



Record of Meeting | July 20, 2022

The Illinois State Toll Highway Authority's ("Tollway") Board of Directors met in regular session on Wednesday, July 20, 2022. The meeting was held pursuant to the By-Laws of the Tollway upon call and notice of the meeting executed by Chair Dorothy Abreu 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 Chair Abreu 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 meeting was conducted by audio conference. 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

Chair Abreu called the meeting to order at approximately 10:49 a.m. Chair Abreu asked the Board Secretary to call the roll, those Directors present and absent being as follows:

Board Members Present:
Chair Dorothy Abreu
Director James Connolly
Director Alice Gallagher
Director Jacqueline Gomez
Director Karen McConnaughay
Director Scott Paddock
Director Gary Perinar
Secretary Omer Osman [<i>ex officio</i>] (<i>joined briefly to participate in the vote on Eng. Item 3</i>)

Board Members Not Present:
Governor JB Pritzker [<i>ex officio</i>]
Director James Sweeney

The Board Secretary declared a quorum present.

Chair Abreu noted that she and Director Paddock were privileged to participate recently in the inauguration of the Tollway's newly-constructed memorial honoring the memory of fallen Illinois State Police ("ISP") troopers and Tollway workers.



Chair Abreu extended the Board's condolences and sympathies to Director Sweeney, whose mother recently passed.

Chair Abreu introduced Chief Information Officer Michael Shay, who recently joined the Tollway's leadership team. She highlighted that Mr. Shay will be leveraging his considerable experience to ensure that the Tollway's IT infrastructure is positioned to meet current and future needs.

Chair Abreu introduced Captain Jason Bradley, Illinois State Police District 15, to provide a safety message.

Safety Message

Captain Bradley reviewed the dangers of driving while committing any of the fatal four violations, which include driving under the influence, speeding, not wearing a seat belt, and distracted driving. He noted that of the fourteen fatal crashes thus far in 2022, nine included individuals not wearing seat belts. He implored all motorists to obey traffic laws and stated that ISP is aggressively enforcing these violations.

Chair Abreu thanked Captain Bradley and District 15 for their efforts.

Public Comment

Chair Abreu opened the floor for public comment. No public comment was offered.

Chair's Items

Item 1: Approval of the Minutes of the Regular Board of Directors Meeting held June 16, 2022.

Chair Abreu entertained a motion to approve **Chair's Item 1**, the Minutes of the regular Board of Directors meeting held on June 16, 2022, as presented. Director Connolly made a motion to approve the Minutes, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.



Item 2: Approval of the Minutes of the Executive Session of the Board of Directors Meeting held June 16, 2022.

Chair Abreu stated that without objection, action on Chair's Item 2, concerning the minutes of a closed meeting, will be deferred until after consideration in the Executive Session.

Item 3: Approval of the Executive Session Minutes for Public Release.

Chair Abreu stated that without objection, action on Chair's Item 3, concerning the minutes of closed meetings, will be deferred until after consideration in the Executive Session.

Chair Abreu asked Director Gallagher to present for the benefit of the Board the following item:

Item 4: Approval of Auditor's Remediation Plan

Upon conclusion of the item presentation, Chair Abreu entertained a motion to approve **Chair's Item 4**, as presented. Director Connolly made a motion to approve this item, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

Item 5: Committee Reports

Chair Abreu dispensed with committee reports, noting that all Directors were present for the committee meetings.

Having no further items, Chair Abreu turned the floor over to Interim Executive Director Lanyea Griffin.

Executive Director's Items

Interim Executive Director Griffin stated that the agency continues to press ahead with critical investments that benefit Tollway customers. She thanked staff for their efforts and Directors for their support of the work involved in delivering these capital investments.



Ms. Griffin also extended condolences to former Board Chair Paula Wolff on the passing of her husband, and Director James Sweeney on the passing of his mother.

Interim Executive Director Griffin thanked staff who work on or participated in the recent Illinois State Police memorial event. She stated that the memorial underscores the great sacrifices made by ISP and Tollway employees.

Interim Executive Director Griffin, having no further items to report, returned the floor to Chair Abreu.

Items for Consideration

Finance

Item 1: Renewal of contract issued through the Illinois State Treasurer's Office providing the Illinois Tollway with customary banking services and armored car services to Bank of America for a one-year period, from September 1, 2022 through August 31, 2023, in an amount not to exceed \$250,000.00.

Chair Abreu entertained a motion to approve **Finance Item 1**. Director Connolly made a motion to approve this item, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

Facilities and Fleet Operations

Item 1: Award of Contract 22-0009 to Arends Hogan Walker LLC (d.b.a. AHW LLC) and Green Climber of North America, Inc. for the purchase of Industrial Tractor and Heavy-Duty Mowing Equipment in an aggregate amount not to exceed \$871,068.15 (Tollway Invitation for Bid).

