

MINUTES OF THE COMMISSION MEETING HELD FEBRUARY 21, 2017

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:48 a.m. on February 21, 2017 at the Central Office located in Highspire, Pennsylvania. Available via telephone were Sean Logan, Chairman; William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Leslie Richards, Secretary of Transportation. Present for the meeting was Barry Drew, Commissioner.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer, Michael Baker, Inc.; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Assistant Director of Toll Collection-Fares; Doreen A. McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity & Inclusion; Stacia A. Ritter, Esquire, Director of Policy and External Affairs; Robert Taylor, Jr., Acting Chief Information Officer; and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Jack Christensen, Director of FEMO; John DeRicci, Manager of Maintenance & Field Operations; Richard C. Dreher, Assistant CFO/Financial Management; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Anthony Q. Maun, Assistant CFO/Accounting & Budgeting; Sheri Norris, Director of Human Resources; Jeffrey A. Naugle, Manager of Treasury Operations; Timothy M. Scanlon, Director of Traffic Engineering & Operations; Cindy Smith, ETC Customer Service Operations Analyst; Lynn Stakem, Senior General Accountant; Mark A. Strause, Technician of PC/LAN Systems; John Smith, Parsons Brinckerhoff; Steve Barber, Michael Baker International; Linda Vanderperre, Ramirez Asset Management, James Haddon, Ramirez Asset Management; Paul McNamee, KCI; and Tom Cushman, AECOM.



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 a promotion, termination, settlement, performance incentive, new hires, vacancies and a request to abolish positions in the Fare Collection department.

The Commissioners also discussed Docket Nos. 2008-CV-01546 and 2009-CV-06747, 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.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held February 7, 2017 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 memos received from the Chief Counsel, the Director of Procurement & Logistics and the Fare Collections Systems Manager—was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No unfinished business to discuss.



NEW BUSINESS

Item #1 was deferred.



AGREEMENTS

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

- a. Supplement Contract #T-242.00T002-3-03 (total reconstruction from MP 242.00 to MP 245.00) with Trumbull Corp., to include the installation of two (2) CCTV assemblies at the Harrisburg West Interchange; at a not-to-exceed amount of \$200,000.00;

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

VICE CHAIRMAN LIEBERMAN: I abstain on this item because Trumbull Corp.'s parent company is a client of my firm.

Motion-That the Commission approves the negotiation and execution of the Agreements for the item listed in memo "c":

- c. Settlement in the matter of AECOM USA, Inc., and authorize the Settlement Agreement and Release as prepared by the Legal Department;

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

SECRETARY RICHARDS: I abstain on this item because AECOM was a former political donor.

Motion-That the Commission approves the negotiation and execution of the Agreements and Amendments for the item listed in memos "b, d & e":

- b. Reimbursement Agreement with Duquesne Light Company, to reimburse Duquesne Light Company the cost for the design studies and engineering services for the relocation of its utility lines necessary for construction of the Mon/Fayette Expressway; at a not-to-exceed amount of \$675,000.00;
- d. Amendment to our agreement with Milliman, Inc. for actuarial valuations, to extend the contract through October 3, 2019 at a not-to-exceed cost of \$60,000.00; and approval to advertise for actuarial valuation services;

- e. Supplemental Agreements with our Authorize Service Providers in Districts 2 and 4, for an incentive program (March 1, 2017 – May 31, 2017) to promote the safe, quick clearance of major traffic incidents; at an approximate cost of \$125,000.00.

-was made by Commissioner Drew, seconded by Commissioners 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 “g”:

- a. Approve the plans entitled, “Drawings for Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way the Southern Beltway State Route 0576, Section 55C1-1 G R/W, and Re-Establishing of Limited Access for State Route 0050, Section A29 R/W and Route 50 Connector Road, and State Route 3001, Section A01 R/W”, as prepared by the Engineering department;
- b. Acquisition of Right-of-Way #17971 (Fairfield Southpointe, LP-owner and MBM Enterprises, LLC dba Southpoint Fieldhouse, LLC-tenant), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$3,262,612.60 representing fair market value of the tenant owned improvements and pro-rated taxes to Coon & Company, escrow agent; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel; and payment of fair market value to the tenant is contingent upon the execution and delivery of a Settlement Agreement as approved by the Legal Department;
- c. Acquisition of Right-of-Way #17152 (Margaret Andrews), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$5,508.25 representing fair market value, pro-rated taxes and Section 710 damages to Margaret 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 fair market value to the property owner is contingent upon the delivery of a deed as approved by the Legal Department;
- d. Adopt the proposed Property Acquisition Resolution for Right-of-Way #17984 (Gloria Spagiare, aka Gloria J. Spagiare-owner; Range Resources Appalachia, LLC) a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79; authorize payment of Estimated Just Compensation of \$23,400.00 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;

