

MINUTES OF THE COMMISSION MEETING HELD APRIL 17, 2012

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:32 a.m., April 17, 2012 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were William K. Lieberman, Chairman; A. Michael Pratt, Esq., Vice Chairman; Pasquale T. Deon, Sr., Commissioner and Barry J. Schoch, P.E., Secretary of Transportation.

Others present for the meeting were Roger E. Nutt, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Robert F. Brady, Director of Operations/Projects-East; William J. Capone, Director of Communications/Public Relations; Richard S. DiPiero, Director of Fare Collection; Jeffrey L. Garrett, Chief Engineer, Michael Baker Jr., Inc.; Todd S. Garrison, Director of Maintenance; Nikolaus Grieshaber, Chief Financial Officer; Jeffrey L. Hess, Director of Operations/Projects-West; Frank J. Kempf, Jr., Chief Engineer; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director, Diversity & Inclusion; Joseph P. Suess, Acting Chief Information Officer; Stacia A. Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Christine J. Baker, Public Information/Photo Specialist; Susan Carson-Casoni, Cash Manager; Kelly Decker, Attorney IV; Carl E. DeFebo, Jr. Manager of Public Information-East; Michael W. Flack, Assistant Chief Engineer-Construction; Gary L. Graham, Assistant Chief Engineer-Design; Donald S. Klingensmith, P.E., Manager of Contracts Administration; Donna Lapano, Executive Office Assistant; Anthony Q. Maun, Director of Accounting; Jeffrey A. Naugle, Manager of Treasury Operations; Bob Rosell, Technician of PC/LAN Systems; Patricia F. Schlegel, Director of Human Resources; Lynn Stakem General Accountant; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Dean Kohr, Atkins; Patrick Malone, Buchanan Ingersoll; Rick Welsh, Wells Fargo; David Russell, IPS; Rich Stees, Erdman Anthony; Robert Bistline, HNTB; Brad Heigel, Michael Baker, Jr., Inc.; Henry Nutbrown, Jacobs; Tom Bice, URS; Mike Ryan, Michael Baker, Jr., Inc.; and Joe DiFiore, PB.

*

Ms. Edmunds led the Commissioners and staff in the Pledge of Allegiance.

*

Craig Shuey, COO and William Lieberman, Chairman discuss the Chairman's job shadowing experience with the Fare Collection and Maintenance Departments.

*

The Assistant Secretary Treasurer, Ann Louise Edmunds, called the roll and declared a quorum available.

*

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 PROMOTION, TITLE CHANGES, REORGANIZATION, TERMINATIONS, NEW HIRES, SALARY CHANGE, VACANCIES AND REQUESTS TO CREATE AND FILL, AND TO POST AND FILL AND TO CREATE, POST AND FILL POSITIONS IN THE LEGAL, ENGINEERING, MAINTENANCE AND FACILITIES AND ENERGY MANAGEMENT DEPARTMENTS; AND REVISIONS TO POLICY LETTERS 2.6 AND 2.7.

THE COMMISSIONERS 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, 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.

DEAN KOHR, ATKINS
PATRICK MALONE, BUCHANAN INGERSOLL
RICK WELSH, WELLS FARGO
DAVID RUSSELL, IPS
RICH STEES, ERDMAN ANTHONY
ROBERT BISTLINE, HNTB
BRAD HEIGEL, MICHAEL BAKER, JR., INC.
HENRY NUTBROWN, JACOBS
TOM BICE, URS
MIKE RYAN, MICHAEL BAKER, JR., INC.
JOE DIFIORE, PB.

*

MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held April 3, 2012 be approved and filed as submitted-was made by Commissioner Pratt seconded by Commissioner Deon; and passed unanimously.

