

MINUTES OF THE COMMISSION MEETING HELD FEBRUARY 17, 2015

A formal meeting of the Pennsylvania Turnpike Commission convened at 10:49 a.m. on February 17, 2015 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Sean Logan, Chairman; A. Michael Pratt, Esquire, Commissioner and Leslie S. Richards, Acting Secretary of Transportation. 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; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer for Michael Baker Jr., Inc.; Robert F. Brady, Director of Operations/Projects-East; William J. Capone, Chief of Communications & Public Relations; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection and Field Operations; Doreen A. McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Jack Christensen, Director of FEMO; 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; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN Systems; Cindy Smith, General Accountant II; Alan Williamson, Senior Engineer Project Manager; Steve Barber, Michael Baker, Jr., Inc.; Mary Farrell, Information Logistics; Steve Bolt, Burns; Joe DiFiore, Parsons Brinckerhoff; Douglas Beaver, Parsons Brinckerhoff; Troy Holloway, Century Engineering; Bill Sauers, C.S. Davidson, Inc.; Scott Shimko, Borton-Lawson and Paul McNamee, KCI.

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 promotions, new hires, vacancies and requests to re-hire an annuitant; to abolish and to post and fill positions in IT, Compliance and Fare Collection Departments.

The Commissioners also discussed Docket No. 2014-03573 and engaged in 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; all visitors stood and introduced themselves.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held February 3, 2015 be approved and filed as submitted-was made by Commissioner Pratt, seconded by Commissioner Richards, 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 Pratt, seconded by Commissioner Richards, and passed unanimously.



PERSONNEL

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



NEW BUSINESS

POLICY LETTER

Motion-That the Commission approves revisions to Policy Letters and adopts a new Policy Letter for the items listed in memos “a” and “b”:

- a. **PULLED FROM THE AGENDA.** Revisions to Policy 1.1, Administration of PTC Policies, to reflect changes in the development, review process, approval process and maintenance of policy letters;
- b. Adopt Policy 4.6, All-Electronic Tolling Tuition Reimbursement, that affects employees directly impacted by the AET project; and approve revisions to Policy 4.1, Tuition Reimbursement Policy, for consistency in definition and scope with the proposed new Policy 4.6, All-Electronic Tolling Tuition Reimbursement.

-was approved by Commissioner Pratt, seconded by Commissioner Lieberman, and passed unanimously.



AGREEMENTS

Motion- Approve the negotiation and execution of the Agreements and an Amendment for the items listed in memos “a” through “e”:

- a. Reimbursement Agreement with Verizon Pennsylvania, LLC to reimburse Verizon the costs to perform the required engineering and facility relocation work necessary for the Beaver River Bridge replacement project at MP 12.58; at a not-to-exceed amount of \$43,803.71;
- b. Reimbursement Agreement with Snake Spring Township to reimburse the township the costs to assume ownership of a portion of S.R. 2019 necessary for the elimination of mainline Bridge B-442 at MP 150.95; at a not-to-exceed amount of \$35,000.00;
- c. Reimbursement Agreement with North Penn Water Authority for the Authority to reimburse the Commission the costs for design and construction installation of steel casing pipes as part of the replacement of overhead Bridge NB-165 at MP A33.88; at a reimbursement of \$36,354.00;

- d. Amendment to our agreement for Insurance Brokerage services with Conner, Strong & Buckelew, exercising our option to renew the agreement for an additional year; at a not-to-exceed amount of \$135,000.00;
- e. Settlement Agreement and Release in the case, PTC v. Great Valley Moving & Storage; and approve the settlement amount.

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



RIGHT-OF-WAY REQUESTS

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

- a. Acquisition of Right-of-Way #2113-R4 (Dannie E. & Eileen M. Lepley), a partial take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00 by authorizing payment of fair market value and pro-rated taxes of \$507.50 to Dannie E. & Eileen M. Lepley; 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;
- b. Acquisition of Right-of-Way #14072-D1 (James C. & Sally E. Jordon), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00 by authorizing payment of fair market value and pro-rated taxes of \$10,124.50 to James C. & Sally E. Jordon; 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;
- c. Acquisition of Right-of-Way #2108-B (Ronald K. & Linda Cogan), a partial take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00 by authorizing payment of fair market value and pro-rated taxes of \$2,131.50 to Ronald K. & Linda Cogan; 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. Acquisition of Right-of-Way #15036-U (Nancy S. Eisaman), a total take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of fair market value, pro-rated taxes and recording fees of \$564,196.63 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.

