



Record of Meeting | September 17, 2020

The Illinois State Toll Highway Authority's ("Tollway") Board of Directors met in regular session on Thursday, September 17, 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.*

Due to necessary precautions relating to COVID-19, in accordance with the Gubernatorial Disaster Proclamation and current conditions, and consistent with the Open Meetings Act, it was determined by Chairman Willard S. Evans, Jr. that an in-person meeting of the body was neither practical nor prudent. In compliance with all conditions of Open Meetings Act, 5 ILCS 120/7(e), the Board of Directors meeting was conducted by audio conference, without the physical presence of a quorum of the members. 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 10:41 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
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 introduced Captain Bradley, Illinois State Police District 15, to provide the monthly Safety Message.



Safety Message

Captain Bradley discussed Rail Safety Week (September 21-28), noting that the Illinois State Police are partnering with local, state and federal agencies to promote vehicle and pedestrian safety around railroad tracks and trains.

Public Comment

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

Chairman's Items

Item 1: Approval of the Minutes of the Regular Board of Directors Meeting held August 20, 2020.

Chairman Evans entertained a motion to approve **Chairman's Item 1**, the Minutes of the regular Board of Directors meeting held on August 20, 2020, as presented. 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.

Item 2: Approval of the Minutes of the Executive Session of the Regular Board of Directors meeting held August 20, 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: Additional Items.

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

Executive Director's Items



Executive Director Alvarez highlighted the presentation for award of over \$266.3 million in construction contracts in the month of September, emphasizing the importance of continued delivery of the *Move Illinois* Capital Program. He additionally highlighted efforts of the Board and Staff to provide significant relief, increased fairness, and improvements to meet the needs of the Tollway's customers.

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

Items for Consideration

Facilities and Fleet Operations

Item 1: Renewal of Contract 14-0109 with Chicago Backflow, Inc. for the purchase of Backflow Inspection and Repair Services in an amount not to exceed \$60,000.00 (Tollway Invitation for Bid – Small Business Set-Aside).

Chairman Evans entertained a motion to approve **Facilities and Fleet Operations 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.

Engineering

Item 1: Award of Contract RR-19-4466 to Semper Fi Yard Service, Inc. for Landscape Planting Improvements on the Reagan Memorial Tollway (I-88), Mile Post 91.8 (1st Street) to Mile Post 117.2 (Fox River), in the amount of \$1,749,901.61.

Item 2: Award of Contract RR-18-4382 to Dunnet Bay Construction Co. for Bridge Reconstruction on the Tri-State Tollway (I-94) at Mile Post 7.5 (Stearns School Road) in the amount of \$8,691,924.99. Recusal: Director Davis

Item 3: Award of Contract RR-20-4532 to F.H. Paschen, S.N. Nielsen & Associates, LLC for Bridge Reconstruction on the Reagan Memorial Tollway (I-88) at Mile Post 114.2 (Deerpath Road), Bridge Number 801, in the amount of \$3,538,455.85. Recusal: Director Davis



Item 4: Award of Contract I-20-4513 to Aldridge Electric, Inc. for Advance Intelligent Transportation Systems (ITS) Material on the Tri-State Tollway (I-294) between Mile Post 17.8 (95th Street) and Mile Post 24.2 (I-55 Ramps) and between Mile Post 32.4 (St. Charles Road) and Mile Post 33.5 (North Avenue) in the amount of \$3,432,875.80. Recusal: Director Davis

Item 5: Award of Contract I-20-4517 to F.H. Paschen, S.N. Nielsen & Associates, LLC for Roadway & Bridge Reconstruction on the Tri-State Tollway (I-294) between Mile Post 17.5 (95th Street) and Mile Post 19.7 (Plaza 36) in the amount of \$124,441,582.77. Recusal: Director Davis

Item 6: Award of Contract I-20-4519 to F.H. Paschen, S.N. Nielsen & Associates, LLC for Roadway & Bridge Reconstruction on the Tri-State Tollway (I-294) Tollway between Mile Post 22.3 (75th Street) and Mile Post 24.1 (I-55 Ramps) in the amount of \$124,404,249.72. Recusal: Director Davis

Item 7: Extra Work Order on 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 \$365,000.00 from \$2,365,983.20 to \$2,730,983.20. Recusal: Director Davis

Item 8: Continuation of Services on Contract RR-15-9976R with CDM Smith Inc., for Traffic Engineer Services, Systemwide in an amount of \$4,950,000.00 from \$18,410,000.00 to \$23,360,000.00. Recusal: Director Gallagher

Item 9: Land Acquisition – Sale of Excess Property in the amount of \$18,696,186.54 for parcel WA-1D-12-022.EX, located south of Green Street in Bensenville, to the Village of Bensenville. Cost to the Tollway: N/A.

Chairman Evans entertained a motion to approve Engineering 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.

Chairman Evans stated that Director Davis has indicated in advance his wish to recuse himself on Engineering Items 2 thru 7. He requested, without objection, that these items be taken next as a group.



Chairman Evans entertained a motion to consolidate for consideration and action Engineering Items 2 thru 7. 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 2 thru 7**. 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 stated that Director Gallagher has indicated in advance her wish to recuse herself on Engineering Item 8. He requested, without objection, that this item be taken next.

Chairman Evans entertained a motion to approve **Engineering Item 8**, 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 approve Engineering Item 9. 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.

Legal

Item 1: Approval of an Intergovernmental Agreement with The Department of State Police of the State of Illinois. Estimated Cost to the Tollway: \$40,273,469.00.

Item 2: Approval of an Intergovernmental Agreement with the Village of Bensenville. Cost to the Tollway: \$0.

Item 3: Approval of an Intergovernmental Agreement with the Illinois Department of Transportation. Cost to the Tollway: \$0.

Item 4: Amendment to Land Acquisition Resolution 22052 for the Tri-State Tollway Project (I-294) to amend Exhibit A; adding six 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 4 will be deferred until after consideration in Executive Session.

Chairman Evans then entertained a motion to consolidate for consideration and action Legal Items 1 thru 3. 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 **Legal Items 1 thru 3**, as presented. 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.

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, probable or pending litigation and the minutes of closed meetings. Director McConnaughay made a motion, pursuant to the sections specified, to enter Executive Session, 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.

At approximately 11:00 a.m., the Board entered into Executive Session.

[Director Sweeny disconnected from the audio conference during Executive Session.]

Return from Executive Session and Action (if any)

At approximately 11:10 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 August 20, 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 August 20, 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, Chairman Evans (7)

Nays: (0)

The motion PASSED.

Legal Item 4: Amendment to Land Acquisition Resolution 22052 for the Tri-State Tollway Project (I-294) to amend Exhibit A; adding six parcels that may need to be acquired by condemnation. See ISTHA v. DiBenedetto. 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. 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, Chairman Evans (7)

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, Chairman Evans (7)

Nays: (0)

The motion PASSED.

The Meeting adjourned at approximately 11:15 a.m.

Minutes taken by: _____

Christi Regnery
Board Secretary
Illinois State Toll Highway Authority