



## Record of Meeting | June 21, 2016

The Illinois State Toll Highway Authority (the "Tollway") Board of Directors met in regular session on Tuesday, June 21, 2016 in the Boardroom of Tollway Headquarters in Downers Grove, Illinois. The Meeting was held pursuant to By-Laws of the Tollway upon call and notice of the Meeting executed by Chairman Robert J. Schillerstrom and posted in accordance with the requirements of the Illinois *Open Meetings Act*. The Meeting was open to the public.

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

### Call to Order / Pledge of Allegiance / Roll Call

Chairman Bob Schillerstrom called the Meeting to order at approximately 9:02 a.m., stating that this is the regularly scheduled meeting of the Board of Directors of the Tollway. He invited attendees to rise and join in the Pledge of Allegiance. He then asked the Board Secretary to call the roll, those Directors present and absent being as follows:

Board Members Present:	Board Members Not Present:
Chairman Bob Schillerstrom	Governor Bruce Rauner <i>[ex officio]</i>
Director Earl Dotson, Jr. <i>(entered 9:04 am)</i>	Secretary Randall Blankenhorn <i>[ex officio]</i>
Director Joe Gomez	Director Jim Banks
Director David Gonzalez	Director Corey Brooks
Director Craig Johnson	
Director Neli Vazquez Rowland	
Director James Sweeney <i>(entered at 9:44 am)</i>	

### Public Comment

Chairman Schillerstrom opened the floor for public comment.

*[Director Dotson entered the Meeting at approximately 9:04 a.m., achieving a quorum]*

The following members of the public offered comments in opposition to preparing an environmental impact statement (EIS) for the proposed Illinois Route 53/120 Project:



- Bill Morris, Grayslake, Illinois
- Connie Schmidt, Warrenville, Illinois, *Sierra Club*
- Kathy Englund, Hawthorn Woods, Illinois, *Sierra Club*
- Diane Ower, Zion, Illinois
- Anthony Dean, Long Grove, Illinois
- Stacy Meyer, Chicago, Illinois, *Openlands*
- John Wylie, Grayslake, Illinois, *Sierra Club*
- Brian Sullivan, Village of Hawthorn Woods, Illinois
- Peter Ponzio, Trustee of the Village of Hawthorn Woods, Illinois
- Judy Gaca, Grayslake, Illinois
- Evan Craig, Vernon Hills, Illinois, *Sierra Club*
- Barbara Klipp, Grayslake, Illinois, *Livable Lake County*

Valerie Batteast, Executive Director of Black Contractors United, addressed the Board. Ms. Batteast commented positively on the Tollway's diversity efforts to-date. She additionally offered the resources of her organization to assist with increasing participation of African American firms on Tollway contracts.

Chairman Schillerstrom thanked the speakers for their comments.

### Chairman's Items

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Item 1: *Approval of the Minutes of the regular Board of Directors meeting held May 26, 2016.*

Chairman Schillerstrom called for a motion to approve **Chairman's Item 1**, the Minutes of the regular Board of Directors meeting held on May 26, 2016, as presented. Director Gomez made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for amendment. Hearing nothing, Chairman Schillerstrom called for a vote. The motion to approve PASSED unanimously.

Chairman Schillerstrom stated that without objection, action on Chairman's Item 2, the Minutes of the Executive Session of the Board of Directors meeting held on May 26, 2016, will be deferred until after consideration in Executive Session.

Item 3: *Approval of Resolution modifying Committee Assignments.*

Chairman Schillerstrom called for a motion to approve **Chairman's Item 3**, a Resolution superseding a prior resolution to effect the assignment of Director Vazquez Rowland to the



Finance, Administration and Operations Committee and the Customer Service and Planning Committee. Director Gomez made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Chairman Schillerstrom welcomed, on behalf of the Board, newly-appointed Director Neli Vazquez Rowland. He then called for a roll call on the pending motion, the vote of yeas and nays being as follows:

Yeas: Director Gomez, Director Johnson, Director Dotson, Director Gonzalez, Director Vazquez Rowland, Chairman Schillerstrom (6)

Nays: None (0)

The motion to approve PASSED.

Item 4: Approval of Resolution to participate in the Chicago Region Trees Initiative.

Chairman Schillerstrom called for a motion to approve **Chairman's Item 4**, a Resolution to participate in the Chicago Region Trees Initiative. Director Johnson made a motion for approval; seconded by Director Gomez. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Chairman Schillerstrom read aloud the following remarks offered in explanation and support of the item under consideration:

*The Tollway is an industry leader in sustainability and environmental stewardship and has made substantial and progressive efforts demonstrating our overall commitment to the environment through our adoption and implementation of the FHWA's sustainability rating system, the INVEST program. Our implementation of this program has highlighted the benefits of our innovative materials reuse and recycling efforts in addition to our post construction stormwater best management practices, among others.*

*The Tollway, in further effort to support and demonstrate its commitment to environmental stewardship, is in the process of developing a landscape master plan that is intended to identify areas for expanding a healthy and vibrant tree canopy and pollinator friendly habitats throughout the Tollway's system. Recognizing the increased overall value to the Tollway and region that an expanded, healthy, tree canopy will provide including improved air and water quality, reduced flooding and creation of habitat, the Morton Arboretum has invited the Tollway to join the Chicago Region Trees Initiative (CRTI) as a partner organization.*



*CRTI was founded by the Morton Arboretum and Openlands based on tree census data developed by the Arboretum and the U. S. Forest Service. Through the establishment of this partnership with the CRTI, the Tollway is committing to working cooperatively with the organization in the facilitation of its goals and objectives, including but not limited to improving planting strategies, species diversity and incentivizing tree protection all in effort to preserve and expand a healthy tree canopy throughout the Tollway system.*

Hearing no further discussion, Chairman Schillerstrom called for a roll call on the pending motion, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Gomez, Director Dotson, Director Gonzalez, Director Vazquez Rowland, Chairman Schillerstrom (6)

Nays: None (0)

The motion to approve PASSED.

## **COMMITTEE REPORTS**

Chairman Schillerstrom asked the chairs of the following committees of the Board if they had any report to provide on the committees' recent activities:

### **Finance, Administration & Operations Committee**

Committee Chair Gomez updated the Board on the Finance, Administration and Operations Committee ("FAO Committee") meeting held Wednesday, June 15, 2016, providing the following highlights:

Roadway Maintenance staff provided the Committee a presentation on the Tollway's Fleet Replacement Program, which is later to be re-presented during the Meeting for benefit of the Board.

**PROCUREMENT** presented seven items, which were approved by the Committee for placement on the Board agenda with a recommendation for approval:

- An award of contract for a Microsoft support agreement, which staff today will ask be deferred until a future meeting.
- An order against Department of Central Management Services (CMS) master contract for continued purchase of parts for the Hirsch velocity system.



- Five Tollway invitations for bid to purchase building glass repair services; compressed gas cylinders and refills; various types of electrical wire and cable; HVAC replacement parts; and underground fuel tank monitoring system services.

**ENGINEERING** presented six items, which were each reviewed and approved by the Committee for placement on the Board agenda with a recommendation for approval:

- Two construction contract awards, including parking lot improvements at the Hillside (M-2) maintenance yard; and building removal along the North-South bypass of the Elgin O'Hare Western Access Corridor and the Tri-State Tollway.
- One professional service contract for design services for the southern terminus of the Elgin O'Hare Western Access ("EOWA") Project.
- Three construction contract change orders/extra work orders.

The final Engineering item, deferred at Committee, is related to land acquisition and may be reviewed in Executive Session prior to full Board consideration.

