

**MINUTES OF THE REGULAR MEETING OF  
THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY**

**May 28, 2009**

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The Illinois State Toll Highway Authority met in regular session on Thursday, May 28, 2009 at approximately 10:10 a.m. in the Board Room of The Illinois State Toll Highway Authority's Administration Building in Downers Grove, Illinois.

The Meeting was held pursuant to By-Laws of the Authority upon call and notice of the Meeting executed by Chairman John Mitola, which notice reads in words and figures as follows:

**THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY**  
**Administration Building**  
**2700 Ogden Avenue**  
**Downers Grove, Illinois 60515**

Governor Pat Quinn

Director Steven Harris

Acting Secretary Gary Hannig

Director Betty-Ann Moore

Director David Andalcio

Director George Pradel

Director Jim Banks

Director Jim Roof

Director Thomas Canham

Director Carl Towns

Pursuant to the requirements of the Authority's By-Laws, Notice is hereby given of the Regular Board Meeting of the Authority to be held on **Thursday, May 28, 2009 at 10:00 a.m.** in the Boardroom of the Administration Building in Downers Grove, Illinois.

John Mitola  
Chairman

This meeting will be accessible to individuals with disabilities in compliance with Executive Order #5, and pertinent state and federal laws, upon notification of anticipated attendance. Persons with disabilities planning to attend and needing accommodations should contact the Americans with Disabilities Act Coordinator of The Illinois State Toll Highway Authority at (630) 241-6800, Ext. 1010 in advance of the meeting at 2700 Ogden Avenue, Downers Grove, IL, to inform of their anticipated attendance.

In the absence of Chairman Mitola, Director Banks served as Acting Chairman for today's meeting.

Acting Chairman Banks stated that this is the regularly scheduled meeting of the Board of The Illinois State Toll Highway Authority and asked the Secretary to call the roll. Those present and absent were as follows:

Present:

Acting Chairman Jim Banks  
Director David Andalcio - phone  
Director Tom Canham  
Director Steven Harris  
Director Betty-Ann Moore - phone  
Director George Pradel  
Director Jim Roolf  
Director Carl Towns

Absent:

Governor Pat Quinn  
Acting Secretary Gary Hannig  
Chairman John Mitola

The Secretary then stated that a quorum was present but, in addition, Directors Andalcio and Moore would like to attend the meeting by phone. They are prevented from physically attending because of a personal illness or disability, which is one of the approved reasons for such participation. This approval also includes the Directors' participation at the Committee Meetings held earlier today.

Acting Chairman Banks called for a motion approving the participation of Directors Andalcio and Moore. Director Canham moved for approval; seconded by Director Towns.

Acting Chairman Banks called for a voice vote, and there being "Ayes" and no "Nays", declared the motion carried.

Acting Chairman Banks then called for a motion to approve the Minutes of the Regular Board Meeting and Executive Session held on April 30, 2009 and the Special Board Meeting and Executive Session held on May 14, 2009.

Director Towns moved for approval; seconded by Director Moore.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Acting Chairman Banks then called on the Acting Executive Director. Mr. Mike King briefed the Board on the “Spring-Cleaning Program.” Action has been taken on over 9,000 violation notices since this program began. Mr. King then told the Board District 15 lost one of their troopers, Mr. Joshua Newman and that Capt. Jesernik was attending the services.

Acting Chairman Banks then called on the Chief of Finance. Mr. Mike Colsch stated that the Finance items were discussed earlier at the Finance-Administration meeting and approved to be placed on the Board’s Consent Agenda. He then requested that the Finance items be approved.

Acting Chairman Banks called for a motion adopting the following resolutions:

Approval to extend the GC Services collection contract for the period of August 31, 2009 through November 30, 2009 and increase the upper limit by \$2,000,000 from \$2,000,000 to \$4,000,000. This appears in the Appendage as Resolution No. 18750.

Approval to write-off unpaid receivables in the amount of \$92,494.56 for invoices issued prior to 2007. This appears in the Appendage as Resolution No. 18751.

Approval of the Workers' Compensation Claim Administration Services. This appears in the Appendage as Resolution No. 18752.