*

COMMUNICATIONS

Motion-That the Commission accepts and files the memos received from the Chief Counsel and the Manager of Strategic Sourcing & Asset Management-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

*

PERSONNEL

Motion-That the Commission approves the Personnel as amended-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

*

NEW BUSINESS

CHANGE ORDERS/FINAL PAYMENTS

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

- a. Change Order #1 and Final Payment for Contract #EN-00097-03-02 with New Enterprise Stone and Lime Co., Inc. for roadway and miscellaneous repairs between MP 75.39 and MP 179.44, for a decrease of \$893,784.72, necessary for normal quantity adjustments to balance items to actual work completed; making the final contract value \$2,106,215.28, and a final amount of \$109,386.81 due to the contractor;
- b. Change Order #1 and Final Payment for Contract #T-109.00R001-3-02 with Strawser Construction, Inc. for micro surfacing between MP 108.95 and MP 121.83, for a decrease of \$2,590.84, necessary for normal quantity adjustment to balance contract items to actual work completed and additional costs for pavement marking removal and pavement reflector removal; making the final contract value \$2,074,304.51, and a final amount of \$189,924.34 due to the contractor.

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

*

AGREEMENTS

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

- a. Easement Agreement with Upper Dublin Township, for the Township to construct a stormwater management and flood control project for the Pine Run Watershed. The Commission's right-of-way will contain two isolated areas where water may be detained from the natural rise and flow of the waterway which should also reduce the frequency of flooding at the Fort Washington Interchange;
- b. Reimbursement Agreement with Sun Pipe Line Company to reimburse Sun Pipe Line the costs to perform the engineering and facility relocation work necessary for the replacement of Bridge B-552 at MP 153.06; at a not-to-exceed amount of \$360,072.50;

-was made by Commissioner Deon, seconded by Commissioner Schoch.

Motion-That the Commission approves the Agreements for the item listed in memo "c":

- c. Reimbursement Agreement with PECO Energy to reimburse PECO the costs to perform the engineering and facility relocation work necessary for the replacement of Ford Road Bridge; at a not-to-exceed amount of \$565,628.00.

-was made by Commissioner Deon, seconded by Commissioner Schoch; Commissioner Pratt abstained.

VICE CHAIRMAN PRATT: MR. CHAIRMAN, I ABSTAIN ON THE VOTE BECAUSE THE VENDOR LISTED IS A CLIENT OF MY FIRM.

The motions passed.

*

RIGHT-OF-WAY REQUEST

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

- a. Authorize the acquisition of Right-of-Way #7088-A, a partial take parcel necessary for construction of the I-95 Interchange project, by authorizing the issuance of payment in the amount of \$5,560.00, representing fair market value and pro-rated taxes; authorize the appropriate Commission officials to execute the agreement of sale and other documents as may be required for closing; authorize payment of additional statutory damages as calculated by the Right-of-Way Acquisition Unit and approved by the Chief Counsel; and payment of fair market value to the property owner is contingent upon its delivery of a deed as prepared by the Legal Department;
- b. Authorize the acquisition of Right-of-Way #7090-D, a partial take parcel necessary for construction of the I-95 Interchange project, by authorizing the issuance of payment in the amount of \$2,300.00, representing fair market value; authorize the appropriate Commission officials to execute the agreement of sale and other documents as may be required for closing; authorize payment of additional statutory damages as calculated by the Right-of-Way Acquisition Unit and approved by the Chief Counsel; and payment of the fair market value to the property owners is contingent upon the delivery of a deed as prepared by the Legal Department.

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

*

ADVERTISING

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

- a. Engineering firm to perform geotechnical services systemwide;
- b. Contract #T-135.30S001-3-02 for painting of Bridge B-491 at MP 135.30;
- c. Contract #T-075.20S001-3-02 for painting of ramp Bridge B-472A at MP 75.20;

- d. Real Estate consultant to assist with real estate development and other large scale real estate related projects.

