

MINUTES OF THE COMMISSION MEETING HELD FEBRUARY 7, 2012

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:35 a.m., February 7, 2012 at the Central Office located in Highspire, Pennsylvania. Available via phone for the meeting were William K. Lieberman, Chairman; A. Michael Pratt, Esq., Vice Chairman; Pasquale T. Deon, Sr., Commissioner and Barry J. Schoch, P.E., Secretary of Transportation.

Present for the meeting were Roger E. Nutt, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; William J. Capone, Chief of Communications and Public Relations; Jeffrey L. Garrett, Chief Engineer, Michael Baker Jr., Inc.; Todd S. Garrison, Director of Maintenance; Frank J. Kempf, Jr., Chief Engineer; Doreen McCall, Chief Counsel and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Allen W. Baldwin, Director of Operations, Safety & Incident Response; Donald S. Klingensmith, P.E., Manager of Contracts Administration; Donna Lapano, Executive Office Assistant; Anthony Q. Maun, Director of Accounting; Jeffrey A. Naugle, Manager of Treasury Operations; Patricia F. Schlegel, Director of Human Relations; Lynn Stakem, General Accountant; Kathy Thomas, Administrative Secretary; Captain Kathy-Jo Winterbottom, PSP and Dean Kohr, Atkins.

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

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

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SUNSHINE ANNOUNCEMENT

MS. EDMUNDS: THE COMMISSIONERS MET IN EXECUTIVE SESSION PRIOR TO TODAY'S FORMAL AGENDA SESSION TO CONSIDER MATTERS OF PERSONNEL, WHICH INCLUDED A TERMINATION, EQUITY ADJUSTMENT; NEW HIRES, VACANCIES, AND REQUESTS TO POST AND FILL POSITIONS IN THE MAINTENANCE, ENGINEERING, TICKET SYSTEMS AUDIT AND FINANCE AND ADMINISTRATION DEPARTMENTS.

THE COMMISSIONERS ALSO ENGAGED IN NON-DELIBERATIVE INFORMATIONAL DISCUSSIONS REGARDING VARIOUS ACTIONS AND MATTERS, WHICH HAVE BEEN APPROVED AT PREVIOUS PUBLIC MEETINGS.

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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, EFFICIENT, EFFECTIVE AND DIGNIFIED MEETING, ALL PERSONS WISHING TO ADDRESS THE COMMISSION SHOULD HAVE SIGNED IN AND REQUESTED TIME TO SPEAK. IF YOU HAVE NOT DONE SO, YOU ARE INVITED TO DO SO.

COMMISSIONERS, WE HAVE NO REQUESTS TO ADDRESS THE COMMISSION. AT THIS TIME WE ASK ALL VISITORS TO STAND AND INTRODUCE YOURSELF.

DEAN KOHR, ATKINS

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MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held January 17, 2012 be approved and filed as amended-was made by Commissioner Deon seconded by Commissioner Pratt; and passed unanimously.

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COMMUNICATIONS

Motion-That the Commission accepts and files the memo received from the Chief Counsel-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

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PERSONNEL

Motion-That the Commission approves the Personnel as amended-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

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NEW BUSINESS

Motion-That the Commission approves the vendor selection recommendations from the Professional Services Procurement Committee (PSPC) and authorize the negotiation and execution of agreements with the first vendor listed for the items in memos "a" and "b":

- a. Actuarial valuation services for Other Postemployment Benefits (OPEB); at a not-to-exceed amount of \$68,664.00:

Milliman, Inc.

EFI Actuaries

Boomershine Consulting Group, LLC

- b. Stop Loss Insurance provider:
Avalon Insurance Company
HM Insurance Group

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

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AGREEMENTS

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

- a. Amendment to our agreement with Digital Assurance Certification LLC (DAC) for compliance reporting and investor relations; to extend the terms of the agreement for an additional year;
- b. Reimbursement Agreement with the PA Fish and Boat Commission to reimburse the Fish & Boat Commission the cost for design and construction of the stream mitigation required for stream impacts associated with the total reconstruction project from MP 202-210 and MP 220-227; at a not to exceed amount of \$586,000.00;
- c. Negotiation and execution of an Assignment Agreement with Wilbur Smith Associates, Inc., as approved by the CEO and Chief Counsel; to assign all active contracts to CDM Smith Inc. due to the merger of Camp Dresser & McKee Inc. with Wilbur Smith Associates, Inc.

