



## Record of Meeting | May 21, 2020

The Illinois State Toll Highway Authority’s (“Tollway”) Board of Directors met in regular session on Thursday, May 21, 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 10:56 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 noted that today’s agenda features a significant breakthrough in the Illinois Tollway’s longstanding effort to deliver the Elgin O’Hare Western Access Project and offered his appreciation to staff as well as federal, state and local stakeholders.



Chairman Evans and Executive Director Alvarez expressed their thanks to John Donato, Chief of Procurement, for his service to the Tollway and offered him well wishes in his new position with the State of Illinois Executive Ethics Commission.

Chairman Evans called on Lt. Jason Bradley, Acting Commander of ISP's District 15, to provide the monthly Safety Message.

### Safety Message

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Lt. Bradley encouraged drivers to be alert as construction season starts, to reduce speed in work zones and refrain from distracted driving.

### Public Comment

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Chairman Evans opened the floor for public comment. No public comment was offered.

### Chairman's Items

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Item 1: *Approval of the Minutes of the Regular Board of Directors Meeting held April 30, 2020.*

Chairman Evans entertained a motion to approve **Chairman's Item 1**, the Minutes of the regular Board of Directors meeting held on April 30, 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 April 30, 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 Executive Session Minutes for Public Release.*

Chairman Evans stated that in accordance with the Open Meetings Act, which requires periodic review of the minutes of past closed session meetings, Chairman's Item 4 seeks approval of the



public release of portions of written minutes of closed session meetings of the Tollway Board between April 2009 and March 2020, which no longer require confidential treatment. In response to an inquiry by Chairman Evans, Directors indicated they had no questions or concerns which would require discussion in the Executive Session. Chairman Evans then entertained a motion to approve **Chairman's Item 4**, as presented. Director McConnaughay made a motion to approve these Minutes, seconded by Director Connolly. The motion PASSED unanimously.

Item 5: Additional Items.

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

### Executive Director's Items

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Executive Director Alvarez offered the following remarks regarding the Elgin O'Hare Western Access Project to the Board of Directors:

*"Today, indeed, is a big day for our team, as well as the Chicagoland region at large. Despite the challenges of managing one of the largest tolling systems in the nation, in the midst of a \$14 billion capital program, through an unprecedented pandemic we've been able to continue our core mission of delivering a world-class transportation network that serves as the backbone of our region's economy.*

*And today, we're presenting to the Board for consideration a pair of long-sought agreements between Canadian Pacific Railroad and Union Pacific Railroad and the Illinois Tollway. Negotiations for these agreements began in 2012, and their complexity reflects the importance of the area to the railroad's own operations, with the essentiality of the area to I-490. Together, they are carefully balancing the impact of the project on their significant operational footprint while providing the Illinois Tollway with the mutual exchange of railroad property rights necessary for construction of the new I-490 Tollway.*

*The terms of these agreements represent a substantial step toward the modernization of Illinois' road and railway infrastructure to invigorate the communities and businesses in the region. In the end, these agreements are a result of collaboration.*

*On behalf of the agency, we'd like to thank our local stakeholders and the Local Advisory Council who has supported this project from the beginning. We'd like to thank our federal representatives and senators who have each championed this project, lending their support and resources where needed. We'd like to thank the*



*administration for their ongoing support of our efforts. And I'd like to personally thank the tremendous efforts from our staff to bring these agreements to fruition."*

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

## Items for Consideration

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### Finance

*Item 1: Authorize issuance of up to \$900,000,000 in revenue bonds to refund all or portions of the Series 2013A and 2014B Bonds.*

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

### Business Systems

*Item 1: Approval of Extension of Toll Violation Payment and Settlement Guidelines.*

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

### Operations

*Item 1: Renewal of Contract 17-0127 with Transitions, N.F.P. (d.b.a. The Printer's Mark) for the purchase of Printing and Mailing Services in an amount not to exceed \$7,700,000.00 (State Use Program).*

*Item 2: Extension and increase to Contract 15-0091 with W.W. Grainger, Inc. for the purchase of Maintenance, Repair and Operations Catalog Products in an amount not to exceed \$585,000.00 (Order Against CMS Master Contract).*

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

Chairman Evans noted that Director Davis has indicated in advance his wish to recuse himself from participating in Operations Item 2. He entertained a motion to approve **Operations Item 2**, 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 Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (7)

Nays: (0)

Recusals: Director Davis (1)

The motion PASSED.

### Information Technology

*Item 1: Award of Contract 20-0008 to Unisys Corporation for Unisys System Replacement, Upgrade, Support, Maintenance and Services in an amount not to exceed \$885,720.22 (Tollway Sole Source).*

*Item 2: Award of Contract 20-0052 to CDW Government LLC for the purchase of Microsoft Software, Maintenance, Support and Services in an amount not to exceed \$2,470,506.65. (Order Against DoIT Master Contract).*

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

Chairman Evans entertained a motion to approve **Information Technology Item 2**, as presented. Director McConnaughay made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

### Engineering

*Item 1: Change Order on RR-16-9195 to Western Remac, Inc. for Sign Panel Fabrication and Installation Upon Request, Systemwide, in the amount of \$500,000.00, increasing the upper contract limit from \$1,642,063.00 to \$2,142,063.00.*

*Item 2: Extra Work Order on RR-16-4256 to Plote Construction, Inc. / Dunnet Bay Construction Company for Roadway and Bridge Rehabilitation and Widening on the Veterans Memorial Tollway (I-355), Mile Post 23.3 (Butterfield Road) to Mile Post 29.8 (Army Trail Road), in the amount of \$587,600.00, increasing the upper contract limit from \$58,032,942.02 to \$58,620,542.02.*



*Item 3: Extra Work Order on I-18-4428 to Walsh Construction Company II, LLC for Bridge Reconstruction on the Tri-State Tollway (I-294) at Mile Post 26.6 (Burlington Northern Santa Fe Railway), in the amount of \$2,000,000.00, increasing the upper contract limit from \$78,213,196.98 to \$80,213,196.98.*

*Item 4: Extra Work Order on I-18-4430 to F.H. Paschen, S.N. Nielsen & Associates, LLC for Roadway and Bridge Reconstruction on the Tri-State Tollway (I-294), Mile Post 20.7 to Mile Post 22.3 (Mile Long Bridge), in the amount of \$1,000,000.00, increasing the upper contract limit from \$184,686,675.33 to \$185,686,675.33.*

Chairman Evans stated that Director Davis has indicated in advance his wish to recuse himself on Engineering Items 1 thru 4. He then entertained a motion to consolidate for consideration and action Engineering Items 1 thru 4. 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 then called for a motion to approve **Engineering Items 1 thru 4**. 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.

## Legal

*Item 1: Approval of an Intergovernmental Agreement with Lake County and the Village of Gurnee. Cost to the Tollway: \$0.*



*Item 2: Approval of an Intergovernmental Agreement with the Metropolitan Water Reclamation District of Greater Chicago and the City of Chicago Department of Aviation. Cost to the Tollway: \$644,000.00.*

*Item 3: Amendment to Land Acquisition Resolution 21949 for the Systemwide Project to amend Exhibit A; adding 1 parcel that may need to be acquired by condemnation. Cost to the Tollway: As discussed in Executive Session.*

*Item 4: Approval of a contract with Union Pacific Railroad. Cost to the Tollway: As discussed in Executive Session.*

*Item 5: Approval of a contract with Canadian Pacific Railroad. Cost to the Tollway: As discussed in Executive Session.*

Chairman Evans stated without objection, action on Legal items 3 thru 5 will be deferred until after consideration in Executive Session. He then entertained a motion to approve **Legal Item 1**, as presented. Director McConnaughay made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

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

### Diversity & Strategic Development

*Item 1: Renewal of Contract 16-0031 with Chicago Minority Supplier Development Council, Inc., Griggs Mitchell & Alma of IL, LLC (d.b.a. GMA Construction Group), The Mexican American Chamber of Commerce of Illinois, Inc. (d.b.a. The Illinois Hispanic Chamber of Commerce, Inc.), Illinois State Black Chamber of Commerce, Inc., Inner-City Underwriting Agency, Inc. and Prairie State College for the purchase of Technical Assistance for Developing Businesses in an aggregate amount not to exceed \$1,193,211.28 (Tollway Request for Proposal). This contract provides a continued source for Level 1 or Level 2 technical assistance in specified zones in the northeastern part of Illinois to established small transportation-related construction firms.*

Chairman Evans entertained a motion to approve **Diversity & Strategic Development Item 1**, as presented. Director McConnaughay made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

### Executive Session

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

At approximately 11:16 a.m., the Board entered into Executive Session.

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

At approximately 11:43 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 April 30, 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 April 30, 2020. Director McConnaughay made a motion to approve the Minutes, seconded by Director Connolly. The motion PASSED unanimously.

*Legal Item 3: Amendment to Land Acquisition Resolution 21949 for the Systemwide Project to amend Exhibit A; adding 1 parcel that may need to be acquired by condemnation. Cost to the Tollway: As discussed in Executive Session.*

Chairman Evans entertained a motion to approve **Legal Item 3**, as discussed in Executive Session. Director McConnaughay made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

*Legal Item 4: Approval of a contract with Union Pacific Railroad. Cost to the Tollway: As discussed in Executive Session.*

Chairman Evans entertained a motion to approve **Legal Item 4**, as discussed in Executive Session. Director McConnaughay made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

*Legal Item 5: Approval of a contract with Canadian Pacific Railroad. Cost to the Tollway: As discussed in Executive Session.*





Chairman Evans entertained a motion to approve **Legal Item 5**, as discussed in Executive Session. Director McConnaughay made a motion to approve this item, seconded by Director Connolly. The motion PASSED unanimously.

**Adjournment**

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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.

The Meeting adjourned at approximately 11:47 a.m.

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

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority