



Record of Meeting | November 19, 2020

The Illinois State Toll Highway Authority's ("Tollway") Board of Directors met in regular session on Thursday, November 19, 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 Section 7(e) of the 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 10:39 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 Lt. Ken Benson, Illinois State Police District 15, to provide the monthly Safety Message.



Safety Message

Lt. Benson cautioned drivers about the dangers of getting out of their vehicle if involved in an accident or breakdown in an active traffic lane. He urged drivers to remain in the vehicle with the seatbelt fastened, activate emergency hazard lights and call for assistance by dialing 911 or *999. He also reminded drivers to adhere to “The Move Over Law,” also known as Scott’s Law, requiring drivers approaching any stopped vehicle with its emergency flashers activated to slow down, and if possible, move over by safely changing lanes.

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 October 15, 2020.*

Chairman Evans entertained a motion to approve **Chairman’s Item 1**, the Minutes of the regular Board of Directors meeting held on October 15, 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 October 15, 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 for 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 Tollway's AA- bond debt rating affirmed by Fitch and emphasized that the Tollway, despite the pandemic, remains in a solid financial position.

He additionally highlighted the November 23, 2020 opening of the northbound lanes of the Mile-Long Bridge project on the Central Tri-State Tollway (I-294). Mr. Alvarez stressed that this critical investment in regional infrastructure was delivered through the hard work and perseverance of Tollway staff, the Board of Directors, and the design, engineering and construction companies who continued working through the pandemic.

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

Items for Consideration

Finance

Item 1: Renewal of Contract 13-0092 with Law Enforcement Systems, LLC and Harris & Harris, Ltd. for the purchase of Collections and Collection Litigation Services in an aggregate amount not to exceed \$1,500,000.00 (Tollway Request for Proposal).

Chairman Evans entertained a motion to approve **Finance 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 Davis, Director Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.

Facilities and Fleet Operations

Item 1: Award of Contract 20-0077 to Miles Chevrolet, LLC for the purchase of Sports Utility Vehicles in an amount not to exceed \$367,470.00 (Order Against CMS Master Contract).

Chairman Evans entertained a motion to approve **Facilities and Fleet Operations 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 Davis, Director Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.

Information Technology

Item 1: Award of Contract 20-0176 to CDW Government LLC for the purchase of Maintenance and Support for Cisco SmartNet and IronPort Software and Hardware in an amount not to exceed \$1,969,547.60 (Order Against DoIT Master Contract).

Chairman Evans entertained a motion to approve **Information Technology 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 Davis, Director Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (8)

Nays: (0)

The motion PASSED.

Engineering

Item 1: Award of Contract RR-19-4473 to Natural Creations Landscaping, Inc. for Landscape Planting Improvements on the Tri-State Tollway (I-94) from Mile Post 11.50 (IL Route 120) to Mile Post 22.10 (IL Route 22) in the amount of \$999,000.00.

Item 2: Award of Contract RR-19-4468 to Natural Creations Landscaping, Inc. for Landscape Planting Improvements on the Reagan Memorial Tollway (I-88) from Mile Post 53.80 (IL Route 26) to Mile Post 76.00 (IL Route 251) in the amount of \$1,349,840.20.

Item 3: Award of Contract RR-20-4545 to K-Five Construction Corporation for Systemwide Pavement Repairs, Systemwide and on the Tri-State Tollway (I-294) between Mile Post 17.00 (95th Street) and Mile Post 40.00 (Balmoral Avenue) in the amount of \$4,096,789.06.

Item 4: Award of Contract I-20-4542 to Aldridge Electric, Inc. for Lighting Material Fabrication on the Tri-State Tollway (I-294) from Mile Post 17.8 (95th Street) to Mile Post 24.29 (I-55) and Mile Post 32.4 (St. Charles Road) to Mile Post 33.5 (North Avenue) in the amount of \$1,868,263.00.



Item 5: Award of Contract I-19-4476 to Plote Construction, Inc. / Dunnet Bay Construction Company, (JV) for Roadway and Bridge Widening and Reconstruction on the Tri-State Tollway (I-294) at Eisenhower Expressway (I-290) and St. Charles Road in the amount of \$30,738,139.41.

