

MINUTES OF THE COMMISSION MEETING HELD APRIL 1, 2014

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:53 a.m. April 1, 2014 at the Central Office located in Highspire, Pennsylvania. Available via the telephone for the meeting were William K. Lieberman, Chairman; A. Michael Pratt, Esquire, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer; Sean Logan, Commissioner 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, Chief of Communications and Public Relations; Scott D. Fairholm, Chief Information Officer; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others in attendance were Susan Carson-Casoni, Cash Manager; John Christensen, Director of FEMO; Richard C. Dreher, Assistant CFO; Donald S. Klingensmith, P.E., Director of Contracts Administration; Donna Lapano, Executive Office Assistant; Anthony Q. Maun, Asst. CFO/Accounting & Budgeting; Ray Morrow, Inspector General; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Jr., Technician of PC/LAN Systems; Cindy Smith, General Accountant II; Lynn Stakem, Senior General Accountant; Paul McNamee, KCI; Scott Shimko, Borton-Lawson; Mark Boris, Borton-Lawson; Peter Kuhne, Atkins; Dan Giles, HDR; Eric Madden, ACEC/PA; and Kristi Reichard, Raudenbush Engineering.

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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 available.

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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 A LATERAL, PROMOTIONS, TERMINATIONS, SALARY ADJUSTMETNS, NEW HIRES, VACANCIES AND REQUESTS TO CREATE AND FILL; AND TO POST AND FILL POSITIONS IN THE ENGINEERING AND COMPLIANCE DEPARTMENTS.

THE COMMISSIONERS ALSO DISCUSSED DOCKET NO. 4501120006333 AND 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; SCOTT SHIMKO, BORTON-LAWSON; MARK BORIS, BORTON-LAWSON; PETER KUHNE, ATKINS; DAN GILES, HDR; ERIC MADDEN, ACEC/PA; AND KRISTI REICHARD, RAUDENBUSH ENGINEERING.

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#### MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held March 18, 2014 be approved and filed as submitted-was made by Commissioner Pratt, seconded by Commissioner Logan, 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 Logan, 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 Logan, and passed unanimously.

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#### NEW BUSINESS

##### ESCROW ACCOUNT MONTGOMERY COUNTY

Motion-That the Commission authorizes the establishment of an Escrow Account with the Montgomery County Recorder of Deeds office to allow Commission Legal and Engineering staff to remotely search land records, at an initial amount of \$2,500.00 and the ability to replenish the Escrow Account when necessary-was made by Commissioner Pratt, seconded by Commissioner Logan, and passed unanimously.

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AGREEMENTS

Motion-That the Commission approves Agreements and an Amendment for the items listed in memos "a" through "c":

- a. Amendment to our agreement with Compliance Management International for safety consulting, to exercise our option to renew the agreement for an additional year (October 2014 – October 2015); at a not-to-exceed amount of \$70,000.00;
- b. Rental Agreement with the Pennsylvania Department of Transportation (PennDOT) for PennDOT to rent 1,250 square feet of office, storage and laboratory space at the Somerset Materials Testing Laboratory;
- c. Agreement with the Texas Department of Information Resources to use their cooperative purchasing contract for technology products and services.

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

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RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos "a" through "e":

- a. Acquisition of Right-of-Way #2066-B (*Timothy S. & Evelyn K. Ramsey*), a total take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00, by authorizing payment of fair market value, pro-rated taxes and recording fees of \$80,184.34 to *David J. Puzak, Esquire*, escrow agent; 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 the delivery of a deed as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #2067-B (*Timothy S. & Evelyn K. Ramsey*), a total take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00, by authorizing payment of fair market value, pro-rated taxes and recording fees of \$100,292.59 to *David J. Puzak, Esquire*, escrow agent; 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 the delivery of a deed as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #17653 (*James F. Loffert*), a partial take parcel necessary for construction of the Southern Beltway (US 22 to I-79 project), by authorizing payment of fair market value, estimated pro-rated taxes and recording fees of \$232,914.17 to *Fayette Professional Services, Inc.*, escrow agent, and payment for Section 710 damages of \$4,000.00 to

*Matchett Farm Partnership*; 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 the delivery of a deed as prepared by the Legal Department;

- d. Acquisition of Right-of-Way #2116-B (*William & Emma Steach*), a total take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00, by authorizing payment of fair market value, pro-rated taxes and recording fees of \$100,204.58 to *David J. Puzak, Esquire*, escrow agent; authorize the appropriate Commission officials to execute the required settlement documents; 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 prepared by the Legal Department;
- e. Settlement of Right-of-Way #14217-11 (*Kinder Morgan Energy Partners, LP, successor in interest to Buckeye Refining Company, LLC*), a total take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing settlement payment in the amount of \$13,000.00 to *Babst Calland*, escrow agent; authorize the appropriate Commission officials to execute the settlement agreement and release, as drafted by the Commission's outside legal counsel and approved by the Legal Department, and other documents as may be required for settlement; and payment of the settlement funds to the property owner is contingent upon its execution of a full and final release and settlement agreement as approved by the Legal Department.

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

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#### ADVERTISING

Motion-That the Commission approves advertising for an advisor with specific telecommunications infrastructure valuation experience to assist the Commission in evaluating its telecommunication assets - was made by Commissioner Pratt, seconded by Commissioner Logan, and passed unanimously.

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#### AWARD OF BIDS, A CHANGE ORDER AND ISSUANCE OF PURCHASE ORDERS

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

- a. Electricity Demand Response services, utilizing the Commonwealth's contract with Enerwise Global Technologies (Comverge); for an estimated revenue of \$561,871.00 over 3 years for the twenty-one PTC sites that will be participating in this program;

- b. Change Order for IT staff augmentation for one (1) System Administrator 4 Emerging SAP resource, to extend the agreement (through the Commonwealth's contract) with Computer Aid to June 30, 2014; at a total award of \$156,000.00;
- c. Emergency lighting repair service at the Delaware River Bridge, utilizing Carr & Duff; at a total award of \$249,987.19;
- d. Mechanics hardware supply contract, exercising our option to renew the agreement for an additional year (April 1, 2014 – March 31, 2015) with Midwest Motor Supply Company; at a cost of \$185,500.01.

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

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#### AWARD OF CONTRACTS

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

- a. Contract #T-145.50R001-3-02 for the Bedford Interchange slope stabilization (MP 145.50) and rock cut slope remediation from MP 145.81 to MP 146.58, to the lowest responsive and responsible bidder, New Enterprise Stone and Lime Co., Inc.; at a not-to-exceed amount of \$2,201,774.22 and a contingency of \$100,000.00;
- b. Contract #A-059.00R002-3-02 for shoulder and slope repairs between MP A57.25 and MP A64.85, to the lowest responsive and responsible bidder, Lehigh Asphalt Paving & Construction Co.; at a not-to-exceed amount of \$5,943,383.90 and a contingency of \$250,000.00;
- c. Contract #T-138.00R001-3-02 for bituminous overlay between MP 138.00 and MP 142.00, to the lowest responsive and responsible bidder, Grannas Bros. Stone and Asphalt Co., Inc.; at a not-to-exceed amount of \$5,306,263.40 and a contingency of \$250,000.00.

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

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#### SUPPLEMENTAL AGREEMENTS

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

- a. Supplemental Agreement #3 with Vitetta for architectural and engineering services for the Somerset Maintenance Facility reconstruction project, for an additional \$123,000.00 for additional architectural and engineering services needed to complete the construction phase due to unanticipated design changes; for a revised not-to-exceed amount of \$4,223,000.00;
- b. Supplemental Agreement #4 with Jacobs Engineering Group for design management of the I-95/I-276 Interchange project, for an additional \$4,500,000.00 to complete final design

management tasks associated with Stage 1 and a portion of Stage 2 construction and ongoing coordination with PennDOT and FHWA; for a revised not-to-exceed amount of \$18,200,000.00.

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

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#### CHANGE ORDERS/FINAL PAYMENT

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

- a. Change Order #6 and Final Payment for Contract #T-040.00T001-3-04 with Gulisek Construction, LLC for the replacement of Bridge WB-423 at MP 40.20, for an increase of \$23,232.20 to balance items to actual work completed, changes for septic tank demo, meter pit repairs, bituminous prime coat, construction of tapered curbs, additional access gate and conduit, topsoil placement, drainage work and additional signage; for a final contract value of \$3,676,332.76, and a final amount due to the contractor of \$228,775.98;
- b. Change Order #2 and Final Payment for Contract #EN-00105-03-07 with Road-Con, Inc. for roadway and miscellaneous repairs between MP 298.33 and MP 358.11, for a decrease of \$459,078.78 to balance items to actual work completed and a 209-day time extension due to increased quantities and weather limitations; for a final contract value of \$3,540,921.22 and a final amount due to the contractor of \$70,818.42;
- c. Change Order #2 and Final Payment for Contract #EN-00118-03-04 with Road-Con, Inc. for roadway and miscellaneous repairs between MP A20.00 and MP A130.30, for a decrease of \$335,303.93 to balance items to actual work completed; for a final contract value of \$3,864,696.07 and a final amount due to the contractor of \$79,132.81.

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

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#### 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 #3-257. Design management services for the total reconstruction projects from MP 155.00-160.00, MP 160.00-162.00, MP A44.00-A48.00; MP A48.00-A53.00 and MP A53.00-A57.00;
  - KCI Technologies, Inc.-AWARDED
  - Stantec Consulting Services, Inc.

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

- b. Ref #5-090. Deck and/or superstructure replacement of mainline bridges on the Northeast Extension utilizing accelerated bridge construction methods; Bridges NB-355 (MP A57.66), NB-360 (MP A58.88), NB-363 (MP A59.20) and NB-376 (MP A62.84);
- HDR Engineering, Inc.-AWARDED
  - Gannett Fleming, Inc.
  - URS Corporation

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

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ITEM ADDED TO THE FORMAL AGENDA

PURCHASE ORDER

Motion-That the Commission approves the Award of a Bid and the Issuance of a Purchase Order for twelve (12) 2014 Chevrolet Equinox SUV's, utilizing the Commonwealth's contract with Apple Automotive Group; at a total award of \$316,584.00-was made by Commissioner Pratt, seconded by Commissioner Lieberman, and passed unanimously.

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NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, April 22, 2014 beginning at 10:00 am.

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ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned was made at 11:09 a.m. - made by Commissioner Pratt, seconded by Commissioner Lieberman, and passed unanimously.

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PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.  
Secretary Treasurer