item 1**. Director Perinar made a motion to approve this item, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.



Chairman Evans entertained a motion to approve **Legal Item 2**. Director Perinar made a motion to approve this item, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.

Operations

Chairman Evans noted that because the Systems Review & Customer Service Committee did not meet this month, and with the concurrence of Committee Chair Sweeney, two Operations items are being brought directly to the Board for consideration. He then introduced Cassaundra Rouse, Chief Operating Officer, to present the following items:

Item 1: Award of Contract 21-0088RR to Money Network Financial, LLC for the purchase of Marketing Incentives in an amount not to exceed \$430,000.00 (Tollway Invitation for Bid).

Item 2: Renewal of Contract 17-0172 with Ada S. McKinley Community Services, Inc. for the purchase of Transponder Fulfillment Services in an amount not to exceed \$4,430,000.00 (State Use Vendor).

Upon conclusion of the presentation of items, Chairman Evans entertained a motion to approve **Operations Item 1**, as presented. Director Perinar made a motion to approve this item, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.

Chairman Evans entertained a motion to approve **Operations Item 2**, as presented. Director Perinar made a motion to approve this item, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)



Nays: (0)

The motion PASSED.

Business Systems

Chairman Evans stated that without objection, the presentation of Business Systems Item 1 will be deferred until after Executive Session.

Item 1: Approval of Extension of Amnesty Program.

Executive Session

Chairman Evans called for a motion to enter into Executive Session pursuant to exceptions provided in Sections 2(c)1, 5, 8, 11 and 21 of the Open Meetings Act, 5 ILCS 120/2(c)1, 5, 8, 11 and 21, to consider Tollway matters related to personnel, the purchase or lease of real property, security procedures for the safety of employees or public property, probable or pending litigation and the minutes of closed meetings. Director Perinar made a motion, pursuant to the sections specified, to enter Executive Session, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.

At approximately 2:40 p.m., the Board entered into Executive Session.

Return from Executive Session and Action (if any)

Board Members Present:
Chairman Willard S. Evans, Jr.
Director James Connolly
Director Stephen Davis
Director Alice Gallagher
Director Jacqueline Gomez

Board Members Not Present:
Governor JB Pritzker [ex officio]
Acting Secretary Omer Osman [ex officio]



Director Karen McConnaughay
Director Scott Paddock
Director Gary Perinar
Director James Sweeney

At approximately 3:22 p.m., the Board re-entered the public session of the Meeting.

Chairman's Item 2: Approval of the Minutes of the Executive Session of the Regular Board of Directors meeting held July 22, 2021.

Chairman Evans entertained a motion to approve **Chairman's Item 2**, the Minutes of the Executive Session of the Board of Directors meeting held on July 22, 2021. Director Perinar made a motion to approve the Minutes, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.

Chairman Evans then called on Chief Operating Officer, Cassandra Rouse, to present Business Systems Item 1:

Business Systems Item 1: Approval of Extension of Amnesty Program.

Upon conclusion of the item presentation, Chairman Evans entertained a motion to approve **Business Systems Item 1** as presented. Director Perinar made a motion to approve this item, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.



Legal Item 3: Amendment to Land Acquisition Resolution 22280 for the Elgin O'Hare Western Access Project (EOWA) to add 17 parcels that may need to be acquired by condemnation. See ISTHA v. DiBenedetto. Cost to the Tollway: As discussed in Executive Session.

Legal Item 4: Approval of Settlement Agreement. Cost to the Tollway: As discussed in Executive Session.

Legal Item 5: Authorization to enter into a Litigation Settlement Agreement – Property Owner – Valinvest Holding, LLC; Tollway Parcel No. TW-7-12-003. Cost to the Tollway: As discussed in Executive Session.

Legal Item 6: Authorization to Enter into a Worker's Compensation Settlement – James Tallerico. Cost to the Tollway: As discussed in Executive Session.

Chairman Evans entertained a motion to consolidate for consideration and action Legal Items 3 thru 6. Director Perinar made a motion to consolidate these items, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED.

The motion to consolidate these items having carried, Chairman Evans entertained a motion to approve **Legal Items 3 thru 6**. Director Perinar made a motion to approve these items, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED

New Business

Director Sweeney noted the new federal vaccination requirement for contractors and sub-contractors involved in projects with federal funding. Director Sweeney stated that while the



Tollway does not use federal or state funds, he is concerned that ample notification be provided to Tollway contractors should the Go *Christi Regnery* Executive Order concerning Tollway projects. Chairman Evans replied the *Christi Regnery* and report back to Directors.

Adjournment

There being no further business before the Board, Chairman Evans entertained a motion to adjourn. Director Perinar made a motion to adjourn, seconded by Director Connolly. Chairman Evans asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Perinar, Director Connolly, Director Davis, Director Gallagher, Director Gomez, Director McConnaughay, Director Paddock, Director Sweeney, Chairman Evans (9)

Nays: (0)

The motion PASSED

The Meeting adjourned at approximately 3:32 p.m.

Christi Regnery

Minutes taken by: _____

Christi Regnery
Board Secretary
Illinois State Toll Highway Authority