

MINUTES OF THE COMMISSION MEETING HELD APRIL 3, 2018

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:22 a.m. on April 3, 2018 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Barry Drew, Secretary Treasurer and John Wozniak, Commissioner. Available via telephone were Leslie Richards, Chair; William K. Lieberman, Vice Chair and Pasquale T. Deon, Sr., 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.; 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 McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity & Inclusion; Stacia A. Ritter, Esquire-Director of Policy and External Affairs; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Richard S. DiPiero, Senior Fare Collection Operations Manager; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Jeffrey A. Naugle, Manager of Treasury Operations; Mark A. Strause, Technician of PC/LAN Systems; Paul McNamee, KCI; David Lowdermilk, WSP; and Blair Stocker, RVE.



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, demotion, performance incentive award, new hires and vacancies.

The Commissioners also discussed Docket No. 2016-121-L, NO. 4110 and No. 1:18-CV-00608-YK 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 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 20, 2018 be approved and filed as submitted - were made by Commissioner Drew, seconded by Commissioner Wozniak, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS  
SUPPLEMENTS

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 #1 for open-end environmental services with A.D. Marble & Company, for an additional \$500,000.00 to obtain systemwide NEPA clearances required for the P3 Broadband Fiber projects; for a revised not-to-exceed amount of \$1,250,000.00;
- b. Supplemental Agreement #1 for open-end environmental services with Rettew Associates, Inc., for an additional \$500,000.00 to obtain the systemwide NEPA clearances required for the P3 Broadband Fiber projects; for a revised not-to-exceed amount of \$1,250,000.00.

-was made by Commissioner Drew, seconded by Commissioner Wozniak, and approved unanimously.



### AGREEMENTS

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

- a. Reimbursement Agreement with Columbia Gas of PA, Inc. to reimburse Columbia Gas the costs to perform the engineering and utility relocation necessary for the replacement of Bridge WB-209 at MP 12.83; at a not-to-exceed amount of \$697,110.89;
- b. Reimbursement Agreement with Fort Cherry School District to reimburse the District the costs incurred by the District due to the detour of Candor Road that is required for construction of the Southern Beltway; at a total amount of \$113,580.00;
- c. Amendments to all agreements that are affected by the re-routing of I-95 onto the Turnpike which is part of the I-95/I-276 Interchange project; the mileposts in the impacted areas from the I-95 Interchange to the Delaware River Bridge will be re-numbered and will need to be amended accordingly in the agreements.

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



### RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Request for the items listed in memo "a":

- a. Acquisition of Right-of-Way #14081-RA1 (Temple Sinai Pittsburgh PA), a partial take parcel necessary for the total reconstruction project from MP 53.00 to MP 57.00 by authorizing payment of \$5,013.50 representing fair market value and pro-rated taxes to Temple Sinai Pittsburgh PA; 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 deliver of a deed as prepared by the Legal Department;

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

VICE CHAIR LIEBERMAN: I abstain on this item because I am a member of Temple Sinai Pittsburg.

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

- b. Acquisition of Right-of-Way #14129A-7 (Jerry Mazza, Eric Englert), a partial take parcel necessary for construction of the Southern Beltway by authorizing payment of \$2,100.00 representing moving payment to Eric Englert; 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;
- c. Acquisition of Right-of-Way #14079-RC (David J. Poremba), a total take parcel necessary for the total reconstruction project from MP 49.00 to MP 53.00 by authorizing payment of \$3,146.50 representing fair market value and pro-rated taxes to David J. Poremba; 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 his delivery of a deed prepared by the Legal Department;
- d. Acquisition of Right-of-Way #14098-A (Dale M. Connelly), a partial take parcel necessary for the total reconstruction project from MP 53.00 to MP 57.00 by authorizing payment of \$302,572.55 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, 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 fair market value is contingent upon the delivery of a deed as prepared by the Legal Department;
- e. Acquisition of Right-of-Way #15306-S-01 (Irwin Management LLC; J.C. Irwin, Inc.), a total take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$52,703.50 representing search costs, personal property loss and business dislocation damages payment to J.C. Irwin, Inc.; authorize the appropriate Commission officials to execute the documents required to settle the claim; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of relocation damages is contingent upon the Legal Department's receipt of all necessary documentation;
- f. Acquisition of Right-of-Way #3357-A (Strong & Detweiler Partnership; Ruth D. Leshner), a partial take parcel necessary for the replacement of Bridge EB-117 at MP 238.00 by authorizing payment of \$8,150.00 to Strong & Detweiler partnership, and authorizing payment of \$8,150.00 to Ruth D. Leshner; authorize the appropriate Commission officials to execute the Temporary Construction Easement 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 is contingent upon the delivery of the Temporary Construction Easement as prepared by the Legal Department;

- g. Acquisition of Right-of-Way #14081-J (Plum Borough School District), a total take parcel necessary for the total reconstruction from MP 53.00 to MP 57.00 by authorizing payment of \$250,000.00 representing fair market value to Fee Simple Settlement, LLC, 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 fair market value to the property owner is contingent upon its delivery of a deed prepared by the Legal Department;
- h. Acquisition of Right-of-Way #13026 (Kensa Cranberry Associates, LP), a partial take parcel necessary for the pre-entry DMS ITS from MP 10.00 to MP 201.00 by authorizing payment of \$2,754.71 representing fair market value and pro-rated taxes to Kensa Cranberry Associates, LP; 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 of easement as prepared by the Legal Department;
- i. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14009-D-RH (Michael E. Newingham), a partial take parcel necessary for the total reconstruction from MP 28.00 to MP 31.00 by authorizing payment of \$6,500.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- j. Acquisition of Right-of-Way #14238-RA (Beverly J. Farbacher), a partial take parcel necessary for the total reconstruction project from MP 49.00 to MP 53.00 by authorizing payment of \$2,100.00 representing fair market value and Section 710 statutory damages for appraisal fees to Beverly J. Farbacher; authorize the appropriate Commission officials to execute the Temporary Construction Easement 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 her delivery of an executed Temporary Construction Easement as prepared by the Legal Department.

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



#### ADVERTISING

Motion-That the Commission approves advertising for a drilling contract to perform subsurface boring, sampling and testing services from MP 247.30 to the Delaware River Bridge, and the Northeast Extension -was made by Commissioner Drew, seconded by Commissioner Wozniak and passed unanimously.



PURCHASE ORDER

Motion-That the Commission approves the Purchase Orders for the items listed in memos “a” through “d”:

- a. Bottled welding gases, exercising the option to renew the agreements for an additional two-years (June 1, 2018 – May 31, 2020):

Dale Oxygen & Acet. Service, Inc.	\$20,000.00
Airgas USA, LLC	<u>40,000.00</u>
TOTAL RENEWAL:	\$60,000.00
  
- b. Checkpoint internet security gateway tech support, utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a total award of \$119,356.75;
  
- c. Sludge and residual waste water removal, exercising the option to renew the agreement for an additional year (July 1, 2018 – June 30, 2019) with ACV Environ APV/Allstate Power Vac Inc; at a cost of \$205,000.00;
  
- d. Annual True-up of additional Microsoft licenses, utilizing the Commonwealth’s contract with CDW Government LLC; at a total award of \$200,284.54.

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



AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #T-186.20M001-3-02 for a traffic management system for the Tuscarora Tunnel, to the lowest responsive and responsible bidder, Wellington Power Corporation; at a not-to-exceed amount of \$4,684,796.98 and a contingency of \$200,000.00-was made by Commissioner Drew, seconded by Commissioner Wozniak, and passed unanimously.



CHANGE ORDERS

Motion-That the Commission approves the Change Orders for the items listed in memos “a” and “b”:

- a. Change Order #1 for Contract #T-057.00R002-3-03 for bituminous resurfacing between MP 61.80 and MP 67.59 with Derry Construction Company, Inc., for an increase of \$707,364.36 for rock armor overrun (plan quantity was 433 CY and the anticipated quantity is 5140 CY); for a revised not-to-exceed amount of \$14,381,350.73;
  
- b. Change Order #1 for Contract #T-306.00R002-3-02 for bituminous resurfacing from MP 306.38 to MP 312.35 and from MP 316.38 to MP 316.86 with Allan A. Myers, LP, for an increase of \$218,867.64 to balance items to actual work completed, extra work due to unforeseen conditions created by deteriorating existing binder creating the need for a leveling course and milling

restrictions, additional changes for superpave material, milling, pavement markings, MPT and payment adjustment for asphalt materials; for a revised not-to-exceed amount of \$3,886,422.64.

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, April 17, 2018 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:28 a.m. -was made by Commissioner Drew, seconded by Commissioner Wozniak, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Barry Drew  
Secretary Treasurer