

MINUTES OF THE COMMISSION MEETING HELD FEBRUARY 16, 2016

A formal meeting of the Pennsylvania Turnpike Commission convened at 2:10 p.m. on February 16, 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 William K. Lieberman, Vice Chairman and Pasquale T. Deon, Sr., Secretary Treasurer.

Others present for the meeting were Mark P. Compton, Chief Executive Officer; Larry Bankert, Michael Baker, Inc.; Charles L. Duncan, III, Esquire, Director of Legislative Affairs; Scott D. Fairholm, Chief Information Officer; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection & Field Operations; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity and Inclusion and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Chrissy Baker, Public Information/Photo Specialist; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard C. Dreher, Assistant CFO/Financial Management; Donald S. Klingensmith, Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Wanda Metzger, Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Sean Laudenslager, Technician of PC/LAN Systems; Bill Tatkovski; Paul McNamee, KCI; Stephen Holmes, SKHBM; John Smith, Parsons Brinkerhoff; Kristi Reichard, Raudenbush Engineering; Jodi Raudenbush, Raudenbush Engineering; Jeff Kupo, Michael Baker International; Mark Boris, Borton Lawson; Scott Shimko, Borton-Lawson; Andrew Ferrari, C.S. Davidson; Robin Kohler, C.S. Davidson; Robert Naugle; CHA; Matt Natale, JMT; Dan Giles, HDR; Dave Snively, AMT; Herb Long, Legion Design; Lino Magnelli, NTM; David Beachy, Arora & Associates; Joe Murzyn, Wojdak & Associates; Chris Messner, GPI; Rich Hilboky, Gibson-Thomas; Steve Barber, Michael Baker, International; Mike Gross, Wallace Montgomery; and Quentin Rissler, Larson Design Group.



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 available.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of personnel, which included an equity adjustment, termination, promotions, new hires, vacancies, position reviews and requests to fill; to post and fill; and to reclass, post and fill positions in the Engineering, Maintenance and Information Technology Departments.

The Commissioners also discussed Docket No. 2013-CV-10763 and Yeager real state matter, and engaged non-deliberative informational 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.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held February 2, 2016 be approved and filed as submitted-were made by Commissioner Lieberman, seconded by Commissioner Drew, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

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



UNFINISHED BUSINESS

No unfinished business to discuss.



NEW BUSINESS

POLICY LETTER

Motion-That the Commission adopts the revisions of Policy 4.03, Restitution of Overpayments, to reflect administration, operational and ownership changes -was made by Commissioner Lieberman, seconded by Commissioner Drew, and passed unanimously.



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Lease, Work Order, Agreements and an Amendment for the items listed in memos “a” through “d”:

- a. Lease Agreement with T-Mobile to permit T-Mobile to lease tower space near the Lehigh Tunnel; T-Mobile will pay the Commission the lease rate of \$22,424.64 for the first year, with 4% increases every year after that with an initial lease term of ten (10) years, and three, 5-year mutual extension options thereafter;
- b. Work Order with Travelers Marketing, utilizing the Mapping the Future initiative with the Pennsylvania Department of Transportation’s Asset Marketing and Sponsorship contract, for continuation of State Farm’s Safety Patrol sponsorship;
- c. Amendment to our agreement with Conner Strong & Buckelew for insurance broker services, exercising the option to renew the agreement for an additional year (August 7, 2016 – August 6, 2017); at a cost of \$135,000.00;
- d. Four (4) Reimbursement Agreements with West Penn Power Company (WPPC) for the Commission to reimburse WPPC the costs for the engineering and utility relocation work (4 separate utility line locations) necessary for construction of the Southern Beltway, Section 55-A1; at a cumulative not-to-exceed amount of \$126,753.73;
- e. **REMOVED FROM THE AGENDA.** Settlement Agreement and Release in the case, Estate of Emily Morris v. Appliance Distribution, Inc., et al; and authorize issuance of the settlement amount.

