

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 7, 2021

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:15 a.m. on Tuesday, December 7, 2021 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were Yassmin Gramian, Chair; William K. Lieberman, Vice Chair; Wadud Ahmad, Secretary Treasurer and Pasquale T. Deon, Sr., Commissioner.

Also available for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Bradley J. Heigel, P.E., Chief Engineer; Carl DeFebo, Jr., Director of Public Relations & Marketing; Doreen McCall, Chief Counsel; Kelli Roberts, Director of Policy and External Affairs (via telephone); Rick Dreher, Chief Financial Officer; Robert Brady, Director of Operations/Projects-East (via telephone); Robert Taylor, Chief Technology Officer; Stacia Ritter, Esq., Asst. Chief Operating Officer/Toll Collection; Steve Barber, Michael Baker Int'l. and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via telephone were Ann Marcella, Executive Administrative Secretary; Cory Campbell, Senior Network Engineer (in person); Don Klingensmith, Asst. Chief Fin. Officer for Financial Administration (in person); Jeff Naugle, Manager of Treasury Operations; Kelly Horvath, Executive Administrative Assistant; Sean Laudenslager, End User Support Supervisor (in person); Camille Evans, Virtus, LLP; Chris Body; Cody Gross, McTish, Kunkel; Craig Beissel, Volkert; Daniel O'Brien, RBC Capital Markets; Ed Reese, GPD Group; Eric Madden, JMT; Karen Gabel, Erdman Anthony; Mark Karolski, Buchart Horn; Michael Kapp, HNTB; Milan Mitrovich, TransCore; Rachel Perrego, Susquehanna Civil; Robert Horr, Atkins; Samantha Osbourne, Virtus, LLP; and Michael Donaghy, T.Y. Lin.



Chair Gramian led the Commissioners, staff and visitors in the Pledge of Allegiance.



The Assistant Secretary Treasurer, Ann Louise Edwards, called the roll and declared a quorum available. Mrs. Edwards welcomed the Commissioners, employees and guests on the WebEx and made the following statement:

With the lifting of the Commonwealth's mask and occupancy limitation related to the COVID-19 emergency, the Pennsylvania Turnpike Commission Meetings are being held in person. However, the Commission will also continue to post call-in/WebEx information for those who wish to attend the meeting via telephone/WebEx. The WebEx information was posted at least 48 hours in advance of the meeting. This meeting is being recorded and the Commission will post the recording on its website.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a vaccination incentive program, promotions, reclassifications and vacancies.

The Commissioners also engaged in non-deliberative, informational discussions regarding various actions and matters, which have been approved at previous public meetings.



PUBLIC COMMENT

Mrs. Edwards: Copies of today’s agenda are located in the Large Board Room for those attending in person. The agenda is also available on the Commission website at least 48 hours in advance of the meeting. The public is welcome to address the Commission regarding items listed on the agenda or other items not listed on the agenda that are within the Commission’s authority or control. In order to conduct an orderly and effective meeting, all persons wishing to address the Commission should have requested time to speak at least 48 hours in advance of this meeting.

No requests to address the Commission.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held November 16, 2021 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



COMMUNICATION

Motion-That the Commission approve the memo received from the Chief Counsel -was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



PERSONNEL

Motion-That the Commission approves personnel as amended-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



UNFINISHED BUSINESS

No Unfinished Business to consider.



PAYMENT OF INVOICES

Motion-That the Commission approve payment of the invoices for the items listed in memos “a” and “b”:

- a. 2022 E-ZPass Interagency Group’s (IAG) annual assessment for our participation in the E-ZPass Interagency Group, in the amount of \$75,000.00;

- b. 2021 Notice of Assessment from the Bureau of Workers' Compensation for the Workers' Compensation Administration Fund, in the amount of \$68,586.00.

-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements, Supplemental Agreements, an Amendment and an MOU for the items listed in memos "a" through "h":

- a. Supplemental Reimbursement Agreement with Penelec, to reimburse Penelec for the engineering and utility relocation work for the total reconstruction project from MP 99.00 to MP 109.00, for an increase of \$102,412.50 due to site conditions requiring Penelec's contractor to utilize track machinery instead of conventional line trucks to access the location, resulting in increased labor and material costs; for a revised not-to-exceed amount of \$221,930.00;
- b. Agreement with Gerrity's Supermarkets, Inc. for the distribution of E-ZPass Go Packs at its various locations;
- c. Agreements for open-end drilling, for a not-to-exceed amount of \$900,000.00 or three (3) years each, whichever occurs first:
 - Navarro and Wright Consulting Engineers, Inc.-MP 247.30 to the Delaware River Bridge and the Northeast Extension;
 - DLZ American Drilling, Inc.-MP 0.00 to MP 247.30, Amos K. Hutchinson Bypass, Beaver Valley Expressway, Mon/Fayette Expressway, and the Southern Beltway;
- d. Agreement with EQT Corporation or its affiliate EQT Energy LLC (EQT), for EQT to supply full service natural gas to the Microgrid project at the Greensburg Maintenance Facility, for two years at an estimated annual cost of \$638,000.00;
- e. Settlement Agreement and Release with Robert Pushnik; and authorize payment of the workers' compensation settled amount;
- f. Supplemental Agreement with andculture for the website hosting, maintenance, and support contract, for an additional \$2,673,493.49 due to COVID-19 mitigation impacts that resulted in unforeseen changes in priorities and accelerated timelines, and for monthly support for the hosting, maintenance and support, for a revised not-to-exceed amount of \$8,392,367.91 over the 5-year base term;
- g. Amendment to our agreement with Daktronics, Inc. for the systemwide Dynamic Message Sign (DMS) systems, exercising the option to renew the agreement for an additional two years (January 3, 2022 - January 2, 2024);