**LEGAL** presented five items, each an intergovernmental agreement ("IGA"), which were approved by the Committee for placement on the Board agenda with a recommendation for approval:

- An IGA with the Village of Rosemont.
- An IGA with the Illinois Department of Transportation ("IDOT"), DuPage County, Cook County, Elk Grove Village, and the Village of Roselle.
- An IGA with IDOT.
- An IGA with the Village of Bensenville and DuPage County.
- An IGA with DuPage County.

### **Customer Service & Planning Committee**

Executive Director Bedalov updated the Board on the Customer Service & Planning Committee meeting held Thursday, June 16, 2016, providing the following highlights:

Three items were discussed at the June 16th Customer Service & Planning Committee meeting. The first item introduced was a resolution to have the Tollway join the Chicagoland Regional Trees Initiative (CRTI). The on-going Systemwide Landscape Master Plan work will be coordinated with the Morton Arboretum and other members of the CRTI to ensure species diversity, compatibility with the surrounding landscape and long term maintenance needs. The



Committee approved placement of the resolution on today's Meeting agenda, with a recommendation for approval by the Board.

The Committee was provided a presentation on the Tollway's new website redesign, which is later to be re-presented during the Meeting for benefit of the Board.

A second presentation was provided to update the Committee on the Tollway's outreach efforts to prepare drivers for cashless tolling on Illinois Route 390, which will begin at midnight on July 5.

Outreach efforts have been a boots on the ground effort reaching key municipalities throughout the project corridor as well as local businesses, organizations and other civic institutions. More than 260 independent outreach activities have taken place in the last 30 days and over 62,000 print materials have been distributed throughout the area to locations such as but not limited to Jewel-Osco, hotels, restaurants, gas stations, grocery stores, industrial parks, local chambers of commerce, libraries and police departments.

To reach drivers who may not see print materials digital communication efforts have been aggressive, including the creation of a customer focused video and a public service announcement (PSA) which have been distributed to every Chicago-area broadcast network and are available in the toolkit for use on local public access channels, YouTube, and other social media outlets.

Finally, roadway signage has been posted since mid-May and will be adjusted in mid-July to reflect active tolling and messaging that assists drivers to avoid violations.

*[End of Committee Reports]*

*[Director Sweeney entered the Meeting at approximately 9:44 a.m.]*

Having no further items, Chairman Schillerstrom called on Executive Director Greg Bedalov.

## **Executive Director**

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**Tollway Staff Acknowledgments:** Executive Director Bedalov highlighted that the agency and staff have been recently recognized with awards:

- Executive Director Bedalov was honored to accept the Diversity Program Champion





Award on behalf of the Tollway from the Federation of Women Contractors in recognition of the creation of the Diversity Advisory Council and ongoing inclusion efforts including the Small Business Initiative, the Earned Credit Program and the Mentor/Protégé Program.

- The Communications and Marketing Department received the Publicity Club of Chicago's Golden Trumpet Award for the "Got it. DO IT. Done!" campaign designed to prompt customers with new smart-chip credit cards to update their I-PASS accounts.
- Chief of Diversity and Strategic Development Gustavo Giraldo has been selected to be included in *Negocios Now's* "2016 Who's Who in Hispanic Chicago" for exemplary performance among prominent Latinos in Chicago and for making a tangible, positive impact in the community.
- Chief Internal Auditor Cassaundra Rouse was honored with the William C. Anderson "Member of the Year" Award from the Chicago Chapter of the Institute of Internal Auditors.
- Director Brooks was recently presented with the 2016 All Stars Project of Chicago Community Spirit Award for his efforts across many fronts to bring positive change to Chicago's communities and maintain a strong connection to young people and families.

Executive Director Bedalov thanked and congratulated the award recipients for their hard work and accomplishment.

**Illinois Route 390 Outreach:** Executive Director Bedalov reminded those in attendance that cashless tolling will begin on July 5th for the new Illinois Route 390, making it the first roadway on the Tollway system to use all-electronic toll collection. He then provided a brief overview of the components and status of the comprehensive public education and outreach program underway.

