



Record of Meeting | April 30, 2020

The Illinois State Toll Highway Authority's ("Tollway") Board of Directors met in regular session on Thursday, April 30, 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 11:00 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.

Chairman Evans welcomed Lt. Jason Bradley, Acting Commander of ISP's District 15, and asked him to provide the monthly Safety Message.



Safety Message

Lt. Bradley reviewed the penalties for speeding, including increased fines in school and work zones, and encouraged motorists to slow down. He emphasized that speed continues to be a factor in the majority of personal injury and fatality crashes.

Public Comment

Chairman Evans opened the floor for public comment.

Joe Bodzioch of K-5 Construction, Westmont, IL addressed the Board. Mr. Bodzioch offered comments on Contract RR-20-4511, which was deferred at the April 30, 2020 Finance, Administration & Operations Committee meeting.

Kevin Artl, President & CEO, American Council of Engineering Companies-Illinois, addressed the Board. Mr. Artl expressed his appreciation for Tollway leadership and its advancing of infrastructure projects that provide continuing employment for Tollway partners.

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 March 26, 2020.

Chairman Evans entertained a motion to approve **Chairman's Item 1**, the Minutes of the regular Board of Directors meeting held on March 26, 2020, as presented. Director McConnaughay 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 March 26, 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 committee reports, noting that all Directors were present at the committee meetings.



Item 4: Approval of Amendments to Tollway By-Laws.

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

Item 5: Approval of Committee Assignments and Revisions to Committee Charters.

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

Item 6: 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 on operational changes made to maximize the safety and security of Tollway customers and employees. He additionally discussed the impact of the COVID-19 pandemic on traffic volumes systemwide, noting that the agency's financial situation affords many levers in mitigating the impact. He highlighted that no changes to the Tollway's 2020 capital spending are anticipated, and the construction season is proceeding as planned.

Mr. Alvarez then introduced T.J. Hengesbach, Tollway Inspector General, to present the Office of Inspector General's Summary Activity Report for the period of September 1, 2019 to March 31, 2020.

Having no further items, Executive Director Alvarez returned the floor to Chairman Evans.

Items for Consideration

Finance

Item 1: Award of Contract 20-0065 to Mesirow Insurance Services, Inc. (Alliant Insurance Services, Inc.) for the purchase of Liability Insurance in an amount not to exceed \$1,796,973.00 (Order Against CMS Master Contract). The Tollway's Liability Insurance Program includes coverage for commercial general liability, business auto liability, employment practices, public entity errors & omissions and excess liability insurance.



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

Engineering

Item 1: Award of Contract RR-19-4504 to Meru Corporation for Grading Improvements on the Jane Addams Memorial Tollway (I-90), Mile Post 15.40 (East State Street), in the amount of \$3,745,093.00. (Small Business Initiative)

Item 2: Award of Contract RR-20-4511 to K-Five Construction Corporation for Systemwide Pavement Repairs on the Tri-State Tollway (I-294,) Mile Post 17.7 (95th Street) to Mile Post 36.9 (Franklin Street,) in the amount of \$4,557,831.59.

Item 3: Award of Contract I-19-4499 to Rausch Infrastructure, LLC for Grading and Drainage Improvements on the Tri-State Tollway (I-294), Ramp AB from I-294 SB to I-55 NB/SB Mile Post 23.75, in the amount of \$1,034,473.45. (Small Business Initiative)

Item 4: Award of Contract I-19-4506 to K-Five Construction Corporation for Shoulder Rehabilitation and Traffic Crossover Construction on the Tri-State Tollway (I-294), Mile Post 17.8 (95th Street) to Mile Post 20.7 (LaGrange Road), in the amount of \$2,365,983.20. [Recusal: Director Davis]

Item 5: Award of Contract I-19-4508 to Hecker and Company, Inc. for Procurement of Temporary Highway Lighting Materials on the Tri-State Tollway (I-294), Mile Post 17.8 (95th Street) to Mile Post 20.9 (LaGrange Road), in the amount of \$819,502.00. [Recusal: Director Davis]

Item 6: Award of Contract I-20-4512 to John Burns Construction Company for Advanced Fiber Relocation Installation on the Tri-State Tollway (I-294), Mile Post 32.90 to Mile Post 36.30, in the amount of \$2,287,792.70. [Recusal: Director Davis]

Item 7: Award of Contract I-19-4715 to Enlight Contracting, LLC for Building Demolition on the Elgin O'Hare Western Access Tollway (I-490) in the amount of \$942,000.00. (Small Business Initiative).

Item 8: Award of Contract I-19-4716 to Martinez Frogs, Inc. for Building Demolition on the Elgin O'Hare Western Access (I-490,) Mile Post 0.60 to Mile Post 0.85, in the amount of \$573,130.25. (Small Business Initiative)

Item 9: Award of Contract I-19-4712 to Walsh Construction Company II, LLC for Advanced Earthwork, Drainage Construction and Railroad Spur Grading on the Elgin O'Hare Western



Access Tollway (I-490), Mile Post 0.10 (Tri-State Tollway I-294) to Mile Post 0.35 (Green Street), in the amount of \$7,869,696.44.

Item 10: Acceptance of Proposal from HR Green, Inc., on Contract I-19-4478, for Construction Management Services on the Tri-State Tollway (I-294) between Mile Post 32 (St. Charles Road) and Mile Post 33 (North Avenue/Lake Street) in an amount not to exceed \$15,500,000.00. [Recusal: Director Gallagher]

Item 11: Acceptance of Proposal from Thomas Engineering Group, LLC, on Contract RR-16-4275, for Supplemental Construction Management Services for Roadway and Bridge Reconstruction on the Edens Spur (I-94), Tri-State Tollway (I-294) from Mile Post 25.2 (Tri-State Tollway) to Mile Post 30.0 (Edens Expressway), in an amount of \$1,725,600.00 - from \$7,001,011.80 to \$8,726,611.80.

Item 12: Acceptance of Proposal from STV, Incorporated, on Contract RR-18-4382, for Supplemental Design Services, for Bridge Reconstruction on the Tri-State Tollway (I-94) at Mile Post 7.5 (Stearns School Road) in an amount of \$169,995.15 - from \$1,774,888.24 to \$1,944,883.39. [Recusal: Director Davis]

Item 13: Acceptance of Proposal from Knight E/A, Inc., on Contract I-11-4026, for Supplemental Construction Management Services for New Interchange on the Tri-State Tollway (I-294) and I-57 in an amount of \$160,994.00 - from \$18,654,329.50 to \$18,815,323.50. [Recusal: Director Davis]

Item 14: Acceptance of Proposal from Crawford, Murphy & Tilly, Inc., on Contract RR-18-4353, for Supplemental Design Upon Request Services, Systemwide in an amount of \$750,000.00 - from \$3,000,000.00 to \$3,750,000.00.

Item 15: Acceptance of Proposal from EJM Engineering, Inc. (dba TranSmart/EJM Corporation), on Contract RR-13-4151, for Supplemental Design Upon Request Services, Systemwide in an amount of \$750,000.00 - from \$6,500,000.00 to \$7,250,000.00. [Recusal: Director Davis]

Item 16: Resolution Authorizing Augmenting Funds for Land Acquisition for the Elgin O'Hare Western Access (EOWA) Project, Project I-11-4011.

Item 17: Resolution Authorizing Augmenting Funds for Utility and Fiber Optic Relocation for the Tri-State Tollway Project, Project RR-11-4004.

Chairman Evans stated that without objection, consideration of Engineering Item 2 will be deferred. Chairman Evans further stated that Director Davis indicated in advance his wish to



recuse himself on Engineering Items 4, 5, 6, 12, 13 and 15. He requested the Board first consider these items separately.

Chairman Evans entertained a motion to consolidate for consideration and action Engineering Items 4, 5, 6, 12, 13 and 15. Director McConnaughay 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 McConnaughay, Director Connolly, Director Gallagher, Director Paddock, 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 4, 5, 6, 12, 13 and 15**. Director McConnaughay 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 McConnaughay, Director Connolly, Director Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (7)

Nays: (0)

Recusals: Director Davis (1)

The motion PASSED.

Chairman Evans noted that Director Gallagher indicated in advance her wish to recuse herself on Engineering Item 10. He then entertained a motion to approve **Engineering Item 10**, as presented. Director McConnaughay 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 McConnaughay, Director Connolly, Director Davis, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (7)

Nays: (0)

Recusals: Director Gallagher (1)

The motion PASSED.



Chairman Evans entertained a motion to consolidate for consideration and action Engineering Items 1, 3, 7, 8, 9, 11, 14, 16 and 17. Director McConnaughay made a motion to consolidate these items, seconded by Director Connolly. The motion PASSED unanimously.

The motion to consolidate these items having carried, Chairman Evans entertained a motion to approve **Engineering Items 1, 3, 7, 8, 9, 11, 14, 16 and 17**. Director McConnaughay made a motion to approve these items, seconded by Director Connolly. The motion PASSED unanimously.

Legal

Item 1: Approval of an Intergovernmental Agreement Addendum with the Western Springs Park District. Cost to the Tollway: \$249,825.00. [Recusal: Director Gallagher]

Item 2: Amendment of Land Acquisition Resolutions pertaining to the Tri-State Tollway Project (I-294) to correct four PIN numbers included in Exhibit A attached to each of same. Cost to the Tollway: As discussed in Executive Session.

Chairman Evans stated without objection, action on Legal item 2 will be deferred until after consideration in Executive Session. He additionally noted that Director Gallagher indicated in advance her wish to recuse herself on Legal Item 1.

Chairman Evans entertained a motion to approve **Legal Item 1**, as presented. Director McConnaughay 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 McConnaughay, Director Connolly, Director Davis, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (7)

Nays: (0)

Recusals: Director Gallagher (1)

The motion PASSED.

Internal Audit

Item 1: Award of Contract 20-0048 to Baker Tilly Virchow Krause, LLP for the purchase of Internal Auditing Services in an amount not to exceed \$393,780.00 (Order Against CMS Master Contract).

Chairman Evans entertained a motion to approve **Internal Audit Item 1**. Director McConnaughay made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.



Executive Session

Chairman Evans called for a motion to enter into Executive Session pursuant to exceptions provided in Sections 2(c)5, 8, 21 and 29 of the Open Meetings Act (5 ILCS 120/2(c)5, 8, 21, 29) to consider Tollway matters related to the purchase or lease of real property, security procedures/employee and public safety, the minutes of closed meetings and internal audit controls. Director McConnaughay made a motion, pursuant to the sections specified, to enter Executive Session, seconded by Director Connolly. The motion PASSED unanimously.

At approximately 11:34 a.m., the Board entered into Executive Session.

Return from Executive Session and Action (if any)

At approximately 11:48 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 March 26, 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 March 26, 2020. Director McConnaughay made a motion to approve the Minutes, seconded by Director Connolly. The motion PASSED unanimously.

Legal Item 2: Amendment of Land Acquisition Resolutions pertaining to the Tri-State Tollway Project (I-294) to correct four PIN numbers included in Exhibit A attached to each of same. Cost to the Tollway: As discussed in Executive Session.

Chairman Evans entertained a motion to approve **Legal Item 2**, as discussed in Executive Session. Director McConnaughay 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 McConnaughay made a motion to adjourn, seconded by Director Connolly. The motion PASSED unanimously.



ILLINOIS STATE TOLL HIGHWAY AUTHORITY

Minutes of the
Regular Board of Directors Meeting

Meeting Date
April 30
2020



The Meeting adjourned at approximately 11:52 a.m.

A handwritten signature in cursive script that reads 'Christi Regnery'.

Minutes taken by: _____

Christi Regnery
Board Secretary
Illinois State Toll Highway Authority