- h. Memorandum of Understanding with the YMCA of Greater Harrisburg to develop anti-trafficking material, training and program initiatives.

-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos “a” through “g”:

- a. Acquisition of Right-of-Way #14S704 (John R. & Sherry A. Ondo), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$2,504.50 representing fair market value and pro-rated taxes to John R. & Sherry A. Ondo; also authorize payment of \$4,000.00 representing Section 710 damages to Vorys, Sater, Seymour and Pease, LLP; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that may be required for closing; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value to the property owners is contingent upon the delivery of a deed as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #9603 (Donald W. & Sandra J. Holdridge), a total take parcel necessary for construction of the Scranton Beltway project, by authorizing payment of \$202,209.77 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, Inc., escrow agent; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value is contingent upon the delivery of a deed as prepared by the Legal Department;
- c. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #6047-G2 (Danielle P. Jolly), a partial take parcel necessary for the total reconstruction project from MP 312.00 to MP 316.00 by authorizing payment of \$86,000.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- d. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #6047-K (Michael W. Bowell), a partial take parcel necessary for the total reconstruction project from MP 312.00 to MP 316.00 by authorizing payment of \$42,000.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- e. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #6042-A (Estate of Andrew North McCreight), a partial take parcel necessary for the total reconstruction project from MP 312.00 to MP 316.00 by authorizing payment of \$435,900.00 representing estimated

just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;

- f. Transfer Right-of-Way #14S371 (previously acquired from West Mifflin Area School District) to the Borough of West Mifflin as required by the Final Environmental Impact Statement for construction of the Mon/Fayette Expressway; and authorize the appropriate Commission officials to execute the deed as prepared by the Legal Department and any other documents that may be required for closing;
- g. Acquisition of Right-of-Way #14S606 (Commercial Net Lease Realty, Inc.), a partial take parcel necessary for the construction of the Mon-Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$108,020.00 representing the cost to move the electrical service payable to JW Didado Electrical, LLC; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel.

-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



ADVERTISING

Motion-That the Commission approve advertising for the items listed in memos "a" through "e":

- a. Authorized road service provider for coverage from MP S0.00 to MP S17.50;
- b. Authorized road service provider for coverage from MP 188.70 to MP 226.30;
- c. Authorized road service provider for coverage from MP B14.60 to MP B32.30;
- d. Authorized road service provider for coverage from MP 127.30 to MP 188.60;
- e. Authorized road service provider for coverage from MP A67.60 to MP A94.40.

-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves the Award of Bids and Issuance of Purchase Orders for the items listed in memos "a" through "l":

- a. IT staff augmentation, utilizing the Commonwealth's contract with Optimal Solutions & Technologies, Inc. (January 2022-May 2023); at a cost of \$9,479,047.00;

- b. Diesel motor fuel and heating/emergency generator fuel, exercising the option to renew the agreements for an additional year (January 2022-December 2022) and approval for staff movement of funds between contracts as needed:

Talley Petroleum Enterprises, Inc.	\$ 25,000.00
Riggins, Inc.	10,000.00
Naughton Energy Corp.	9,000.00
Sprague Energy, LLC	15,000.00
Petroleum Traders Corp.	120,000.00
Ports Petroleum Co., Inc.	110,000.00
Mansfield Oil Co. of Gainesville, Inc.	290,000.00
Guttman Oil Co.	1,400,000.00
Contingency	<u>495,000.00</u>
TOTAL RENEWAL/CONTINGENCY:	\$2,474,000.00

- c. Automotive and equipment filters, exercising the option to renew the agreements for an additional year (January 2022-December 2022):

Penn Diesel Service Co.	\$ 60,000.00
Cumberland Truck Equip. Co.	5,000.00
Messicks	5,000.00
Sunbury Motor Co.	110,000.00
Wheeler Bros., Inc.	15,000.00
Contingency	<u>15,000.00</u>
TOTAL RENEWAL/CONTINGENCY:	\$ 210,000.00

- d. Delineator reflectors and hardware, exercising the option to renew the agreements for an additional year (January 2022-December 2022):

Artuk	\$125,000.00
Pexco	225,000.00
UniqueSource	<u>275,000.00</u>
TOTAL RENEWAL	\$625,000.00

- e. Job Order Contracts (January 2022 – December 2023), to the lowest responsive and responsible bidders; and approval for staff movement of funds between contracts as needed:

GENERAL

Clark Contractors	\$ 10,000,000.00	District 1
Clark Contractors	7,000,000.00	District 2
Clark Contractors	3,500,000.00	District 3
Clark Contractors	2,500,000.00	District 4
Clark Contractors	<u>2,500,000.00</u>	District 5
TOTAL for GENERAL	\$25,500,000.00	

ELECTRICAL

Schultheis/TSB	4,000,000.00	District 1
Schultheis/TSB	3,000,000.00	District 2
Manada Electric	1,000,000.00	District 3
Clark Contracts	500,000.00	District 4

IB Abel	<u>500,000.00</u>	District 5
TOTAL for ELECTRICAL	\$ 9,000,000.00	

PLUMBING

Clark Contractors	1,500,000.00	District 1
Clark Contractors	1,500,000.00	District 2
Clark Contractors	750,000.00	District 3
Clark Contractors	500,000.00	District 4
Clark Contractors	<u>500,000.00</u>	District 5
TOTAL for PLUMBING	\$4,750,000.00	

HVAC

MARC Service	2,000,000.00	District 1
MARC Service	1,500,000.00	District 2
Clark Contractors	1,500,000.00	District 3
Clark Contractors	500,000.00	District 4
Clark Contractors	<u>500,000.00</u>	District 5
TOTAL for HVAC	\$ 6,000,000.00	

TOTAL FOR JOC \$45,250,000.00

- f. Twenty-one (21) message boards, utilizing the Commonwealth’s contract with Trafcon Industries, Inc.; at a cost of \$167,441.00;
- g. Eighteen (18) Ford Escape hybrids, utilizing the Commonwealth’s contract with Apple Ford of Red Lion/Apple Automotive Group, Inc.; at a cost of \$474,714.00;
- h. HAAS alert safety cloud subscription, exercising the option to renew the agreement for an additional 3 years (through January 2025) with Smileys Fire Equipment; at a cost of \$143,947.80;
- i. Carbon Black subscription, exercising the option to renew the agreement (December 12, 2021 - December 11, 2022) with Optiv Security, Inc.; at a cost of \$184,550.00;
- j. TrafficVisionTMC software subscription, utilizing the Commonwealth’s contract with TrafficVision/Omnibond Systems, LLC, for 5 years (December 15, 2021 – December 14, 2026); at a cost of \$284,800.00;
- k. Mower parts (January 2022 – December 2022), to the lowest responsive and responsible bidders; and approval for staff movement of funds as necessary between contracts as needed:

Cherry Valley Tractor Sales, Inc.	\$ 65,000.00
Montage Enterprises, Inc.	140,000.00
Lacal Equipment, Inc.	12,000.00
Contingency	<u>55,000.00</u>
TOTAL AWARD/CONTINGENCY:	\$272,000.00

- I. Customer Service Center pure storage flash array (hardware and software), utilizing the Commonwealth's contract with Presidio Holdings, Inc.; at a total award of \$341,654.00.

-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



CHANGE ORDER

Motion-That the Commission approve Change Order #5 and Final Payment for Contract #T-149.50T002-3-04 for substructure removal of Bridge B-518 at MP 154.42 with New Enterprise Stone & Lime Co., Inc. for a decrease of \$50,810.78 to balance items to actual work completed; for a final contract value of \$3,687,037.41 and final amount due to the contractor of \$67,213.06-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



SUPPLEMENTAL AGREEMENT

Motion-That the Commission approve the negotiation and execution of Supplemental Agreement #3 with Pennoni Associates, Inc. for design services for the Mon/Fayette Expressway, Rt. 51 to I-376, for an increase of \$12,000,000.00 to complete final design of Section 53B due to design changes throughout final design including the relocation of S.R. 2043 and a partial interchange at S.R. 2045, sandy lake alternatives, mine pool avoidance, connector road alternates, relocation and vertical shift of mainline at various locations; for a revised not-to-exceed amount of \$38,300,000.00-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



AMENDMENT

Motion-That the Commission approve negotiation and execution of an amendment to our agreement with TransCore for cashless tolling services, to exercise the option for cashless tolling services to implement and maintain its cashless tolling solution at additional tolling points to include the open road tolling conversion at an estimated cost of \$125,000,000.00; and to exercise the option to implement and maintain cashless tolling solutions at additional tolling points to include PennDOT bridges that the Commission is responsible for tolling services for costs that will be negotiated with and reimbursed by PennDOT and as authorized by the Chief Executive Officer.

Craig Shuey, COO, provided some history and insight to the selection. The motion was made by Commissioner Deon, seconded by Commissioner Ahmad; and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, December 21, 2021 beginning at 11:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:28 a.m.-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Assistant Secretary Treasurer

Wadud Ahmad
Secretary Treasurer