



Record of Meeting | January 28, 2021

The Illinois State Toll Highway Authority's ("Tollway") Board of Directors met in regular session on Thursday, January 28, 2021. 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. 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 10:56 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 Jason Bradley, Illinois State Police District 15, to provide a safety message.



Safety Message

Captain Bradley outlined the four violations that most commonly lead to car accidents and injuries, including driving under the influence, speeding, not wearing a seatbelt and distracted driving. Captain Bradley encouraged drivers to reduce speeds and drive appropriately for the winter weather conditions at hand.

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 December 17, 2020.

Chairman Evans entertained a motion to approve **Chairman's Item 1**, the Minutes of the regular Board of Directors meeting held on December 17, 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 December 17, 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: Approval of Executive Session Minutes for Public Release



Chairman Evans stated that in accordance with the Open Meetings Act, which requires periodic review of the minutes of past closed session meetings, Chairman's Item 4 seeks approval for the public release of portions of written minutes of closed session meetings of the Tollway Board between April 2009 and November 2020, which no longer require confidential treatment.

Chairman Evans then stated that without objection, action on Chairman's Item 4 will be deferred until after consideration in Executive Session.

Item 5: Additional items

Chairman Evans reported that effective February 1, 2021, Jacqueline Gomez will be joining the Board of Directors.

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

Executive Director's Items

Executive Director Alvarez highlighted the agency's success in ensuring the safety of its customers and workforce, maintaining its commitment to investment in regional infrastructure, and implementing more fair and equitable policies for all its customers.

Additionally, Executive Director Alvarez stated the Tollway will continue its commitment to project delivery, partner diversity, workforce development, technical assistance and financial accountability. He thanked the Board of Directors for their continued support.

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

Items for Consideration

Information Technology

Item 1: Award of Contract 21-0010 to Zones, LLC for the purchase of VMware Software Licenses, Maintenance and Support in an amount not to exceed \$488,364.40 (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.

Facilities & Fleet Operations

Item 1: Renewal of Contract 15-0138RR with Premier Specialties, LLC for the purchase of Fire Alarm and Sprinkler System Inspections, Repairs and Replacement Parts in an amount not to exceed \$45,000.00 (Tollway Invitation for Bid – Small Business Set-Aside).

Item 2: Renewal of Contract 15-0081 with Old Veteran Construction, Inc., Anchor Mechanical, Inc., AGAE Contractors, Inc., McDonagh Demolition, Inc., Robe, Inc. and F.H. Paschen, S.N. Nielsen & Associates LLC for the purchase of Job Order Contracting for General Construction Services in an aggregate amount not to exceed \$20,000,000.00 (Tollway Invitation for Bid).

Chairman Evans entertained a motion to approve **Facilities & 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.

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

Nays: (0)

The motion PASSED.

Engineering

Item 1: Award of Contract RR-20-4547 to Utility Dynamics Corporation for Roadway Lighting Upgrades and LED Retrofit on the Jane Addams Memorial Tollway (I-90) from Mile Post 12.0 (East Riverside Boulevard) to Mile Post 17.85 (I-90/I-39 Interchange) in the amount of \$1,692,209.00. [Recusal: Director Davis]



Item 2: Award of Contract RR-19-9018R to William Charles Construction Company, LLC for Pavement and Structural Preservation on the Reagan Memorial Tollway (I-88) from Mile Post 51.60 (Three Mile Creek) to Mile Post 56.72 (Red Brick Road) in the amount of \$1,497,550.44.

Item 3: Award of Contract RR-20-9228 to Aldridge Electric, Inc. for Sign Panel Fabrication and Installation upon Request, Systemwide in the amount of \$2,589,883.20. [Recusal: Director Davis]

Item 4: Award of Contract RR-20-4538R to Herlihy Mid-Continent Company for Structural Repairs and Noise Abatement Wall Construction on the Tri-State Tollway (I-94) from Mile Post 11.6 (Belvidere Road) to Mile Post 25.28 (Lake Cook Road) in the amount of \$2,469,596.94.

Item 5: Extra Work Order on Contract I-19-4481 to Lorig Construction Company for Roadway and Bridge Reconstruction on the Tri-State Tollway (I-294) from Mile Post 19.4 to Mile Post 20.7 (Archer Ave. IL-171 Interchange) in the amount of \$1,587,000.00, increasing the contract's upper limit from \$41,855,310.16 to \$43,442,310.16. [Recusal: Director Davis]

Item 6: Extra Work Order on Contract RR-18-4445 to W.E. O'Neil Construction Company for M-8 Maintenance Facility and Site Improvements on the Reagan Memorial Tollway (I-88) at Mile Post 117.8 (Mettel Road) in the amount of \$2,005,812.00, increasing the contract's upper limit from \$32,751,879.00 to \$34,757,691.00. [Recusal: Director Davis]

Item 7: Acceptance of Proposal from Stanley Consultants, Inc., on Contract I-13-4622, for Supplemental Design Services for Western Terminal Interchange on Illinois Route 390 at Elgin O'Hare Western Access (I-490) in the amount of \$3,900,000.00, increasing the contract's upper limit from \$35,610,825.00 to \$39,510,825.00.

Item 8: Acceptance of Proposal from Alfred Benesch & Company / The Roderick Group, Inc. (dba Ardmore Roderick) / 2IM Group, LLC, on Contract I-17-4301, for Supplemental Design Services for Roadway Reconstruction and Widening on the Tri-State Tollway (I-294) from Mile Post 32.3 (St Charles Road) to Mile Post 33.5 (North Avenue / Lake Street) in the amount of \$307,000.00, increasing the contract's upper limit from \$13,900,000.00 to \$14,207,000.00. [Recusals: Chairman Evans and Director Davis]

Item 9: Acceptance of Proposal from H.W. Lochner, Inc., on Contract I-18-4356, for Supplemental Construction Management Services for Roadway and Bridge Rehabilitation and Widening on the Tri-State Tollway (I-294) from Mile Post 36.2 (Wolf Road) to Mile Post 40.0 (Balmoral Avenue) in the amount of \$197,989.00, increasing the contract's upper limit from \$13,500,000.00 to \$13,697,989.00. [Recusals: Directors Davis and Gallagher]

Item 10: Award of Contract 19-0013R to Tiles in Style, LLC (d.b.a. Taza Supplies) for the purchase of Aluminum Sign Blanks in an amount not to exceed \$203,522.50 for an initial one-



year term and a possible two-year renewal term in an amount not to exceed \$457,092.94 (Tollway Invitation for Bid).

Item 11: Land Acquisition – Transfer of Excess Property authorization for Parcel NW-7B-12-009, located north of the westerly end of Service Drive in Des Plaines, IL. Cost to Tollway: N/A.

Chairman Evans stated that Director Davis has indicated in advance his wish to recuse himself on Engineering Items 1, 3, 5 and 6. Chairman Evans requested that these items be taken first.

Chairman Evans entertained a motion to consolidate for consideration and action Engineering Items 1, 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 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 1, 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 Gallagher, Director Paddock, Director Perinar, Director Sweeney, Chairman Evans (7)

Nays: (0)

Recusals: Director Davis (1)

The motion PASSED.

Chairman Evans noted that both he and Director Davis have indicated in advance their wish to recuse themselves on Engineering Item 8. He then entertained a motion to approve **Engineering Item 8**. 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 (6)

Nays: (0)

Recusals: Director Davis, Chairman Evans (2)

The motion PASSED.

Chairman Evans stated that both Director Davis and Director Gallagher have indicated in advance their wish to recuse themselves from participating in Engineering Item 9. He then 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 Paddock, Director Perinar, Director Sweeney, Chairman Evans (6)

Nays: (0)

Recusals: Director Davis, Director Gallagher (2)

The motion PASSED.

Chairman Evans next entertained a motion to consolidate for consideration and action Engineering Items 2, 4, 7, 10 and 11. 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 2, 4, 7, 10 and 11**. 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 Illinois Department of Transportation for work associated with the Central Tri-State Project (I-294) and 159th Street Bridge. Cost to the Tollway: \$0.

Item 2: Approval of an Intergovernmental Agreement with the Illinois Department of Transportation for work associated with the Elgin O'Hare Western Access Project. Cost to the Tollway: \$0.

Item 3: Amendment to Land Acquisition Resolution 22138 for the Tri-State Tollway Project (I-294) to amend Exhibit A; adding four (4) parcels that may need to be acquired by condemnation. See ISTHA v. DiBenedetto. Cost to the Tollway: As discussed in Executive Session.

Item 4: Settlement Agreement. Cost to the Tollway: As discussed in Executive Session.

Item 5: Settlement Agreement. Cost to the Tollway: As discussed in Executive Session.

Item 6: Settlement Agreement. Cost to the Tollway: As discussed in Executive Session.

Chairman Evans stated that without objection, action on Legal Item 3 thru 6 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.

Chairman Evans entertained a motion to approve **Legal 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 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, 21 and 29 of the *Open Meetings Act* to consider Tollway matters related to the purchase or lease of real property, pending or probable litigation, minutes of closed meetings and internal audit controls. 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 11:20 a.m., the Board entered into Executive Session.

Return from Executive Session and Action (if any)

At approximately 12:51 p.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 December 17, 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 December 17, 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.

Chairman's Item 4: Approval of the Executive Session Minutes for Public Release.



Chairman Evans entertained a motion to approve **Chairman's Item 4**, the release for public inspection redacted Executive Session Minutes from April 2009 – November 2020. 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 3: Amendment to Land Acquisition Resolution 22138 for the Tri-State Tollway Project (I-294) to amend Exhibit A; adding four (4) parcels that may need to be acquired by condemnation. See ISTHA v. DiBenedetto. Cost to the Tollway: As discussed in Executive Session.

Legal Item 4: Settlement Agreement. Cost to the Tollway: As discussed in Executive Session.

Legal Item 5: Settlement Agreement. Cost to the Tollway: As discussed in Executive Session.

Legal Item 6: Settlement Agreement. Cost to the Tollway: As discussed in Executive Session.

Chairman Evans entertained a motion to consolidate for consideration and action Legal Items 3 thru 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 **Legal Items 3 thru 6**, as discussed in Executive Session. 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.

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 (8)

Nays: (0)

The motion PASSED.

The Meeting adjourned at approximately 1:00 p.m.

Minutes taken by: _____


Christi Regnery
Board Secretary
Illinois State Toll Highway Authority