

MINUTES OF THE COMMISSION MEETING HELD MARCH 1, 2016

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:28 a.m. on March 1, 2016 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was Barry Drew, Commissioner. Available via telephone were Sean Logan, Chairman; William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Leslie S. Richards, Secretary of Transportation.

Others present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating 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; Stacia A. Ritter, Esquire, Director of Policy & External 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; Donald S. Klingensmith, Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Cindy Smith, General Account 2; Lynn Stakem, Senior General Account; Mark A. Strause, Technician of PC/LAN Systems; Paul McNamee, KCI; Stephen Holmes, SKHBM; John Smith, Parsons Brinkerhoff; and Kristi Reichard, Raudenbush Engineering.



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 termination, promotions, new hires, vacancies, position reviews and requests to post and fill; and to reclass, post and fill positions in the Engineering, Fare Collection and Compliance Departments.

The Commissioners also discussed Docket Nos. 2013-cv-10763; PTC-WC-9867; and PTC-CO-NS001-16; 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 16, 2016 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 memo received from the Chief Counsel-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No unfinished business to discuss.



NEW BUSINESS

POLICY LETTER

Motion-That the Commission adopts Policy 2.22, Social Media, to establish responsibilities and procedures for implementing standards for the use of Social Media -was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements and a Supplement for the items listed in memos "a" through "c":

- a. Interagency Agreement with the Pennsylvania Department of Transportation (PennDOT) to specify and delineate the responsibilities of both Agencies at every Turnpike Interchange;
- b. Supplemental Agreement with Buckeye Partners, L.P. for utility work necessary as part of the replacement of Bridge EB-306 at MP 248.19 (Nissley Drive), for an additional \$53,313.62 due to excavation of its entire line and slope easement, removing the existing casing, treating the pipe with a protective coating and backfill; for a revised not-to-exceed amount of \$150,776.12;
- c. 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 Drew, seconded by Commissioner 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 "j":

- a. Acquisition of Right-of-Way #17386 (William E. & Tamara L. Boyd, Jr.), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$928.73 representing fair market value and pro-rated taxes to William E. & Tamara L. Boyd; 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 #17639 (Mary Jane Dellapina), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$3,443.20 representing fair market value and pro-rated taxes 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #17401 (Dorothy A. Jenkins), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$603.93 representing fair market value and pro-rated taxes to Dorothy A. Jenkins; 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 #1018-B (Robert D. & Dorothy J. Kennell, Jr.), a partial take parcel necessary for the total reconstruction project from MP 99.00 to MP 109.00 by authorizing payment of \$6,569.90 representing fair market value and pro-rated taxes to Robert D. & Dorothy J. Kennell, 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 owners is contingent upon their delivery of a deed prepared by the Legal Department;
- e. Acquisition of Right-of-Way #2110-B (Robert J. & Lisa Whisel), a partial take parcel necessary for the total reconstruction project from MP 149.50 to MP 155.50 by authorizing payment of \$9,135.00 representing fair market value and pro-rated taxes to Robert J. & Lisa Whisel; 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;
- f. Acquisition of Right-of-Way #15036-V (Jerry & Laura Padgett), a total take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$60,079.00 representing fair market value 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 necessary for closing; authorize the payment of additional statutory damages (including pro-rated taxes) 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;

- g. Acquisition of Right-of-Way #17520 (Cheri Lynn Bugaj, f/k/a Cheri L. VanTassell & Richard F. Bugaj), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by granting an access easement over and across a portion of Commission property; authorize the execution of an Access Easement Agreement drafted by the Legal Department; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that may be necessary for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and delivery of the access easement to the property owners is contingent upon the delivery of a deed as prepared by the Legal Department;
- h. Acquisition of Right-of-Way #17533A (Donald J. & Linda K. Szyjko), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$3,820.50 representing fair market value, pro-rated taxes and recording fees to Coon & Company; 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;
- i. Acquisition of Right-of-Way #6509-C (Barry K. Stover), a partial take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00 by authorizing payment of \$18,270.00 representing fair market value and pro-rated taxes to Barry K. Stover; 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;
- j. Acquisition of Right-of-Way #3021-R1 (Theodore A. & Todd A. Keebaugh), a partial take parcel necessary for the Taylor Road bridge elimination project (MP 176.35) by authorizing payment of \$607.50 representing fair market value and pro-rated taxes to Theodore A. & Todd A. Keebaugh); 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 their delivery of a deed prepared by the Legal Department.