-was made by Commissioner Lieberman, seconded by Commissioner Drew, 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 "p":

- a. Acquisition of Right-of-Way #1105-G (Bruce J. Leonard, Jr.), a partial take parcel necessary for the total reconstruction project from MP 128.00 to MP 134.00 by authorizing payment of \$507.50 representing fair market value and pro-rated taxes to Bruce J. Leonard, Jr.; 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;
- b. Acquisition of Right-of-Way #1094-C (Leo F. & Linda K. Suhrie), a partial take parcel necessary for the total reconstruction project from MP 128.00 to MP 134.00 by authorizing payment of \$507.50 representing fair market value and pro-rated taxes to Leo F. & Linda K. Suhrie; 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 the delivery of a deed prepared by the Legal Department;
- c. Acquisition of Right-of-Way #17774 (George M. Aten), a partial take parcel necessary for construction of the Southern Beltway by authorizing payment of \$2,017.25 representing fair market value and pro-rated taxes to George M. Aten; 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. Acquisition of Right-of-Way #17682 (Michaele F. Parees & Robert M. Frame), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79 by authorizing payment of \$3,291.03 to Michaele F. Parees and payment of \$3,291.02 to Robert M. Frame; 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;
- e. Acquisition of Right-of-Way #17665 (Champion Processing, Inc.), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$188,530.97 representing fair market value and pro-rated taxes to Champion Processing, 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 the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;

- f. Acquisition of Right-of-Way #2002-B1 (Maxine E. Wambaugh, Trustee of the Maxine E. Wambaugh Revocable Living Trust), a partial take parcel necessary for the total reconstruction project from MP 128.00 to MP 134.00 by authorizing payment of \$507.50 representing fair market value and pro-rated taxes to Maxine E. Wambaugh, Trustee; 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 the delivery of a deed prepared by the Legal Department;
- g. Acquisition of Right-of-Way #14001 (Leon Rochez and Richard Rochez), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$1,280,348.43 representing fair market value, pro-rated taxes and recording fees to TRG Closing 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;
- h. Acquisition of Right-of-Way #17516 (Robert L. Williams, Jr.), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$136,578.53 representing fair market value, pro-rated taxes and recording fees to Coon & Company, 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 the delivery of a deed as prepared by the Legal Department;
- i. Acquisition of Right-of-Way #14119 & #14119-1 (Louis D. Quattro, Jr., Melissa A. Quattro, Erica and Darryl Schultz, Jr.), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$21,336.00 representing down payment supplement to Erica and Darryl Schultz, Jr.; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing, and to authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel;
- j. Acquisition of Right-of-Way #3022-R1 (Thomas M. Taylor), a partial take parcel necessary for the Taylor Road bridge elimination project (MP 176.35) by authorizing payment \$5,175.00 representing fair market value and pro-rated taxes to Thomas M. Taylor; 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;

- k. Acquisition of an aerial easement for Right-of-Way #9525-E (Riverside School District), a partial take parcel necessary for the Intelligent Transportation Systems (ITS) project from MP A19.96 to MP A124.29 by authorizing payment of \$507.50 representing fair market value and pro-rated taxes to Riverside School District; 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 of Easement as prepared by the Legal Department;
- l. Acquisition of Right-of-Way #2065-L (Robert I. Stiffler), a partial take parcel necessary for the total reconstruction project from MP 149.50 to MP 155.50 by authorizing payment of \$9,490.25 representing fair market value and pro-rated taxes to Robert I. Stiffler; 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;
- m. Acquisition of Right-of-Way #14063-D (Cross Creek Hampton II, LLC), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00 by authorizing payment of \$45,522.00 representing fair market value and pro-rated taxes to Cross Creek Hampton II, 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 the Chief Counsel; and payment of fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;
- n. Acquisition of Right-of-Way #6526-C (Stephen Z. & Carol J. Branning), a partial take parcel necessary for the total reconstruction from MP A31.00 to MP A38.00 by authorizing payment of \$1,449.50 representing fair market value and pro-rated taxes to Stephen Z. & Carol Branning; 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;
- o. Acquisition of Right-of-Way #6526-B (Douglas K. Young), a partial take parcel necessary for the total reconstruction from MP A31.00 to MP A38.00 by authorizing payment of \$20,251.50 representing fair market value and pro-rated taxes to Douglas K. Young; 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;
- p. Settlement Agreement and Release with Michael G. and Karen Yeager, authorize the issuance of the settlement amount, and authorize the appropriate Commission officials to execute the appropriate documents as drafted by the Legal Department.