**International Bridge, Tunnel and Turnpike Association:** Executive Director Bedalov announced that he has been nominated to the Board of Directors of the International Bridge, Tunnel and Turnpike Association for a two-year term that begins on January 1, 2017.

**Illinois State Police Heritage Motorcycle Run:** Executive Director Bedalov announced that on July 16<sup>th</sup> Tollway Headquarters will serve as a starting point for the 9<sup>th</sup> Annual Illinois State Police Heritage Motorcycle Run, held to fund the construction of a memorial park and to honor the lives of fallen Illinois State Troopers.

**Sale of Securities:** Executive Director Bedalov introduced Mike Colsch, Chief of Finance, to provide the Board an update on recent bond activities. Mr. Colsch provided an overview of the recently completed issuance by the Tollway of \$300 million in Series 2016B Bonds, previously authorized by the Board. He highlighted that the pricing achieved reflects favorable market



conditions and the market's continued confidence in the management, operations and financial condition of the agency.

Director Gomez inquired about the Tollway's bond rating. Mr. Colsch responded that Standard & Poor's and Fitch Ratings have each affirmed their rating at AA- on the Tollway's outstanding senior revenue bonds and have indicated the rating outlook is stable. He further responded that Moody's has assigned a rating of Aa3, also indicating a stable rating outlook. Director Gomez commended the Finance team for their skillful management of the agency's financial risks, reflected in the recent successful bond issuance.

**Fleet Replacement Program:** Executive Director Bedalov introduced Scott Kapton, General Manager of Maintenance and Traffic, to provide for the Committee an overview and history of the Tollway's Vehicle and Equipment Replacement Program. [See attached presentation.](#)

Director Sweeney asked whether the Tollway has the capacity to actively monitor in real time the condition of the fleet. Mr. Kapton responded affirmatively, explaining that the Tollway's internal fuel and maintenance systems monitor and track vehicle conditions, such as mileage, engine hours, fuel usage, and mechanical service, in near real time. Director Sweeney then relayed his positive experience with the Ford Taurus as a fleet vehicle, noting that this model achieved higher average life cycle miles than other vehicles used.

Director Johnson inquired about the budgeting process for the fleet replacement program. Mr. Colsch responded that the Tollway budgets about \$60 million a year for fleet, business equipment and non-roadway capital needs. He explained that the amount budgeted is based on historical spending, the fleet's condition and lifecycle, and inflation projections.

**Website Redesign to Enhance Customer Service:** Executive Director Bedalov introduced Shana Whitehead, Chief of Business Systems, to provide for the Board a preview of the Tollway's new website redesign. [See attached presentation.](#)

Director Gomez inquired about the Tollway's capacity to provide rental car customers an ability to temporarily add their rental vehicle license plate to their I-Pass account. Ms. Whitehead responded that such a feature is planned for future delivery to customers, following successful implementation of the Tollway's new back office system and website.

## Items for Consideration

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Chairman Schillerstrom reminded those in attendance that each of the following items for consideration has been reviewed in detail, discussed and approved at committee for placement on the Meeting agenda with the relevant committee's recommendation for Board approval.

### **Procurement**

*Item 1: Award of Contract 16-0050 to CDW Government LLC (CDW-G) for the purchase of a Microsoft Support Agreement for Windows Server in an amount not to exceed \$568,215.00 (Order Against CMS Master Contract).*

Chairman Schillerstrom advised that the vendor has recently notified the agency of an error in their bid amount and, therefore, staff is requesting this item be deferred to the next Board meeting.

Chairman Schillerstrom called for a motion to table **Procurement Item 1** until the next Board of Directors meeting. Director Johnson made a motion to table; seconded by Director Dotson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to table PASSED.