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

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RIGHT-OF-WAY REQUEST

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

- a. Approve plans entitled, “Drawings for Authorizing Acquisition of Right-of-Way for Westbound Access Ramp Contract No. EN-00028-04 in Dauphin County, M. P. T-250.30 Westbound”, as prepared by the Engineering Department for the access ramp at MP 250.30;
- b. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #8995-R05, a partial take parcel, necessary for the Rt. 903 Slip Ramp project; authorize payment of the Estimated Just Compensation in the amount of \$106,900.00, payable to Stevens & Lee, P.C., Escrow Agent; and authorize payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer;
- c. Authorize settlement of Right-of-Way #1A026-C, a partial take parcel, necessary for the total reconstruction project from MP 67.00 to MP 75.00; by issuing payment in the amount of \$10,522.00, payable to Thomas and Patricia L. Gaudi and Bradley E. Yoder, Esquire; representing damages owed; payment of the damages will conclude this case;
- d. Authorize the acquisition of 2 parcels of land owned by Homer Schomburg, necessary for the arch culvert at MP 24.50; by issuing payment in the amount of \$15,610.00, payable to Nathan J. Zarichnak & Associates, LLC, Escrow Agent; representing fair market value, pro-

- rated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale and other documents necessary; authorize payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of settlement amount to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- e. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #14219-A, a partial take parcel, necessary for the total reconstruction project from MP 40.00 to MP 48.00; authorize payment of the Estimated Just Compensation in the amount of \$13,100.00, payable to Babst Calland, Escrow Agent; and authorize payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer;
 - f. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #14219-B-01, a partial take parcel, necessary for the total reconstruction project from MP 40.00 to MP 48.00; authorize payment of the Estimated Just Compensation in the amount of \$32,096.00, payable to Babst Calland, Escrow Agent; and authorize payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer.

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

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ADVERTISING

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

- a. Firm to provide mapping services systemwide;
- b. Two (2) firms to perform surveying services systemwide.

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

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AWARD OF BIDS AND ISSUANCE OF 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" and "b":

- a. Communications shelter and generator at the Valley Forge tower site; utilizing the Commonwealth's contract with Tower Services Unlimited, at a total award of \$162,672.90;
- b. Change Order to the purchase order for Radio Weather System (RWIS) with Harris Corporation, to include hardware for the wireless data system at an additional cost of \$122,537.00; increasing the purchase order to \$235,377.00.

-was made by Commission Deon, seconded by Commissioner Pratt; the passed unanimously.

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AWARD OF CONTRACTS

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

- a. Contract #EN-00105-03-05 for roadway and miscellaneous repairs between MP 0.00 and MP 75.39, Toll I-376, Turnpike 66 and Turnpike 43, to the lowest responsive and responsible bidder, The Lane Construction Corporation; at a total award of \$1,000,000.00;
- b. Contract #EN-00105-03-06 for roadway and miscellaneous repairs between MP 179.44 and MP 241.87, to the lowest responsive and responsible bidder, Handwerk Site Contractors; at a total award of \$1,000,000.00;
- c. Contract #EN-00105-03-07 for roadway and miscellaneous repairs between MP 298.33 and MP 358.11, to lowest responsive and responsible bidder, Road-Con, Inc.; at a total award of \$4,000,000.00.

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

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CHANGE ORDER

Motion-That the Commission approves Change Order #1 for Contract #EN-00111-03-03 for bridge repairs between MP 109.91 and MP 236.22 with J.P.S. Construction Co., Inc.; for an increase of \$225,000.00 necessary for additional deck patching, AA repairs, milling/paving of bridge deck, bearing pad repairs, protective fencing, tree removal, beam support and MPT-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

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PROPERTY DAMAGE WRITE-OFF

Motion-That the Commission approves the write-off of Property Damage Claim DC-865 in the amount of \$27,262.90-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

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ITEM ADDED TO THE FORMAL AGENDA

PSPC RECOMMENDATION

Motion-That the Commission approves advertising for an engineering firm or corporation to serve as program manager for the implementation phase of AET conversion-was made by Commissioner Deon, seconded by Commission Pratt; and passed unanimously.

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NEXT MEETING

MS. EDMUNDS: I HAVE NO FURTHER ITEMS FOR CONSIDERATION FOR TODAY'S MEETING. THE NEXT FORMAL COMMISSION MEETING WILL BE HELD ON TUESDAY, FEBRUARY 21, 2012 BEGINNING AT 10:00 A.M.

ADJOURNMENT

Motion-That this meeting of The Pennsylvania Turnpike Commission be adjourned at 10:41 a.m.-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

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PREPARED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

02-07-12

APPROVED BY:

J. William Lincoln
Secretary Treasurer

ATTACHMENT NUMBER 1
COMMUNICATIONS: MEMO RECEIVED FROM THE CHIEF COUNSEL