

THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY
MINUTES OF THE REGULAR BOARD MEETING
June 28, 2012

The Illinois State Toll Highway Authority met in regular session on Thursday, June 28, 2012, at approximately 9:00 a.m. in the Board Room of The Illinois State Toll Highway Authority's Central Administration Building in Downers Grove, Illinois. The Meeting was held pursuant to By-Laws of the Authority upon call and notice of the Meeting executed by Chair Paula Wolff and posted in accordance with the requirements of the Open Meetings Act.

Bolded entries indicate issues which will require follow-up to present to the Board.

Chair Wolff stated that this is the regularly scheduled meeting of the Board of The Illinois State Toll Highway Authority and asked the Board Secretary to call the roll. Those Directors present and absent were as follows:

Present:

Chair Paula Wolff

Director Jim Banks

Director Terry D'Arcy

Director David Gonzalez

Director Mark Peterson

Director Jeff Redick

Director James Sweeney

Director Carl Towns

Director Tom Weisner

Absent:

Governor Pat Quinn

Secretary Schneider

Chair Wolff called the meeting to order and asked each Director and staff member seated around the Board table to introduce themselves for the benefit of the meeting guests.

Executive Director Kristi Lafleur then recognized the members of the Route 53/120 Blue Ribbon Advisory Council (BRAC) present at the meeting, including the Council Co-Chairs, George Ranney and David Stolman. Mr. Ranney and Mr. Stolman then highlighted: the BRAC resolution; how the resolution was achieved; key recommendations from the Council's report; and recommended next steps as shown in the [attached presentation](#).

Chair Wolff then opened the floor to public comment and asked those wishing to give public comment to limit their remarks to three minutes. The following members of the public made comments related to the proposed Route 53 Extension Project:

- Senator Terry Link expressed support for the Route 53 Extension project, commended the BRAC for their work, and committed to assisting the Board in identifying financing options.
- State Representative Sydney Mathias expressed support for the Route 53 Extension and offered support to the Board to facilitate start of the project.
- John Brining, Executive Director of the Construction Industry Service Corporation, expressed support for the project; highlighted the industry's high unemployment rate and urged the Board to approve this project as soon as possible.
- Jeffrey Braiman, Village of Buffalo Grove President and BRAC member, expressed support for the project and asked that the Board approve it as soon as possible.
- John Nelson, ACEC-IL, expressed support for the project and stated that user fees and tolls are the best financing options for this and future projects.
- Bill Baltuis, Executive Director of TMA Lake Cook, asked that the Board move forward with this project as soon as possible and emphasized the positive impact of this project on regional business.
- Craig Horwitz, resident of Buffalo Grove, expressed concern that local property tax increases would be used to finance this project.
- Charlie Eldridge, McHenry County Economic Development Corporation, expressed support for the project.
- Larry Anderson, Executive Vice President of the Lake County Contractors Association, expressed support for the project.
- Greg Koeppen, Lake County Farm Bureau, expressed support for the project to facilitate tourism in the region.

- Mayor Linda Soto, Village of Hainseville, expressed support for the project to stimulate economic growth locally.
- Suzanne Zupec, Chair of the Lake County Transportation Alliance, expressed support for the project to stimulate economic growth.
- Elliot Hartstein, Lake Region CMAP Board, expressed support for the project.
- Rob Sherman, Rob Sherman Advocacy, expressed opposition to funding the Route 53 project with tolls and taxes on Cook County residents and businesses.
- Maria Rodriguez, Village of Long Grove, urged the Board to approve the project as proposed in the BRAC report including environmental best practices.
- Bruce Bassett, Trustee of Village of Grayslake, expressed support for the project.
- Dick Welton, Pace Board of Directors, expressed support for the project and pledged cooperation from the Pace Board to make the project happen.
- Ike Magalis, Director on the RTA Board, expressed support for the project.
- Robert Depke, Former Lake County Board Chairman, expressed support for the project and commended the BRAC for reaching a consensus on the project.
- Mike Stirk, Graeff-USA, expressed support for the project due to its livable, sustainable aspects - especially the parkway designated as Scenario B in the BRAC report.
- David Castillo, civil engineer and Mundelein resident, expressed support for the project.
- Steve Barg, Executive Director of Conserve Lake County, expressed support for the project despite previously opposing similar projects due to environmental challenges.
- Lynn Karner, Lake County Building and Construction Trades Council expressed support for this project and the environmental standards in the proposed design.

Chair Wolff invited the Board members to address questions to BRAC Co-Chairs about the project. She noted that there will be several additional opportunities for the Board to discuss this project after they have had more time to review the BRAC report.

Director Weisner commended the BRAC for their work in reaching a consensus on the design of the project. He then asked what factors contributed to the recommendation to set the speed limit at 45 mile per hour (mph) on the proposed road. Mr. Stolman responded that traffic engineering studies indicate that whether the speed limit is 45 mph or 60 mph, the same number of cars can pass through the proposed system. However, the 45 mph speed limit produces a lower carbon foot print. Mr. Ranney added that the 45 mph speed limit also addresses community contact issues in that the lower speed limit reduces noise levels by up to 50% compared to noise levels at higher speed limits.

Director Weisner commented that identifying financing options must be done early on if this project is to be considered viable. Mr. Ranney agreed and indicated that ideas regarding local participation are included in the BRAC report. He acknowledged that additional work is needed to identify the best opportunity for local participation and other financing options.

Director Redick asked whether there are regional or national models in which a previously non-tolled road was successfully converted to a toll road with a low speed limit. He added that it seemed counterintuitive that drivers would pay to drive on a road with a lower speed limit. Mr. Ranney responded that this is an innovative project and therefore there are no examples to his knowledge of this type of road. He also noted that the incorporation of the 45 mph speed limit in the proposed design was critical in gaining consensus for the project. Mr. Stolman emphasized that there is no existing road in that area. He added that the

proposed road would allow a continuous flow of traffic to move goods, services and people from point A to point B and thus open an economic corridor in that portion of Lake County.

Chair Wolff suggested that the Board take a 10 minute break before listening to additional public comment on other topics. After the 10 minute break, Chair Wolff asked those sitting around the board table to re-introduce themselves.

Chair Wolff then re-opened the floor to public comment and asked those wishing to give public comment to limit their remarks to three minutes. The following members of the public made comments related to the Tollway's DBE and other minority participation programs:

- Lauren Engle, IEI, expressed support for the Tollway DBE program. She indicated that her firm has grown to 75 employees due to participation in the Tollway DBE program and has become a prime contractor.
- Larry Bullock, President of the Suburban Minority Contractors Association, asked the Board to pursue unbundling contracts to reach the Tollway's diversity goals. He commended the Tollway for proactively implementing diversity programs.
- Vernal Steinhart, SE3 LLC, commended the Tollway for increasing staff diversity and its continued commitment to the DBE program.
- Wilbur Milhouse, Milhouse Engineering and Construction, expressed thanks to the Tollway for choosing his firm to be the construction manager for the Jane Adams Tollway project.
- Rashod Johnson, The Roderick Group, indicated that his firm will be a subcontractor on the Tollway's PMO contract as a result of the DBE program. He expressed gratitude for his first opportunity to work with the Tollway.
- Jorge Moreno, CivCon Services Inc, expressed support for the Tollway DBE program and indicated that his firm was selected as

a subcontractor for the PMO contract.

- Bob Israel, Save Our Community Coalition, expressed concern that currently there are no African-American contractors working on the I-294/I-57 project and that no African-American skilled craftsmen were hired for the project. He suggested that the Tollway build a community hiring program and offered to assist in that effort.
- Deborah Sawyer, Environmental Design International Inc., indicated that her firm started work with the Tollway as a subcontractor in the DBE Program and is currently a prime contractor for the Tollway.
- Omar Shareef, African-American Contractor Association, expressed concern that no African-American skilled labor is working on the transportation projects in the south suburban communities.
- Dr. Eliyahh Ysr'al, Internal Congregations of Ysr'Al, expressed concern that unions are not being forced to comply with diversity goals.
- Donald T. Dionesotes, private citizen, expressed concern about the "no-bid" contract referenced in a recent article published in the Chicago Tribune.
- Kerry Nutter, PMCS Engineering firm, expressed support for the Tollway's DBE program and indicated that her firm will be a subcontractor for the Tollway PMO contract.

Consent Agenda

Chair Wolff began the consent agenda (which consisted of items reviewed earlier in detail by Committees) by calling for a motion adopting the following **Finance** resolution:

Item 1: Approval to write off unpaid miscellaneous receivables in the amount of \$451,078.22.

Director Banks moved for adoption of the resolution for Finance Item 1; seconded by Director Towns. The motion was approved unanimously.

Chair Wolff called for a motion adopting the following **Information Technology** resolution:

Item 1: Award of Contract 12-0226 to McGladrey LLP for the purchase of PCI Compliance Analysis in an amount not to exceed \$78,000 (Emergency Purchase).

Director Peterson moved for adoption of the resolution for **Information Technology Item 1**; seconded by Director Towns. The motion was approved unanimously.

Chair Wolff called for a motion adopting the following **Procurement** resolutions:

Item 1: Award of Contract 12-0094 to Advocate Health and Hospitals Corporation d/b/a Advocate Fitness for the purchase of Health Fair Screenings in an amount not to exceed \$65,100.00 (Tollway Invitation for Bid).

Item 2: Award of Contract 11-0184R to MEDTOX Scientific, Inc. d/b/a MEDTOX Laboratories, Inc. for the purchase of Drug and Alcohol Testing Services in an amount not to exceed \$60,000.00 (Tollway Request for Proposal).

Item 3: Award of Contract 12-0012 to a pool of 15 vendors for the purchase of the services of Hearing Officers in an amount not to exceed \$399,000.00 (Tollway Request for Proposal).

Item 4: Award of Contract 12-0203 to Precision Control Systems of Chicago, Inc. for the purchase of Building Automation Maintenance in an amount not to exceed \$100,000.00 (Tollway Sole Source).

Director Peterson moved for adoption of the resolutions **for Procurement Items 1, 2 &4;** seconded by Director Towns. The motion was approved unanimously.

Regarding Procurement Item 3, Director Gonzalez expressed concern that none of the fifteen lawyers selected as hearing officers were from African-American or Latino-owned firms. John Donato, Chief of Procurement, indicated that upon further research he found that two of the law firms within the pool are African-American-owned firms but the firms are not registered as MBE/DBE firms with the State. He added that over fifty percent of the selected pool is comprised of minority- or women-owned firms. Director Gonzalez asked whether this contract needed to be approved today. Mr. Donato responded affirmatively and added that the Tollway is currently working under an emergency procurement extension which expires on September 1. **Chair Wolff suggested that staff contact the DBE firms that did not respond to the bid solicitation to determine their rationale for not doing so.**

Director Gonzalez asked whether it was allowable to hold Tollway violation hearings in the South Suburbs to accommodate customers and attract DBE firms in that area to become hearing officers. **Chair Wolff suggested that staff investigate that option for the future.**

Director Peterson moved for adoption of the resolution **for Procurement Item 3;** seconded by Director Banks. The motion was approved with affirmative votes from Directors Banks, D'Arcy,

Peterson, Redick, Sweeney, Towns, Weisner and Chair Wolff and an opposing vote from Director Gonzalez.

Chair Wolff called for a motion adopting the resolutions for the following **Engineering Items**:

Item 1: Award of Contract I-12-4037 to Plote Construction, Inc. for Median Shoulder Widening, Bridge Repair, and Intermittent Pavement Patching on the Jane Addams Memorial Tollway (I-90) from Milepost 45.0 (Sandwald Road) to Milepost 53.5 (Elgin Toll Plaza #9), in the amount of \$8,954,217.81

Item 2: Award of Contract I-11-5629 to R.W. Dunteman Company for Interchange Grading and Dixie Creek Realignment on the Tri-State Tollway (I-294) and I-57 Interchange from Milepost 7.25 to Milepost 7.65 in the amount of \$3,323,094.72

Item 3: Acceptance of Proposal from HNTB Corporation on Contract I-11-4013 for Systemwide Program Management and Technical/Administrative Services, in the amount of \$69,890,000.00

Item 4: Acceptance of Proposal from HR Green, Inc. on Contract I-11-4028 for Construction Management Services for Bridge Reconstruction and Widening on the Jane Addams Memorial Tollway (I-90) from Milepost 27.4 (Mosquito Creek) to Milepost 42.3 (US Route 20) in the amount of \$1,999,662.80.

Item 5: Acceptance of Proposal from Milhouse Engineering and Construction, Inc. on contract I-11-4038 for Construction Management Services for Roadway Widening on the Jane Addams Memorial Tollway

from Milepost 17.4 (I-39) to Milepost 53.8 (Elgin Toll Plaza #9) in the amount of \$2,900,000.00.

Item 6: Final Release of Retainage on Contract I-09-5599 to IHC Construction Companies, LLC, for Roadside Improvement Project on the Tri-State Tollway (I-294/I-94) from Milepost 1.0 (Lincoln Oasis) to Milepost 52.8 (Edens Spur Ramp); and on the Tri-State Tollway (I-94) from Milepost 1.0 (Russell Road) to Milepost 25.2 (Edens Spur) in the amount of \$142,752.42.

Director Banks moved for adoption of the resolutions for **Engineering Items 1-6**; seconded by Director Sweeney. The motion was approved unanimously.

Item 7: Final Release of Retainage on Contract RR-10-5617 to William Charles Construction Company, LLC/Rock Road Companies, Inc., Joint Venture, for Roadway and Bridge Rehabilitation on the Jane Addams Memorial Tollway (I-90) from Milepost 17.0 (Newburg Road) to Milepost 45.0 (Sandwald Road) in the amount of \$43,600.00. (Recusal by Director Towns)

Director Redick moved for adoption of the resolutions for **Engineering Items 7**; seconded by Director Banks. The motion was approved unanimously.

Item 8: Final Release of Retainage on Contract RR-10-9012 to RoadSafe Traffic Systems, Inc., for Pavement Markings Upon Request, Systemwide, in the amount of \$132,919.94.

Director Peterson moved for adoption of the resolutions for **Engineering Items 8**; seconded by Director Sweeney. The motion was approved unanimously.

Chair Wolff called for a motion adopting the following **Legal** resolutions:

Item 1: An Intergovernmental Agreement with the Village of Glenview and the Glenview Park District. Cost to the Tollway: Up to a maximum of \$35,458.45.

Item 2: An Intergovernmental Agreement with the Illinois State Police. Cost to the Tollway: as described in the agreement.

Director Banks moved for adoption of the resolutions for **Legal Items 1-2**; seconded by Director Weisner. The motion was approved unanimously.

Chair Wolff requested a motion to approve the minutes of the Regular Board Meeting and Executive Session held on May 24, 2012. Director Peterson made a motion to approve the minutes; seconded by Director Sweeney. The motion was approved unanimously.

Chair Wolff suggested that the Committee Chairs forego their standing committee reports in the interest of time. The Committee Chairs agreed.

Chair Wolff requested a motion to approve the release of previously unpublished Executive Session minutes. Director Banks made the motion to approve; seconded by Director Weisner. The motion was approved unanimously.

EXECUTIVE DIRECTOR UPDATE

Ms. Lafleur introduced Mike Colsch, Chief of Finance, to present the following item:

Award of the Financial Advisory Services Contracts for an initial term of three years in an amount not to exceed \$1.5 Million.

Chair Wolff asked about the number of employees and location of each of the selected firms. **Mr. Colsch did not have that information readily available but committed to providing that information at a later date.**

Chair Wolff called for a motion to approve the resolution for Financial Advisory Services. Director Gonzalez made the motion to approve; seconded by Director Towns. The resolution was approved unanimously.

Ms. Lafleur called on David Goldberg, General Counsel, to present the following item:

Bond Counsel – Approval of a pool of law firms to be used as Outside Counsel for Bond and other related financial transaction matters. Cost to the Tollway: To be determined per negotiation with pool firms.

Mr. Goldberg indicated that the Board could discuss this matter during Executive Session if they elected to do so. The Directors elected to defer discussion of this matter to the Executive Session.

I-294/I-90 Tri-Level Bridge Ramps

Ms. Lafleur informed the Board that the I-294/I-90 Tri-Level Bridge ramps had re-opened – several weeks ahead of schedule. She indicated

that closing these ramps to traffic allowed the Tollway to complete the reconstruction in half the time it would have taken had the bridge ramps remained open during construction. As a result, the \$13 million Tri-Level Bridge Project is expected to be completed on time and within budget by the end of this year. She commended Paul Kovacs, Chief Engineer, and his staff for completing this critical project before the Fourth of July holiday.

At approximately 11:55 am, General Counsel David Goldberg indicated a need to discuss personnel matters and pending litigation in Executive Session pursuant to Section 2(c)(1) and Section 2(c)(11) of the Open Meetings Act.

Director Redick made a motion to enter into Executive Session; seconded by Director D'Arcy. The motion was approved unanimously.

At approximately 12:50 pm, the Board re-entered the public session of the Board Meeting.

Chair Wolff announced that based on the Executive Session discussion the vote on Bond Counsel would be deferred to the next Board meeting.

There being no further business, Chair Wolff requested a motion to adjourn. Director Redick made the motion to adjourn; seconded by Director Gonzalez. The motion was approved unanimously.

The meeting was adjourned at approximately 12:50 pm.

Minutes taken by: _____

Tranece Artis
Board Secretary