*Item 2: Increase to Contract 14-0090 to A-1 Lock, Inc. (d.b.a. A-1 Corporate Hardware) for the purchase of Hirsch Velocity System Locks and Lock Parts in an amount not to exceed \$100,000.00 (Order Against CMS Master Contract).*

Chairman Schillerstrom called for a motion to approve **Procurement Item 2**. Director Johnson made a motion for approval; seconded by Director Gonzalez. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Gonzalez, Director Dotson, Director Gomez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.



*Item 3: Award of Contract 12-0289RR to European Craftsmanship, Inc. (d.b.a. ECI Green, Inc.) for the purchase of Building Glass Repair Services in an amount not to exceed \$146,264.00 (Tollway Invitation for Bid).*

Chairman Schillerstrom called for a motion to approve **Procurement Item 3**. Director Dotson made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Director Sweeney requested confirmation that a single bid was received on this item. John Donato, Chief of Procurement, confirmed.

Hearing nothing further, Chairman Schillerstrom called for a roll call on the pending motion, the vote of yeas and nays being as follows:

Yeas: Director Dotson, Director Johnson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 4: Award of Contract 15-0082R to City Welding Sales & Service, Inc. for the purchase of Pre-Filled Compressed Gas Cylinders and Refill Services in an amount not to exceed \$100,468.40 (Tollway Invitation for Bid).*

Chairman Schillerstrom called for a motion to approve **Procurement Item 4**. Director Dotson made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Dotson, Director Johnson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 5: Award of Contract 15-0048 to J.P. Simons & Co. for the purchase of Electrical Wire and Cable in an amount not to exceed \$97,320.00 (Tollway Invitation for Bid).*

Chairman Schillerstrom called for a motion to approve **Procurement Item 5**. Director Gomez made a motion for approval; seconded by Director Gonzalez. Chairman Schillerstrom asked if



there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Gomez, Director Gonzalez, Director Dotson, Director Johnson, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 6: Award of Contract 16-0014 to J.P. Simons & Co. for the purchase of HVAC Replacement Parts in an amount not to exceed \$79,800.00 (Tollway Invitation for Bid).*

Chairman Schillerstrom called for a motion to approve **Procurement Item 6**. Director Gomez made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Gomez, Director Johnson, Director Dotson, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 7: Increase to Contract 11-0083R to Stenstrom Petroleum Services, Inc. (d.b.a. Stenstrom Petroleum Services Group) for the purchase of Underground Fuel Tank Monitoring System Services in an amount not to exceed \$20,000.00 (Tollway Invitation for Bid).*

Chairman Schillerstrom called for a motion to approve **Procurement Item 7**. Director Johnson made a motion for approval; seconded by Director Gomez. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Gomez, Director Dotson, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

## Engineering



*Item 1: Award of Contract RR-16-4259 to JG Demo, Inc. for Pavement Rehabilitation on the Tri-State Tollway (I-294) Maintenance Facility M-2 (Hillside) at Milepost 29.8 (Cermak Rd.) in the amount of \$1,268,710.23.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 1**. Director Dotson made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Dotson, Director Johnson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 2: Award of Contract I-16-4665 to Accel Construction Services Group, LLC for Building Removal on the North-South bypass of the Elgin O'Hare Western Access (EOWA) from Milepost 0.8 (Franklin Avenue) to Milepost 5.8 (Touhy Avenue) and the Tri-State Tollway (I-294) from Milepost 7.6 (I-57) to Milepost 8.4 (145th Street) in the amount of \$726,983.17.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 2**. Director Johnson made a motion for approval; seconded by Director Dotson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 3: Acceptance of Proposal from Alfred Benesch & Company /Christopher B. Burke Engineering, Ltd./Lin Engineering, Ltd. (TM), on Contract I-15-4656 for Interchange Design, on the North-South bypass of the Elgin O'Hare Western Access (EOWA) between the Tri-State Tollway (I-294) and Franklin Avenue/Green Street and on the Tri-State Tollway (I-294) from Milepost 33.6 (North Avenue) to Milepost 36.4 (Wolf Road), in an amount not to exceed \$24,442,011.52.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 3**. Director Johnson made a motion for approval; seconded by Director Dotson. Chairman Schillerstrom asked if there



are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 4: Change Order on Contract I-13-4629 to F.H. Paschen, S.N. Nielsen & Assoc., LLC for Road and Bridge Construction on the New Illinois Route 390 from Milepost 10.1 (Park Boulevard) to Milepost 13.6 (Arlington Heights Road), in the amount of \$800,764.64.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 4**. Director Johnson made a motion for approval; seconded by Director Gomez. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Director Gomez asked for further explanation of the purpose of the change order. Paul Kovacs, Chief Engineer, responded that the change order provides for additional earth excavation quantity that was not reflected in the original contract because balancing and movement of the large quantities (approximately 2 million cubic yards) of earthwork required for the corridor was still in progress at the time the design was finalized. Mr. Kovacs highlighted that the additional quantity was procured at the same unit price of the original contract.

Director Sweeney asked the unit price received on this contract for earth excavation. Mr. Kovacs responded that the bid unit price was \$10.50 per cubic yard. He highlighted the competitiveness of the pricing achieved in comparison to the Engineer's Estimate, which utilized a per cubic yard cost of \$15.00.

Hearing nothing further, Chairman Schillerstrom called for a roll call on the pending motion, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Gomez, Director Dotson, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.



*Item 5: Change Order / Extra Work Order on Contract RR-13-5660R to Curran Contracting Company for Roadway Rehabilitation on the Reagan Memorial Tollway (1-88) from Milepost 44.2 (US Route 30) to Milepost 55.1 (US Route 52), in the amount of \$1,337,668.10.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 5**. Director Johnson made a motion for approval; seconded by Director Dotson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Chairman Schillerstrom requested that Mr. Kovacs present this item for benefit of the Board.

Upon conclusion of the item presentation, Chairman Schillerstrom asked whether a cause for the premature pavement deterioration has been determined, and if so, whether recourse is available to agency for potential reimbursement. Mr. Kovacs responded that extensive records of the original work, conducted ten years ago, were reviewed and indicate that the work was performed to contract specifications and standards of the time (based then on IDOT quality controls). He advised that the investigation was unsuccessful in determining a definitive cause for the premature deterioration.

Director Sweeney asked whether a third-party inspection was performed at the time and whether a mix design issue is suspected. Mr. Kovacs responded that both the contractor and construction manager performed testing inspections of the work, results from which exhibited acceptable ranges. He further responded that the mix design used at that time (no longer in use at the Tollway) is well-known to have been difficult to compress, which may have resulted in over-rolling.

**Chairman Schillerstrom requested that for items identified as potential Errors and Omissions, staff include within the item summary the findings and status of the review process.** Mr. Kovacs affirmed that this information will be provided in the future.

Hearing nothing further, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 6: Change Order / Extra Work Order on Contract I-15-4237 to Judlau Contracting, Inc. for Inside Roadway and Bridge Reconstruction on the Jane Addams Memorial Tollway (I-90) from*





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*Milepost 73.3 (Oakton Street) to Milepost 76.5 (Mannheim Road) Westbound and Eastbound, in the amount of \$833,442.75.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 6**. Director Johnson made a motion for approval; seconded by Director Dotson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

At the request of Chairman Schillerstrom, Mr. Kovacs presented this item for benefit of the Board, highlighting that the change orders / extra work orders authorized for all construction contracts awarded since 2005 (aggregate of approximately \$10 billion) comprise less than one percent of the total spent.

