

MINUTES OF THE COMMISSION MEETING HELD JANUARY 5, 2021

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:26 a.m. on Tuesday, January 5, 2021 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were Melissa Batula, Deputy Secretary of Transportation; William K. Lieberman, Vice Chair; Pasquale T. Deon, Sr., Commissioner and Wadud Ahmad, Commissioner. Present for the meeting was John Wozniak, Secretary Treasurer.

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 Duncan III, Esquire, Chief Compliance, Legis. & Cultural Affairs (via telephone); Doreen McCall, Chief Counsel; Myneca Ojo, Director of Diversity and Inclusion (via telephone); Robert Brady, Director of Operations/Projects-East (via telephone); Robert Taylor, Chief Technology Officer (via telephone); Stacia Ritter, Asst. Chief Operating Officer/Toll Collection; and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via telephone were Don Klingensmith, Asst. Chief Fin. Officer for Financial Administration; Jeff Naugle, Manager of Treasury Operations; Jesse Ream, Communication Systems Program Manager (in person); Kelly Horvath, Executive Administrative Assistant; Shawn Laudenslager, End User Support Supervisor (in person); Susan Carson-Casoni, Cash Manager; Clyde Naugle, Markosky; Craig Beissel, Volkert; Dan O'Brien, RBC Capital Markets; Dave Snively, CDR; Derek McNeil, Siebert Williams Shank & Co.; Ed Reese, GPD Group; Eric Madden, JMT; George Settelmaier, KSE; Jamie North, DLZ; Jeff Hans, HDR; Jennifer Nolan-Kremm, HDR; Joe Platt, TPD; John Smith; Jon Livingston, Jacobs; Mark Karolski, Buchart Horn; Matt Shinton, Kimley-Horn; Mike Houser, Markosky; Paul McNamee, KCI; Robert Horr, Atkins; Roger Eaton, HDR; Steve Barber, Michael Baker (in person); and Tyler Silfies.



Vice Chair Lieberman 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:

Due to COVID-19, the Pennsylvania Turnpike Commission Administration Building remains closed to visitors. Accordingly, the Commission Meetings will be held via telephone (through June 2020 or until further notice). The Commission will continue to post call-in/WebEx information for those who wish to attend the meeting via telephone/WebEx. WebEx information should be posted at least 48 hours in advance of the meeting. The Commission will continue to closely monitor the CDC's and other government websites for up-to-date information regarding COVID-19, risk assessment and guidance to business. 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 promotion, an annuitant, new hires, reclassifications, performance incentive awards and posting positions in the IT Department.

The Commissioners also discussed Claim No. PTC-55A2 and engaged in non-deliberative, informational discussions regarding various actions and matters, which have been approved at previous public meetings.



PUBLIC COMMENT

Mrs. Edwards: 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. If you have not done so, you are invited to do so at this time.

We had no requests to address the Commission.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held December 14, 2020 be approved and filed as submitted-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATIONS

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

PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



UNDERWRITERS

Motion – That the Commission approve amending the pool of qualified bond counsel for bond, special, underwriters and disclosure counsel services to include Virtus, LLP-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



AGREEMENTS

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

- a. Memorandum of Understanding (MOU) with Teamsters Local Union 30S; authorize the execution of the MOU in accordance with such terms and authorize the appropriate Commission officials to execute the MOU as prepared by the Legal Department;
- b. Perpetual Easement with Canton Farms, LLC for a portion of the old South Penn Railroad; Canton Farms, LLC will pay the Commission \$2,000.00 for the easement;
- c. Tri-party Agreement between the United States Steel Corporation (USSC), the Borough of Dravosburg (Borough) and the Commission for the transfer of land from USSC (owner) to the Borough (for Dravosburg Ballfields), which is necessary for the construction of the Mon/Fayette Expressway; authorize payment of \$107,350.00 to USSC, and authorize execution of all necessary documents;
- d. Settlement Agreement and Release with Lance MacBride, and authorize issuance of the workers’ compensation settlement payment;
- e. Reimbursement Agreement with Duquesne Light Company (DLC) to reimburse DLC the cost of the engineering and facility relocation work necessary for the construction of Section 53-C2 of the Mon/Fayette Expressway; at a not-to-exceed amount of \$1,856,474.54;
- f. Assignment Agreement with West Shore Advanced Life Support Services, Inc. d/b/a West Shore EMS (West Shore) to assign its contract to Penn State Health Life Lion, LLC (PSHLL), due to PSHLL’s acquisition of West Shore;

- g. Settlement Agreement and Release with Columbia Gas Transmission, LLC, and authorize execution of the necessary documents in exchange for full and final release of all claims;
- h. Settlement Agreements and Releases with Ron Hankinson (Claim #19-179); Tom Hankinson (Claim #19-088); James Martin (Claim #19-087) and Glen Murphy (Claim #18-107); and authorize execution of the necessary agreements.

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



RIGHT-OF-WAY REQUEST

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

- a. Acquisition of Right-of-Way #6548-A (Blanche E. Webster), a partial take parcel necessary for the total reconstruction project from MP A38.00 to MP A44.00 by authorizing payment of \$913.50 representing fair market value and pro-rated taxes to Blanche E. Webster; 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 Chief Counsel and payment of fair market value to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #3357-C (Thomas C. Joerg), a total take parcel necessary for the Lisburn Road bridge replacement project by authorizing payment of \$353,029.30 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 Chief Counsel and payment of fair market value to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #6007-A-RA1 (Neal R. and Beverly A. Coy), a partial take parcel necessary for the total reconstruction project from MP 302.00 to 308.00 (Bridge EB-754) by authorizing payment of \$3,755.50 representing fair market value and pro-rated taxes to Neal R. and Beverly A Coy; 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 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;

- d. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S255 (Margaret Zozom; Mildred Springer; Linda S. Kufen; David A. Zozom; Robert J. Zozom; Gregory Springer; Mary Beth Springer; Jason Kufen; Elizabeth Mroz-Kufen), a total take parcel necessary for the construction of the Mon-Fayette Expressway, Rt. 51 to I-376; authorize payment of \$90,000.00 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 #14S272 (Union Realty Company of Washington), a total take parcel necessary for the Mon-Fayette Expressway, Rt. 51 to I-376; authorize payment of \$24,500.00 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. Acquisition of Right-of-Way #4020-E (COLFIN 2019 – 21 Industrial Owner, LLC.), a partial take parcel necessary for the Highspire Service Plaza Truck Parking project by authorizing payment of \$31,871.00 representing fair market value, pro-rated taxes to COLFIN 2019 – 21 Industrial Owner, LLC.; 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 Chief Counsel; and payment of fair market value to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department.

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



DELEGATION OF AUTHORITY

Motion – That the Commission approve the delegation of authority to the Chief Engineer, or designee, to approve and execute, on behalf of the Commission, all railroad license agreements or related documentation for the two Fiber Optic Network installation projects as reviewed and approved by the Legal Department to effectuate the license agreements for payment to up to \$2,500.00 per location.

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



AWARD OF BIDS

Motion – That the Commission approve the Award of Bid, Change Order and Issue of Purchase Orders for the items listed in memos “a” through “d”:

- a. Capacitor replacement at the TIP building, utilizing the Commonwealth’s contract with GR Sponaugle & Sons, Inc.; at a cost of \$103,669.00;
- b. Pest control services (February 2021 – January 2023), to the lowest responsive and responsible bidder, Ehrlich Pest Control, at a cost of \$172,000.00 and a contingency of \$30,000.00, for a total award of \$202,000.00;

- c. AV room upgrade and expansion with Visual Sound, Inc.; exercising the option to renew the agreement for an additional year (through December 2021) and for video capabilities for various conference rooms; at a cost of \$75,000.00;
- d. Access Point replacement (network equipment) units at end-of-life cycle, utilizing the Commonwealth's contract with ePlus Technology, Inc.; at a cost of \$329,922.30.

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



AWARD OF CONTRACT

Motion – That the Commission approve the Award of Contract T-308.00T001-3-05 for the replacement of Bridge EB-719 at MP 310.36, to the lowest responsive and responsible bidder, J.D. Eckman, Inc.; at a not-to-exceed amount of \$8,677,803.75 and a contingency of \$400,000.00 - was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



CHANGE ORDERS

Motion- That the Commission approve the change orders and final payments for the items listed in memos "a" through "c":

- a. Change Order #2 and Final Payment for Contract #EN-00115-03-06 for Cashless Tolling conversion of Gateway Toll Plaza between Ohio Turnpike MP 240.40 and PA Turnpike MP 9.92 with Allison Park Contractors, Inc., for an increase of \$12,982.81 for normal quantity adjustments, retro reflectivity testing, inlet procurement and an access gate; for a final contract value of \$1,104,282.81, and final amount due to the contractor of \$79,904.41;
- b. Change Order #2 and Final Payment for Contract #EN-00160-03-03 for median barrier replacement between MP 308.01 and MP 312.16 with Eastern Highway Specialists, Inc., for a decrease of \$92,362.25 for normal quantity adjustments, extra depth deck repairs, damaged glare screen replacement, glare screen modification and MPT; for a final contract value of \$2,406,779.40, and final amount due to the contractor of \$105,919.14;
- c. Change Order #4 and Final Payment for Contract #T-258.77R001-3-02 for the Lawn Service Plaza Auxiliary Truck Parking MP 258.77 with Hempt Bros., Inc., for a decrease of \$39,806.72 for normal quantity adjustments, pouring concrete curbs and junction boxes, fencing, delineators, temporary power to employee park lot light poles, curb repair and MPT credit; for a final contract value of \$6,529,608.20, and final amount due to the contractor of \$7,351.04.

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, January 19, 2021 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:34 a.m.-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Assistant Secretary Treasurer

John Wozniak
Secretary Treasurer