



## Record of Meeting | June 25, 2020

The Illinois State Toll Highway Authority's ("Tollway") Board of Directors met in regular session on Thursday, June 25, 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 10:08 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 James Connolly                          |
| Director Stephen Davis                           |
| Director Alice Gallagher                         |
| Director Karen McConnaughay                      |
| Director Scott Paddock                           |
| Director Gary Perinar <i>[joined 10:14 a.m.]</i> |
| Director James 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 called on Lt. Sergio Ortiz, Illinois State Police District 15, to provide the monthly Safety Message.



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## Safety Message

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Lt. Ortiz reported that as more vehicles return to the roads with the reopening of Illinois and increased summer traffic, Illinois State Police will be closely monitoring the Tollway's roads for drivers exceeding speed limits. He encouraged drivers to obey seatbelt and safety laws and to slow down when approaching emergency vehicles and construction zones.

[Director Perinar joined the audioconference at approximately 10:14 a.m.]

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## Public Comment

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

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## Chairman's Items

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*Item 1: Approval of the Minutes of the Regular Board of Directors Meeting held May 21, 2020.*

Chairman Evans entertained a motion to approve **Chairman's Item 1**, the Minutes of the regular Board of Directors meeting held on May 21, 2020, as presented. Director Sweeney made a motion to approve the Minutes, 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 Sweeney, Director Connolly, Director Davis, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chairman Evans (8)

Nays: (0)

The motion PASSED.

[*Secretary's note:* The original vote on the above motion occurred by voice (*viva voce*). The motion was later reconsidered to establish the record of a roll call.]

*Item 2: Approval of the Minutes of the Executive Session of the Regular Board of Directors meeting held May 21, 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 most Directors were present at the committee meetings.

Item 5: Additional Items.

Chairman Evans highlighted that the Tolling 2020 program being later considered by the Board stands to extend much needed relief to the Tollway's customers while laying the foundation for system improvements. He encouraged Directors to support these measures and extended his thanks to staff for helping make these changes possible.

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 thanked the Chairman and the Board of Directors for their support. He highlighted that Tollway staff continue to find ways to improve performance and to better serve the agency's customers.

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

### **Items for Consideration**

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#### **Engineering**

Item 1: Award of Contract I-19-4495 to Dunnet Bay Construction Company for Ramp C Flyover, Dixie Creek Bridge, and Ramp F2 Construction on the Tri-State Tollway (I-294)/I-57 Interchange in the amount of \$46,450,929.37.

Item 2: Award of Contract I-20-4520 to Dunnet Bay Construction Company for Ramp D Roadway and Bridge Construction on the Tri-State Tollway (I-294)/I-57 Interchange in the amount of \$9,365,969.12.

Item 3: Award of Contract RR-20-4530 to Martam Construction, Inc. for Retaining and Noise Wall Rehabilitation and Extension on the Tri-State Tollway (I-294), Mile Post 41.0 to Mile Post 52.45, in the amount of \$1,406,299.20.

Item 4: Acceptance of Proposal from Alfred Benesch & Company / Christopher B. Burke Engineering, Ltd./Lin Engineering, Ltd. on Contract I-15-4656 for Supplemental Design Services for Interchange Design on the North South bypass of the Elgin O'Hare Western Access (EOWA) between the Tri-State Tollway (I-294) and Franklin Avenue/Green Street and on the Tri-State Tollway (I-294), Mile Post 33.6 (North Avenue) to Mile Post 36.4 (Wolf Road), in the amount of



\$900,000.00, increasing the upper contract limit from \$29,242,011.52 to \$30,142,011.52.  
[Recusal: Director Gallagher]

*Item 5: Acceptance of Proposal from exp U.S. Services, Inc. on Contract I-17-4676 for Supplemental Design Services for Interchange Design, on the Elgin O'Hare Western Access Tollway (I-490), Mile Post 5.8 (Touhy Avenue) to Mile Post 6.2 (Jane Addams Memorial Tollway (I-90) System Interchange), in the amount of \$450,000.00, increasing the upper contract limit from \$13,398,000.00 to \$13,848,000.00.*

*Item 6: Acceptance of Proposal from David Mason & Associates of Illinois, Ltd., / Horner & Shifrin, Inc. on Contract RR-13-9149 for Supplemental Design Upon Request Services, Systemwide, in the amount of \$150,000.00, increasing the upper contract limit from \$2,500,000.00 to \$2,650,000.00.*

Chairman Evans stated that Director Davis has indicated in advance his wish to recuse himself on Engineering Items 1, 2 and 4 and that Director Gallagher has indicated in advance her wish to recuse herself on Engineering Item 4. He requested, without objection, that these items be first taken separately.

Chairman Evans entertained a motion to approve **Engineering Item 1**. 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.

Chairman Evans entertained a motion to approve **Engineering Item 2**. 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.



Chairman Evans entertained a motion to approve **Engineering Item 4**. 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 Paddock, Director Perinar, Director Sweeney, Chairman Evans (6)

Nays: (0)

Recusals: Director Davis, Director Gallagher (2)

The motion PASSED.

Chairman Evans then entertained a motion to consolidate for consideration and action Engineering Items 3, 5 and 6. 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 Davis, Director Gallagher, Director Paddock, 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, 5 and 6**. 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 Davis, Director Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.

## Legal

*Item 1: Approval of an Intergovernmental Agreement with the County of DuPage to construct a noise abatement wall on Tollway right-of-way adjacent to I-355 between Milepost 27.2 and Milepost 27.6. Estimated cost to the Tollway: \$584,000.00.*



*Item 2: Amendment to Land Acquisition Resolution 21948 for the Tri-State Tollway Project (I-294) to amend Exhibit A; adding nine parcels that may need to be acquired by condemnation. See ISTHA v. DiBenedetto. 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 then 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 Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.

[*Secretary's note*: The original vote on the above motion occurred by voice (*viva voce*). The motion was later reconsidered to establish the record of a roll call.]

## Business Systems

*Item 1: Approval of authorization to implement Amnesty Program relative to fines and penalties imposed as a result of toll evasion and/or toll violations.*

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. 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 Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.

[*Secretary's note*: The original vote on the above motion occurred by voice (*viva voce*). The motion was later reconsidered to establish the record of a roll call.]

## Executive Session



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 10:28 a.m., the Board entered into Executive Session.

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

At approximately 10:36 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 May 21, 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 May 21, 2020. Director McConnaughay made a motion to approve the Minutes, 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 Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.

Legal Item 2: Amendment to Land Acquisition Resolution 21948 for the Central Tri-State Project to amend Exhibit A; adding 9 parcels 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 2**, as discussed in Executive Session. 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 Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.



**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. 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 Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.

The Meeting adjourned at approximately 10:44 a.m.

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

Christi Regnery  
Board Secretary  
Illinois State Toll Highway Authority