

RESOLUTION – 2025-2

RESOLUTION OF THE BOARD OF THE KENTUCKY PUBLIC TRANSPORTATION INFRASTRUCTURE AUTHORITY APPROVING THE BI-STATE DEVELOPMENT AGREEMENT FOR “SECTION 2” OF THE PROPOSED I-69 CROSSING OVER THE OHIO RIVER BETWEEN EVANSVILLE, INDIANA, AND HENDERSON, KENTUCKY

WHEREAS, the Kentucky Public Transportation Infrastructure Authority (“**KPTIA**”) is an independent de jure municipal corporation and political subdivision of the Commonwealth of Kentucky, created and established under Chapter 175B of the Kentucky Revised Statutes, having all powers, duties, and responsibilities to review, approve, and monitor all significant eligible transportation projects within the Commonwealth and between the Commonwealth and any state adjoining the Commonwealth, or as otherwise provided by law; and

WHEREAS, on September 16, 2021, the Federal Highway Administration approved a Final Environmental Impact Statement and Record of Decision for the I-69 Ohio River Crossing between Evansville, Indiana, and Henderson, Kentucky (the “**Project**”);

WHEREAS, on September 20, 2021, the Federal Highway Administration endorsed a Project Management Plan for the Project which charts a path to manage, deliver, and complete the Project, while meeting goals and objectives with minimal inconvenience to the public; and

WHEREAS, on February 14, 2023, the Kentucky Transportation Cabinet (“**KYTC**”) and the Indiana Department of Transportation (“**INDOT**”) entered into a Memorandum of Agreement to jointly conduct studies and preliminary work necessary to provide the states with sufficient information to negotiate the terms and conditions for a Bi-State Development Agreement related to the Project;

WHEREAS, on March 24, 2023 by and through its Resolution – 2023-3, KPTIA expressed its support for the progress of the Project, and acknowledged that KPTIA may become involved in the Project at a future date;

WHEREAS, KYTC, INDOT, and KPTIA have determined that the preferred course of action to complete the Project is for the financing, procurement, development, construction, and delivery of Section 2 of the Project, consisting of infrastructure improvements and a new four-lane bridge between Henderson, Kentucky and Evansville, Indiana, carrying Interstate Highway I-69 across the Ohio River (such new bridge and infrastructure improvements from Station 4075+00 to Station 4203+60, the “**ORX Bridge**”) as well as the approach roadways to the ORX Bridge (collectively, “**Section 2 of the Project**”), to be primarily the responsibility of KPTIA;

WHEREAS, KYTC, KPTIA, INDOT, and the Indiana Finance Authority (“**IFA**” and together with KYTC, KPTIA, and INDOT, collectively, the “**Parties**”) have diligently negotiated the terms of a Bi-State Development Agreement (the “**BSDA**”), a true and complete copy of which has been presented to the members of KPTIA (the “**Board**”), establishing the terms and conditions under which the Project, and more particularly Section 2 of the Project, will be undertaken and the duties, responsibilities, powers, and authorities of the Parties and outlining the roles and responsibilities of the Parties with respect to the Project, and more particularly Section 2 of the Project; and

WHEREAS, on August 14, 2025 by and through its Resolution – 2025-1, KPTIA approved and recommended a financial plan for Section 2 of the Project, and authorized KPTIA as the primary authority for the supervision, procurement, development, construction, financing, and delivery of Section 2 of the Project.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, THE BOARD HEREBY CONSENTS TO, APPROVES, AND ADOPTS THE FOLLOWING RESOLUTIONS:

RESOLVED, the BSDA is hereby approved in accordance with Ky. Rev. Stat. Ann. §§ 175B.030(7) and 175B.025(1).

RESOLVED, KPTIA is hereby authorized, empowered, and directed to consummate the transactions contemplated in the BSDA, to undertake its duties, responsibilities, powers set forth in the BSDA, and to perform its roles and responsibilities outlined in the BSDA.

RESOLVED, the Chair and Vice Chair of KPTIA, be, and each hereby is, authorized, empowered and directed, individually and collectively, for and on behalf of KPTIA and in its name, to finalize and execute the BSDA, such other agreements, instruments, certificates and other documents as are contemplated in the BSDA, and each other agreements, instruments, certificates and other documents that each shall, in the exercise of reasonable discretion, deem necessary or appropriate to give effect to the transactions contemplated in these resolutions, and to take or cause to be taken such other and further actions as each shall, in the exercise of reasonable discretion, deem necessary or appropriate to give effect to the foregoing resolutions and to consummate the transactions contemplated herein.

RESOLVED, KPTIA shall submit a true and complete copy of this Resolution – 2025-2 to the Kentucky General Assembly for ratification in compliance with KRS 175B.020(10)(a)(5).

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Approved and adopted this 14th day of August, 2025.

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Chair of KPTIA

Attest:

Signed by:

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Secretary of KPTIA

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