

MINUTES OF THE COMMISSION MEETING HELD NOVEMBER 2, 2021

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:00 a.m. on Tuesday, November 2, 2021 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were Wadud Ahmad, Secretary Treasurer, Pasquale T. Deon, Sr., Commissioner and Mike Keiser, Deputy Secretary for Highway Administration.

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 (via telephone); Charles L. Duncan III, Esq., Chief Compliance, Legislative, Cultural Affairs; Doreen McCall, Chief Counsel; Kelli Roberts, Director of Policy and External Affairs; Rick Dreher, Chief Financial Officer; Robert Brady, Director of Operations/Projects-East (via telephone); Robert Taylor, Chief Technology Officer; Stacia A. Ritter, Esq., Asst. Chief Operating Officer/Toll Collection; Tom Porter, Chief Engineer, Michael Baker Int'l. (via telephone); and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via telephone were Cory Campbell, Senior Network Engineer (in person); Don Klingensmith, Asst. Chief Fin. Officer for Financial Administration; Gina Murray, Senior Procurement Specialist; Jeff Naugle, Manager of Treasury Operations (in person); Kelly Horvath, Executive Administrative Assistant (in person); Sean Laudenslager, End User Support Supervisor (in person); Craig Beissel, Volkert; Crystalann Deardorff, Susquehanna Civil; Daniel O'Brien, RBC Capital Markets; David Snively, CDR; Ed Reese, GPD Group; Eric Madden, JMT; Jasen Gagen, GPI;; Jon Livingston, Jacobs; Josh Farley, CDR Maguire; Karen Gabel, Erdman Anthony; Mark Karolski, Buchart Horn; Mike Gleinheiser, Urban; Michele Donaghy, T.Y. Lin; Osaze Romany, Bankcroft; Robert Horr, Atkins; Roger Eaton, HDR; and Samantha Osbourne, Virtus, LLP.



Mrs. Edwards 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 reclassification, new hires, vacancies and the 2022 Summer Employment Program.

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 October 19, 2021 be approved and filed as submitted-was made by Deputy Secretary Mike Keiser, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATION

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.

OPEB

Motion-That the Commission approve the reappointment of the following individuals as Trustees for the PTC Retiree Medical Trust, for the term January 3, 2022 to January 3, 2024:

- *Commissioner Pasquale T. Deon, Sr.
- *Chief Financial Officer - Rick Dreher
- *Chief Counsel - Doreen McCall
- *Asst. CFO/Accounting & Budget – Anthony Maun

-was made by Deputy Secretary Mike Keiser, seconded by Commissioner Deon, and passed unanimously.



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements and Amendments for the items listed in memos “a” through “g”:

- a. Agreement with North Strabane Fire Department to provide fire/EMS rescue services for the Southern Beltway between MP S15.30 and MP S19.00; at an estimated cost of \$5,000.00 annually;
- b. Reimbursement Agreement with Pennsylvania American Water Company (PAWC), for PAWC to reimburse the Commission half the cost for the engineering and utility relocation work necessary for the Scranton Beltway project; at an estimated reimbursement of \$107,964.50;
- c. Agreement with Lawrence Fire Company to provide fire/EMS rescue services for the Southern Beltway between MP S15.30 and MP S19.00; at an estimated cost of \$5,000.00 annually;
- d. Agreement with SouthBridge EMS to provide emergency medical services (EMS) for the Southern Beltway between MP S10.70 and MP S19.00; at an estimated cost of \$5,000.00 annually;
- e. Amendment to our tower lease agreement with T-Mobile Northeast LLC, to amend its equipment on the Trevoise Tower which will generate an additional annual income of \$3,600.00; and authorize execution of the necessary documents;
- f. Agreements, plans, covenants and all other necessary documents with Charlestown Township for the land development process for the Devault Maintenance facility project;
- g. Amendment to our agreement with Plenary Broadband Infrastructure, LLC, (PBI) for fiber operations, maintenance and commercialization, to grant commercialization rights to PBI for the Western Network, exercise the option to extend the agreement an additional five (5) years, exercise the option to extend the completion date for the Eastern Network, and amend operational requirements to improve workflow for non-emergency fiber requests.

-was made by Deputy Secretary Mike Keiser, seconded by Commissioner Deon, 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 “h”:

- a. Acquisition of Right-of-Way #14S340 (Robert D. and Jill B. Oeler), a partial take parcel necessary for construction of the Mon/Fayette Expressway, by authorizing payment of up to \$4,000.00 representing Section 710 damages; also authorize payment of \$537.12 for reimbursement of appraisal fees to Robert D. and Jill B. Oeler;
- b. Authorize execution of all necessary documents for Right-of-Way #14S268 (Laura A. Lucko), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376 (acquisition of property was previously approved by the Commission on June 16, 2020; item F-3c); authorize the payment of 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. Acquisition of Right-of-Way #14S435 (Bradley Nevius), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$135,000.00 representing fair market value, relocation and statutory damages, pro-rated taxes and recording fees to Arrow Land Solutions, LLC, escrow agent; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents required for closing; and payment of the settlement amount to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- d. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #14S256 (Steve and Julia Uhlyar), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$156,000.00 representing payment of 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 #14S060 (Duquesne Light Company), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$6,200.00 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. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S370 (Duquesne Light Company), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$17,000.00 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;

- g. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S007 (Duquesne Light Company), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$61,400.00 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;
- h. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S284 (Blanche S. Paul), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$9,000.00.00 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.

-was made by Deputy Secretary Mike Keiser, seconded by Commissioner Deon, and passed unanimously.



ADVERTISING

Motion- That the Commission approve advertising for an authorized service provider for coverage from MP 292.60 to MP 312.00-was made by Deputy Secretary Mike Keiser, seconded by Commissioner Deon, and passed unanimously.



PURCHASE ORDERS

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

- a. Fire extinguisher and recharge service; exercising the option to renew the agreement with Cintas Corp. #2 for an additional three years (through October 31, 2024); at a cost of \$175,000.00;
- b. Mechanics hardware supply contract (November 2021 – October 2023), to the lowest responsive and responsible bidder, Kimball Midwest/Midwest Motor Supply Co., Inc.; at a total award of \$159,000.00 plus a contingency of \$32,000.00;
- c. Plow blades, parts, hardware and accessories (November 2021 – October 2022), to the lowest responsive and responsible bidders:

Nordik	\$150,000.00
Ironhawk	125,000.00
Winter Equipment Co., Inc.	125,000.00
Trius, Inc.	10,000.00
Valk Manufacturing Co, LLC	60,000.00
Chemung Supply Co.	5,000.00
CONTINGENCY	<u>75,000.00</u>
TOTAL AWARD/CONTINGENCY	\$550,000.00

-was made by Deputy Secretary Mike Keiser, seconded by Commissioner Deon, and passed unanimously.



AWARD OF CONTRACTS

Motion–That the Commission approves the Award of Contracts for the item listed in memo “a” and “b”:

- a. Contract #A-044.00T001-3-03 for the replacement of Bridge NB-300 at MP A45.94, to the lowest responsive and responsible bidder, Susquehanna Valley Construction Corporation; at a not-to-exceed amount of \$4,888,800.00 and a contingency of \$200,000.00;
- b. Contract #T-144.95R001-3-02 for asphalt resurfacing between MP 144.95 and MP 149.23, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$9,443,175.42 and a contingency of \$40,000.00.

-was made by Deputy Secretary Mike Keiser, seconded by Commissioner Deon, and passed unanimously.



CHANGE ORDER

Motion-That the Commission approve Change Order #4 and Final Payment for Contract #M-00.00R001-3-02 for concrete pavement repairs between MP M0.06 and MP M7.86 with Golden Triangle Construction Co., Inc. for an increase of \$116,621.52 for normal quantity adjustments, concrete pavement repairs and changes for SNAPS; for a final contract value of \$7,235,053.61 and final amount due to contractor of \$172,426.42-was made by Deputy Secretary Mike Keiser, seconded by Commissioner Deon, and passed unanimously.



INSURANCE

Motion-That the Commission approve payment of the Chubb Liability Insurance (November 7, 2021 – November 7, 2022), through our broker Conner Strong & Buckelew; at an annual premium not to exceed \$350,000.00-was made by Deputy Secretary Mike Keiser, seconded by Commissioner Deon, and passed unanimously.



SUPPLEMENTS

Motion-That the Commission approve the negotiation and execution of the Supplemental Agreements as listed in memos “a” through “c”:

- a. Supplemental Agreement #1 for Contract #4400003798 with Urban Engineers, Inc. for design management services for the four total reconstruction projects between MP 298.00 and MP 312.00, and MP A38.00 and MP A44.00 for an increase of \$10,000,000.00 for multiple interchange options for MP A43.00 to MP A44.00 that require an update to the POA, and for final design of the 3 projects between MP 298.00 and MP 312.00; for revised not-to-exceed amount of \$22,000,000.00;
- b. Supplemental Agreement #1 for Contract #4400003325 with SAI Consulting Engineers, Inc. for design of the total reconstruction from MP 57.00 to MP 67.00 for an increase of \$13,000,000.00 to complete the final design of this ten (10) mile reconstruction project; for a revised not-to-exceed amount of \$34,000,000.00;
- c. Supplemental Agreement #3 with CDR Maguire, Inc. for design of the Beaver River Bridge replacement project at MP 13.21 for an increase of \$3,000,000.00 to complete the design of the bridge, address environmental agency reviews including the PADEP’s request for changes to the previously approved Post Construction Stormwater Management by the Beaver County Conservation District, update safety features for the new MASH criteria, update the PS&E package to reflect the current 408 version, add a permitted waste site, address constructability comments received on the project and perform post-design services during the constructions of the project; for a revised not-to-exceed amount of \$21,000,000.00.

-was made by Deputy Secretary Mike Keiser, seconded by Commissioner Ahmad, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, November 16, 2021 beginning at 11:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:08 a.m.- -was made by Deputy Secretary Mike Keiser, seconded by Commissioner Deon, and passed unanimously.