Director Harris moved for adoption; seconded by Director Towns.

Acting Chairman Banks called for a voice vote, and there being "Ayes" and no "Nays", declared the motion carried.

Acting Chairman Banks then called on the Chief of Procurement. Mr. Albert Murillo stated that the Procurement items were discussed in full at the Finance-Administration Committee Meeting and approved for the Consent Agenda. He that requested that the Procurement items be approved.

Acting Chairman Banks called for a motion adopting the following:

Renewal of Contract 08-0135 to Minnesota Mining & Manufacturing Company d/b/a 3M Traffic Control Material Division Vega Molded Products, Incorporated for Roadway Reflectors, by \$22,000 from \$22,000 to \$44,000. This appears in the Appendage as Resolution No. 18753.

Renewal of Contract 08-0153 to Clark Devon Hardware Company, Incorporated for Fasteners by \$65,000 from \$55,000 to \$120,000. This appears in the Appendage as Resolution No. 18754.

Director Towns moved for adoption; seconded by Director Moore.

Acting Chairman Banks called for a voice vote, and there being "Ayes" and no "Nays", declared the motion carried.

Acting Chairman Banks then called for a motion adopting the Dollar Limit Increase on Contract 08-0152 to Alpha Construction Company; DuPage Materials Company; Peter Baker & Sons Company; Du-Kane Asphalt Company; Rockford Blacktop Construction Company; Superior

Asphalt Materials; Curran Contracting Company; Northwest Illinois Construction Company; and Chicago Materials Corporation for Bituminous Hot Mix Asphalt, by \$70,200 from \$69,287.50 to \$139,487.50. This appears in the Appendage as Resolution No. 18755.

Director Canham moved for adoption; seconded by Director Harris.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried. Director Towns abstained from voting on Contract 08-0152.

Acting Chairman Banks then called for a motion adopting the following:

Renewal of Contract 08-0118 to Christian County Farmers Supply Company for Gasoline and Diesel/Biodiesel Fuel by \$2,550,000 from \$4,249,410 to \$6,799,410. This appears in the Appendage as Resolution No. 18756.

Renewal of Contract 05-0001 to O’Hare Record Retention Center and Chicago Records Management for Off-Site Storage by \$45,000 from \$56,000 to \$101,000. This appears in the Appendage as Resolution No. 18757.

Award of Contract 09-0091 to Surface Systems, Incorporated for Roadway Weather Information System (RWIS) in the amount of \$209,609.65. This appears in the Appendage as Resolution No. 18758.

Director Moore moved for approval; seconded by Director Harris.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Acting Chairman Banks then called on the Chief Engineer. Mr. Paul Kovacs stated that all Engineering items were approved for the Consent Agenda except Item 8, Contract I-08-5541. He then requested approval to present this item to the full Board.

Mr. Kovacs stated, “The construction manager noticed there was a discrepancy in roadway materials for this contract. The Change Order on Contract I-08-5541 is for additional roadway quantities. The unit prices on this contract were all lower than the second low bidder and this Change Order would not have changed the outcome of the original bid. If I receive approval for this Change Order, this project will still be under budget. The contractor will maintain the construction schedule for completion this year. The consultant responsible will receive a poor evaluation for this submission and it will hurt them in getting future work. I need to keep the construction going and I would like approval of this. The error was from the designer, not the Tollway or Rockford Construction”.

Director Canham requested that the Board move to vote on this Change Order.

Acting Chairman Banks called for a motion adopting the Change Order on Contract I-08-5541 to Rockford Blacktop Construction Co./Rock Road Companies (JV) for Grading and Drainage, Rubblization, Pavement Widening and Bridge Substructure Widening on the Westbound Jane Addams Memorial Tollway (I-90) from Milepost 69.9 (IL Route 173) to Milepost 62.3 (Cherry Valley Interchange), by \$1,023,909.86 from \$39,142,006.79 to \$40,165,916.65. This appears in the Appendage as Resolution No. 18766.

Director Roolf moved for adoption; seconded by Director Canham.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried. Director Towns abstained from voting on Contract I-08-5541.

Acting Chairman Banks then called for a motion adopting the Award of Contract RR-09-5497 to William Charles Construction Company, LLC for Culvert Repairs on the Jane Addams Memorial Tollway (I-90) from Milepost 24.1 (IL Route 31) to Milepost 59.3 (Bypass US Route 20); and Reagan Memorial Tollway (I-88) from Milepost 50.2 (Atkinson Road) to Milepost 113.4 (IL Route 56 Ramp), in the amount of \$3,182,905.97. This appears in the Appendage as Resolution No. 18759.

Director Andalcio moved for adoption; seconded by Director Moore.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried. Director Towns abstained from voting on Contract RR-09-5497.

Acting Chairman Banks then requested adoption of the following resolutions:

Award of Contract RR-08-9045RR to Builders Chicago Corporation for Salt Dome Repairs on the Westbound Reagan Memorial Tollway (I-88) at Milepost 76.1 (IL Route 251); Northbound Tri-State Tollway (I-294) at Milepost 30.0 (Cermak Road) Maintenance Yard M-2 - Hillside; Northbound Veterans Memorial Tollway (I-355) at Milepost 21.9 (Maintenance Yard M-14) at I-88, in the amount of \$484,238.68. This appears in the Appendage as Resolution No. 18760.

Award of Contract RR-09-9056 to John Burns Construction for a Material Storage Facility on the Tri-State Tollway (I-294) at Milepost 12.1 (Maintenance Yard 1 - Alsip), in the amount of \$3,666,000.20. This appears in the Appendage as Resolution No. 18761.



Award of Contract RR-09-9057 to RoadSafe Traffic Systems, Inc. for Pavement Marking, Systemwide, in the amount of \$1,060,590.00. This appears in the Appendage as Resolution No. 18762.

Proposal from Great Lakes Soil & Environmental Consultants, Inc. for Supplemental Construction Inspection Services on Contract RR-06-5397 for Quality Assurance Testing, Systemwide, by \$250,000 from \$1,000,000 to \$1,250,000. This appears in the Appendage as Resolution No. 18763.

Proposal from Knight E/A, Inc. for Supplemental Construction Management on Contract RR-01-8943 for Widening and Reconstruction on the Tri-State Tollway (I-294) from Milepost 9.05 (Kedzie Avenue) to Milepost 10.85 (Cal-Sag Channel), by \$300,000 from \$6,674,943.70 to \$6,974,943.70. This appears in the Appendage as Resolution No. 18764.

Director Towns moved for adoption; seconded by Director Canham.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Acting Chairman Banks then called for a motion adopting the Change Order on Contract I-07-5237 to Plote Construction, Inc. for Roadway and Bridge Reconstruction and Widening on the Northbound Tri-State Tollway (I-94) from Milepost 74.2 (Waukegan Toll Plaza) to Milepost 78.3 (Wisconsin State Line), by \$247,231.25 from \$31,414,138.86 to \$31,661,370.11. This appears in the Appendage as Resolution No. 18765.

Director Canham moved for adoption; seconded by Director Towns.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried. Director Roolf abstained from voting on Contract I-07-5237.

Acting Chairman Banks then called for a motion adopting the following resolutions:

Extra Work Order on Contract I-06-5462 to McHugh Construction Company for Roadway Reconstruction and Widening on the Westbound Reagan Memorial Tollway (I-88) from Milepost 114.0 (Deerpath Road) to Milepost 118.3 (Mitchell Road), by \$950,000 from \$31,849,555.60 to \$32,799,555.60. This appears in the Appendage as Resolution No. 18767.

Partial Release of Retainage on Contract I-07-5242 to Lorig Construction Company for Roadway and Bridge Reconstruction on the Southbound Tri-State Tollway (I-294) from Milepost 44.5 (Dempster Street) to Milepost 48.3 (Willow Road), in the amount of \$191,000. This appears in the Appendage as Resolution No. 18768.

Partial Release of Retainage on Contract I-07-5245 to Walsh Construction Company of Illinois for Roadway and Bridge Reconstruction on the Southbound Tri-State Tollway (I-294) from Milepost 48.3 (Willow Road) to Milepost 52.9 (Lake-Cook Road), in the amount of \$220,000. This appears in the Appendage as Resolution No. 18769.

Director Andalcio moved for adoption; seconded by Director Roof.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Acting Chairman Banks then called for a motion adopting the Partial Release of Retainage on Contract I-07-5246 to Kenny Construction Company for Bridge Reconstruction and Roadway Resurfacing and Widening on the Tri-State Tollway (I-294) at Milepost 52.9 (Lake-Cook Road), in the amount of \$143,319.52. This appears in the Appendage as Resolution No. 18770.

Director Moore moved for adoption; seconded by Director Towns.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried. Director Roolf abstained from voting on Contract I-07-5246.

Acting Chairman Banks then called for a motion adopting the following:

Partial Release of Retainage on Contract I-08-5494 to Lorig Construction Company for Reconstruction and Widening on the Westbound Reagan Memorial Tollway (I-88) from Milepost 131.9 (Finley Road) to Milepost 137.0 (IL Route 83), in the amount of \$1,794,467.50. This appears in the Appendage as Resolution No. 18771.

Partial Release of Retainage on Contract I-06-5805 to Walsh Construction Company of Illinois/K-Five Construction Company (JV) for Roadway, Ramp and Retaining Wall Reconstruction and Widening on the Westbound Reagan Memorial Tollway (I-88) from Milepost 126.5 (Washington Street) to Milepost 128.3 (East of Naperville Road), in the amount of \$932,498.91. This appears in the Appendage as Resolution No. 18772.

Partial Release of Retainage on Contract I-06-5807 to Walsh Construction Company of Illinois/K-Five Construction Company (JV) for Roadway and Bridge Reconstruction and Widening on the Westbound Reagan Memorial Tollway (I-88) from Milepost 128.3 (East of Naperville Road) to Milepost 131.7 (Finley Road), in the amount of \$1,431,075.16. This appears in the Appendage as Resolution No. 18773.

Director Harris moved for adoption; seconded by Director Towns.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Acting Chairman Banks then requested adoption of the following:

Final Release of Retainage on Contract I-07-5228 to Plote Construction, Inc. for Roadway Reconstruction and Widening on the Southbound Tri-State Tollway (I-94) from Milepost 62.4 (IL Route 176) to Milepost 65.0 (IL Route 137), in the amount of \$100,000. This appears in the Appendage as Resolution No. 18774.

Final Release of Retainage on Contract I-07-5232 to Plote Construction, Inc. for Roadway and Bridge Reconstruction and Widening on the Southbound Tri-State Tollway (I-94) from Milepost 65.0 (Buckley Road) to Milepost 70.5 (Stearns School Road), in the amount of \$100,000. This appears in the Appendage as Resolution No. 18775.

Director Moore moved for adoption; seconded by Director Canham.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried. Director Roofl abstained from voting on Contracts I-07-5228 and I-07-5232.

Acting Chairman Banks then called for a motion adopting the following resolutions:

Final Release of Retainage on Contract RR-03-5158R to Divane Bros. Electric Company for CCTV Camera Installation and Relocation, Systemwide, in the amount of \$107,650.79. This appears in the Appendage as Resolution No. 18776.

Final Release of Retainage on Contract I-07-5221 to F.H. Paschen, S.N. Nielsen & Assoc., LLC for Reconstruction and Widening on the Southbound Tri-State Tollway (I-94) from Milepost 56.5 (IL Route 22) to Milepost 59.7 (IL Route 60), in the amount of \$100,000. This appears in the Appendage as Resolution No. 18777.

Final Release of Retainage on Contract I-07-5226 to F.H. Paschen, S.N. Nielsen & Assoc., LLC for Roadway and Bridge Reconstruction and Widening on the Southbound Tri-State Tollway (I-94) from Milepost 59.7 (IL Route 60) to Milepost 62.4 (IL Route 176), in the amount of \$100,000. This appears in the Appendage as Resolution No. 18778.

Final Release of Retainage on Contract RR-08-5552 to K-Five Construction Corporation for Intermittent Concrete Pavement Repairs on the Veterans Memorial Tollway (I-355) and on the Reagan Memorial Tollway (I-88), in the amount of \$156,981.11. This appears in the Appendage as Resolution No. 18779.

Final Release of Retainage on Contract I-08-5559 to GFS Fence, Guardrail & Signage, Inc. for Energy Attenuator Installation on the Tri-State Tollway (I-294) from Milepost 4.0 to Milepost 39.0 (Irving Park Road Plaza, Cermak Road Plaza, 82<sup>nd</sup> Street Plaza, 83<sup>rd</sup> Street Plaza, I-80 Westbound Plaza and I-80 Eastbound Plaza), in the amount of \$25,308.75. This appears in the Appendage as Resolution No. 18780.

Final Release of Retainage on Contract I-08-5560 to Midwest Fence Corp. for Energy Attenuator Installation and Cable Median Barrier on the Tri-State Tollway (I-94) from Milepost 54.1 to Milepost 56.5 (Edens Spur), in the amount of \$29,161.85. This appears in the Appendage as Resolution No. 18781.

Final Release of Retainage on Contract RR-09-5573 to R.W. Dunteman Company for Hot Mix Asphalt Production and Pavement Repairs, Upon Request, on the Jane Addams Memorial Tollway (I-90) from Milepost 0.00 (East River Road) to Milepost 62.0 (Newburg Road); and Systemwide, in the amount of \$50,923.25. This appears in the Appendage as Resolution No. 18782.

Final Release of Retainage on Contract RR-06-9949 to Aldridge Electric Inc. for Dynamic Message Sign Replacement and CCTV Camera Installation on the Tri-State Tollway (I-94) at Milepost 55.6 and (I-294) at Mileposts 48.2 and 43.1; Reagan Memorial Tollway (I-88) at Milepost 120.1; and the Jane Addams Memorial Tollway (I-90) at Mileposts 12.0, 23.5 and 27.2, in the amount of \$75,787.07. This appears in the Appendage as Resolution No. 18783.

Final Release of Retainage on Contract RR-08-9972 to Divane Bros. Electric Co. for RTMS Installation on the Jane Addams Memorial Tollway (I-90) from Milepost 23.0 (IL Route 25) to Milepost 61.8 (Newburg Road), in the amount of \$23,302.50. This appears in the Appendage as Resolution No. 18784.

Permit TS 08-25 to the Metropolitan Water Reclamation District of Greater Chicago for permission to seal cracks and to construct a 208 foot wide by 109 foot tall dam along I-294 adjacent to the Thornton Quarry. Fee will be \$5,000. This appears in the Appendage as Resolution No. 18785.

Director Andalcio moved for adoption; seconded by Director Moore.

Acting Chairman Banks called for a voice vote, and there being “Ayes” and no “Nays”, declared the motion carried.

Acting Chairman Banks called on the General Counsel. Mr. Tom Bamonte stated that Law’s items were approved for the Consent Agenda and he requested Board approval.

Acting Chairman Banks called for a motion adopting the following:

Intergovernmental Agreement with the City of Elgin. This appears in the Appendage as Resolution No. 18785.

Extension of Collection Services Contract with Arnold Scott Harris, P.C. and Harris & Harris, Ltd., to provide collection work on the Tollway's behalf. This appears in the Appendage as Resolution No. 18787.

Director Moore moved for adoption; seconded by Director Towns.

Acting Chairman Banks called for a voice vote, and there being "Ayes" and no "Nays", declared the motion carried.

Director Roolf stated that he was approached by the Chicago Southland Business Bureau regarding signage on the Tollway. He will be talking to them about what they are looking for and how those requests comply with the Tollway's guidelines. He will keep the Board informed.

There being no further business, Acting Chairman Banks called for a motion to adjourn. Director Roolf moved to adjourn; seconded by Director Towns.

Acting Chairman Banks called for a voice vote, and there being "Ayes" and no "Nays", declared the motion carried.

Meeting adjourned at approximately 10:30 a.m.

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Secretary  
The Illinois State Toll Highway Authority

# **APPENDAGE**

May 28, 2009