



DELAWARE COUNTY *Ohio*

TRANSPORTATION IMPROVEMENT DISTRICT

Chairman
Chris Bauserman, PE, PS
Delaware County Engineer

Vice Chairman
Tracie Davies
Delaware County Administrator

Board of Trustees

Secretary/Treasurer
Seiji Kille
Chief Deputy Auditor

Public Members
Patrick Blayney, PE
Tom Price

Legislative Members
Andrew Brenner
Ohio Senate
Beth Lear
Ohio House of Representatives

Meeting Minutes August 14, 2024

Meeting Type:
Regular Meeting

Location:
91 North Sandusky Street, Delaware, Ohio, 43015 - Hearing Room

Board Members in attendance:
Tracie Davies, County Administrator
Seiji Kille, Deputy Auditor
Tom Price

Absent:
Patrick Blayney
Chris Bauserman, County Engineer

Call to Order:
The meeting was called to order by Vice Chair, Tracie Davies, at 9:30 AM. The Pledge of Allegiance was led by Tracie Davies.

Public Comment:
Scott Brown – Central Ohio Liaison for State Auditor Faber presented an “Auditor of State” Award to the TID Board for excellence in its financial statements and a “clean audit”. Secretary-Treasurer Kille accepted the award on behalf of the Board.

Approval of Minutes of the February 14, 2024 Regular Meeting.
A motion made by Mr. Kille and seconded by Mr. Price to approve the February 14, 2024 minutes. A voice vote was called. All voted in favor.

Approval of Minutes of the June 12, 2024 Regular Meeting.
A motion made by Mr. Price and seconded by Mr. Kille to approve the June 12, 2024 minutes. A voice vote was called. All voted in favor.

Board Reports:
Board members had nothing to report.

Secretary- Treasurer’s Report:
Mr. Kille stated the cash balance of the TID’s accounts. The current cash balance is \$3,162,671.59

Staff Report – June to August 2024
Mr. Riley presented the following report:

PROJECT UPDATES

1. Silicon Heartland Regional Projects

Owner: Delaware County TID

EMH&T is currently working on final design plans for the intersections of Delaware-Licking County Line at Fancher Road and at Center Village Road. The project is on schedule for the TID to bid and award the construction contract in late 2025.

2. I-71/US 36/SR 37 PID 90200:

Owner: DCTID

The project agreement between the TID and the Delaware County Commissioners was approved 8/5/2024. A contract for Phase B and C design as well as revisions to Phase A, and will be presented to the TID Board for approval at the 8/14/2024 meeting.

3. Orange Road Railroad Grade Separation

Owner: Delaware County TID

DCEO and ODOT are applying on behalf of the TID for grants through the US DOT's Rail Crossing Elimination (RCE) Program for approximately \$23 million, plus an additional \$3 million through the State of Ohio's Grade Crossing Elimination (GCE) Program. DCEO expects to hear back on the status of these grant applications later this year. Construction would not start until late 2026 or 2027 at the earliest.

NEW PROJECT DISCUSSION

1. Delaware County Regional Resurfacing Project: Presentation given by Tiffany Jenkins

The Mid-Ohio Regional Planning Commission (MORPC) is the designated Metropolitan Planning Organization (MPO) for all of Franklin and Delaware Counties, and a portion of Licking, Fairfield and Union Counties. Pursuant to federal transportation laws going back for decades, MPO's receive an allocation of federal highway funding on a formula basis, depending on population in the metro area. MORPC receives approximately \$35 to \$40 million dollars per year for various types of road, bridge, bike/ped and transit projects. MORPC carries out a biennial funding application round to distribute these formula funds to local agencies within Central Ohio. Applications for new funding commitments will be received in October 2024 for funding available in State Fiscal Year 2030 and beyond. MORPC has a

number of categories for projects that are submitted, including Major/Minor Widening, Preservation, Bike/Ped and Transit. DCEO staff is recommending that the TID consider submit an application to MORPC for a county-wide resurfacing project in 2029 or 2030 that would resurface various city, village, township and county roads. Of important note, only roads that are classified as "major collectors" and "arterials" are considered federal-aid eligible so only a small fraction of the roads in Delaware County are eligible for this funding. DCEO has begun developing a recommended list of roads to consider including in this project and reaching out to local agencies who maintain these roads to gauge interest in this project. DCEO will present more information to the TID in advance of the October application deadline. Legislation by the TID authorizing the application would be needed at or before the October TID meeting.

2. Stockwell Road Improvements: Presentation given by Doug Riedel

Porter and Trenton Townships have requested that DCEO prepare plans for an improvement to Stockwell Road, which is on the township line, including cutting down a hill to improve sight distance and widening the pavement, about 1/2 mile east of SR 61. The townships would jointly seek funding through the OPWC toward this project and plan on construction in 2026 or 2027. DCEO staff recommends the TID consider assisting with this project to act as the contracting board for the construction of the project and assist with financing as may be needed, depending on the final construction cost estimate. No action will be needed until fall 2024, but DCEO wishes to receive input from the TID on this proposal.

PROPOSED RESOLUTIONS

Resolution 2024-05 – Approving 2024 Budget Amendment 1

A motion made by Mr. Price and seconded by Mr. Kille to approve Resolution 2024-05. A voice vote was called. All voted in favor.

A RESOLUTION APPROVING 2024 BUDGET AMENDMENT 1

RESOLUTION NO. 2024-05

WHEREAS, pursuant to Section 8.g. of the Bylaws of the Delaware County Transportation Improvement District, the Secretary-Treasurer shall prepare and submit to the Board proposals for the annual budget and appropriations; and

WHEREAS, the addition of the Bean-Oller Road Improvements requires revision of the 2024 budget to account for revenues and expenses associated with the project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Delaware County Transportation Improvement District that the 2024 Budget Revision 1, attached as Exhibit A, is approved;

EXHIBIT A

2024 Budget
Amounts in Dollars (\$)

	Revision Date: 6/10/2024		
REVENUES	GENERAL FUND	CAPITAL FUND	TOTAL
Local Revenues	1,029,500.00	1,975,000.00	3,004,500.00
2024 Delaware County Commissioner Pledge	1,000,000.00	0.00	1,000,000.00
DEL-71-7.91 Phase A (ms cons) remaining deposit from County	0.00	600,000.00	600,000.00
DEL-71-7.91 Phase B&C (ms cons) initial deposit of 3,000,000 estimated	0.00	750,000.00	750,000.00
Riverby 2021 Special Assessment Collected	29,500.00	0.00	29,500.00
Bean-Oller Road Improvements Reimbursements ¹	0.00	625,000.00	625,000.00
Other	0.00	0.00	0.00
State Revenues	0.00	1,073,269.00	1,073,269.00
Silicon Heartland - ODOT Reimbursement (PID 119742 and 119746)	0.00	530,000.00	530,000.00
Silicon Heartland - ODOT Reimbursement (PID 119743)	0.00	523,269.00	523,269.00
Other	0.00	0.00	0.00
Federal Revenues	0.00	0.00	0.00
Other	0.00	0.00	0.00
Fees and Interest Earned	120,000.00	0.00	120,000.00
Interest on deposits	120,000.00	0.00	120,000.00
Transfers In	0.00	2,000,000.00	2,000,000.00
Transfer from GF	0.00	2,000,000.00	2,000,000.00
Transfer from CF	0.00	0.00	0.00
Other	0.00	0.00	0.00
Total Revenues	1,149,500.00	5,048,269.00	6,197,769.00
APPROPRIATIONS	GENERAL FUND	CAPITAL FUND	TOTAL
General Supplies	1,500.00	0.00	1,500.00
Postage	1,000.00	0.00	1,000.00
Other Miscellaneous Supplies	500.00	0.00	500.00
Professional Services	20,000.00	2,343,269.00	2,363,269.00
DEL-71-7.91 Phase A Prelim Eng (ms consultants)	0.00	520,000.00	520,000.00
DEL-71-7.91 Phase B&C Prelim Eng (ms consultants)	0.00	750,000.00	750,000.00
Silicon Heartland - PID 119742 & 119746 Reimbursement to Del County	0.00	530,000.00	530,000.00
Silicon Heartland - PID 119743 Reimbursement to ODOT	0.00	523,269.00	523,269.00
Attorney Fees	10,000.00	0.00	10,000.00
Financial Services	10,000.00	0.00	10,000.00
Other Consulting Fees	0.00	0.00	0.00
Road Construction	0.00	1,950,000.00	1,950,000.00
Bale Kenyon Rd, Phase 1 Contribution to Orange Two (res. 2022-08)	0.00	300,000.00	300,000.00
Bale Kenyon Rd, Phase 2 Contribution to Orange Two (TBD)	0.00	750,000.00	750,000.00
Bean-Oller Road Improvements ¹	0.00	700,000.00	700,000.00
Other	0.00	0.00	0.00
Fees and Reimbursements Paid	3,250.00	0.00	3,250.00
Bank Service Fee	1,500.00	0.00	1,500.00
Auditor/Treasurer Fee	750.00	0.00	750.00
Other Miscellaneous Fees	1,000.00	0.00	1,000.00
Transfers Out	2,000,000.00	0.00	2,000,000.00
Transfers to CF	2,000,000.00	0.00	2,000,000.00
Transfers to GF	0.00	0.00	0.00
Other	0.00	0.00	0.00
Total Appropriations	2,024,750.00	4,293,269.00	6,318,019.00
FUND BALANCES	GENERAL FUND	CAPITAL FUND	TOTAL
2024 Beginning Balance	2,219,121.81	265,646.27	2,484,768.08
Total Revenues	1,149,500.00	5,048,269.00	6,197,769.00
Total Appropriations	2,024,750.00	4,293,269.00	6,318,019.00
End of Year Projected Balance	1,343,871.81	1,020,646.27	2,364,518.08

¹ Revision 6/12/2024

Resolution 2024-06 – Approving Contract Modification Number 1 for DEL-71-7.91 (aka DEL – 71-8.32) Phase A, B and C

A motion made by Mr. Price and seconded by Mr. Kille to approve **Resolution 2024-06**. A voice vote was called. All voted in favor.

**A RESOLUTION AUTHORIZING APPROVING CONTRACT MODIFICATION NUMBER 1
WITH MS CONSULTANTS FOR DEL-71-7.91
(AKA DEL-71-8.32), PHASE A, B AND C**

RESOLUTION 2024-06

WHEREAS, the County Engineer has negotiated a scope and fee for the modification of the current professional services agreement with ms consultants to make necessary revisions to the plans for Phase A as required for the Project, and to complete design of DEL-71-7.91 Phase B and C;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the DCTID that the Contract Modification 1 as shown in Exhibit A is approved.

Exhibit A

**PROFESSIONAL SERVICES AGREEMENT
DEL-71-7.91 (aka DEL-71-8.32) Phase A, B and C
Modification Number 1**

This Modification Number 1 is made this _____ day of _____, 2024 to the **Original Agreement** dated November 29, 2021, by and between the **Delaware County Transportation Improvement District**, 1610 State Route 521, Delaware, Ohio 43015-8006 (“TID”), and **ms consultants, inc.**, 2221 Schrock Road, Columbus, Ohio 43229 (“Consultant”).

WITNESSETH:

The Original Agreement is attached as Exhibit A. **Sections 1, 4 and 7** of the Original Agreement are amended and replaced in their entirety with the following. All other terms and conditions shall remain in original form and in full force and effect.