- e. Acquisition of Right-of-Way #1102-B1 (Saint John the Baptist Roman Catholic Church aka Saint John's Roman Catholic Church), a partial take parcel necessary for the total reconstruction from MP 128.00 to MP 134.00 by authorizing payment of \$1,150.00 representing fair market value to Saint John the Baptist Roman Catholic Church; authorize the appropriate Commission officials to execute the required settlement documents 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 an executed Temporary Construction Easement prepared by the Legal Department;
- f. Acquisition of Right-of-Way #1088-A (Ronald Huffman), a partial take parcel necessary for the total reconstruction project from MP 128.00 to MP 134.00 by authorizing payment of \$1,010.50 representing fair market value and pro-rated taxes to Ronald Huffman; 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;
- g. Acquisition of Right-of-Way #1105-C (Carolyn J. Doric, Betty Ann Quinn, Joanne Hankinson f/k/a Joanne H. Meszaros and Angela Kay Taggart), a partial take parcel necessary for the total reconstruction from MP 128.00 to MP 134.00 by authorizing payment of \$2,233.00 representing fair market value and pro-rated taxes to Carolyn J. Doric, Betty Ann Quinn, Joanne Hankinson and Angela Kay Taggart; 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-355.00P001-3-18 for Route 13 connector for the I-95/I-276 Interchange-was made by Commissioner Drew, seconded by Commissioner Deon and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves the Issuance of Purchase Orders for the items listed in memos "a" through "d":

- a. Barco Video Wall upgrade and maintenance for the Traffic Operations Center at the TIP Building, utilizing the Commonwealth's contract with VISTACOM; at a total award of \$402,764.30;

- b. Delineation contract extensions based on the extension of the Commonwealth's contracts and increasing the previously approved amounts for purchases by the following (thru December 2017):

Uniquesource	\$250,000.00
Artuk	125,000.00
Ennis Paint	<u>10,000.00</u>
TOTAL RENEWAL:	\$385,000.00

- c. Blue Coat advanced secure gateway, for detection of and protection from malicious internet activity against the PTC network, utilizing the Commonwealth's contract with Comm Solutions; at a cost of \$1,207,026.24;
- d. Ten (10) 2017 Ford Fusion SE, utilizing the Commonwealth's contract with Whitmoyer Ford, Inc.; at a total award of \$172,192.10.

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



AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #T-306.00R002-3-02 for bituminous resurfacing from MP 306.38 to MP 312.35 and from MP 316.38 to MP 316.86, to the lowest responsive and responsible bidder, Allan Myers, L.P.; at a not-to-exceed amount of \$3,667,555.00 and a contingency of \$180,000.00- was made by Commissioner Drew, seconded by Commissioner Deon, 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" and "b":

- a. Change Order #5 and Final Payment for Contract #T-319.00T001-3-07 for construction of earth berm at Valley Forge Service Plaza with Reading Site Contractors, for an additional \$1,885.01 to balance items to actual work completed, for a final contract value of \$2,962,787.02 and final amount due to the contractor of \$17,404.39;
- b. Change Order #1 and Final Payment for Contract #T-001.43R001-3-02 for concrete pavement repairs between MP 1.13 and 1.74 with Gulisek Construction, LLC for a decrease of \$151,558.79 to balance items to actual work completed, changes for inlet adjustments and repairs, excavation, joint patching, new pavement joint, concrete pavement patching and repair, milling and paving median shoulder, repainting handicap parking spaces and 4" painted white lines; for a final contract value of \$1,866,490.86 and final amount due to the contractor of \$181,529.56.

- 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 #2 for Contract #EN-00115 for Cashless Tolling advisory services with McCormick Taylor, Inc. for an additional \$250,000.00 to complete the services through the conversion of the Beaver Valley Expressway, for a revised not-to-exceed amount of \$4,250,000.00-was made by Commissioner Drew, seconded by Commissioner Logan; Commissioner Richard abstained.

SECRETARY RICHARDS: I abstain on this item because McCormick Taylor, Inc. was a former political donor.



POLICY LETTERS

Motion-That the Commission adopts the proposed revisions to Policies, repeal a Policy and approve revisions to Bid Requirements and PO/Contract approval threshold limits for the items listed in memos "a" and "b":

- a. Revisions to Policy Letter 9.02, Tower, Monopole and Cell Site Structure Leasing, to authorize the Property Management Administrator to establish and adjust a fee schedule for carrier inquiries for new co-location agreements or amendment to existing agreements;
- b. Revisions to Policy 10.03, Purchasing Card Program, to increase spending limits and provide operational and procedural updates; repeal Policy 7.11, Emergency Procurement, as it is incorporated in Policy 10.03 and the Purchasing Procedures Manual and governed by the Procurement Code; and approve the revised threshold limits for Bid Requirements and PO/Contract approvals.

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, March 7, 2017 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:54 a.m. -was made by Commissioner Logan, seconded by Commissioner Drew, and passed unanimously.