-were approved by Commissioner Pratt, seconded by Commissioner Lieberman, and passed unanimously.



ADVERTISING

Motion-That the Commission approves advertising for Contract #T-355.00P002-3-04 for the replacement of Bridge DB-224 at MP 351.37-was made by Commissioner Pratt, seconded by Commissioner Deon, and passed unanimously.



AWARD OF BIDS, A CHANGE ORDER 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 "e":

- a. Change Order to the agreement for liquid calcium chloride (October 1, 2014 – June 30, 2015) with Environmental Energy, for \$100,000.00 for the remainder of the season due to high usage for the 2014-2015 winter season;
- b. Communication system parts for radio/intercom system for the I-95 Toll Plaza, to the lowest responsive and responsible bidder, GAI-Tronics Corporation; at a total award of \$106,818.36;
- c. Tree clearing from MP 260.00 to MP 267.00, to the lowest responsive and responsible bidder, Independence Constructors Corp.; at a total award of \$1,300,765.50;
- d. IT Staff Augmentation for a Technical Specialist 5 (February 2015 – September 30, 2015), utilizing the Commonwealth's contract with Computer Aid, Inc.; at a total award of \$393,020.01;
- e. Delineation roadway markers (December 1, 2014 – November 20, 2015), to the lowest responsive and responsible bidder, Artuk, Inc.; at a total award of \$200,000.00.

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



AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #T-040.00T001-3-07 for the replacement of Bridge WB-429 (S-26893) at MP 43.13, to the lowest responsive and responsible

bidder, Trumbull Corporation; at a not-to-exceed amount of \$8,232,708.26 and a contingency of \$400,000.00-was made by Commissioner Pratt, seconded by Commissioner Deon; Commissioner Lieberman abstained.

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

The motion passed.



SUPPLEMENTAL AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Supplemental Agreement for the item listed in memo "a":

- a. Supplemental Agreement #2 for the I-95/Interchange Project-Section A with McCormick Taylor, Inc., for an additional \$3,500,000.00 to prepare the multiple construction contracts, to complete the Final Design and for construction phase services during construction; for a revised not-to-exceed amount of \$11,000,000.00;

-was made by Commissioner Pratt, seconded by Commissioner Deon; Commissioner Richards abstained.

COMMISSION RICHARDS: I abstain on this item because the vendor listed was a former political donor.

Motion-That the Commission approves the negotiation and execution of the Supplemental Agreements for the items listed in memos "b" and "c":

- b. Supplemental Agreement #3 for design of the total reconstruction project from MP 242.00 to MP 245.00 with CDM Smith, Inc., for an additional \$200,000.00 for changes including the drilling of relocated sign structures, addition of milling and paving New Cumberland Maintenance and the test track and coordination with utilities; for a revised not-to-exceed amount of \$8,200,000.00;
- c. Supplemental Agreement #2 for construction management and inspection services for the replacement of five bridges between MP 312.00 and MP 326.00 with URS Corporation, for an additional \$758,488.13 to complete the Valley Hill Bridge and additional unanticipated construction management and inspection service costs for the Yellow Springs Road Bridge; for a revised not-to-exceed amount of \$3,333,674.33.

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



CHANGE ORDER AND FINAL PAYMENT

Motion-That the Commission approves Change Order #2 for Contract #T-334.00R001-3-02 for bituminous overlay between MP 334.00 and MP 340.10 with Allan A. Myers, LP, for a decrease of \$499,904.37 to balance items to work completed, changes for deck repairs, waterproofing Bridge DB-127W, elimination of items included into the contract and not needed, and a 5-day time extension; for a revised not-to-exceed amount of \$11,958,193.80 -was made by Commissioner Deon, seconded by Commissioner Lieberman; Commissioner Pratt and Commissioner Richards abstained.

COMMISSIONER PRATT: I abstain on this item because Allan A. Myers, LP is a client of my firm.

COMMISSION RICHARDS: I abstain on this item because the vendor listed was a former political donor.



SWAP RESOLUTION

Motion-That the Commission authorizes an Amendment to and/or termination of the Commission's 2006 Fixed Receiver Swap with the Bank of New York Mellon; authorize certain offsetting swap agreements; authorize the taking of further action; repealing inconsistent resolutions; and declaring that this resolution shall be liberally construed-was made by Commissioner Pratt, seconded by Commissioner Deon, and passed unanimously.



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, March 3, 2015 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned was made at 10:57 a.m.-was made by Commissioner Pratt, seconded by Commissioner Lieberman, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer