

## MINUTES OF THE COMMISSION MEETING HELD MARCH 7, 2017

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:47 a.m. on March 7, 2017 at the Central Office located in Highspire, Pennsylvania. Available via telephone were 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.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer, Michael Baker, Inc.; 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; Ray Morrow, Chief Compliance Officer; 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; Richard S. DiPiero, Senior Fare Collection Operations Manager; Richard C. Dreher, Assistant CFO/Financial Management; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Donna Lapano, Executive Office Assistant; Wanda Metzger, Contracts Supervisor; Sheri Norris, Director of Human Resources; Jeffrey A. Naugle, Manager of Treasury Operations; April Rothermel, Advisory Services Project Manager; 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; Mike Shubert, Consultant; John Smith, Parsons Brinckerhoff; Jim Hickey, Cherry Weber; Tom Bice, Lochner; Doug Rickards, LNA; Paul McNamee, KCI; Chris Messner, GPI; Mike Sydlik, Earth, Inc.; and Mike Gross, Wallace Montgomery.



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, reclassification and new hires.

The Commissioners also discussed Docket No. PTC-WC-4241, 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 21, 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 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

POLICIES

Motion-That the Commission adopts revisions to the Policies listed in memos “a” and “b”:

- a. Policy 3.06, Driver’s License Records Check and Loss of Driving Privilege, to revise the guidelines that apply when an employee’s operating privilege is cancelled, recalled, restricted, revoked or suspended;
- b. Policy 7.14, Non-Revenue Program for PTC Employees, to include a non-revenue transponder program for Commission employees.

-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 for the items listed in memos “a” and “b”:

- a. Settlement and Release Agreement with Michelle Ritter, and authorize the issuance of a check for the settled amount;
- b. Road Vacation Agreement with the Township of Charlestown for the Township to vacate the existing legal right-of-way of Longford Drive which ends at the Turnpike limited access right-of-way line at MP 320 eastbound.

-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 “e”:

- a. Acquisition of Right-of-Way #14129A-6 (Jerry Mazza-owner, Custom Homes, Inc.-tenant), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$16,425.00 representing business dislocation damages to Custom Homes, Inc.; authorize the appropriate Commission officials to execute the Settlement Agreement and other

documents that may be required for closing; and authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;

- b. Acquisition of Right-of-Way #6515-A (Jon D. & Kathy C. Delp), a partial take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00 by authorizing the acquisition of the required conservation easement and authorizing the appropriate Commission officials to execute the Conservation Easement as prepared and approved by the Legal Department;
- c. Acquisition of Right-of-Way #7169-E (PECO Energy Company), a partial take parcel necessary for construction of the I-95 Interchange Route 13 Connector by authorizing payment of \$21,500.00 representing fair market value to PECO Energy 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 fair market value to the property owner is contingent upon its delivery of a deed prepared by the Legal Department;
- d. Acquisition of Right-of-Way #1093-B (Richard M. & Kimberly Kuhns-Schoedel), a partial take parcel necessary for the total reconstruction project from MP 128.00 to MP 134.00 by authorizing payment of \$22,026.64 representing fair market value and pro-rated taxes to Richard M. & Kimberly Kuhns-Schoedel; 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. Transfer of 351 square feet of Commission right-of-way in Carroll Township, Washington County, to the Pennsylvania Department of Transportation (PennDOT) for PennDOT's replacement of a structure carrying SR 0481 over Taylor Creek; and authorize the execution of an Interagency Agreement and quit claim deed as reviewed and approved by the Legal Department.

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



#### ADVERTISING

Motion-That the Commission approves advertising for the items listed in memos "a" through "d":

- a. Architectural firm to perform design and construction phase services;
- b. Mechanical/electrical/plumbing (MEP) firm to perform design and construction phase services;
- c. Firms experienced in municipal bond financing, related securities laws and taxation; to create a pool of qualified firms, and inclusion of the selected qualified firms in the various established pools;

- d. Underwriting firms; to create a pool of qualified firms, and inclusion of the selected qualified firms in the various established pools.

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



PURCHASE ORDERS

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

- a. Change Order for sludge and residual waste water removal (thru June 30, 2017) with Allstate Power Vac Inc., for extra cleaning services due to excessive sediment in the tanks; at a cost of \$65,000.00;
- b. Storage Area Network (SAN) system, utilizing the Commonwealth’s contract with World Wide Technology, Inc.; at a total award of \$376,963.15;
- c. Job Order Contracts (JOC) for general, electrical plumbing, HVAC (April 9, 2017 – April 8, 2019), to the lowest responsive and responsible bidders:

GENERAL

Clark Contractors, Inc.	\$ 5,500,000	District 1
Clark Contractors, Inc.	3,500,000	District 2
Clark Contractors, Inc.	3,000,000	District 3
Clark Contractors, Inc.	3,000,000	District 4
Clark Contractors, Inc.	<u>3,000,000</u>	District 5
TOTAL GENERAL	\$18,000,000	

ELECTRICAL

TSB, Inc. dba Schultheis Electric	\$ 750,000	District 1
TSB, Inc. dba Schultheis Electric	500,000	District 2
I.B. Abel, Inc.	250,000	District 3
Clark Contractors, Inc.	250,000	District 4
I.B. Abel, Inc.	<u>250,000</u>	District 5
TOTAL ELECTRICAL	\$ 2,000,000	

PLUMBING

Clark Contractors, Inc.	\$ 750,000	District 1
Clark Contractors, Inc.	500,000	District 2
Lobar Associates	250,000	District 3
Clark Contractors, Inc.	250,000	District 4
Lobar Associates	<u>250,000</u>	District 5
TOTAL PLUMBING	\$ 2,000,000	

HVAC		
MARC-Service, Inc.	\$ 750,000	District 1
MARC-Service, Inc.	500,000	District 2
Blanski Energy Management	250,000	District 3
Blanski Energy Management	250,000	District 4
Blanski Energy Management	250,000	District 5
TOTAL HVAC	\$ 2,000,000	
 TOTAL JOC AWARDS:	 \$24,000,000	

- d. Safety supplies and work gloves (March 8, 2017 – January 31, 2018), to the lowest responsive and responsible bidders:

Stauffer Manufacturing	\$ 45,000
Wesco Distribution, Inc.	75,000
TOTAL AWARDS:	\$120,000

- e. PC refresh equipment and services, utilizing the Commonwealth’s contract with CDW Government LLC; at a total award of \$1,471,044.40.

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



AWARD OF CONTRACTS

Motion-That the Commission approves the Rejection and Re-advertising of a Contract and the Award of a Contract for the items listed in memos “a” and “b”:

- a. Reject all bids, due to lack of proper documentation and exceeding estimated amount, and approve re-advertising for Contract #EN-00115-03-03 for the installation of signs between MP A118.00 and MP A130.64;
- b. Contract #T-174.00R001-3-02 for bituminous resurfacing between MP 173.25 and MP 179.94, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$10,674,697.07 and contingency of \$500,000.00;

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

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

- c. Contract #T-040.00T001-3-09 for roadway and bridge reconstruction from MP 39.62 to MP 44.04 and bituminous resurfacing from MP 47.07 to MP 47.78, to the lowest responsive and responsible bidder, Trumbull Corporation; at a not-to-exceed amount of \$89,935,612.25 and a contingency of \$4,000,000.00.

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

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



CHANGE ORDERS/FINAL PAYMENTS

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

- a. Change Order #2 and Final Payment for Contract #T-056.44R002-3-02 for bituminous resurfacing of the Pittsburgh Interchange ramps with The Lane Construction Corporation, for a decrease of \$36,917.29 to balance items to actual work completed, changes to the guiderail end anchorage system and ground mount delineators; for a final contract value of \$2,515,596.82 and final amount due to the contractor of \$251,953.63;
- b. Final Payment for Contract #T-355.00P001-3-09 for electrical work for the mainline toll facility and Delaware River Bridge ORT, MP 351.43 to MP 354.18 and MP 357.96 to MP 358.32 with Phillips Brothers Electrical Contractors, Inc.; for a final contract value of \$1,061,195.73 and final amount due to the contractor of \$3,000.00;
- c. Change Order #4 for Contract #T-355.00P001-3-13 for construction of the I-95/I-276 Interchange, Section D10 with PKF-Mark III, Inc., for an increase of \$1,010,095.03 to balance items to actual work completed, changes for over excavation and backfill, superpave, drainage, concrete barrier, E & S control, ductile iron pipe, tack coat, conservation district violation, a junction box, rebar, drilled caissons and concrete glare screen; for a revised not-to-exceed amount of \$144,246,697.82.

- 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 #1 for Contract #EN-00087 for open-end storage tank management services with GAI Consultants for an additional \$250,000.00 to complete the soil and groundwater remediation project at the former Hempfield Service Plaza, to complete storage tank database coding and to complete tank operator training in Districts 1 and 4; for a revised not-to-exceed amount of \$2,250,000.00 and extend the completion date to December 31, 2018-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



SUPPLEMENTAL ADVISORY SERVICES

Motion-That the Commission approves procedures for issuing Supplemental Advisory Services work orders to qualified firms in the Supplemental Advisory Services Pool-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



DATA SHARING AND NO-COST PARTNERSHIP AGREEMENTS

Motion-That the Commission grants the Chief Information Officer the authority to sign Data Sharing Agreements and enter into no-cost partnership agreements with third parties to share Turnpike related traffic data-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



PSPC ITEMS

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" through "c":

- a. RFP #7551, Authorized Service Provider coverage on Toll 576, Findlay Connector, exits 1-6:
  - Green's Road & Towing, Inc.-AWARDED-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.
  
- b. RFP #7554, Authorized Service Provider coverage from MP 292.60 to MP 312.00:
  - Abel Brothers Towing and Automotive, Inc.-AWARDED-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.
  
- c. **REMOVED FROM THE AGENDA.**



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, March 21, 2017 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:55 a.m. -was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.





PREPARED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

APPROVED BY:

Pasquale T. Deon, Sr.  
Secretary Treasurer

ATTACHMENT:

Memo received from the Chief Counsel