

MINUTES OF THE COMMISSION MEETING HELD MARCH 3, 2015

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 9:31 a.m. on March 3, 2015 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Sean Logan, Chairman and A. Michael Pratt, Esquire, Commissioner. Available via telephone were William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Leslie S. Richards, Acting Secretary of Transportation.

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.; 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 and Field Operations; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; 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 Susan Carson-Casoni, Cash Manager; 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; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN Systems; Cindy Smith, General Accountant II; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Peter Kuhne, Atkins; Paul McNamee, KCI Technologies and Robert Peda, Navarro & Wright.



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, new hires, vacancies and requests to reclass a vacant position and to post and fill a position in the Traffic, Engineering and Operations Department.

The Commissioners also discussed Docket Nos. 0211503457 and 03573-2013, 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 17, 2015 be approved and filed as submitted-was made by Commissioner Pratt, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

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



NEW BUSINESS

POLICY LETTER

Motion-That the Commission approves the revisions to Policy 1.1, Administration of PTC Policies, to reflect changes in the development, review process, approval process and maintenance of policy letters-was made by Commissioner Pratt, seconded by Commissioner Lieberman, and passed unanimously.



AGREEMENTS

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

- a. Reimbursement Agreement with PECO Energy Company to reimburse PECO the costs to perform the required engineering and facility relocation work necessary for the I-95/I-276 Interchange project (Section D-20); at a not-to-exceed amount of \$250,000.00;

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

COMMISSIONER PRATT: I abstain on this item because PECO is a client of my firm.

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

- b. Settlement Agreement and Release in the case, PTC v. Red Diamond Trucking, Inc. f/d/b/a Dayco Trucking, Inc.; and authorize the settlement amount;

-was made by Commissioner Pratt, seconded by Commissioner Deon; Commissioner Lieberman voted "No".

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

- c. Lease Agreement with Chevron Appalachia, LLC to permit Chevron to lease 233.1080 acres of Turnpike Right-of-Way and surplus property along the Uniontown to Brownsville section of the Mon/Fayette Expressway to explore, develop and produce oil and gas from the Marcellus Shale Formation;
- d. Assignment Agreements with Haines and Kibblehouse, which also includes Reading Materials, Inc. and Pikes Creek Site Contractors, to assign all active construction contracts to H&K Group, Inc., due to the merger and corporate name change;
- e. Assignment Agreement with Haines and Kibblehouse, which also includes H&K Materials, Silver Hill Quarry, Douglassville Quarry and Locust Ridge Quarry, to assign all active Strategic Sourcing contracts to the H&K Group, Inc., due to merger and corporate name change.

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



RIGHT-OF-WAY ACQUISITION

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

- a. Acquisition of Right-of-Way #3128-E (Allen L. & Linda K. Weller), a partial take parcel necessary for the total reconstruction project from MP 202.00 to MP 206.00 by authorizing payment of fair market value and pro-rated taxes of \$15,042.50 to Allen L. and Linda K. Weller; 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 #3121-B (Abner G. & Anna K. Zook), a partial take parcel necessary for the total reconstruction project from MP 202.00 to MP 206.00 by authorizing payment of fair market value and pro-rated taxes of \$25,256.50 to Abner G. & Anna K. Zook; 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.

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



CHANGE ORDERS AND FINAL PAYMENTS

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

- a. Change Order #2 and Final Payment for Contract #EN-00124-03-02 for sinkhole repairs between MP 312.03 and MP 358.11 and MP A20.00 and MP A70.07 with New Enterprise Stone and Lime, Inc., for a decrease of \$754,494.33 to balance items to actual work completed; for a final contract value of \$745,505.67 and final amount due to the contractor of \$37,275.28;

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

Motion-That the Commission approves the Change Orders and Final Payment for the items listed in memos "a" and "b":

- b. Change Order #3 for Contract #T-040.00T001-3-08 for roadway and bridge reconstruction between MP 43.56 and MP 47.07 with Trumbull Corporation, for an increase of \$600,000.00 for unforeseen pavement and pothole repairs necessary within the project limits during the duration of the contract; for a revised not-to-exceed amount of \$79,861,420.21.

-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.



PURCHASE ORDERS

Motion-That the Commission approves the Award of Bids, Change Orders and the Issuance of Purchase Orders for the items listed in memos "a" through "e":

- a. Glass beads (February 11, 2015 – November 30, 2016), utilizing the Commonwealth's contract with Potters Industries; at a total award of \$300,000.00;
- b. Change Order to the agreement for delineation roadway markers (through July 31, 2015) with Unique Source Products and Services, for \$200,000.00 necessary for the Spring 2015 delineation operation project;
- c. Catch basin cleaner and sweeper rentals (April 1, 2015 – July 1, 2015), to the lowest responsive and responsible bidder, Jack Doheny, Inc.; at a total award of \$353,550.00;
- d. Repair for Bridge B-441 at MP 114.05, to the lowest responsive and responsible bidder Clearwater Construction; at a total award of \$316,960.00;
- e. Change Order to the agreement for liquid calcium chloride (October 1, 2014 – June 30, 2015) with Calcium Chloride Sales, for \$100,000.00 due to a higher usage because of the extreme cold temperatures this winter.

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



AWARD OF CONTRACTS

Motion-That the Commission approves the Award of a Contract for the item listed in memo "a":

- a. Contract #T-242.00T002-3-03 for roadway and bridge reconstruction from MP 241.98 to MP 245.33, to the lowest responsive and responsible bidder, Trumbull Corporation; at a not-to-exceed amount of \$83,479,981.66 and a contingency of \$4,000,000.00;

-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.

Motion-That the Commission approves the Award of Contracts for the items listed in memos "b" and "c":

- b. Contract #A-070.26F001-3-04 for heat detector installation at the southbound Lehigh Tunnel, to the lowest responsive and responsible bidder, Carr & Duff, Inc.; at a not-to-exceed amount of \$1,547,400.00 and a contingency of \$75,000.00;
- c. Contract #T-230.36S001-3-02 for the rehabilitation of Bridge EB-106 at MP 230.36, to the lowest responsive and responsible bidder, Ryland Construction Company, Inc.; at a not-to-exceed amount of \$213,830.00 and a contingency of \$20,000.00.

-was made by Commissioner Pratt, 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 #3-267, open-end quality assurance inspection and laboratory testing services, systemwide:
 1. Jeff Zell Consultants, Inc.-AWARDED
 2. Navarro & Wright Consulting Engineers, Inc.

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

b. RFP #4897, emergency spill and response provider from MP 286.10 to MP 359.00 and MP A20.00 to MP A57.30:

1. Lewis Environmental, Inc.-AWARDED

-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 held Tuesday, March 17, 2015 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned was made at 9:41 a.m.-was made by Commissioner Pratt and seconded by Commissioner Deon.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer