

MINUTES OF THE COMMISSION MEETING HELD JANUARY 4, 2018

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:02 a.m. on January 4, 2018 at the Central Office located in Highspire, Pennsylvania. Available via telephone were Leslie Richards, Chair; William K. Lieberman, Vice Chair; Barry Drew, Secretary Treasurer; Pasquale T. Deon, Sr., Commissioner and John Wozniak, Commissioner.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Larry Bankert, Chief Engineer, Michael Baker, Inc.; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Assistant Director of Toll Collection-Fares; Doreen McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Stacia A. Ritter, Esquire, Director of Policy and External Affairs; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Jeffrey A. Naugle, Manager of Treasury Operations; Mark Strause, Technician of PC/Lan Systems; Eric Madden, JMT; Paul McNamee, KCI; and Kristi Reichard, A. Morton Thomas.



Ms. Edmunds led the Commissioners, staff and visitors in the Pledge of Allegiance.



The Assistant Secretary Treasurer, Ann Louise Edmunds, called the roll and declared a quorum available.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a voluntary demotion, termination, new hires, vacancies and a request to create and fill a position in the Facilities and Energy Management Operations department.

The Commissioners also discussed Docket Nos. PTC-WC-0883, 2017-PTC-2512, 2017-05532-0 and 4110 and engaged in non-deliberative, informational discussions regarding various actions and matters, which have been approved at previous public meetings.



PUBLIC COMMENT

Ms. Edmunds: 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 signed in a requested time to speak. If you have not done so, you are invited to do so at this time.

There were no requests to address the Commission.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held December 19, 2017 be approved and filed as submitted - were made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

Motion-That the Commission approves the Personnel as submitted-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS
SUPPLEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #2 for design of the I-95/I-276 Interchange project (Section E) with Pennoni Associates, Inc. for an additional \$1,000,000.00 to complete final and post-design services, additional coordination effort with Bristol Township and PennDOT, and the impacted utilities; for a revised not-to-exceed amount of \$7,500,000.00-was made by Commissioner Drew, seconded by Commissioner Deon, and approved unanimously.



AGREEMENTS

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

- a. Reimbursement Agreement with Pennsylvania American Water Company (PAWC) to reimburse PAWC the cost for the engineering and utility relocation work necessary for construction of the Southern Beltway, Section 55C1-2; at a not-to-exceed amount of \$402,250.00;
- b. Reimbursement Agreement with West Penn Power Company (WPPC) to reimburse WPPC the cost for the engineering and utility relocation work necessary for construction of the Southern Beltway, Section 55C1-2; at a not-to-exceed amount of \$43,972.90;
- c. Supplemental Agreement with Deborah Vereen LLC for an additional Diversity Awareness Training class; for an additional amount of \$3,043.00;
- d. Settlement Agreement and Release in the case, Serrano v. PTC, and authorize payment of the settled amount;
- e. Four (4) Reimbursement Agreements with West Penn Power Company (WPPC) to reimburse WPPC the cost for the engineering and utility relocation work necessary for construction of the Southern Beltway, Section 55-A2; at a combined not-to-exceed amount of \$328,497.00;
- f. Settlement with the PA Department of Environmental Protection (DEP) for alleged actions at the total reconstruction project from MP 242.00 to MP 245.00; authorize the appropriate Commission officials to execute the Consent Assessment of Civil Penalty; and authorize payment of a combined not-to-exceed amount of \$15,000.00 to the Commonwealth of PA-Clean Water Fund, York County Conservation District and the Commonwealth of PA-Dams and Encroachment Fund;
- g. Settlement Agreement and Release with Swank Construction Company; and authorize payment of the settlement amount.

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



RIGHT-OF-WAY REQUESTS

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

- a. Acquisition of Right-of-Way #14081-RE (Renda L. Wilson), a partial take parcel necessary for the total reconstruction project from MP 53.00 to MP 57.00 by authorizing payment of \$1,411.33 representing fair market value and pro-rated taxes to Renda L. Wilson; 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 to the property owner is contingent upon her delivery of a deed prepared by the Legal Department;

- b. Acquisition of Right-of-Way #12035-J3 (Beaver County Corp. of Economic Development), a partial take parcel necessary for the Beaver River Bridge project by authorizing payment of \$139,130.75 representing fair market value, pro-rates taxes and recording fees to Simple Settlement, LLC, 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 damages to the proper owner is contingent upon its delivery of a deed prepared by the Legal Department;
- c. Settlement of Right-of-Way #6503-A (Jack David Boorse), a partial take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00 by authorizing payment of \$4,285.00 representing additional settlement funds and Section 710 damages to Brion McGuire & Morris, LLP, escrow agent; authorize the appropriate Commission officials to execute the Settlement Agreement and General Release as reviewed and approved by the Legal Department; and payment of the settlement funds is contingent upon the delivery of the executed Settlement Agreement and General Release.

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



ADVERTISING

Motion-That the Commission approves advertising for items listed in memos "a" through "c":

- a. Contract #S-006.00X002-3-07 for construction of the Southern Beltway, SR 576, Section 55A2, from MP S8.75 to MP S11.45;
- b. Dynamic Message Signs services;
- c. Construction Management/Inspection for FEMO projects.

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



PURCHASE ORDERS

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

- a. Inspection and testing of fire alarm and sprinkler systems (January 2018 – December 31, 2019), to the lowest responsive and responsible bidders:

| | | |
|---------------------------------|------------------|-------------------|
| Siemens Industry, Inc. | \$259,000.00 | Districts 1, 2 |
| Kistler O’Brien Fire Protection | <u>70,000.00</u> | Districts 3, 4, 5 |
| TOTAL AWARD | \$329,000.00 | |

- b. Three (3) crew cab 4x4 stake body trucks, utilizing the Commonwealth’s contract with Apple Chevrolet/Westgate Chevrolet, Inc.; at a total award of \$160,366.50;

- c. Delineation contract, exercising the option to renew the agreement for an additional year (through December 31, 2018):

| | |
|--------------|--------------|
| Uniquesource | \$230,000.00 |
| Artuk | 85,000.00 |
| Enis Paint | <u>0.00</u> |
| TOTAL | \$315,000.00 |

- d. Water quality inspection, cleaning and maintenance services at Commission facilities, exercising the option to renew the agreement for an additional year (through January 31, 2019) with Your Quality Solutions, Inc.; at a cost of \$200,000.00.

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



REJECTION OF BIDS

Motion-That the Commission approves the rejection of all bids for Contract #T-123.00R001-3-02, bituminous resurfacing between MP 123.30 and MP 129.91-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



CHANGE ORDER AND FINAL PAYMENT

Motion-That the Commission approves Change Order #2 and Final Payment for Contract #EN-00164-03-02 for installation of signs between MP 0.00 and MP 245.75, I-376, Turnpike 66, Turnpike 43 and Turnpike 576 with Green Acres Contracting, Co., Inc. for a decrease of \$941,797.67 to reflect actual cost of the completed work authorizations; for a final contract value of \$2,058,202.33 and final amount due to the contractor of \$102,910.12-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



SUPPLEMENT

Motion-That the Commission approve the negotiation and execution of Supplemental Agreement #2 for design services for the Southern Beltway, US 22 to I-79, Section 55C2 with ms consultants, inc. for an additional \$5,850,000.00 to continue with final design including design revisions that impacted traffic control, E&S, drainage, roadway, ITS, structure design, addition of ramp and side road structures, right-of-way plan revisions and ongoing coordinate with the National Cemetery of the Alleghenies; for a revised not-to-exceed amount of \$21,550,000.00-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



ITEM ADDED TO THE FORMAL AGENDA

AGREEMENT

Motion-That the Commission approves the negotiation and execution of the Settlement Agreement and Release with Jeremy Sommers, and authorize the issuance of the workers' compensation settlement payment-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Wednesday, January 17, 2018 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:10a.m. -was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Barry Drew
Secretary Treasurer