

MINUTES OF THE COMMISSION MEETING HELD FEBRUARY 4, 2020

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:09 a.m. on Tuesday, February 4, 2020 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were John Wozniak, Secretary Treasurer and Melissa Batula, P.E., Deputy Secretary of Transportation; available via telephone were 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; John DeRicci, Director of Maintenance; 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; Myneca Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Director of Policy and Fare Collection; Robert Taylor, Chief Technology Officer and Ann Louise Edwards, Assistant Secretary Treasurer.

Others present were Rich DiPiero, Senior Fare collection Operations Manager; Kelly Horvath, Executive Administrative Assistant; Nicole Hoy, Accountant Trainee; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Jeff Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Tim Scanlon, Director of Traffic Engineering and Operations; Lynn Stakem, Senior General Accountant; Eric Madden, JMT; Paul McNamee, KCI; Mike Houser, Markosky; Mike Gross, Wallace Montgomery; Joe Romano, Larson Design Group; Steve Barber, Michael Baker Int'l; Dave Azzato, TPD; Clyde Naugle, Markosky; Joe Sullivan, WSP; John Caperilla, CEG; Tom Rowader, GPI; Andrew Szala, Fox 43; Dainel Hamburg, ABC 27; Sheila Dow-Ford; Les Ford; Patricia Stringer, Rep. Patty Kim's office; Joe Robinson; Eric Epstein, Rock the Capital; Tom Owad, Rock the Capital; and Brian Kimmitt, Rock the Capital.



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 incentives, new hires, promotions, terminations and vacancies.

The Commissioners also discussed Docket No. 3856 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.

Sheila Dow-Ford, Les Ford, Patricia Stringer and Joe Robinson each spoke about an alleged racial profiling incident that occurred in October 2019 at the Highspire Service Plaza. Although the alleged interaction did not involve Commission employees, each speaker asked the Commission to continue to monitor the situation and promote practices that avoid discrimination.

Eric Epstein from Rock the Capital, spoke about attending meetings, recording them, having them available for public, and accountability of government agencies.



MINUTES OF THE MEETING

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



COMMUNICATIONS

Motion-That the Commission approves the memo received from the Chief -was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

ADVISORY SERVICES POOL

Motion-That the Commission approves amending the Professional Advisory Services pool of qualified firms to provide performance audits, forensic audits, best practices, advisory services, compliance assessments and specialized security and investigation services, to include Friedman LLP-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, and approved unanimously.



AGREEMENTS

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

- a. Assignment Agreement with Louis Berger U.S. Inc. to assign active contracts to WSP USA, Inc. (WSP) due to WSP’s acquisition of Louis Berger U.S. Inc.;
- b. Amendment to a previously approved Reimbursement Agreement with the Township of Robinson (January 14, 2020, item F-2f) for the Commission to reimburse the Township the cost for its review and inspection fees to take over the Ft. Cherry Connector on the Southern Beltway; the revised not-to-exceed amount is \$144,280.00;
- c. Agreement with Dale Hall to act as a special consultant to the Commission as a Traffic Incident Management Coordinator for the Tuscarora Tunnel project;
- d. Amendment to our agreement with Compliance Management International for safety consulting services; exercising the option to renew the agreement for an additional two-years (through May 2022); at a not-to-exceed cost of \$200,000.00.

-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, 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 “e”:

- a. Acquisition of Right-of-Way #6009-RA (French & Pickering Creeks Conservation Trust, Inc.; George E. Ley, III and Jeanette M. Ley), a partial take parcel necessary for the total reconstruction project from MP 302.00 to MP 308.00 by authorizing payment of \$5,400.00 representing fair market value to French & Pickering Creeks Conservation Trust, Inc.; 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 French & Pickering Creeks Conservation Trust, Inc. is contingent upon the delivery of a Partial Release of Conservation Easement as drafted by the Legal Department;

- b. Acquisition of Right-of-Way #6008-A-RB (French & Pickering Creeks Conservation Trust, Inc), a partial take parcel necessary for the total reconstruction project from MP 302.00 to MP 308.00 by authorizing payment of \$500.00 representing fair market value to French & Pickering Creeks Conservation Trust, Inc.; authorize the 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 a Temporary Construction Easement as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #14S382 (Jeffrey M. & Courtney Hindmarch, f/k/a Courtney Resetar), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$133,124.14 representing fair market value, pro-rated taxes and recording fees to Closure Settlement LLC, escrow agent; also authorize payment of \$53,773.75 representing replacement housing supplement and closing costs to Jeffrey M. and Courtney Hindmarch; 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 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 #6008-B-01 and #6008-B-02 (Vernon N. & Doris J. Weaver; Chester County Agricultural Preservation Board; Commonwealth of PA), a partial take parcel necessary for the total reconstruction project from MP 302.00 to MP 308.00 by authorizing payment of \$7,400.00 representing estimated just compensation for Chester County Agricultural Land Preservation and \$36,100.00 for The Commonwealth of PA to counsel named at a later date; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Counsel;
- e. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S058-1 (Frank D. & Pearl DePasquali), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$3,900.00 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.

-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, and passed unanimously.



ADVERTISING

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

- a. Underwriting firms; to create pools of qualified firms, and inclusion of the selected qualified firms in the various established pools;
- b. Legal firms experienced in municipal bond financing, related securities laws and taxation; to create pools of qualified firms, and inclusion of the selected qualified firms in the various established pools;
- c. Automated Teller Machine (ATM) services at the Turnpike service plazas, Central Administration Building (CAB) and Turnpike Industrial Park Building (TIP).

-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves the Award of a Bid, Change Orders and Issue Purchase Orders for the items listed in memos “a” through “f”:

- a. Change Order for AV room upgrades and expansion with Visual Sound, Inc., to extend the contract through December 2020 and add funding to install equipment in additional conference rooms and implement Fusion Centralized AV Room System Control software; at a cost of \$90,000.00;
- b. Mobile cameras for Safety Advisor vehicles, utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a cost of \$135,297.20;
- c. Change Order for security key cabinets with Safeware, Inc., to add funding for additional cabinets at select locations; at a cost of \$111,000.00;
- d. Microsoft Dynamics development and implementation services (February 2020 – January 2021) for the Contact Center modernization, utilizing the Commonwealth’s contract with Microsoft Corp.; at a total award of \$4,807,583.79;
- e. Delineation (partial re-bid for the period February 5, 2020 – December 31, 2020), to the lowest responsive and responsible bidder, Artuk, Inc.; at an award of \$150,000.00;
- f. Microsoft Premier support services, including Contact Center Services (March 29, 2020 – March 28, 2021), utilizing the Commonwealth’s contract with Microsoft Corp.; at a total award of \$191,389.64.

-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, 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-00250-03-02 for roadway and miscellaneous repairs along Toll I-376, Turnpike 576, Turnpike 43, and Turnpike 66, to the lowest responsive and responsible bidder, Gulisek Construction, LLC; at a not-to-exceed amount of \$4,000,000.00;
- b. Contract #EN-00250-03-04 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 \$5,000,000.00;
- c. Contract #EN-00250-03-06 for roadway and miscellaneous repairs between MP 299.98 and MP 356.42, MP H40.83 and MP H43.44 and MP A20.00 and MP A31.34, to the lowest responsive and responsible bidder, J.D. Eckman, Inc.; at a not-to-exceed amount of \$5,000,000.00;
- d. Contract #EN-00250-03-03 for roadway and miscellaneous repairs between MP 0.00 and MP 122.00, to the lowest responsive and responsible bidder, Eurovia Atlantic Coast LLC; at a not-to-exceed amount of \$4,000,000.00;
- e. Contract #EN-00250-03-05 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 \$4,000,000.00;
- f. Contract #EN-00250-03-07 for roadway and miscellaneous repairs between MP A31.34 and MP A130.64, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$4,500,000.00;

-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, and passed unanimously.

Motion-That the Commission approves the Award of a Contract for the items listed in memos “g”:

- g. Contract #T-028.45T001-3-03 for roadway and bridge reconstruction between MP 28.49 and MP 30.88, to the lowest responsive and responsible bidder, Trumbull Corporation; at a not-to-exceed amount of \$75,858,154.89 and a contingency of \$3,500,000.00.

-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula; Commissioner Lieberman abstained.

VICE CHAIR LIEBERMAN: I abstain on this item, because Trumbull Corp. is a client of my firm.

The Motion passed.



CHANGE ORDERS/FINAL PAYMENTS

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

- a. Change Order #1 for Contract #S-006.00X002-3-14 for construction of Cashless Tolling on S.R. 576, Section 55T, MP S6.11 to MP S13.78 with Allison Park Contractors, Inc., for a decrease of \$182,405.23 for trenching and backfilling, rebar, drilled caissons and casings, pavement markings, junction boxes, conduit, temporary shoring, payment adjustments, camera poles, and a 262-day time extension due to changes in the scope of work; for a revised not-to-exceed amount of \$3,832,594.77;
- b. Change Order #6 and Final Payment for Contract #T-186.20M001-3-02 for a traffic management system for the Tuscarora Tunnel between MP 185.40 and MP 188.60 with Wellington Power Corporation, for a decrease of \$37,023.13 to balance items to actual work completed; for a final contract value of \$4,951,926.89 and final amount due to the contractor of \$57,069.18;
- c. Change Order #18 for Contract #S-006.00X002-3-08 for construction of the Southern Beltway, Section 55B, MP S11.17 to MP S14.31 with Joseph B. Fay Co., for an increase of \$654,354.74 for normal quantity adjustments, exposing and backfilling mine shaft, coal seam treatment, dirt removal, prime coat, electrical work, downtime, street sweeper, rain clean up, drainage, end treatments to complete the Type 31-S guide rail change and excavation; for a revised not-to-exceed amount of \$100,604,411.68;
- d. Change Order #1 and Final Payment for Contract #EN-00189-03-02 for sinkhole repairs between MP 199.26 and MP 312.03 with Bi-State Construction Co., Inc., for a decrease of \$1,254,581.28 to reflect the actual cost of the completed work authorizations; for a final contract value of \$745,418.72 and final amount due to the contractor of \$37,270.94.

-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, and passed unanimously.



INSURANCE INVOICE

Motion-That the Commission approves payment of the invoice to Travelers Property Casualty and Liberty Mutual, through our broker Conner Strong & Buckelew, for a combined total amount of \$45,100.00, which represents the Builder's Risk coverage for the Tuscarora Tunnel project-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, 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 "c":

a. T00141, open-end traffic and revenue services systemwide:

- CDM Smith, Inc.-AWARDED

-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, and passed unanimously.

b. T00130/T00131, two (2) open-end construction inspection services-West:

- T.W. Consultants, Inc.-AWARDED
- The Markosky Engineering Group, Inc.-AWARDED
- RIG Consulting, Inc.
- TRC Engineers, Inc.

-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, and passed unanimously.

c. RFP #8386, truck parking management system:

- Intelligent Imaging Systems, Inc.-AWARDED

-was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, February 18, 2020 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:39 a.m. -was made by Commissioner Wozniak, seconded by Deputy Secretary Batula, and passed unanimously.