Item 2: Award of Contract 22-0038 to Chicago Backflow, Inc. for the purchase of Backflow Inspection and Repair Services in an amount not to exceed \$309,375.00 for an initial three-year term and a possible two-year renewal term in an amount not to exceed \$206,318.80 (Tollway Invitation for Bid – Small Business Set-Aside).



Chair Abreu noted she has indicated in advance her wish to recuse herself on Facilities and Fleet Operations Item 1. She entertained a motion to approve **Facilities and Fleet Operations Item 1**. Director Connolly made a motion to approve this item, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar (6)

Nays: (0)

Recusals: Chair Abreu (1)

The motion PASSED.

Chair Abreu entertained a motion to approve **Facilities and Fleet Operations Item 2**. Director Connolly made a motion to approve this item, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

Engineering

Item 1: Award of Contract RR-22-4842 to MYS, Inc. for M-5 Maintenance Facility Access Improvements on the Jane Addams memorial Tollway (I-90) at Mile Post 64.8 (Central Road) in the amount of \$839,926.16.

Item 2: Award of Contract I-21-4835 to Walsh Construction Company II, LLC for Roadway and Bridge Reconstruction on the Tri-State Tollway (I-294) Northbound I-294/I-290/I-88 Interchange from Mile Post 30.5 (Roosevelt Road) to Mile Post 32.4 (St. Charles Road) in the amount of \$205,907,291.50.

Item 3: Change Order/ Extra Work Order on 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 \$646,979.00, increasing the upper limit of compensation from \$73,879,587.10 to \$74,526,566.10.

Item 4: Change Order on I-21-4737 to Judlau Contracting, Inc. for Railroad Retaining Wall Construction on the Elgin O'Hare Western Access Tollway (I-490) from Mile Post 0.9 (Canadian Pacific Railway Bensenville Yard) to Mile Post 1.8 (Irving Park Road (IL 19)) in the amount of



\$1,231,983.00, increasing the upper limit of compensation from \$37,797,426.29 to \$39,029,409.29.

Item 5: Acceptance of Proposal from Singh & Associates, Inc./A. Epstein & Sons International, Inc. (TM) on Contract RR-21-4804 for Design Services, Systemwide in an amount not to exceed \$4,496,515.00.

Item 6: Acceptance of Proposal from Applied Research Associates, Inc. on Contract MO-21-1281 for Pavement Infrastructure Management Services, Systemwide in an amount not to exceed \$19,827,626 00.

Item 7: Acceptance of Proposal from TranSystems Corporation/HR Green, Inc. on Contract I-18-4412 for Supplemental Construction Management Services for Bridge Reconstruction on the Tri-State Tollway (I-294) at Mile Post 26.6 (Burlington Northern Santa Fe (BNSF) Railroad Bridge) in the amount of \$335,200.00, increasing the upper limit of compensation from \$7,950,000.00 to \$8,285,200.00.

*Item 8: Award of Contract 22-0070 to The Chicago Lighthouse for People Who Are Blind or Visually Impaired for the purchase of *999 Cellular Express Line Call Center Services in an amount not to exceed \$1,196,114.59 for an initial two-year term and a possible two-year renewal term in an amount not to exceed \$1,045,195.20 (State Use Program).*

Chair Abreu stated that without objection, Engineering Items 2, 5 and 6 will be deferred to a future meeting.

[Illinois Department of Transportation Secretary Omer Osman, ex officio member of the Tollway Board of Directors, joined briefly by telephone at this time.]

Chair Abreu noted that she and Director Gomez have indicated in advance their wish to recuse themselves on Engineering Item 3. She requested, without objection, that this item be taken first separately.

Chair Abreu entertained a motion to approve Engineering Item 3. Director Connolly made a motion to approve this item, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director McConnaughay, Director Gallagher, Director Paddock, Director Perinar, Secretary Osman (6)

Nays: (0)

Recusals: Director Gomez, Chair Abreu (2)



The motion PASSED.

[Secretary Osman departed the Meeting at this time.]

Chair Abreu noted that she has also indicated in advance her wish to recuse herself on Engineering Item 7. She requested, without objection, that this item be taken next.

Chair Abreu entertained a motion to approve Engineering Item 7. Director Connolly made a motion to approve this item, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar

Nays: (0)

Recusals: Chair Abreu (1)

The motion PASSED.

Chair Abreu entertained a motion to consolidate for consideration and action Engineering Items 1, 4 and 8. Director Connolly made a motion to consolidate these items, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

The motion to consolidate these items having carried, Chair Abreu entertained a motion to approve **Engineering Items 1, 4 and 8**. Director Connolly made a motion to approve these items, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

Legal



Chair Abreu stated that without objection, Legal Items 2 and 3 will be deferred until after consideration in Executive Session.

Item 1: Approval of an Intergovernmental Agreement with the University of Illinois at Champaign-Urbana. Cost to the Tollway: Not to exceed \$299,609.00.

Item 2: Amendment to Land Acquisition Resolution No. 22451 for the Elgin-O'Hare Western Access project (EOWA) to add one parcel 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 a Settlement Agreement. Cost to the Tollway: As discussed in Executive Session.

Chair Abreu entertained a motion to approve **Legal Item 1**. Director Connolly made a motion to approve this item, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

Business Systems

Chair Abreu stated that without objection, Business Systems Item 1 will be deferred to a future meeting. Chair Abreu asked Michael Catolico, Deputy Chief of Business Systems, to present Business Systems Item 2.

Item 1: Award of Contract 20-0156 to Stantec Consulting Services Inc. for the purchase of Tolling Innovation and Business Strategy Services in an amount not to exceed \$6,999,500.00 for an initial five-year term and a possible five-year renewal term in an amount not to exceed \$6,091,325.00 (Tollway Request for Proposal).

Item 2: Approval of Pilot Program regarding Toll Evasion Fines.

Upon conclusion of the item presentation, Chair Abreu thanked Mr. Catolico and stated that action on this item will occur after consideration in Executive Session.

Executive Session



Chair Abreu called for a motion to enter into Executive Session pursuant to exceptions provided in Sections 2(c)1, 5, 11, 21 and 29 of the Open Meetings Act, 5 ILCS 120/2(c)1, 5, 11, 21 and 29, to consider Tollway matters related to personnel, purchase or lease of real property, pending or probable litigation, the minutes of closed meetings and internal audit controls. Director Connolly made a motion, pursuant to the sections specified, to enter Executive Session, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

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

Return from Executive Session and Action (if any)

Board Members Present:
Chair Dorothy Abreu
Director James Connolly
Director Alice Gallagher
Director Jacqueline Gomez
Director Karen McConnaughay
Director Scott Paddock
Director Gary Perinar

Board Members Not Present:
Governor JB Pritzker <i>[ex officio]</i>
Secretary Omer Osman <i>[ex officio]</i>
Director James Sweeney

At approximately 12:25 p.m., the Board re-entered the public session of the Meeting.

Chair's Item 2: Approval of the Minutes of the Executive Session of the Board of Directors Meeting held June 16, 2022.

Chair Abreu entertained a motion to approve **Chair's Item 2**. Director Connolly made a motion to approve the Minutes, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:



Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

Chair's Item 3: Approval of the Executive Session Minutes for Public Release

Chair Abreu entertained a motion to approve **Chair's Item 3**, the minutes of all closed meetings of the Tollway Board, redacted for public inspection. Director Connolly made a motion to approve the Minutes, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

Legal Item 2: Amendment to Land Acquisition Resolution No. 22451 for the Elgin-O'Hare Western Access project (EOWA) to add one parcel that may need to be acquired by condemnation. See ISTHA v. DiBenedetto. Cost to the Tollway: As discussed in Executive Session.

Chair Abreu entertained a motion to approve **Legal Item 2**, as discussed in Executive Session. Director Connolly made a motion to approve the item, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

Legal Item 3: Approval of a Settlement Agreement. Cost to the Tollway: As discussed in Executive Session.

Chair Abreu entertained a motion to approve **Legal Item 3** as discussed in Executive Session. Director Connolly made a motion to approve the item, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:



Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

Business Systems Item 2: Approval of Pilot Program regarding Toll Evasion Fines.

Chair Abreu entertained a motion to approve **Business Systems Item 2**, as discussed in Executive Session. Director Connolly made a motion to approve the item, seconded by Director Gomez. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

Adjournment

There being no further business before the Board, Chair Abreu entertained a motion to adjourn. Director Connolly made a motion to adjourn, seconded by Director Sweeney. Chair Abreu asked that the roll be called on the motion, the vote of yeas and nays being as follows:

Yeas: Director Connolly, Director Gomez, Director Gallagher, Director McConnaughay, Director Paddock, Director Perinar, Chair Abreu (7)

Nays: (0)

The motion PASSED.

The Meeting adjourned at approximately 12:27 p.m.

Minutes taken by: _____

Christi Regnery
Board Secretary
Illinois State Toll Highway Authority