Item 6: Award of Contract I-20-4518 to Walsh Construction Company II, LLC for Roadway Reconstruction and Widening on the Tri-State Tollway (I-294) from Mile Post 19.3 (Plaza 39) to Mile Post 22.3 (75th Street) in the amount of \$70,518,407.28.

Item 7: Amendment to Extra Work Order on Contract I-19-4449 to Plote Construction, Inc. / Dunnet Bay Construction Company, (JV) for Roadway and Bridge Widening and Rehabilitation on the Tri-State Tollway (I-294) from Mile Post 36.3 (Wolf Road) to Mile Post 39.8 (Balmoral Avenue), in the amount of \$181,627.16 (increasing upper limit of Contract from \$63,217,667.09 to \$63,399,294.25).

Item 8: Acceptance of Proposal from ESI Consultants, Ltd. on Contract I-18-4698 for Supplemental Design and Construction Management Services Upon Request on Elgin O'Hare Western Access (I-490) in an amount of \$1,990,462.94 (increasing upper limit of Contract from \$7,000,000.00 to \$8,990,462.94).

Item 9: Award of Contract 20-0062 to Cicero Mfg. & Supply Co., Inc. for the purchase of Ceratech Fast-Setting Cement in an amount not to exceed \$353,900.00 for an initial three-year term and a possible three-year renewal term in an amount not to exceed \$353,900.00 (Tollway Invitation for Bid).

Chairman Evans stated that Director Davis has indicated in advance his wish to recuse himself on Engineering Items 4 thru 8. He then requested that these items be taken first as a group.

Chairman Evans entertained a motion to consolidate for consideration and action Engineering Items 4 thru 8. 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 thru 8**. 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 next entertained a motion to consolidate for consideration and action Engineering Items 1, 2, 3 and 9. 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 1, 2, 3 and 9**. 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 Village of Oak Brook ("Village").
Cost to the Tollway: \$0.*



Item 2: Amendment to Land Acquisition Resolution 22101 for the Tri-State Tollway Project (I-294) to amend Exhibit A; adding seventeen (17) parcels that may need to be acquired by condemnation. See ISTHA v. DiBenedetto. Cost to the Tollway: As discussed in Executive Session.

Item 3: Approval of Continued Suspension of Toll Violation Payment and Settlement Guidelines. Cost to the Tollway: As discussed in Executive Session.

Chairman Evans stated that without objection, action on Legal Items 2 and 3 will be deferred until after consideration in Executive Session.

Chairman Evans entertained a motion to approve **Legal 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 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 10:55 a.m., the Board entered into Executive Session.

Return from Executive Session and Action (if any)



At approximately 11:04 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 October 15, 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 October 15, 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 22101 for the Tri-State Tollway Project (I-294) to amend Exhibit A; adding seventeen (17) parcels that may need to be acquired by condemnation. See ISTHA v. DiBenedetto. Cost to the Tollway: As discussed in Executive Session. [Recusal: Director Gallagher]

Chairman Evans stated that Director Gallagher has indicated in advance her wish to recuse herself on Legal Item 2.

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 Paddock, Director Perinar, Director Sweeney, Chairman Evans (7)

Nays: (0)

Recusals: Director Gallagher (1)

The motion PASSED.

Item 3: Approval of Continued Suspension of Toll Violation Payment and Settlement Guidelines. 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. 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.

New Business

Director Paddock thanked the Tollway Communications Department for their efforts on the recent demonstration held in conjunction with the Illinois State Police at the Chicagoland Speedway. He noted that video footage shot at the demonstration will be used as part of the "Sit Tight, Stay Safe" driver's education curriculum to educate students about roadside emergency situations.

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 Sweeney, Director Connolly, Director Davis, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chairman Evans (8)

Nays: (0)

The motion PASSED.

The Meeting adjourned at approximately 11:07 a.m.

Minutes taken by: _____

Christi Regnery
Board Secretary
Illinois State Toll Highway Authority