

MINUTES OF THE COMMISSION MEETING HELD APRIL 16, 2019

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:55 a.m. on Tuesday, April 16, 2019 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Leslie S. Richards, Chair; William K. Lieberman, Vice Chair; Pasquale T. Deon Sr., Commissioner and John Wozniak, Commissioner. Available via telephone was Barry Drew, Secretary Treasurer.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Banker, Chief Engineer, Michael Baker International; Robert F. Brady, Director of Operations/Projects-East; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity & Inclusion; Stacia A. Ritter, Esquire, Director of Policy and Fare Collection; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Jamie May, Technical Accounting Manager; Jeffrey A. Naugle, Manager of Treasury Operations; Lynn Stakem, Senior General Accountant; Steven Zehring, Senior Network Engineer; Tony Romeo, KYW-AM; Rick Welsh, Wells Fargo; Jill Bolt, T.Y. Lin; Allison DeFoor, The Temple Group; Harry Sigley, CMTS; Michael Gross, Wallace Montgomery; Dave Littlewood, WSP; Steve Barber, Michael Baker Int'l; Damon Rhodes, Larson; Mike Manzo, Triad Strategies; and Britt Muniz, Office of General Counsel.



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 an annuitant, new hires, reclassifications, terminations and vacancies.

The Commissioners also 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 April 2, 2019 be approved and filed as submitted -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.

COMMUNICATIONS

Motion-That the Commission approves the memos received from the Chief Counsel and the Director of Procurement & Logistics-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

OPEB

Motion-That the Commission approves the transfer of an additional \$30,000,000.00 to the Pennsylvania Turnpike Commission Retiree Medical Trust (OPEB) for Fiscal Year 2019, to help reduce future operating expense growth -was made by Commissioner Wozniak, seconded by Commissioner Deon, and approved unanimously.



AGREEMENTS

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

- a. Supplemental Reimbursement Agreement with PECO Energy Company, to reimburse PECO for the engineering and utility relocation work necessary for the I-95 Route 13 connector, for an additional \$438,270.19 due to limited allowable working hours and higher labor costs; for a revised not-to-exceed amount of \$752,121.25;
- b. Reimbursement Agreement with Duquesne Light Company (DLC), to reimburse DLC for the design studies and engineering for the relocation of DLC's transmission towers and various lines necessary for construction of the Mon/Fayette Expressway, Sections A, B & C; at a not-to-exceed amount of \$4,785,777.00;
- c. Reimbursement Agreement with Norfolk Southern Railroad, to reimburse the railroad for the engineering work necessary for the repairs on Bridge NB-327 at MP A51.76, at a not-to-exceed amount of \$25,000.00;
- d. Deed of Relinquishment with Southern Alleghenies Conservancy, to extinguish the covenant requiring the Commission to approve future transfer of right-of-way property in Bedford and Fulton Counties (Ray's Hill Tunnel and Sideling Hill Tunnel) for recreational purposes and to extinguish the reversionary interest held by the Commission for future highway uses.

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



RIGHT-OF-WAY REQUEST

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 #14S291-1 (Robert W. & Christa E. Wilson; Kenneth A. Bernardi d/b/a Sandy Lake), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$71,595.00 representing business dislocation damages, personal property loss and search costs to Kenneth A. Bernardi d/b/a Sandy Lake; 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 #1A164-B (Estate of Richard A. Giles, Sr.), a total take parcel necessary for the Donegal slide remediation project at MP 90.20 by authorizing payment of up to \$4,000.00 for Section 710 statutory damages; also authorize payment of \$1,000.00 representing partial payment of the same to Snyder & Snyder, Attorneys at Law, PLLC;
- c. Acquisition of Right-of-Way #14S232 (Christopher J. & Yan Fang Clair), a total take parcel necessary for construction of the Mon/Fayette Expressway by authorizing payment of \$57,615.67 representing fair market value, pro-rated taxes and recording fees to Universal Settlement Services of PA, 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;
- d. Acquisition of Right-of-Way #14S376-1 (S & S Auto Service, Inc.; Kayla Krivjansky; Scott Unrue), a total take parcel necessary for construction of the Mon/Fayette Expressway by authoring payment of \$28,350.00 representing down payment supplement to Financial Dimensions, Inc., escrow agent; authorize payment of \$6,155.62 representing residential actual move costs to South Hills Movers, Inc.; also authorize payment of \$500.00 representing residential fixed schedule move costs to Kyla Krivjansky and Scott Unrue; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- e. Acquisition of Right-of-Way #14S235 (Karyn A. Laychack Leonard; Harry L. Leonard), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$69,068.15 representing fair market value, pro-rated taxes and recording fees to Universal Settlement Services of PA, 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 owners is contingent upon their delivery of a deed as prepared by the Legal Department.

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



OCIP

Motion-That the Commission approves payment of the invoice to ACE, through our broker AON, for a total amount of \$94,414.00, which represents the premium for the Owner Controlled Insurance Program (OCIP) for the Southern Beltway, US 22 to I-79 (through June 18, 2021)-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PURCHASE ORDERS

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

a. AV room upgrade and expansion (April 2019 – April 2020), utilizing the Commonwealth’s contract with Visual Sound, Inc.; at a total award of \$800,000.00;

b. Change Order to the contracts for delineation markers, to cover requirements through the end of the contract (December 31, 2019):

Uniquesource Products	\$200,000.00
Pexco, LLC	100,000.00
Ennis Flint	<u>0.00</u>
TOTAL CHANGE ORDERS:	\$300,000.00

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



AWARD OF CONTRACTS

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

a. Contract #T-085.00R003-3-02 for bituminous resurfacing between MP 84.93 and MP 94.13, and shoulder and slope work between MP 94.13 and MP 99.00, to the lowest responsive and responsible bidder, Lindy Paving, Inc.; at a not-to-exceed amount of \$25,477,912.21 and a contingency of \$1,000,000.00;

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

VICE CHAIR LIEBERMAN: I abstain on this item because Lindy Paving, Inc. is a client of my firm.

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

b. Contract #T-258.77R001-3-02 for Lawn Service Plaza auxiliary truck parking (MP 258.77), to the lowest responsive and responsible bidder, Hempt Bros., Inc.; at a not-to-exceed amount of \$6,669,728.23 and a contingency of \$250,000.00.

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



CHANGE ORDERS/FINAL PAYMENTS

Motion-That the Commission approves the Change Order and Final Payment for the item listed in memo "a":

- a. Change Order #1 and Final Payment for Contract #T-000.00R001-3-02 for bituminous resurfacing between MP 0.00 and MP 2.22 with Lindy Paving, Inc., for an increase of \$39,287.61 to balance items to actual work completed; for a final contract value of \$3,391,325.41 and final amount due to the contractor of \$260,775.89;

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

VICE CHAIR LIEBERMAN: I abstain on this item because Lindy Paving, Inc. is a client of my firm.

Motion-That the Commission approves the Final Payment for the item listed in memo "b":

- b. Final Payment for Contract #T-286.09R001-3-02 for pavement repairs at the Reading Interchange with New Enterprise Stone & Lime Co., Inc., for a final contract value of \$3,838,252.41 and final amount due to the contractor of \$195,554.65.

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



PSPC AWARDS

Motion-That the Commission approves the award of services and authorize the negotiation and execution of an agreement with the selected firm(s) RFP #8436, actuarial valuation services for Other Post-employment Benefits (OPEB):

- Conrad Siegel-AWARDED
- Milliman, Inc.

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, May 7, 2019 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 12:05 p.m. -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.

