

MINUTES OF THE COMMISSION MEETING HELD JANUARY 14, 2020

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:16 a.m. on Tuesday, January 14, 2020 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was John Wozniak, Secretary Treasurer; available via telephone were Yassmin Gramian, Chair; William K. Lieberman, Vice Chair and Pasquale T. Deon Sr., Commissioner.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Michael Baker Int'l.; Robert F. Brady, Director of Operations/Projects-East; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Stacia A. Ritter, Esquire, Director of Policy and Fare Collection; Robert Taylor, Chief Technology Officer and Ann Louise Edwards, Assistant Secretary Treasurer.

Others present were Susan Carson-Casoni, Cash Manager; Kelly Horvath, Executive Administrative Assistant; Steve Husic, Director of Enterprise Business Solutions; Ken Juengling, GIS Manager; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Wanda Metzger, Manager of Professional Services Procurement; Gina M. Murray, Senior Procurement Specialist; Eric Madden, JMT; Paul McNamee, KCI; Peter Kuhne, Arora & Assoc.; Mike Houser, Markosky; Jill Bolt, TY Lin; Steven Bolt, TY Lin; Jeff Hans, HDR; Mike Gross, Wallace Montgomery; Joe Zarriello, KS Engineers; Noel Caran, Erdman Anthony; David Thomas, Hill Int'l; Dan Laird, Hill Int'l; Clyde Naugle, Markosky; David Azzato, TPD; David Lowermilk, WSP; George Settelmaier, KS Engineers; John Caperilla, CEG; Gary Harriger, Arora & Assoc.; and Deb Ritchey, Info-Matrix.



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.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of personnel, which included reclassification, performance incentive, new hires, promotions, terminations and vacancies.

The Commissioners also discussed Docket No. PTC-6556-WC 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 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 18, 2019 be approved and filed as submitted-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memos received from the Chief Counsel and Director of Procurement & Logistics-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

INVOICE PAYMENT

Motion-That the Commission approves payment of the 2020 E-ZPass Interagency Group's (IAG) annual assessment for our participation in the IAG, in the amount of \$75,000.00-was made by Commissioner Wozniak, seconded by Commissioner Deon, and approved unanimously.



AGREEMENTS

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

- a. Amendment to our agreement with Info-Matrix Corporation for project management and business analysis work order services, exercising the option to renew the agreement for an additional two-years; at a not-to-exceed amount of \$2,500,000.00 for the two-year period;
- b. Settlement Agreement and authorize the appropriate Commission officials to execute all necessary documents in the case, PTC v. Huertas, Cowan Systems, and Cowman Equipment, LLC;
- c. Agreement with Crops Market LLC for the distribution of E-ZPass Go Packs at its stores;
- d. Supplemental Reimbursement Agreement with West Penn Power Company (WPP) for utility relocation for construction of the Southern Beltway, Section 55B, for an increase of \$6,506.76 due to higher labor costs for WPP to sub contract out its work to expedite the relocations to meet project deadlines; for a revised not-to-exceed amount of \$31,506.76;
- e. Supplemental Reimbursement Agreement with West Penn Power Company (WPP) for utility relocation for construction of the Southern Beltway, Section 55C2-2, for an increase of \$67,470.31 due to higher labor costs for WPP to sub contract out its work to expedite the relocations to meet project deadlines; for a revised not-to-exceed amount of \$169,298.84;
- f. Reimbursement Agreement with Robinson Township to reimburse the Township the cost for its review and inspection fees to take over the Ft. Cherry Connector on the Southern Beltway; at a not-to-exceed amount of \$99,280.00;
- g. Temporary Construction Easement Agreement with Chapman Commerce Center, LLC (Chapman) to permit Chapman to enter the Southern Beltway limited access right-of-way for the purposes of excavating, grading and other construction activities on its property adjacent to the Findlay Connector; Chapman will reimburse the Commission the cost for the required maintenance and protection of traffic on the Southern Beltway;
- h. Settlement Agreement and Release with Christopher Lawrence; and authorize payment of the workers' compensation settled amount;

- i. Agreement with Land Reclamation Group, LLC to supply the stream and wetland mitigation credits required for the total reconstruction project from MP 123.00 to MP 131.00; at a not-to-exceed amount of \$1,115,325.00;
- j. Settlement Agreement and Release with Dick Corp.; and authorize payment of the settled amount in exchange for a full and final release of all claims.

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



RIGHT-OF-WAY REQUEST

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 #4021-H (The Borough of Middletown), a partial take parcel necessary for reconstruction of Bridge EB-311 (Union Street Bridge) by authorizing payment of \$500.00 representing fair market value to The Borough of Middletown; authorize appropriate Commission officials to execute the Temporary Construction Easement 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 the delivery of an executed Temporary Construction Easement as approved by the Legal Department;
- b. Acquisition of Right-of-Way #4020-C (Middletown Area School District), a partial take parcel necessary for reconstruction of Bridge EB-311 (Union Street Bridge) by authorizing payment of \$900.00 representing fair market value to Middletown Area School District; authorize appropriate Commission officials to execute the Right of Entry Agreement and other documents that may be required; 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 the delivery of an executed Right of Entry Agreement as approved by the Legal Department;
- c. Acquisition of Right-of-Way #14S274 (Bruce Jackel), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$247,657.64 representing fair market value, pro-rated taxes and recording fees to Universal Settlement Service of Pennsylvania, LLC, escrow agent; also authorize payment of \$29,325.30 representing replacement housing supplement and closing costs to Bruce Jackel; 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 the delivery of a deed as prepared by the Legal Department;

- d. Settlement of Right-of-Way #17638 (Alan R. & Carolyn R. Rank), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$7,500.00 for water well claim to Alan R. and Carolyn R. Rank; authorize the appropriate Commission officials to execute the First Amendment to Settlement Agreement and General Release as approved by the Legal Department; and payment of the settlement funds is contingent upon Condemnees' delivery of an executed First Amendment to Settlement Agreement and General Release;
- e. Settlement of Right-of-Way #17389 (James A. & Diane L. Bednar), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$39,400.00 representing settlement to James A. and Diane L. Bednar; authorize the appropriate Commission officials to execute the Settlement Agreement and General Release, as approved by the Legal Department; authorize payment of Section 710 damages up to \$4,000.00 as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of the settlement funds to the Condemnees is contingent upon the delivery of an executed Settlement Agreement and General Release, as approved by the Legal Department;
- f. Acquisition of Right-of-Way #14S039 (Pittsburgh & West Virginia Railroad, operated by Wheeling & Lake Erie Railroad Company), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$500.00 representing fair market value to Wheeling & Lake Erie Railroad Company; authorize the appropriate Commission officials to execute the documents 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 the delivery of a Deed of Highway Easement as prepared by the Legal Department;
- g. Approve plans entitled, "Drawings for Establishing and Reestablishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for Contract No. T-028.45T001-4 Roadway and Bridge Reconstruction for Pennsylvania Turnpike SR 0076, Milepost 28.49 to Milepost 30.88, from STA 30+24.03 to STA 83+76.01", as prepared and approved by the Engineering Department;
- h. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S649 (Frank & Cynthia L. Lee), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$3,000.00 representing estimated just compensation to counsel to be 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 Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



ADVERTISING

Motion-That the Commission approves advertising for the items listed in memos "a" and "b":

- a. Aerial mapping services systemwide;
- b. Insurance consulting services.

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



PURCHASE ORDERS

Motion-That the Commission approves the Change Order and Issue Purchase Orders for the items listed in memos "a" through "f":

- a. Water quality structure contract for inspection, cleaning and maintenance services, exercising the option to renew the agreement through January 31, 2021 with Your Quality Solutions, Inc., at a cost of \$180,000.00;
- b. Change Order for Qlik software licenses, training and maintenance, for additional licenses to support a more robust and visual reporting/analytics experience with Carahsoft Technology Corp.; at a cost of \$318,047.79;
- c. Automotive filters, exercising the option to renew the agreements through December 31, 2020:

Gillie Hyde	\$	0.00
Cumberland Truck		50,000.00
Sunbury Motors		<u>50,000.00</u>
TOTAL RENEWAL:		\$100,000.00
- d. Compuspread parts, exercising the option to renew the agreement through January 31, 2021 with Modern Group Ltd.; at a cost of \$200,000.00;
- e. Delineation contracts, exercising the option to renew the agreements through December 31, 2020:

Uniquesource Products	\$425,000.00
Pexco LLC	85,000.00
Ennis Flint	<u>0.00</u>
TOTAL RENEWAL:	\$510,000.00
- f. Lighting for the Allegheny Tunnels, utilizing the Commonwealth's contract with Schaedler Yesco Distribution, Inc.; at a total award of \$4,248,473.00.

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



AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #A-120.40R002-3-02 for bituminous resurfacing between MP A120.40 and MP A128.05, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$20,386,000.00 and a contingency of \$1,000,000.00-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



CHANGE ORDERS/FINAL PAYMENTS

Motion-That the Commission approves the Change Orders and Final Payment for the items listed in memos "a" and "b":

- a. Change Order #4 and Final Payment for Contract #T-268.00R001-3-02 for bituminous resurfacing and median barrier replacement between MP 268.32 and MP 275.05 with Hempt Bros. Inc., for a decrease of \$55,265.54 to balance items to work completed, plug existing pipe, shoulder repairs, excavation, subbase, milling, drainage items, drilled post holes, asphalt adjustment, impact attenuator, topsoil, seeding and soils supplements, erosion control and pavement markings; for a final contract value of \$12,982,404.19 and final payment to the contractor of \$621,445.29;
- b. Change Order #2 for contract #T-258.77R001-3-02 for construction of the Lawn Service Plaza auxiliary truck parking with Hempt Bros. Inc., for a decrease of \$137,933.42 to balance items to actual work complete, conduit, drainage, right-of-way fence, barrier, impact attenuators, seeding and soil supplements, erosion control, grouting, undercutting, trenching, excavation, paving, curbing, temporary lighting, and a 133-day time extension; for a revised not-to-exceed amount of \$6,556,834.63.

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



PSPC AWARD

Motion-That the Commission approves the award of services and authorize the negotiations and execution of an agreement with the selected firm(s) for the items listed in memos "a" through "e":

- a. RFP 8476, enterprise applications managed services:
 - Computer Aid, Inc.-AWARDED

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

- b. T00134, construction management services for roadway and bridge reconstruction from MP A42.00 to MP A57.00:

- Erdman Anthony Associates, Inc.-AWARDED
- Johnson, Mirmiran & Thompson, Inc.
- STV Incorporated

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

c. T00148, storage tank management/environmental services systemwide:

- Skelly and Loy, Inc.-AWARDED

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

d. T00128/T00129, two (2) construction management and inspection services-West; the highly recommended firms in alphabetical order:

- Hill International, Inc.-AWARDED
- Stahl Sheaffer Engineering, LLC -AWARDED
- Erdman Anthony Associates, Inc.
- Johnson, Mirmiran & Thompson, Inc.

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

e. T00132, open-end material inspection and testing services-West:

- Quality Engineering Solutions, Inc.-AWARDED

-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 held on Tuesday, February 4, 2020 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:30 a.m. -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.

