



Record of Meeting | March 26, 2020

The Illinois State Toll Highway Authority’s (“Tollway”) Board of Directors met in regular session on Thursday, March 26, 2020. 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.*

In response to COVID-19, Governor Pritzker issued Executive Order 2020-07, which suspends provisions requiring in-person attendance of the public body and amends conditions when remote participation is permitted. In accordance with the Executive Order, the meeting was conducted telephonically. 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 10:13 a.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 Jim Connolly
Director Steve Davis
Director Alice Gallagher
Director Karen McConnaughay
Director Scott Paddock
Director Gary Perinar
Director Jim 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.

Public Comment

Chairman Evans opened the floor for public comment.



Nirav Majmudar of Meru Corporation, Niles IL addressed the Board. Mr. Majmudar offered comments on a bid submitted by Meru Corporation which was deemed non-responsive.

Comments were also offered by a member of the public, identifying himself as “Kevin,” who expressed concerns regarding the Tollway’s procurement process.

Chairman Evans thanked the speakers for their comments.

Chairman’s Items

Item 1: Approval of the Minutes of the Regular Board of Directors Meeting held February 11, 2020.

Chairman Evans entertained a motion to approve **Chairman’s Item 1**, the Minutes of the regular Board of Directors meeting held on February 11, 2020, as presented. Director Paddock made a motion to approve the Minutes, seconded by Director Connolly. The motion PASSED unanimously.

Item 2: Approval of the Minutes of the Executive Session of the Regular Board of Directors meeting held February 11, 2020.

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 the committee reports, noting that the Finance, Administration & Operations Committee did not meet this month.

Item 4: Approval of Resolution to Reappoint Tollway Board Secretary and Assistant Secretaries.

Chairman Evans entertained a motion to approve **Chairman’s Item 4**, as presented. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously. [Secretary’s Note: Chairman Evans offered additional clarification of this item just prior to adjourning to Executive Session.]

Item 5: Additional Items.

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

Executive Director’s Items



Executive Director Alvarez provided an update regarding the Tollway's response to Covid-19, stating that the Illinois Tollway continues to serve the public, as a critical pipeline for regional commerce, while maintaining the safety and security of all of those who travel on its system. Mr. Alvarez described the measures taken by the Tollway for the protection of its customers and employees, including temporary suspension of cash toll collections and customer service operations. He also emphasized that all roadways are open, with full maintenance, in addition to H.E.L.P. truck and Illinois State Police support to keep motorists safe. He noted that Tollway administrative departments are operational and construction projects currently are proceeding as planned.

Items for Consideration

Business Systems

Chairman Evans called on Derek Messier, Chief Operating Officer, to present to the Board the following Business Systems item:

Item 1: Award of Contract 19-0203 to IGOR The Watchdog Corp. for the purchase of I-PASS Distribution and Back-End Support Services in an amount not to exceed \$350,000.00.

Chairman Evans entertained a motion to approve **Business Systems Item 1**. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

Information Technology

Chairman Evans called on Mr. Messier to present to the Board the following Information Technology item:

Item 1: Award of Contract 20-0021 to AssetWorks, LLC for the purchase of a Fuel Management System Upgrade in an amount not to exceed \$150,803.82 (Cooperative Purchase).

Upon conclusion of the item presentation, Chairman Evans entertained a motion to approve **Information Technology Item 1**. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

Operations

Chairman Evans called on Mr. Messier to present to the Board the following Operations items:

Item 1: Award of Contract 18-0018 to Cicero Mfg. & Supply Company, Inc. for the purchase of Carbon Monoxide Detectors and Parts in an amount not to exceed \$164,611.00 for an initial five-



year term and a possible two-year renewal term in an amount not to exceed \$65,844.00 (Tollway Invitation for Bid – Small Business Set-Aside). This contract provides a source for the purchase of Sensepoint XCL carbon monoxide detectors and parts.

Upon conclusion of the item presentation, Chairman Evans entertained a motion to approve **Operations Item 1**. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

Item 2: Amendment to Contract 15-0081 with Old Veteran Construction, Inc.; Anchor Mechanical, Inc.; AGAE Contractors, Inc.; McDonagh Demolition, Inc.; Robe, Inc.; and F.H. Paschen, S.N. Nielsen & Associates LLC for the purchase of Job Order Contracting for General Construction Services in an aggregate amount not to exceed \$18,000,000.00 (Tollway Invitation for Bid). This contract provides a continued source for general construction work in accordance with the Job Order Contracting (“JOC”) Programs.

Upon conclusion of the item presentation, Chairman Evans entertained a motion to approve **Operations Item 2**. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

Director Connolly, referencing remarks made during Public Comment, suggested that the Board may benefit from a briefing on the Tollway's procurement processes. Director Sweeney concurred, noting he has received calls from vendors that have expressed some confusion with the process. Chairman Evans responded affirmatively and **instructed staff to follow-up with Directors**.

Engineering

Chairman Evans called on Paul Kovacs, Chief Engineering Officer, to present to the Board the following Engineering items:

Item 1: Award of Contract I-19-4481 to Lorig Construction Company for Roadway and Bridge Reconstruction on the Tri-State Tollway (I-294), Mile Post 19.4 to Mile Post 20.7 (Archer Ave. IL-171 Interchange), in the amount of \$41,321,997.95. [Recusal: Director Davis]

Item 2: Award of Contract I-19-4507 to Judlau Contracting, Inc. for Shoulder Rehabilitation, Retaining Wall and Noise Abatement Wall Construction on the Tri-State Tollway (I-294,) Mile Post 22.3 (75th Street) to Mile Post 24.1 (I-55 ramps), in the amount of \$9,233,181.12. [Recusal: Director Davis]



Item 3: Award of Contract I-18-4704 to Curran Contracting Company for Advance Earthwork, Drainage and Retaining Wall Construction on the Western Access Tollway (I-490), Mile Post 4.3 (Devon Ave.) to Mile Post 5.6 (South of Touhy Ave.), in the amount of \$48,248,248.00.

Item 4: Award of Contract I-18-4705 to Judlau Contracting, Inc. for Elgin O'Hare Western Access Tollway (I-490) Interchange Construction on the Jane Addams Memorial Tollway (I-90), Mile Post 73.5 (Higgins Creek) to Mile Post 74.7 (Mount Prospect Road), in the amount of \$83,353,068.93. [Recusal: Director Davis]

Item 5: Award of Contract I-19-4491 to Walsh Construction Company II, LLC; for I-55 Ramp A Bridge Construction on the Tri-State Tollway (I-294), Mile Post 24.0 (I-55 ramps) to Mile Post 24.5 (Plainfield Road), in the amount of \$24,292,133.52. [Recusal: Director Davis]

Item 6: Award of Contract RR-19-4502 to Civil Constructors, Inc. for Crossroad Structural Preservation and Rehabilitation on the Jane Addams Memorial Tollway (I-90,)Mile Post 2.6 (Rockton Road) to Mile Post 17.85 (I-39), in the amount of \$4,862,823.13.

Item 7: Award of Contract RR-19-4487 to William Charles Construction Company, LLC for Westbound Pavement and Structural Preservation and Rehabilitation on the Jane Addams Memorial Tollway (I-90,)Mile Post 2.6 (Rockton Road) to Mile Post 18.3 (Kishwaukee River Bridge), in the amount of \$5,018,966.62.

Item 8: Award of Contract RR-19-4503 to Curran Contracting Company for Eastbound Pavement and Structural Preservation and Rehabilitation on the Jane Addams Memorial Tollway (I-90), Mile Post 2.6 (Rockton Road) to Mile Post 18.3 (Kishwaukee River Bridge), in the amount of \$4,938,669.42. [Recusal: Director Davis]

Item 9: Award of Contract RR-19-4509 to Foundation Mechanics, LLC for Grading and Drainage Modifications on the Jane Addams Memorial Tollway (I-90) at Mile Post 46.4 (Illinois Route 47) in the amount of \$1,808,558.21 (Small Business Initiative).

Item 10: Award of Contract RR-19-4501 to Enlight Contracting, LLC, for Miscellaneous Drainage and Environmental Repairs on the Reagan Memorial Tollway (I-88), Mile Post 45.5 (Union Pacific Railroad) to Mile Post 136.4 (Midwest Road), in the amount of \$903,311.56 (Small Business Initiative).

Item 11: Acceptance of Proposal from Infrastructure Engineering, Inc., on Contract I-19-4498, for Design Services upon Request on the Tri-State Tollway (I-294) in an amount not to exceed \$5,000,000.00. [Recusal: Director Davis]



Item 12: Acceptance of Proposal from Baxter & Woodman, Inc., on Contract I-19-4711, for Construction Management Services on the Elgin O'Hare Western Access (I-490) between Tri-State Tollway (I-294) and Franklin Avenue in an amount not to exceed \$1,500,000.00. [Recusal: Director Gallagher]

Item 13: Acceptance of Proposal from Interra, Inc., on Contract RR-19-4480, for Design Services for Geotechnical Services upon Request, Systemwide in an amount not to exceed \$5,000,000.00. [Recusal: Director Davis]

Item 14: Acceptance of Proposal from H.W. Lochner, Inc./ d'Escoto, Inc./Illinois Construction & Environmental Consulting, Inc., on Contract I-19-4710, for Construction Management Services on the Tri-State Tollway (I-294) between North Avenue and Grand Avenue in an amount not to exceed \$11,996,920.00.

Item 15: Acceptance of Proposal from STV, Inc., on Contract I-16-4679R, for Construction Management Services on the Elgin O'Hare Western Access (IL 390) at Western Access Interchange in an amount not to exceed \$13,497,967.36.

Item 16: Acceptance of Proposal from Arcadis U.S. Inc., on Contract RR-19-9218, for Construction Management upon Request, Systemwide in an amount not to exceed \$4,000,000.00.

Item 17: Acceptance of Proposal from Atlas Engineering Group, Ltd., on Contract RR-19-9219, for Design Services upon Request, Systemwide in an amount not to exceed \$5,000,000.00. [Recusal: Director Davis]

Item 18: Acceptance of Proposal from FluidClarity, Ltd., on Contract MO-19-1280, for Design Services for Stream Channel Cross-Sections of Culvert, Systemwide in an amount not to exceed \$322,673.33.

Item 19: Acceptance of Proposal from Environmental Design International, Inc., on Contract RR-16-426,7 for Supplemental Design Services for Maintenance Facilities Site Design, Systemwide in an amount of \$450,000.00, increasing upper contract limit from \$3,900,000.00 to \$4,350,000.00.

Item 20: Acceptance of Proposal from A. Epstein and Sons International, Inc., on Contract RR-12-4079, for Supplemental Design Services for Maintenance Facilities, Systemwide in an amount of \$1,700,000.00, increasing upper contract limit from \$7,288,013.00 to \$8,988,013.00. [Recusal: Director Davis]



Item 21: Acceptance of Proposal from Jacobs Engineering Group, Inc., on Contract I-17-4300, for Supplemental Design Services for Roadway Reconstruction and Widening on the Tri-State Tollway (I-294), Mile Post 30.5 (Roosevelt Road) to Mile Post 32.3 (St. Charles Road), in an amount of \$2,745,000.00, increasing upper contract limit from \$38,500,000.00 to \$41,245,000.00. [Recusal: Director Davis]

Item 22: Acceptance of Proposal from Gandhi & Associates, Inc., on Contract I-17-4308, for Supplemental Design Services for Intelligent Transportation Systems and Lighting Design on the Tri-State Tollway (I-294), Mile Post 17.8 (95th Street) to Mile Post 40.0 (Balmoral Avenue), in an amount of \$1,700,000.00, increasing upper contract limit from \$5,189,000.00 to \$6,889,000.00.

Item 23: Acceptance of Proposal from Apex Consulting Engineers, LLC., on Contract RR-17-4314, for Supplemental Construction Management Service, on the Tri-State Tollway (I-294), Mile Post 40.0 (Balmoral Avenue) to Mile Post 52.9 (Lake-Cook Road), in an amount of \$144,818.53, increasing upper contract limit from \$2,069,622.24 to \$2,214,440.77.

Item 24: Award of Contract 19-0007 to Hillside Auto Body & Service, Inc., Lovett's Rite-Way Rebuilders, Inc., O'Hare Towing Systems, Inc. (d.b.a. O'Hare Towing Service, Inc.); URT E&R Towing, Inc. and West & Sons Towing, Inc. for the purchase of Towing and Road Services for Tollway Vehicles and Equipment in an aggregate amount not to exceed \$293,552.30 for an initial three-year term and an amount not to exceed \$317,668.99 for a possible three-year renewal term (Tollway Invitation for Bid).

Item 25: Renewal of Contract 17-0104 with J.P. Simons & Co. for the purchase of Industrial Supplies in an amount not to exceed \$155,000.00 (Tollway Invitation for Bid).

Item 26: Award of Contract 20-0042 to Rush Truck Centers of Illinois, Inc. (d.b.a. Rush Truck Center, Springfield) for the purchase of Snowplow Trucks in an amount not to exceed \$3,567,549.42 (Order Against CMS Master Contract). This contract provides a source for the purchase of 18 replacement snowplow trucks.

Item 27: Land Acquisition – Sale of Excess Property in the amount of \$4,100.00 for parcels NS-03-042.EX, and NS-03-155.EX, located east of I-355 and south of Harding Road, Lombard IL, in DuPage County. Cost to Tollway: N/A.

Upon conclusion of the presentation of items, Chairman Evans stated that Director Davis indicated in advance his wish to recuse himself on Engineering Items 1, 2, 4, 5, 8, 11, 13, 17, 20 and 21. He requested the Board first consider these Engineering items.

Chairman Evans entertained a motion to consolidate for consideration and action Engineering Items 1, 2, 4, 5, 8, 11, 13, 17, 20 and 21. Director Paddock 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 Paddock, Director Connolly, Director Gallagher, Director McConnaughay, Director Perinar, Director Sweeney, Chairman Evans (7)

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 1, 2, 4, 5, 8, 11, 13, 17, 20 and 21**. Director Paddock 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 Paddock, Director Connolly, Director Gallagher, Director McConnaughay, Director Perinar, Director Sweeney, Chairman Evans (7)

Nays: (0)

Recusals: Director Davis (1)

The motion PASSED.

Chairman Evans stated that Director Gallagher indicated in advance her wish to recuse herself on Engineering Item 12. He requested the Board consider this Engineering item separately.

Chairman Evans entertained a motion to approve **Engineering Item 12**. Director Paddock 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 Paddock, Director Connolly, Director Davis, Director McConnaughay, Director Perinar, Director Sweeney, Chairman Evans (7)

Nays: (0)

Recusals: Director Gallagher (1)

The motion PASSED.

Chairman Evans then entertained a motion to consolidate for consideration and action Engineering Items 3, 6, 7, 9, 10, 14, 15, 16, 18, 19 and 22 thru 27. Director Paddock 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 Paddock, Director Connolly, Director Davis, Director Gallagher, Director McConnaughay, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.

The motion to consolidate these items having carried, Chairman Evans entertained a motion to approve **Engineering Items 3, 6, 7, 9, 10, 14, 15, 16, 18, 19 and 22 thru 27**. Director Paddock 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 Paddock, Director Connolly, Director Davis, Director Gallagher, Director McConnaughay, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.

Legal

Chairman Evans stated that without objection, action on Legal items 3 thru 6 will be deferred until after consideration in Executive Session. He then called on Kathleen R. Pasulka-Brown, General Counsel, to present to the Board Legal items 1 and 2.

Item 1: Approval of an Intergovernmental Agreement with the Illinois Department of Transportation ("IDOT") providing Tollway cost participation for drainage work performed at US 41 and the Edens Spur. Estimated reimbursement to the Tollway: \$289,641.89.

Item 2: Approval of an Intergovernmental Agreement with the City of Des Plaines ("City") for work near I-90/I-490 interchange. In exchange, the City is conveying two parcels to the Tollway that are needed for construction and future maintenance. Cost to the Tollway: \$0.

Upon conclusion of the presentation of items, Chairman Evans called for a motion to approve **Legal Item 1**, as presented. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

Chairman Evans then called for a motion to approve **Legal Item 2**, as presented. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.



For benefit of the public, Chairman Evans provided additional details on an item passed earlier in the meeting. He clarified that Chairman's Item 4 (i) reappoints Christi Regnery as the Board Secretary and Open Meetings Act Designee of The Illinois State Toll Highway Authority effective March 26, 2020, and (ii) appoints Janet Long and Tammy Mayfield as Assistant Secretaries to the Board. He noted each of these appointments is for a two-year term.

Executive Session

Chairman Evans called for a motion to enter into Executive Session pursuant to exceptions provided in Sections 2(c)5, 11 and 21 of the Open Meetings Act (5 ILCS 120/2(c)5, 11 and 21) to consider Tollway matters related to the purchase or lease of real property, pending or probable litigation and the minutes of closed meetings. Director Paddock made a motion, pursuant to the sections specified, to enter Executive Session, seconded by Director Connolly. The motion PASSED unanimously.

At approximately 11:10 a.m., the Board entered into Executive Session.

Return from Executive Session and Action (if any)

At approximately 11:29 a.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 February 11, 2020.

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 February 11, 2020. Director Paddock made a motion to approve the Minutes, seconded by Director Connolly. The motion PASSED unanimously.

Legal Item 3: Amendment to Land Acquisition Resolution 23948 for the Tri-State Tollway Project (I-294) to amend Exhibit A to add 13 parcels the Tollway may need to acquire by condemnation. Cost to the Tollway: As discussed in Executive Session.

Chairman Evans entertained a motion to approve **Legal Item 3**, as presented. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

Legal Item 4: Authorization to Enter an Administrative Settlement Agreement – Property Owner – Casey Capital Partners, Tollway Parcel No. NW-6B-18-001. Cost to the Tollway: As discussed in Executive Session.



Chairman Evans entertained a motion to approve **Legal Item 4**, as presented. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

Legal Item 5: Authorization to enter into a Workers Compensation Settlement – LaShonda Chambers. Cost to the Tollway: As discussed in Executive Session.

Chairman Evans entertained a motion to approve **Legal Item 5**, as presented. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

Legal Item 6: Authorization to enter into a Litigation Settlement – Iwan Klowsky. Cost to the Tollway: As discussed in Executive Session.

Chairman Evans entertained a motion to approve **Legal Item 6**, as presented. Director Paddock made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

Adjournment

There being no further business before the Board, Chairman Evans entertained a motion to adjourn. Director Paddock made a motion to adjourn, seconded by Director Connolly. The motion PASSED unanimously.

The Meeting adjourned at approximately 11:33 a.m.

Minutes taken by: Christi Regnery
Christi Regnery
Board Secretary
Illinois State Toll Highway Authority