1 SERVICES PROVIDED BY CONSULTANT

- 1.1 The Consultant shall provide professional design services to the TID for the project known as DEL-71-9.71 (aka DEL-71-8.32) Phase A, B and C (the “Project”), generally described as a new freeway interchange on Interstate 71 referred to as Sunbury Parkway, located south of exit 131 in Delaware County, Ohio.
- 1.2 The professional design services shall consist of preparation of surveys, plans, profiles, cross sections, specifications, estimates, calculations, reports, schematics and drawings for construction and acquisition of necessary right of way for the Project, all of which shall collectively be referred to as the “Services”.
- 1.3 The Consultant shall perform the Services promptly and with the ordinary degree of skill and care that would be used by other reasonably competent practitioners of the same discipline practicing in the same locale and under similar circumstances.
- 1.4 The Services shall be more fully described in, and rendered by the Consultant in accordance with, the following documents, to be retained and on file with each Party, and by this reference fully incorporated into this Agreement:
 - 1.4.1 Phase A Scope of Services and Fee Proposal last revised: September 29, 2021
 - 1.4.2 Phase B & C Scope of Services and Fee Proposal Revision #2 dated July 2, 2024

1.4.3 Phase A Modification #1 dated July 5, 2024

4 FEES AND REIMBURSABLE EXPENSES

- 4.1 Compensation for Services provided under this Agreement shall be in accordance with the Fee Proposal(s) and other documents enumerated in Section 1.4 and as follows:
- a. **Phase A “Base Authorization”:** For all Services referenced in Section 1.4.1 as “Authorized Tasks” for Phase A, the lump sum fee shall be Two Million Five Hundred Forty-Eight Thousand Four Hundred Eighty-Three Dollars (\$2,548,483).
 - b. **Phase A “If Authorized”:** For all Services referenced in Section 1.4.1 as “If-Authorized Services” for Phase A, payment shall be made based on a lump sum amount authorized by the Project Manager for each authorized task as specified in the Fee Proposal, the total of which shall not exceed Sixty-Three Thousand Four Hundred Eleven Dollars (\$63,411).
 - c. **Phase B & C “Base Authorization”:** For all Services referenced in Section 1.4.2 as “Authorized Tasks” for Phase B&C, the lump sum fee shall be Two Million Five Hundred Thirty-Seven Thousand Nine Hundred Twenty-Two Dollars (\$2,537,922.)
 - d. **Phase B & C “If Authorized”:** For all Services referenced in Section 1.4.2 as “If Authorized Tasks” for Phase B&C (Combined), Phase B Separation, and Phase C1, payment shall be made based on a lump sum amount authorized by the Project Manager for each authorized task as specified in the Fee Proposal, the total of which shall not exceed Five Hundred Fifty Two Thousand Two Hundred Thirty-Three Dollars (\$552,233).
 - e. **Phase A Modification #1:** For all services described in Section 1.4.3 as “Authorized Tasks” for Phase A, the lump sum fee shall be One Hundred Sixty-Eight Thousand Three Hundred Eighty-One Dollars (\$168,381).
- 4.2 The Project Manager may authorize partial lump sum payments for itemized tasks in “If Authorized Services” with written consent of the Consultant when the Project Manager determines the necessity therefor.
- 4.3 Total compensation under this Agreement shall not exceed **Five Million Eight Hundred Seventy Thousand Four Hundred Thirty Dollars (\$5,870,430)** without a subsequent written modification signed by both Parties.
- 4.4 The fees and amounts specified above shall constitute full compensation for all direct labor, payroll burden, general and administrative overhead, profit, travel, equipment, and materials necessary to complete the Services as set forth in the Scope of Services.