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



SIGNATURE AUTHORITY

Motion-That the Commission approves signature authorizations for the items listed in memos “a” and “b”:

- a. Authorize the Chief Engineer or designee, with concurrence of the Legal Department, to enter into no-cost Engineering and FEMO Non-Disclosure Agreements (NDA’s) and general right-of-entry agreements to ensure confidentiality of proprietary information;
- b. Authorize the Chief Information Officer, with concurrence of the Legal Department, the ability to enter into online agreements (click-to-accept agreements) with enterprise software providers.

-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 “c”:

- a. Storage Area Networks at the TIP building and WRO, utilizing the Commonwealth’s contract with CDW Government Inc.; at a total award of \$488,249.01;
- b. Microsoft Premier Services to provide technical support for all Microsoft systems (March 29, 2016 – March 28, 2017); utilizing the Commonwealth’s contract with Dell Marketing LP; at a total award of \$174,125.31;
- c. Network Infrastructure IC Routers (to be deployed to the Interchanges systemwide), utilizing the Commonwealth’s contract with ePlus Technology; at a total award of \$504,793.60.

-was made by Commissioner Drew, 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” through “c”:

- a. Contract #EN-00124-03-10 for sinkhole repairs between MP 199.26 and MP 312.03, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to exceed amount of \$2,000,000.00;
- b. Contract #EN-00190-03-02 for guiderail end treatment update between MP 2.80 and MP 232.72, Toll I-376 and Turnpike 66, to the lowest responsive and responsible bidder, Green Acres Contracting Co., Inc.; at a not-to-exceed amount of \$663,437.50 and a contingency of \$25,000.00;

- c. Contract #EN-00124-03-11 for sinkhole repairs between MP 312.03 and MP 358.11, to the lowest responsive and responsible bidder, Bi State Construction Co., Inc.; at a not-to-exceed amount of \$2,000,000.00.

-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 #2 and Final Payment for Contract #T-286.09F002-3-02 for lighting upgrades at the Reading/Lancaster Interchange with Bruce & Merrilees Electric Co., for a decrease of \$5,691.00 to balance items to actual work completed and a 28-day time extension; for a final contract value of \$1,560,119.10 and final amount due to the contractor of \$103,467.58;
- b. Change Order #1 and Final Payment for Contract #EN-00160-03-02 for median shielding installation between MP M29.67 and MP M32.85 with Green Acres Contracting Co., Inc., for an increase of \$10,248.26 to balance items to actual work completed, changes for guiderail and end treatments and redesign of anchor pads and additional concrete; for a final contract value of \$403,138.26 and final amount due to the contractor of \$37,357.10.

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



MAINTENANCE EQUIPMENT

Motion-That the Commission approves funding for new fleet dump trucks and snow removal equipment that is incorporated into the Fleet Equipment Program in the Maintenance Department's Fiscal Year 2017 Capital Plan, at an approximate approval value of \$10,000,000.00-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



PSPC AWARDS

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

- a. Ref #5-100, design and construction consultation services for the replacement of roadway tunnel lighting and raceway in the northbound and southbound Lehigh Tunnel (MP A70.26 to MP A71.57);
 - Hatch Mott MacDonald, LLC-AWARDED
 - Gannett Fleming, Inc.

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

b. Ref #3-274, storage tank management services systemwide;

- Skelly and Loy, Inc.-AWARDED
- GAI Consultants, Inc.

-was made by Commissioner Richards, seconded by Commissioner Lieberman; Commissioner Logan abstained.

CHAIRMAN LOGAN: I abstain on this item because both firms are members of the Monroeville Area Chamber of Commerce, which I serve as President.



SUPPLEMENT

Motion-That the Commission approves increasing the previously approved not-to-exceed amount (December 15, 2015 Commission Meeting (item F- 8b) of \$3,000,000.00 for biennial bridge inspection with Parsons Brinckerhoff, Inc. to \$4,000,000.00 due to changes in federal regulations requiring additional levels of training, inspection and reporting requirements that have significantly increased the overall cost of perform bridge inspections-was made by Commissioner Drew, seconded by Commission Lieberman; Commissioner Logan abstained.

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



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, March 15, 2016 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:00 a.m. -was made by Commissioner Drew, seconded by Commissioner Lieberman, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer

ATTACHMENT:

Memo received from the Chief Counsel