

MINUTES OF THE COMMISSION MEETING HELD APRIL 3, 2017

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:40 a.m. on April 4, 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.

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.; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; 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; 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; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Donna Lapano, Executive Office Assistant; Anthony Q. Maun, Asst. CFO/Accounting & Budgeting; 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; Mark A. Strause, Technician of PC/LAN Systems; Eric Madden, ACEC/PA; Michael Leinheiser, Urban; and Kristi Reichard, Raudenbush.



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, new hires and vacancies.

The Commissioners also discussed Docket No. 2013 cv 2187, 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 March 21, 2017 be approved and filed as submitted - were made by Commissioner Deon, seconded by Commissioner Richards, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

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



UNFINISHED BUSINESS

No unfinished business to discuss.



NEW BUSINESS

CHANGE ORDER/FINAL PAYMENT

Motion-That the Commission approves Change Order #4 and Final Payment for Contract #S-006.00X002-3-05 for wetland mitigation for the Southern Beltway, Section 55W with Cast & Baker Corporation, for a decrease of \$17,016.15 to balance items to actual work completed and enhancements to wildlife habitats as requested by the D.E.P.; for a final contract value of \$978,742.27 and final amount due to the contractor of \$34,626.48-was made by Commissioner Deon, seconded by Commissioner Richards, and passed unanimously.



AGREEMENTS

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

- a. Interagency Contribution Agreement with the Pennsylvania Department of Transportation (PennDOT) for PennDOT to contribute funds for the toll plaza construction modifications on Toll 66 (Greensburg Bypass) to accommodate super load vehicles; PennDOT will reimburse the Commission up to \$1,100,000.00;
- b. Agreement with Master Lock Safety Solutions to provide a safety speaker as part of the Commission's ongoing efforts to reduce employee injuries; at a not-to-exceed amount of \$30,000.00;
- c. Reimbursement Agreement with Equitrans LP to reimburse Equitrans the cost for the engineering and utility relocation work necessary for construction of the Southern Beltway, Section 55-C2-1; at a not-to-exceed amount of \$252,335.10;
- d. Oil and Gas Division Order with Burnett Oil Co. for Burnett to pay the Commission gas and oil royalties on Commission owned property in Fayette County; and accept payment of \$4,544.75 representing oil and gas royalties from October 17, 2013 to present;
- e. Reimbursement Agreement with the New Jersey Turnpike Authority (NJTA) to reimburse NJTA 50% of the emergency repair cost to the Delaware River Bridge; at an estimated cost to the Commission of \$7,500,000.00;
- f. Intergovernmental Cooperative Agreement with the Pennsylvania Department of Transportation (PennDOT) to set forth respective duties and obligations to enforce the provisions of Section 1380 of the Vehicle Code relating to collection and disposition of tolls and other revenue, and unpaid tolls or administrative fees;
- g. Reimbursement Agreement with CSX Transportation, Inc. to reimburse CSX the cost for flagging and protective services necessary for the replacement of Bridge WB-211 at MP 13.21; at a not-to-exceed amount of \$1,751,486.25;

- h. Memorandum of Understanding with AT&T Corporation to identify the areas where AT&T easements will remain in place, the areas where the Commission will provide required substitute right-of-way for AT&T, and will identify other obligations between both parties as necessary for the total reconstruction project from MP A31.00 to MP A38.00.

-was made by Commissioner Deon, seconded by Commissioners Richards, 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 "f":

- a. Acquisition of Right-of-Way #17984 (Gloria J. Spagiare), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$42,718.70 representing fair market value and pro-rated taxes to Gloria J. Spagiare, payment of \$1,600.00 representing Section 710 damages for appraisal fees to Audas & Associates, Inc., payment of \$2,400.00 representing Section 710 damages for attorney fees to Papernick & Gefsky, LLC; 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 her delivery of a deed prepared by the Legal Department;
- b. Acquisition of Right-of-Way #3316-A (Norfolk Southern Railway Company), a partial take parcel necessary for the replacement of the bridge at MP 228.54 by authorizing payment of \$71,900.00 representing fair market value to Norfolk Southern Railway Company; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that might 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 the delivery of a deed as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #1500-E1-05 (Albert A. Raspotnik-owner and Lamar Advantage GP Company, LLC-tenant), a partial take parcel necessary for the replacement of Bridge WB-500 at MP 59.58 by authorizing payment of \$35,000.00 representing the value in place for the acquired outdoor advertising device to Lamar Advantage GP Company, LLC; authorize the appropriate Commission officials to execute the Settlement Agreement 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;

- d. Acquisition of Right-of-Way #17730 (Montour Trail Council), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$12,675.50 representing fair market value and recording fees 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 damages to the property owner is contingent upon its delivery of a deed prepared by the Legal Department;
- e. Acquisition of Right-of-Way #1092-E (Charles A. Fochtman, William F. Fochtman and Wayne R. Fochtman, t/d/b/a Fochtman Brothers), a partial take parcel necessary for the total reconstruction project from MP 128.00 to MP 134.00 by authorizing payment of \$636.83 to Charles A. Fochtman, payment of \$636.83 to William F. Fochtman, payment of \$636.84 to Wayne R. Fochtman representing fair market value and pro-rated taxes; 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 #17754-1 (Mildred Gilbert-owner and Bozic Communications, Inc.-tenant), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$22,024.00 representing business dislocation damages to Bozic Communications, Inc.; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing; and to authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel.

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



ADVERTISING

Motion-That the Commission approves advertising for quality assurance construction project documentation auditing services -was made by Commissioner Deon, seconded by Commissioner Richards and passed unanimously.



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 "g":

- a. Microsoft Enterprise Client Access software licenses for 2017 annual true-up, utilizing the Commonwealth's contract with Dell Marketing, LP; at a total award of \$267,473.64;

- b. Transfer switch maintenance, service and repair (April 2017 – March 31, 2022), to Asco Services, Inc.; at a total award of \$487,040.06;
- c. Toll ticket and APM receipt paper rolls, exercising the option to renew the agreement for an additional year (June 1, 2017 – May 31, 2018) with Iconex LLC; at a cost of \$300,000.00;
- d. IT staff augmentation, exercising the option to renew the agreement through May 31, 2018 with Optimal Solutions & Technologies, Inc.; at a total award of \$3,000,000.00;
- e. Tree clearing from MP 61.15 to MP 67.15, to the lowest responsive and responsible bidder, Land Clearing Specialists, Inc.; at a total award of \$844,447.14;
- f. Tree clearing from MP 47.55 to MP 54.44, to the lowest responsive and responsible bidder, Sidelines Tree Service, LLC; at a total award of \$922,547.50;
- g. Gate parts, exercising the option to renew the agreements (May 1, 2017 – April 30, 2019):

Allegheny Fence Co.	\$100,000.00
Electronic Systems Integration, Inc.	<u>\$ 25,000.00</u>
TOTAL VALUE:	\$125,000.00

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, April 18, 2017 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:49 a.m. -was made by Commissioner Deon, seconded by Commissioner Richards, and passed unanimously.

