

MINUTES OF THE COMMISSION MEETING HELD MARCH 5, 2013

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:45 a.m., March 5, 2013 at the Central Office located in Highspire, Pennsylvania. Available via phone for the meeting were William K. Lieberman, Chairman; A. Michael Pratt, Esquire, Vice Chairman; J. William Lincoln, Secretary Treasurer and Barry J. Schoch, P.E., Secretary of Transportation.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer, Michael Baker, Jr., Inc.; William J. Capone, Director of Communications/Public Relations; Scott Fairholm, Chief Information Officer; Todd S. Garrison, Director of Maintenance; David Gentile, Chief Compliance Officer; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; 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 Kelly Horvath, Executive Assistant; Donald S. Klingensmith, P.E., Director of Contracts Administration; Gina Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN Systems; Paul McNamee, KCI Technologies; Dan Gardner, Sr., Select-A-Branch ATM and Randall Leaman, Paramount Management Group.

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Ms. Edmunds led the Commissioners and staff in the Pledge of Allegiance.

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The Assistant Secretary Treasurer, Ann Louise Edmunds, called the roll and declared a quorum present.

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SUNSHINE ANNOUNCEMENT

MS. EDMUNDS: THE COMMISSIONERS MET IN EXECUTIVE SESSION PRIOR TO TODAY'S FORMAL AGENDA SESSION TO CONSIDER MATTERS OF PERSONNEL, WHICH INCLUDED TERMINATIONS, NEW HIRES, VACANCIES AND REQUESTS TO POST AND FILL POSITIONS IN THE HUMAN RESOURCES DEPARTMENT.

THE COMMISSIONERS ALSO ENGAGED IN NON-DELIBERATIVE INFORMATIONAL DISCUSSIONS REGARDING VARIOUS ACTIONS AND MATTERS, WHICH HAVE BEEN APPROVED AT PREVIOUS PUBLIC MEETINGS.

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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, EFFICIENT, EFFECTIVE AND DIGNIFIED MEETING, ALL PERSONS WISHING TO ADDRESS THE COMMISSION SHOULD HAVE SIGNED IN AND REQUESTED TIME TO SPEAK. IF YOU HAVE NOT DONE SO, YOU ARE INVITED TO DO SO.

COMMISSIONERS, WE HAVE NO REQUESTS TO ADDRESS THE COMMISSION. AT THIS TIME WE ASK ALL VISITORS TO STAND AND INTRODUCE YOURSELF. THE FOLLOWING WERE VISTORS TO THE MEETING: Paul McNamee, KCI Technologies; Dan Gardner, Sr., Select-A-Branch ATM and Randall Leaman, Paramount Management Group.

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#### MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held February 20, 2013 be approved and filed as submitted-was made by Commissioner Pratt, seconded by Commissioner Lincoln; and passed unanimously.

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#### COMMUNICATIONS

Motion-That the Commission accepts and files the memos received from the Chief Counsel-was made by Commissioner Pratt, seconded by Commissioner Lincoln; and passed unanimously.

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#### PERSONNEL

Motion-That the Commission approves the Personnel as amended-was made by Commissioner Pratt, seconded by Commissioner Lincoln; and passed unanimously.

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#### NEW BUSINESS

#### SETTLEMENT

Motion-That the Commission approves settlement in the case, *PTC v. Protiviti Inc., et al.*; authorize the execution of a settlement agreement and release, and approve the settlement amount-was made by Commissioner Pratt, seconded by Commissioner Lincoln; and passed unanimously.

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#### AGREEMENTS

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

- a. Assignment Agreement with Select-a-Branch ATM Network, LLC to assign their active contract to Paramount Management Group, LLC; due to the partnership between the two companies;

- b. Reimbursement Agreement with Fairview Township, for the Commission to reimburse the Township the costs associated with the relocation of their sewer line necessary for the replacement of Bridge EB-207; at a not-to-exceed amount of \$807,875.00;
- c. Assignment Agreement with Greenhorne & O'Mara, Inc. to assign their active contracts to Stantec Consulting Services, Inc., due to the acquisition of Greenhorne & O'Mara, Inc. by Stantec Consulting Services, Inc.;
- d. Amendment to our agreement with Trion for COBRA administration, to exercise our option to renew the agreement for an additional year (September 1, 2013-August 31, 2014);
- e. Amendment to our agreement with The Hartford for short-term disability, to exercise our option to renew the agreement for an additional year (December 1, 2013-November 30, 2014);
- f. Amendment to our agreements with Aetna and Highmark for Medicare Advantage, to exercise our option to renew the agreements for an additional year (January 1, 2013-December 31, 2013); and approval to advertise for Medicare Advantage benefit services;
- g. Amendment to our agreement with Milliman for Medicare Part D attestation, to exercise our option to renew the agreement for an additional year (September 27, 2013-September 26, 2014).