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



ADVERTISING

Motion-That the Commission approves advertising for Contract #T-001.43R001-3-02 for concrete pavement repairs between MP 1.13 and MP 1.74-was made by Commissioner Lieberman, seconded by Commissioner Deon, and passed unanimously.



PURCHASE ORDERS

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

- a. HVAC controls contract for Districts 3, 4 & 5 (March 2016 – February 2017), utilizing the Commonwealth’s contract with Automated Logic Contracting Services, Inc.; at a total award of \$132,700.00;
- b. Rental of catch basin cleaners and sweepers (April – June 2016), to the lowest responsive and responsible bidders:

PA Public Works Equipment	\$207,700.00	Districts 1, 2, 3
Vacuum Sales Inc.	108,000.00	Districts 4, 5
TOTAL AWARD:	\$315,700.00	
- c. Building automation control system preventative maintenance and repair contract (2016 – 2018), to Siemens Industry Inc.; at a total award of \$881,760.00.

-was made by Commissioner Lieberman, 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” and “b”:

- a. Contract #EN-00190-03-03 for guiderail end treatment updates between MP 252.89 and MP 351.33, and MP A21.20 and MP A86.10, to the lowest responsive and responsible bidder, Collinson, Inc.; at a not-to-exceed amount of \$365,077.50 and a contingency of \$20,000.00;
- b. Contract #A-049.00R001-3-02 for bituminous overlay between MP A48.90 and MP A59.34, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$16,350,532.36 and a contingency of \$800,000.00.

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



CHANGE ORDERS & FINAL PAYMENTS

Motion-That the Commission approves the Change Orders and Final Payments for the items listed in memos "a, c & d"

- a. Change Order #2 for Contract #EN-00126-03-02 for the installation of ITS between MP 6.80 and MP 175.90 with Wellington Power Corporation, for an increase of \$60,824.75 to balance items to actual work completed, changes for sign structure walkway supports, electrical disconnect switches, installation of control cabinets, wireless communication system and delineators to complete the fiber optic installation at two access gates, electrical service changes, 60-day time extension due to reallocate the DMS signs for the Papal visit and to purchase and install two access gate control cabinets; for a revised not-to-exceed amount of \$2,586,190.66;
- c. Change Order #1 and Final Payment for Contract #T-056.35S001-3-02 for the rehabilitation of Bridge WB-459 at MP 56.35 with BECDIR Construction Company, for an increase of \$53,343.00 to balance items to actual work completed and extra work to seal barrier from water intrusion; for a final contract value of \$466,086.60 and final amount due to the contractor of \$80,916.31;
- d. Change Order #2 for Contract #T-330.00M001-3-02 for the installation of communications infrastructure from MP 330.20 to MP 333.20 with Kuharichik Construction Inc., for an increase of \$7,955.40 to balance items to actual work completed to date and changes for directional boring; for a revised not-to-exceed amount of \$571,628.40.

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

Motion-That the Commission approves the Change Order for the item listed in memo "b":

- b. Change Order #7 for Contract #T-040.00T001-3-08 for roadway and bridge reconstruction from MP 43.56 to MP 47.07 with Trumbull Corporation, for an increase of \$414,130.00 for the installation of a rockfall fence and MPT to protect the WB travel lanes at MP 45.54; for a revised not-to-exceed amount of \$80,991,858.64;

-was made by Commissioner Deon, seconded by Commissioner Drew; Commissioner Lieberman abstain.

VICE CHAIRMAN LIEBERMAN: I abstain on this item because Trumbull Corporation is a client of my firm.



BOND ISSUANCE

Motion-That the Commission approves authorizing the issuance of Pennsylvania Turnpike Commission's Subordinate Revenue Bonds or Notes, including Bond Anticipation Notes, in one or more series or sub-series, fixed rate or variable rate, taxable or tax-exempt, in an aggregate initial principal amount not to exceed \$500,000,000, to finance or refinance the costs of (a) making lease, grant or other payments to the Pennsylvania Department of Transportation in accordance with Act 44 and Act 89, (b) refunding all or a portion of any Bond Anticipation Notes, other short-term indebtedness or



Subordinate Indenture Bonds previously issued by the Pennsylvania Turnpike Commission for the foregoing purpose, (c) reimbursing the Pennsylvania Turnpike Commission for payments previously made to the Pennsylvania Department of Transportation in accordance with Act 44 and Act 89, (d) any debt service reserve or similar funds, credit facility costs or capitalized interest related to such bonds, and (e) issuance of such bonds; authorizing the execution, delivery and distribution of the following: (1) one or more Supplemental Trust Indentures, (2) one or more preliminary official statements or preliminary private placement memoranda, (3) one or more Official Statements or private placement memoranda, (4) one or more purchase contracts or private placement agreements, (5) one or more remarketing agreements, (6) one or more continuing disclosure agreements, (7) one or more escrow deposit agreements, and (8) any other necessary or appropriate documents or certificates; authorizing the acquisition of one or more credit facilities and the execution and delivery of any related agreements; authorizing the taking of further action; repealing inconsistent resolutions; providing for the appointment of one or more co-bond counsels and providing for the appointment of one or more underwriters and remarketing agents; providing for the appointment of co-financial advisors, verification agent, if necessary, and escrow agents; declaring the Pennsylvania Turnpike Commission's official intent that it be reimbursed from bond proceeds for certain expenditures paid prior to the issuance of such bonds; and declaring that this resolution shall be liberally construed-was made by Commissioner Deon, seconded by Commissioner Lieberman; Commissioner Logan abstained. CHAIRMAN LOGAN: I abstain on this item because PNC Bank is an underwriter of this bond issue and PNC Bank is a member of the Monroeville Area Chamber of Commerce which I am President.



PSPC AWARDS

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

a. RFP #7047, Geospatial Information Systems (GIS) work order services;

- Leidos, Inc.-AWARDED
- NTT DATA, Inc.-AWARDED

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

b. T00019, in-depth inspection of the Allegheny, Tuscarora, Kittatinny, Blue Mountain and Lehigh Tunnels;

- HDR Engineering, Inc.-AWARDED
- Parsons Brinckerhoff, Inc.
- C.S. Davidson, Inc.

-was made by Commissioner Deon, seconded by Commissioner Drew; Commissioner Logan abstained.

CHAIRMAN LOGAN: I abstain on this item because my wife's uncle is employed by Parsons Brinckerhoff, Inc.

c. T00026/T00027, two (2) open-end engineering design services systemwide;

- Rettew Associates, Inc.-AWARDED
- Whitman, Requardt & Associates, LLP-AWARDED
- Century Engineering, Inc.
- Pickering, Corts & Summerson, Inc.

-was made by Commissioner Deon, seconded by Commissioner Drew; Commissioner Lieberman abstained.

VICE CHAIRMAN LIEBERMAN: I abstain on this item because a sub consultant for these firms (Monaloh Basin Engineers) is a client of my firm.

d. T00031/T00032, two (2) open-end construction inspection services from MP 247.00 to MP 359.00 and MP A20.00 to MP A131.00;

- CMC Engineering-AWARDED
- RIG Consulting, Inc.-AWARDED
- Stantec Consulting Services, Inc.
- TRC Engineers, Inc.

-was made by Commissioner Deon, seconded by Commissioner Drew; Commissioner Lieberman abstained.

VICE CHAIRMAN LIEBERMAN: I abstain on this item because a sub consultant for these firms (Monaloh Basin Engineers) is a client of my firm.



#### POST-FORMAL MEETING

Bill Tatkovski, a retired Turnpike employee, presented the Commission with unique woodturnings that were created out of dogwood trees that were Turnpike property where a widening project is underway near Carlisle.



#### NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, March 1, 2016 beginning at 10:00 a.m.



#### ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 2:27 p.m. -was made by Commissioner Lieberman, seconded by Commissioner Drew, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.  
Secretary Treasurer