7 FEES AND REIMBURSABLE EXPENSES

- 7.1 The Consultant shall commence Services upon written Notice to Proceed (“Authorization”) from the Project Manager and shall complete the Services by December 31, 2027.
- 7.2 Consultant shall not proceed with any “If Authorized” tasks without written Authorization.
- 7.3 In the event that unforeseen and unavoidable delays prevent the timely completion of this Agreement, the Consultant may make a written request for time extension, and the Project Manager may grant such an extension provided that all other terms of the Agreement are adhered to.

Resolution 2024-07 – Awarding a Bid and Approving a Contract for the Bean-Oller Road Improvements

A motion made by Mr. Kille and seconded by Mr. Price to approve **Resolution 2024-07**. A voice vote was called. All voted in favor.

A RESOLUTION AWARDING A BID AND APPROVING A CONTRACT FOR THE
BEAN-OLLER ROAD IMPROVEMENTS

RESOLUTION NO. 2024-07

WHEREAS, pursuant to Resolution 2024-02 the County Engineer has advertised for received bids for the contract known as DEL-TR143-2.43 Bean-Oller Road Widening and Resurfacing (the "Project")

WHEREAS, the Project Agreement governing this Project, authorized by resolution 2024-02 of the Board, provides that the County Engineer will perform the inspection, management and testing associated with the Project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the DCTID that:

Section 1: An award of contract for the Project is hereby made to Strawser Paving Company in the amount of \$727,308.55; and

Section 2: The County Engineer is authorized to proceed in accordance with the Project Agreement and to carry out the duties in connection therewith on behalf of the DCTID as are necessary to complete the Project, including, but not limited to, issuances of notices, change orders or revisions to the plans or specifications as he determines necessary to complete the Project in substantial accordance with the approved plans and specifications and in the best interest of the DCTID, provided that the total contract amount specified above shall not be exceeded without approval of the Board; and

Section 3: The Secretary-Treasurer is authorized to make payment to the Contractor upon receipt of voucher(s) certified by the County Engineer for amounts due the Contractor, not to exceed the amount specified above without approval of the Board; and

Section 4: Upon receipt of all required contract provisions from the Contractor and upon execution by all parties of the Project Agreement for the Bean-Oller Road Improvements approved by Resolution 2024-02, the Chairperson and Secretary/Treasurer are authorized to execute the contract on behalf of the Board in substantially the form shown in Exhibit A, with any changes such officers deem necessary, consistent with this Resolution, and in the best interest of the DCTID.

EXHIBIT A

UNIT PRICE CONTRACT

THIS AGREEMENT is made this _____ day of _____, 2024 by and between the Delaware County Transportation Improvement District, hereinafter called the "Owner", and

Strawser Paving Company
whose business address is
1595 Frank Road, Columbus, OH 43223-3737

its successors, executors, administrators and assigns, hereinafter called the "Contractor".

WITNESSETH:

That for and in consideration of the payments hereinafter mentioned to be made by the Owner, not to exceed the amount of

Seven Hundred Twenty-Seven Thousand Three Hundred Eight Dollars and 55 Cents
(\$727,308.55)

the Contractor hereby agrees to furnish all materials, appliances, tools, equipment, labor, technical supervision, utility and transportation services, and perform and complete all work required for construction of the improvements entitled

DEL-TR140-2.43
Bean-Oller Road Widening and Resurfacing

PID 2204
Liberty Township, Delaware County, Ohio

The Owner will pay the Contractor for the total quantities of work performed and accepted by the owner at the unit prices specified in the Proposal, not to exceed the total sum stated above, subject to the additions, deductions and other adjustments as provided in the Proposal.

This Agreement, together with the Proposal, Proposal Notes, General Provisions and all documents incorporated by reference therein, shall form the Contract between the Owner and Contractor.

Other business:

There was no other business to discuss.

Adjourn:

The meeting was adjourned at 10:05 AM.

Minutes submitted by Brandy Wilson, Robert Riley.

Approval of minutes:

Seiji Kille, Secretary-Treasurer

Date