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

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#### RIGHT-OF-WAY REQUEST

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 #6058-JR1, a partial take parcel necessary for the total reconstruction project from MP 320.00 to MP 326.00, by authorizing payment for fair market value in the amount of \$1,900.00 payable to Linda M. Souder and Pamela R. Souder; authorize the appropriate Commission officials to execute the temporary construction easement and other documents that may be required for closing; approve 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 is contingent upon the property owners' delivery of a deed as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #17233, a total take parcel necessary for construction of the Southern Beltway, by authorizing payment for fair market value, pro-rated taxes and recording fees in the amount of \$718,625.50 to Nathan J. Zarichnak & Associates, LLC, escrow agent; authorize payment for residential fixed move in the amount of \$2,600.00 payable to Thomas & Maureen Hughes; authorize payment of Section 710 damages in the amount of \$4,000.00 payable to The Law Firm of Lavery, Faherty, Patterson; authorize the appropriate Commission officials to execute the agreement of sale, and other documents as 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 their delivery of a deed as prepared by the Legal Department.

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

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### ADVERTISING

Motion-That the Commission approves advertising for the items listed in memos "a" and "b":

- a. Two (2) engineering firms to perform geotechnical engineering related services systemwide;
- b. Contract #T-027.77S001-3-02, rehabilitation of four bridges between MP 27.77 and MP 29.72.

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

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### AWARD OF BIDS AND ISSUANCE OF 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. IT Technical Specialist 4 (April 1, 2013-June 30, 2013), utilizing the Commonwealth's contract with Computer Aid, Inc.; at a total award of \$116,100.00;
- b. One hundred (100) Radar speed display signs, to the lowest responsive and responsible bidder, M H Corbin, Inc.; at a total award of \$279,800.00;
- c. Mechanics hardware supply contract, to the lowest responsive and responsible bidder, Midwest Motor Supply Company; at a total award of \$125,000.00.

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

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### CHANGE ORDERS/FINAL PAYMENTS

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

- a. Change Order #2 and Final Payment for Contract #EN-00090-03-02 with Swank Construction Company, LLC for concrete pavement rehabilitation and joint repairs between MP G00.02 and G13.08, for an increase of \$169,940.33 for normal quantity adjustments to balance items to actual work completed and additional changes for Rt. 30 ramp repair, drainage, backwall repair, curbing and shoulder repairs; for a final contract value of \$2,937,890.96 and final amount due to the contractor of \$317,935.75;
- b. Change Order #2 and Final Payment for Contract #T-056.44R001-3-02 with Derry Construction Company, Inc. for bituminous overlay at the Pittsburgh Interchange ramps, for a decrease of \$105,326.57 for normal quantity adjustments to balance items to actual work completed and additional changes for excavation, subbase, electric line relocation, fencing and the renegotiation of prices for milling and paving due to field conditions; for a final contract value of \$948,703.93 and final amount due to the contractor of \$132,597.42.

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

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#### SUPPLEMENTAL AGREEMENTS

Motion-That the Commission approves the Supplemental Agreements for the items listed in memos "a" and "b":

- a. Supplemental Agreement #1 with The Louis Berger Group, Inc. for design services for the I-95 Interchange project (Section C), for an additional \$2,000,000.00 necessary to complete final design and for consultation during construction (post design);
- b. Supplemental Agreement #2 with Johnson, Mirmiran & Thompson, PC for construction management/inspection services for the roadway and bridge reconstruction from MP 211.00 to MP 215.00, for an additional \$634,966.67 to provide construction management/inspection and environmental consulting services in the MP 199.00 to MP 202.00 area.

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

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#### PSPC AWARD

Motion-That the Commission approves the award of service and authorizes the negotiation and execution of an agreement with the selected firm listed for Ref #4-091, transportation improvement study from MP 333.00 to MP 351.00:

- Rummel, Kelper & Kahl, LLP-AWARDED
- URS Corporation
- Johnson, Mirmiran & Thompson, Inc.

-was made by Commissioner Schoch, seconded by Commissioner Lincoln; and passed unanimously.

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#### NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of The Pennsylvania Turnpike Commission will be on Tuesday, March 19, 2013 beginning at 10:00 am.

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#### ADJOURNMENT

Motion-That this meeting of The Pennsylvania Turnpike Commission be adjourned at 10:56 a.m.  
-was made by Commissioner Pratt, seconded by Commissioner Lincoln; and passed unanimously.

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PREPARED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

APPROVED BY:

J. William Lincoln  
Secretary Treasurer

ATTACHMENT NUMBER 1  
COMMUNICATIONS: MEMOS RECEIVED FROM THE CHIEF COUNSEL