

MINUTES OF THE COMMISSION MEETING HELD FEBRUARY 2, 2016

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:51 a.m. on February 2, 2016 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Sean Logan, Chairman and Barry Drew, Commissioner. Available via telephone were Pasquale T. Deon, Sr., Secretary Treasurer and Scott Christie, Deputy Secretary of Transportation.

Others present for the meeting were Mark P. Compton, Chief Executive Officer; Gary Graham, Asst. Chief Engineer-Design; Nikolaus Grieshaber, Chief Financial Officer; Doreen A. McCall, Chief Counsel; and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Renee Colborn, Manager of Media & Public Relations; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard S. DiPiero, Senior Fare Collection Operations Manager; Richard C. Dreher, Assistant CFO/Financial Management; Donald S. Klingensmith, Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Mark A. Strause, Technician of PC/LAN Systems; Cindy Smith, Senior General Accountant; Lynn Stakem, Senior General Accountant; Paul McNamee, KCI; Stephen Holmes, SKHBM; John Smith, Parsons Brinkerhoff; Peter Kuhne, Atkins; Kristi Reichard, Raudenbush Engineering; Jeff Kupo, Michael Baker International; and Mark Boris, Borton Lawson.



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 present.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of personnel, which included reclassification, promotion, new hires, vacancies, and requests to post and fill positions in the Compliance and Information Technology departments.

The Commissioners also discussed Docket Nos. 4116 and PTC-WC-7950 and discussions regarding various actions and matters, which have been approved at previous public meetings.



PUBLIC COMMENT

Ms. Edmunds: The public is welcome at this time 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, all visitors introduced themselves.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held January 19, 2016 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 discuss.



NEW BUSINESS

POLICY LETTER

Motion-That the Commission adopts Policy 7.15, Continuing Disclosure, to assist the Commission in maintaining its compliance with Federal securities laws pertaining to the issuance of municipal securities -was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



AGREEMENTS

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

- a. Supplemental Agreement with PECO Energy Company for utility relocation work necessary for the total reconstruction project from MP A26.00 to MP A31.00 (MP A29.24), for an additional \$127,328.75 for changes in the final estimate from PECO; for a revised not-to-exceed amount of \$377,328.75;
- b. Reimbursement Agreement with Deer Creek Drainage Basin Authority for the Authority to reimburse the Commission the design and construction costs associated with the relocation of its facility line necessary for the total reconstruction project from MP 40.00 to MP 48.00; at an estimated reimbursement of \$52,650.00;
- c. Amendment to our agreement with Environmental Products Services for spill response, exercising the option to renew the agreement for an additional two-years (May 11, 2016 – May 11, 2018);
- d. Settlement Agreement and Release with David Primus, and authorize issuance of the Workers’ Compensation settlement amount;
- e. Amendment to our agreement with Brink’s U.S. for armored courier services, exercising the option to renew the agreement for an additional year (June 1, 2016 – May 31, 2017); at an approximate cost of \$200,000.00;
- f. Amendment to our agreement with Mohanty Gargiulo for Swap Advisory services, exercising the option to renew the agreement for an additional year (August 2016 – August 2017); at a cost of \$105,000.00;
- g. Amendment to our agreement with Digital Assurance Certification LLC (DAC) for compliance reporting and investor relations in the municipal securities industry, exercising the option to renew the agreement for an additional year (June 2016 – June 2017); at a cost of \$20,000.00;
- h. Settlement Agreement and Release in the case, Lane Construction v. PTC;
- i. Supplemental Agreement for web site consulting services with Information Logistics, for an additional \$245,000.00 to improve incident management at the Traffic Operations Center and to integrate social media into a reporting tool;

- j. Amendment to our agreement for the installation, maintenance and operation of electric vehicle charging stations at 17 service plazas with Car Charging Group, Inc. (CCGI) for a change in the calculation of the project management fee paid to CCGI; the not-to-exceed amount remains at \$500,000.00;
- k. Collective Bargaining Agreement with Teamsters Local Unions Nos. 77 and 250 as negotiated.

-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 "i":

- a. Acquisition of Right-of-Way #7096-RA (PECO Energy Company), a partial take parcel necessary for the I-95 Interchange project by authorizing payment of \$5,982.50 representing fair market value and pro-rated taxes to PECO Energy Company; 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 its delivery of a deed prepared by the Legal Department;
- b. Acquisition of Right-of-Way #6057-B1 (TC Atwater Land, LP), a partial take parcel necessary for the total reconstruction project from MP 320.00 to MP 326.00 by authorizing payment of \$124,955.45 representing fair market value and pro-rated taxes to TC Atwater Land, L.P.; 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 its delivery of a deed prepared by the Legal Department;
- c. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #17909 (John E. & Carol Capozzoli), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of Estimated Just Compensation of \$195,000.00 to The Law Office of Robert J. Wratcher, LLC escrow agent; 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 #17910 (Dale & Barbara Hilty), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of Estimated Just Compensation of \$230,000.00 to Babst Calland, escrow agent; 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 #17972 (Michael A. Leporace), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of Estimated Just Compensation of \$438,000.00 to Hollinshead, Mendelson, Bresnahan & Nixon, P.C., escrow agent; 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 #17905 (Palmer J. Restaneo, Jr.), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of Estimated Just Compensation of \$232,500.00 to Goldberg, Kamin & Garvin, LLP escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- g. Acquisition of Right-of-Way #12018-A (Robert C. Yohe), a total take parcel necessary for the Beaver River Bridge replacement project by authorizing payment of \$118,833.07 representing fair market value, pro-rated taxes and recording fess to McClain, Young & Patterson, 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 property owner is contingent upon his delivery of a deed prepared by the Legal Department;
- h. Acquisition of Right-of-Way #7094-RA (Xenop BC Realty LLC; DAKallis Enterprises LLC; MKallis Enterprises LLC and ADKallis Enterprises LLC), a partial take parcel necessary for the I-95 Interchange project by authorizing payment of \$27,915.00 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, 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 to the property owner is contingent upon its delivery of a deed prepared by the Legal Department;
- i. Acquisition of Right-of-Way #17294 (Joann & William R. Andrews), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$2,527.00 representing fair market value and pro-rated taxes to Joann & William R. Andrews; 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 property owners is contingent upon their delivery of a deed prepared by the Legal Department.

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



#### ADVERTISING

Motion-That the Commission approves advertising for Contract #T-202.00T001-3-02 for roadway and bridge reconstruction from MP 201.74 to MP 206.89-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves the Award of Bids, a Change Order and the Issuance of Purchase Orders for the items listed in memos “a” through “e”:

- a. Delineation contracts (January 1, 2016 – December 31, 2016), exercising the option to renew the agreements for an additional year:

Uniquesource	\$400,000.00
Artuk	<u>125,000.00</u>
TOTAL RENEWAL VALUE	\$525,000.00

- b. Traffic line paint, utilizing the Commonwealth’s contract with Ennis Paint; at a total award of \$700,000.00;

- c. Septic Cleaning contracts, to the lowest responsive and responsible bidders, at an approximate annual cost:

Mr. John	\$ 3,000.00
Rural Wastewater	11,000.00
Dalton Sanitary	25,000.00
Associated Products	11,000.00
Dillsburg Excavating	26,000.00
Burns Septic	35,000.00
A-Septic	32,000.00
McGovern Environmental	<u>8,000.00</u>
TOTAL EST. AWARD	\$151,000.00

- d. Automotive filter contract, to the lowest responsive and responsible bidders:

Gillie-Hyde	\$ 90,000.00
Cumberland Truck	30,000.00
Sunbury Motors	<u>5,000.00</u>
TOTAL AWARD	\$125,000.00

- e. Change Order to the contract for Case 721F Loaders with Groff Tractor & Equipment, Inc., for an additional \$165,900.00 for an additional loader needed to support the new Neshaminy Interchange.

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



### AWARD OF CONTRACTS

Motion-That the Commission approves the Award of Contracts for the items listed in memos "a" through "f":

- a. Contract #EN-00161-03-02 for roadway and miscellaneous repairs on Toll I-376, Turnpike 576, Turnpike 43 and Turnpike 66, to the lowest responsive and responsible bidder, The Lane Construction Corporation; at a not-to-exceed amount of \$1,000,000.00;
- b. Contract #EN-00161-03-04 for roadway and miscellaneous repairs between MP 122.18 and MP 201.58, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$2,000,000.00;
- c. Contract #EN-00161-03-06 for roadway and miscellaneous repairs between MP 299.98 and MP 358.11 and MP A20.00 and MP A57.22, to the lowest responsive and responsible bidder, Road-Con, Inc.; at a not-to-exceed amount of \$3,000,000.00;
- d. Contract #EN-00161-03-03 for roadway and miscellaneous repairs between MP 0.00 and MP 122.18, to the lowest responsive and responsible bidder, The Lane Construction Corporation; at a not-to-exceed amount of \$2,500,000.00;
- e. Contract #EN-00161-03-05 for roadway and miscellaneous repairs between MP 201.58 and MP 299.98, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$3,000,000.00;
- f. Contract #EN-000161-03-07 for roadway and miscellaneous repairs between MP A57.22 and MP A130.64, to the lowest responsive and responsible bidder, Road-Con, Inc.; at not-to-exceed amount of \$2,000,000.00.

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



### SUPPLEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #1 for construction management/construction inspection for the six bridge redecking or replacement projects from MP A31.73 to MP A130.23 with TRC Engineers, Inc. for an additional \$245,568.02 for updated overhead rates and changes that have increased the construction duration for multiple construction contracts associated with this agreement; for a revised not-to-exceed amount of \$7,421,665.99-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



### NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, February 16, 2016 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:51 a.m. -was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.  
Secretary Treasurer