Director Sweeney inquired about the agency's recourse against a professional services firm when a design error results in a change order / extra work order. Mr. Kovacs emphasized that the Tollway has a robust review process and every change order is examined for identification as a potential Errors and Omissions item for further evaluation and possible cost recovery. Mr. Kovacs explained in the circumstance of a design error, the redesign is provided by the professional services firm at no cost. He further explained that once final costs are determined (typically at the conclusion of the job) reimbursement is then sought from the firm for any harm determined to have occurred to the agency.

Director Sweeney asked whether there is a process for Board notification of the end results of the Errors and Omissions process. Chairman Schillerstrom responded that staff will be providing members a monthly report which tracks the status and outcomes of Errors and Omissions items. Chairman Schillerstrom also suggested, if practicable, the Board may benefit if staff were to additionally report the contract adjustments which realize savings to the agency.

Director Vazquez Rowland inquired whether there exists a capacity to monitor in real time the cost performance of active construction contracts. Mr. Kovacs responded that pay estimates for construction projects systemwide are updated every two weeks using an internal tracking system (Catapult), providing a means to monitor financial performance.

Hearing nothing further, Chairman Schillerstrom called for a roll call on the pending motion, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)



The motion to approve PASSED.

*Item 7: Resolution Authorizing Augmenting Funds for Land Acquisition for the Tri-State Tollway Project, Project RR-11-4010.*

Chairman Schillerstrom called for a motion to approve **Engineering Item 7**. Director Gomez made a motion for approval; seconded by Director Dotson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Gomez, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

## Legal

*Item 1: Approval of an Intergovernmental Agreement with the Village of Rosemont to add an eastbound exit ramp from I-90 to Lee Street; widen northbound Lee Street Access Drive; and widen eastbound Higgins Road, IL-72. Cost to the Tollway: \$0.*

Chairman Schillerstrom called for a motion to approve **Legal Item 1**. Director Sweeney made a motion for approval; seconded by Director Vazquez Rowland. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Sweeney, Director Vazquez Rowland, Director Dotson, Director Gomez, Director Gonzalez, Director Johnson, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 2: Approval of an Intergovernmental Agreement with the Village of Rosemont to add an eastbound exit ramp from I-90 to Lee Street; widen northbound Lee Street Access Drive; and widen eastbound Higgins Road, IL-72. Cost to the Tollway: \$0.*

Chairman Schillerstrom called for a motion to approve **Legal Item 2**. Director Sweeney made a motion for approval; seconded by Director Vazquez Rowland. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.



Director Johnson stated he wishes to recuse himself from participating in the decision regarding this item.

Hearing nothing further, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Sweeney, Director Vazquez Rowland, Director Dotson, Director Gomez, Director Gonzalez, Chairman Schillerstrom (6)

Nays: None (0)

Recusals: Director Johnson (1)

The motion to approve PASSED.

*Item 3: Approval of an Intergovernmental Agreement with the Illinois Department of Transportation regarding Tollway use of IDOT's Illinois Route 390 Maintenance Yard near Biesterfield Road. Cost to the Tollway: \$0.*

Chairman Schillerstrom called for a motion to approve **Legal Item 3**. Director Gomez made a motion for approval; seconded by Director Sweeney. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion.

Director Johnson complimented staff for their work with local municipalities to address their concerns and to accommodate within Tollway projects certain enhancements (later reimbursed to the agency) which provide benefit to these communities.

Hearing nothing further, Chairman Schillerstrom called for a roll call on the pending motion, the vote of yeas and nays being as follows:

Yeas: Director Gomez, Director Sweeney, Director Dotson, Director Gonzalez, Director Johnson, Director Vazquez Rowland, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 4: Approval of an Intergovernmental Agreement with the Illinois Department of Transportation regarding Tollway use of IDOT's Illinois Route 390 Maintenance Yard near Biesterfield Road. Cost to the Tollway: \$0.*



Chairman Schillerstrom called for a motion to approve **Legal Item 4**. Director Gomez made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Gomez, Director Johnson, Director Dotson, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

*Item 5: Approval of an Intergovernmental Agreement with DuPage County regarding improvements to the Highland Avenue Bridges over Illinois 56 and I-88. Cost to the Tollway: Estimated at \$200,000.*

Chairman Schillerstrom called for a motion to approve **Legal Item 5**. Director Johnson made a motion for approval; seconded by Director Dotson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Johnson, Director Dotson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

## New Business

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Chairman Schillerstrom inquired if there is any new business the Board wishes to discuss.

Emphasizing first the great value to the Board and agency of public comment, Director Dotson suggested that cautioning speakers in advance as to the appropriateness of certain content and implementing a visible time-keeping device may help to ensure an orderly and civil process. Chairman Schillerstrom acknowledged the importance of civility and order. He contended, however, that as a public agency, it is particularly important the Tollway provide a process for public comment which is flexible and accommodative, within reason, to ensure an opportunity for all voices to be heard. He noted that meeting chairs have the discretion, and would be obliged, to interject should comment become inappropriate or overly lengthy in their opinion.



Director Johnson, observing that some public commentators seem under the impression a decision is still pending, asked for confirmation there is no current plan or need to revisit the Board action which has authorized staff to proceed with preparation of an environmental impact statement (EIS) for the Illinois Route 53/120 Project. Chairman Schillerstrom confirmed, advising that the procurement process is underway and after a review by staff of the responsiveness of the proposals received, the next Board action in this regard, anticipated to occur in late summer, will be to consider award of the contract for these services.

Director Vazquez Rowland stated that she is honored to serve on the Board of an agency which she has found exemplifies successful stewardship, planning and management of resources. She suggested that performing outreach to better publicize the Tollway's strong financial condition and independence from state budgets would enhance vendor interest in Tollway procurements and improve bid competition.

### Executive Session

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Chairman Schillerstrom called for a motion to enter Executive Session pursuant to exceptions provided in Sections 2(c)5, 2(c)11, and 2(c)21 of the Illinois *Open Meetings Act* to consider Tollway matters related to the purchase of real property, potential or pending litigation, and the minutes of closed meetings.

Director Dotson made a motion, pursuant to the sections specified, to enter Executive Session; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for discussion. Hearing nothing, Chairman Schillerstrom called for a roll call, the vote of yeas and nays being as follows:

Yeas: Director Dotson, Director Johnson, Director Gomez, Director Gonzalez, Director Vazquez Rowland, Director Sweeney, Chairman Schillerstrom (7)

Nays: None (0)

The motion to approve PASSED.

At approximately 10:50 a.m. the Board entered into Executive Session.

### Return from Executive Session and Action (if any)

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At approximately 11:40 a.m., the Board re-entered the public session of the Meeting.



**Regular Board of Directors Meeting**

*Chairman's Item 2: Approval of the Minutes of the Executive Session of the Board of Directors meeting held May 26, 2016.*

Chairman Schillerstrom called for a motion to approve **Chairman's Item 2**, the Minutes of the Executive Session of the Board of Directors meeting held on May 26, 2016, as presented. Director Gomez made a motion for approval; seconded by Director Johnson. Chairman Schillerstrom asked if there are any questions, concerns or requests for amendment. Hearing nothing, Chairman Schillerstrom called for a vote. The motion PASSED.

**New Business**

Chairman Schillerstrom inquired again if there is any new business the Board wishes to discuss.

Director Gomez suggested that rather than referring separately to Hispanic- and Latino-owned businesses in agency reports, the term Hispanic-owned business might be used universally for the sake of consistency.

**Adjournment**

There being no further business before the Board, Chairman Schillerstrom requested a motion to adjourn. Motion to adjourn was made by Director Gomez, seconded by Director Johnson. Chairman Schillerstrom called for a vote. The motion PASSED unanimously.

The Meeting was adjourned at approximately 11:43 a.m.

Minutes taken by: \_\_\_\_\_

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority