

**MINUTES OF REGULAR MEETING OF
THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY**

February 24, 2005

The Illinois State Toll Highway Authority met in regular session on Thursday, February 24, 2005 at approximately 10:00 a.m. in the Board Room of The Illinois State Toll Highway Authority's 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 Chairman John Mitola, which notice reads in words and figures as follows:

THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY
Administration Building
2700 Ogden Avenue
Downers Grove, Illinois 60515

Governor Rod Blagojevich

Director Ronald Materick

Secretary Timothy Martin

Director George Pradel

Director David Andalcio

Director James Roof

Director James Banks

Director Carl Towns

Director Carl Kramp

Pursuant to the provisions of Article IV, Section 2 of the Code of By-laws of The Illinois State Toll Highway Authority, Notice is hereby given of the next meeting of the Authority to be held on Thursday, February 24, 2005 at 10:00 a.m. in the Boardroom of the Administration Building in Downers Grove, Illinois.

John Mitola
Chairman

This meeting will be accessible to individuals with disabilities in compliance with Executive Order #5, and pertinent state and federal laws, upon notification of anticipated attendance. Persons with disabilities planning to attend and needing accommodations should contact the Americans with Disabilities Act Coordinator of The Illinois State Toll Highway Authority at (630) 241-6800, Ext. 1010 in advance of the meeting at 2700 Ogden Avenue, Downers Grove, IL, to inform of their anticipated attendance.

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

Present:

Chairman John Mitola
Director David R. Andalcio
Director Jim Banks
Director Carl Kramp
Director Ronald Materick
Director George Pradel
Director James Roof
Director Carl Towns

Absent:

Governor Rod R. Blagojevich
Secretary Timothy Martin

Chairman Mitola asked if there was any public comment. Mr. Steve Favor addressed the Board on behalf of himself and for a friend, Mr. Jason Sandman. He outlined toll violation notices that Mr. Sandman received and fines incurred. Mr. Sandman is now facing suspension of his driver's license since he could not pay, in five days, \$1,600 for the violations and fines. Mr. Favor asked the Board to pass a resolution limiting the fines to \$20 for five violations, at that the rate be increased to \$70 only after the people receive a registered letter of the violation and are given a reasonable amount of time to respond. He also asked the Board to refund fines that have already been paid by people that were in excess of this amount.

Director Materick asked Mr. Favor if this man knew he was breaking the law when he went through the toll booth. Mr. Favor stated that Jason probably heard that it wasn't being enforced.

Ms. Adrian Favor then addressed the Board with regard to her toll violations. She said she recently received a notice saying her license would be suspended in 21 days because she owed \$1200 for 18 violations. She received the notice on February 17 and it was dated February 3. She said \$900 was added on as late fees for something she didn't receive until after the due date. She asked the Board if there was someone she could work with to see if she could pay the original amount of \$360.

Chairman Mitola suggested she could meet with Scott Okun and Matt Beaudet.

Chairman Mitola then called for a motion approving the Minutes of the regular Board Meeting held on January 27, 2005. Director Towns moved for approval, seconded by Director Kramp.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Chairman Mitola then called for a motion approving the Executive Session Minutes from December 16, 2004, January 6, 2005 and January 27, 2005. Director Kramp moved for approval; seconded by Director Banks.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Chairman Mitola then called for a motion to approve the release Executive Session Minutes dated January 22, 2004, January 29, 2004, March 25, 2004 and April 29, 2004. Director Materick moved for approval; seconded by Director Pradel.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Chairman Mitola then stated that with regard to the stories they just heard, we have to take whatever steps necessary within the law that we can take to make sure our equipment is working as efficiently as it possibly can and treating all of our constituents as fairly as they possibly can be treated. That’s a process in ensuring that our technology and the networking system behind it are running flawlessly and he expects staff to follow-up and ensure that all steps are being taken.

Chairman Mitola then stated that another oasis was opened last week and there has been some coverage of that. We delivered two more premium facilities to the system. We continue to get good responses from customers on the oases. They are the result of an extremely innovative public/private partnership. He congratulated Jack and his team for delivering high standards to these facilities.

Director Materick stated, “I’ve heard some reports that the developer has been asked by the newspapers to disclose the ownerships of the restaurants and they are reluctant to do it. Is there any reason why the Board, for example, why we would be reluctant to do that?”

Chairman Mitola stated, “No, we are not reluctant to do it and Jack will provide some comments on this. In some respects, the public/private partnership creates a middle area. The middle area in this case has to do with the original lease agreement and our rights vis-à-vis the developer’s rights. Jack and his team pushed this developer aggressively in many areas and are continuing that on this notion of transparency and openness. The original lease agreement is not clear on that issue. This was an innovative approach on getting a \$90 million investment at no cost to the toll agency that delivers this level of service and annual income.”

Mr. Hartman said, “The original contract was signed before we got here and the confidentiality clause is something we’re working on with Wilton. These are great buildings and we’ve done a good job of keeping Wilton on schedule with them.”

Director Pradel asked if the glitch with transponders, where they don’t register, has been solved. Jack explained that some people have old transponders and should switch them out. Other examples of problems are the windshields in certain vehicles or people not mounting the transponders correctly on their windshield.

Chairman Mitola suggested that violators with I-PASS should get a different tone to their violation letter.

Mr. Hartman responded, “We are doing a much better job of educating out customers through our website.”

Ms. Cantillon said, “The magnetic windshield issue is less than 1% of cars. There is information on the website addressing this.”

Chairman Mitola then called on Mr. Tom Morache to present the item for Information Technology. Mr. Morache requested adoption of a resolution approving Change Order No. 3 on Contract No. 02-6264 to Unisys for E-Commerce Hardware Upgrade in an amount not to exceed \$845,000.00. This appears in the Appendage as Resolution No. 16723.

Director Materick questioned all the IT items being brought to the Board and stated he couldn't keep track of them. Chairman Mitola said that Ted should present a plan to the Board.

Chairman Mitola also asked the Board to consider consolidating all the meetings into one day.

Director Andalcio explained that the technology that we have today is outdated. We need to continuously update our hardware and software. With what we're doing now at the Tollway, with transponders and I-PASS, we'll have to continue to upgrade our systems to have all information accessible in one location.

Chairman Mitola then called for a motion to adopt said resolution. Director Andalcio moved for adoption; seconded by Director Kramp.

Chairman Mitola called for a voice vote, and there being "Ayes" and no "Nays", declared the motion carried.

Chairman Mitola then called on the Chief of Finance. Mr. Mike Colsch requested adoption of the following:

A resolution amending Resolution No. 16153 to increase the upper limit of compensation in the amount of \$250,000.00 for the payment of services to the Administrative Hearing Officers. This appears in the Appendage as Resolution No. 16724.

A resolution for payment of services to the Auditor General related to the 2003 Financial/Compliance Audit, in the amount of \$171,620.00. This appears in the Appendage as Resolution No. 16725.

Chairman Mitola called for a motion adopting said resolutions. Director Banks moved for adoption; seconded by Director Kramp.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Chairman Mitola then called on Ms. Marilyn Johnson to present the items for the Department of Administration. Ms. Johnson requested adoption of a resolution approving the implementation of an MBE/WBE Business Diversity Program.

Chairman Mitola called for a motion adopting said resolution. Director Andalco moved for adoption; seconded by Director Towns.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Ms. Johnson then requested adoption of the following:

Award of Contract 04-6626 to Xerox Corporation for the lease of seven Small Copiers, in an amount not to exceed \$169,471.40. This item was deferred.

Award of Contract 04-6708 to Miles Chevrolet Nissan for the purchase of seven Police Utility Vehicles used by District 15 State Police, in an amount not to exceed \$174,568.38. This appears in the Appendage as Resolution No. 16727.

Award of Contract 05-0026 to Freeway Ford Sterling Truck for Sterling Truck Parts, in an amount not to exceed \$45,000.00. This appears in the Appendage as Resolution No. 16728.

Award of Contract 05-0015 to Standard Equipment Company and Local Equipment, Incorporated, for Elgin Sweeper Parts, in an amount not to exceed \$42,000.00. This appears in the Appendage as Resolution No. 16729.

Award of Contract 05-0019 to Alliance Materials, Incorporated, Conco Western Stone Company, Feltes Sand and Gravel Company, Macklin, Incorporated and Rockford Blacktop for Sand, Stone and Gravel, in an amount not to exceed \$65,888.00. This appears in the Appendage as Resolution No. 16730.

Renewal of Contract 04-6582 to Motorola, Incorporated for Motorola Radio Parts by \$5,000.00 from \$50,000.00 to an amount not to exceed \$55,000.00. This appears in the Appendage as Resolution No. 16731.

Renewal of Contract 04-6584 to Midco Component Sales, Incorporated for Electronic Parts by \$10,000.00 from \$25,000.00 to an amount not to exceed \$35,000.00. This appears in the Appendage as Resolution No. 16732.

Increase of Contract 02-6368 to Boise-Cascade Office Products Division for Office Supplies by \$5,000.00 from \$161,000.00 to an amount not to exceed \$166,000.00 and to extend the contract for another 60 days or until the new contract is awarded. This appears in the Appendage as Resolution No. 16733.

Director Kramp requested that Item 5.3b, Award of Contract 04-6626, be deferred until next month.

Chairman Mitola stated that Item 5.3b would be deferred and called for a motion adopting Items 5.3c through 5.3i. Director Pradel moved for adoption; seconded by Director Kramp.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Chairman Mitola then called on the Chief of Operations. Ms. Karen Burke requested adoption of the following:

A Sole Source Service Contract to DeLaRue Cash Systems, Inc. to maintain and inspect twelve (12) Mach-12 high speed coin counters in an amount not to exceed \$46,992.00 and to extend the contract through February 20, 2006. This appears in the Appendage as Resolution No. 16734.

A resolution approving a two-year award with ACS State & Local Solutions to provide I-PASS Commercial Billing and Customer Service to commercial trucking accounts. This appears in the Appendage as Resolution No. 16735.

Chairman Mitola called for a motion adopting said resolutions. Director Roof moved for adoption; seconded by Director Towns.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Chairman Mitola then called on the Chief Engineer. Mr. Jeff Dailey requested adoption of the following:

Award of Contract RR-02-5097 to Dunnet Bay Construction Co. for Bridge Reconstruction of the Mill Street Bridge over the Reagan Memorial Tollway at Mile Post 125.9, in the amount of \$2,908,332.00. This appears in the Appendage as Resolution No. 16736.

Award of Contract RR-03-5151 to Dunnet Bay Construction Company, for Bridge Replacement on the Northwest Tollway US 20 - Marengo/Hampshire at Mile Post 36.7, in the amount of \$4,321,188.00. This appears in the Appendage as Resolution No. 16737.

Chairman Mitola called for a motion adopting said resolutions. Director Banks moved for adoption; seconded by Director Roof.

Chairman Mitola called for a voice vote, and there being "Ayes" and no "Nays", declared the motion carried.

At this time, Mr. Dailey stated that Item 5.5o, Release of Permanent Drainage Easement, would be deferred until next month. He continued with the agenda and requested adoption of the following:

A proposal from MBB Construction Group, Inc. for Construction Inspection Services on Contract RR-03-5145 for Bridge Repairs on the Northwest Tollway, Tyrell Road to Harmony Road, in the amount of \$251,882.00. This appears in the Appendage as Resolution No. 16738.

A proposal from BLA, Inc. dba Bollinger, Lach for Construction Inspection Services on Contract RR-03-5146 for Bridge Repairs on the Reagan Memorial Tollway from Shabbona Rd. to Rte. 46 Ramp, in the amount of \$670,022.00. This appears in the Appendage as Resolution No. 16739.

A proposal from Transystems Corporation for Design Engineering Services on Contract I-05-5410 for Reconstruction and Additional Lane on the Tri-State Tollway from Dempster Street to Lake Cook Road, in the amount of \$4,500,648.00. This appears in the Appendage as Resolution No. 16740.

A proposal from Mactec Engineering & Consulting, for Design Engineering Services on Contract I-05-5415 for Reconstruction and Add Lane on the Tri-State Tollway at Half Day Road to IL 176, in the amount of \$1,835,314.00. This appears in the Appendage as Resolution No. 16741.

Proposal from Edwards & Kelcey Design Services for Design Engineering Services on Contract I-05-5453 for Reconstruction and Add Lane on the Reagan Memorial Tollway from I-290 to Rte. 83, in the amount of \$2,022,924.00. This appears in the Appendage as Resolution No. 16742.

Chairman Mitola called for a motion adopting said resolutions. Director Banks moved for adoption; seconded by Director Kramp.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Mr. Dailey then requested adoption of the following:

A proposal from RJN Group, Inc. for Design Engineering Services on Contract I-05-5401 for Reconstruction and Add Lane on the Tri-State Tollway from IL 176 to Russell Road, in the amount of \$4,793,825.00. This appears in the Appendage as Resolution No. 16743.

Chairman Mitola called for a motion adopting said resolution. Director Banks moved for adoption; seconded by Director Kramp.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried. Director Roofl abstained from voting on this resolution.

Mr. Dailey went on and requested adoption of the following:

A Change Order and Extra Work Order on Contract RR-03-5157B in the amount of \$381,543.20, to Aldridge Electric, Inc. for Dynamic Message Signs and CCTV Camera Installations at various locations on the Northwest, Tri-State, Edens and Kennedy. This appears in the Appendage as Resolution No. 16744.

A Change Order on Contract RR-03-9005 to Maintenance Coatings Co. for Epoxy Pavement Marking Systemwide, in the amount of \$50,000.00. This appears in the Appendage as Resolution No. 16745.

Release of Retainage on Co0ntract RR-03-5082 for Intermittent Pavement Repairs on the Tri-State Tollway from Mile Post 40.0 (Balmoral) to Mile Post 77.8 (North Terminus), to Plote Construction, Inc. in the amount of \$138,513.10. This appears in the Appendage as Resolution No. 16746.

Release of Retainage on Contract RR-02-5109 for Intermittent Pavement Repairs on the Tri-State Tollway at Mile Post 25.2 (Hinsdale Oasis), 26.8 (47th St.), 29.0 (31st St.) and 38.7 (Irving Park Road), to Central Blacktop Co. Inc., in the amount of \$96,077.04. This appears in the Appendage as Resolution No. 16747.

Release of Retainage on Contract RR-02-8950 for Interim Roadway Improvements on the Tri-State Tollway from Mile Post 11.23 (North of Cal Sag Channel) to 17.70 (95th St.), to K-Five Construction Corp., in the amount of \$153,132.33. This appears in the Appendage as Resolution No. 16748.

Chairman Mitola called for a motion adopting Items 5.5 j, k, m and n. This vote will not include Contract RR-03-5082. Director Banks moved for adoption; seconded by Director Materick.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Chairman Mitola then called for a motion to adopt Item 5.5/l, Contract RR-03-5082 to Plote Construction, Inc. Director Andalcio moved for adoption; seconded by Director Materick.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried. Director Roolf abstained from voting on this resolution.

Chairman Mitola then called on the General Counsel to present his agenda. Mr. Tom Bamonte requested adoption of a resolution amending Resolution No. 16518 by authorizing an increase in the upper limit of compensation from \$50,000.00 by \$75,000.00 to a new upper limit of \$125,000.00, to the law firm of Piper Rudnick, n/k/a DLA Piper Rudnick Gray Cary US LLP. This appears in the Appendage as Resolution No. 16749.

Mr. James Wright, the Inspector General of the Tollway, gave a presentation on the duties and functions of his office and a brief outline of situations handled.

Mr. Tom Bamonte then requested the Board enter into Executive Session under Section 2 (c) 11 of the Open Meetings Act to discuss litigation.

Chairman Mitola moved to enter into Executive Session; seconded by Director Materick.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

(Whereupon the Board entered into Executive Session to discuss pending litigation)

Back in regular session, and there being no further business, Chairman Mitola called for a motion to adjourn. Director Towns moved to adjourn; seconded by Director Andalcio.

Chairman Mitola called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Meeting adjourned at approximately 11:35 a.m.

Secretary
The Illinois State Toll Highway Authority

APPENDAGE

February 24, 2005