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

*

AWARD OF BIDS AND ISSUANCE OF PURCHASE ORDERS

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

- a. Magnetic stripe toll tickets, exercising our option to renew the agreement for an additional year with Electronic Data Magnetics; at an additional cost of \$180,000.00;
- b. Office supplies for Central Office and Everett Fare Collection, exercising our option to renew the agreement for an additional year with Office Basics, Inc.; at an additional cost of \$55,000.00;
- c. Electricity Demand Response Services, utilizing the Commonwealth's contract with Enerwise Global Technologies (Comverge), as a revenue-generating agreement;
- d. Twenty-two (22) Welding smoke collectors, to the lowest responsive and responsible bidder, Effective Controls, Inc.; at a total award of \$141,526.00;
- e. Spare and replacement equipment for remote network locations (interchanges, maintenance sheds, engineering trailers, slip ramps & training sites), utilizing the Commonwealth's contract with ePlus Technology, Inc.; at a total award of \$125,532.43;
- f. Two (2) Cisco Firewalls, utilizing the Commonwealth's contract with ePlus Technology, Inc.; at a total award of \$159,906.14;
- g. Mobile generator unit with start-up and cables, utilizing the Commonwealth's contract with Cleveland Brothers; at a total award of \$158,540.00;
- h. Change Order to the purchase order for Automated Data Collection with Applied Research Associates, Inc., to update the current web image viewer; at an additional cost of \$51,000.00; increasing the purchase order to \$217,000.00;
- i. Phone system upgrade for the Central Office; utilizing the Commonwealth's contract with Morefield Communications; at a total award of \$128,361.00;
- j. Change Order to the purchase order for plow blades and hardware with Ironhawk Industrial Distribution d/b/a Equipment Express, to order additional stock; at an additional \$130,000.00; increasing the purchase order to \$455,000.00.

-was made by Commission Deon, seconded by Commissioner Schoch; and passed unanimously.

*

AWARD OF CONTRACTS

Motion-That the Commission approves the Award of Contracts for the items listed in memos “a” and “b”:

- a. Contract #T-012.00R001-3-02 for bituminous resurfacing between MP 101.70 and MP 108.95 and sign installation between MP 99.95 and MP 109.00; to the lowest responsive and responsible bidder, New Enterprise Stone and Lime Co., Inc.; at a not-to-exceed amount of \$5,993,804.00 and a contingency of \$250,000.00;
- b. Contract #T-094.00R001-3-02 for bituminous resurfacing between MP 94.13 and MP 99.15 and sign installation between MP 94.00 and MP 99.95; to the lowest responsive and responsible bidder, New Enterprise Stone and Lime Co., Inc.; at a not-to-exceed amount of \$2,834,733.51 and a contingency of \$150,000.00.

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

*

AWARD OF SERVICES

Motion-That the Commission approves the award of services and authorizes the negotiation and execution of an agreement with the selected firm(s) for the items listed in Resolutions “a” through “e”:

- a. Two (2) construction inspection services for the I-95/I-276 Interchange project; at a not-to-exceed amount of \$7,500,000.00 each, to AECOM Technical Services, Inc. and Parsons Brinckerhoff, Inc.-was made by Commission Deon, seconded by Commission Pratt; and passed unanimously.
- b. Material inspection and testing services for the I-95/I-276 Interchange project; at a not-to-exceed amount of \$950,000.00, to Jeff Zell Consultants, Inc.-was made by Chairman Lieberman, seconded by Commissioner Pratt; and passed unanimously.
- c. Construction inspection project management services for bridge replacements; at a not-to-exceed amount of \$1,500,000.00, to Erdman Anthony-was made by Commissioner Deon; seconded by Commissioner Pratt; and passed unanimously.
- d. Armored courier services, for 3-years, to Brink’s U.S.-was made by Commissioner Pratt, seconded by Commissioner Deon; and passed unanimously.
- e. Communications systems maintenance contract, for 5-years, to TransCore-was made by Commissioner Pratt, seconded by Commissioner Deon; and passed unanimously.

*

ITEM ADDED TO THE FORMAL AGENDA

Motion-That the Commission approves the negotiation and execution of an agreement with CSI to provide confidential investigative or audit services-was made by Commissioner Pratt, seconded by Commissioner Deon, and passed unanimously.

*

Craig Shuey and the Commissioners recognized the retirement of Frank Kempf and offered the Commissions thanks for the many years of service and wished him well in his retirement. Also noted the walking path around the Central Office building is going to be named after Frank.

*

NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of The Pennsylvania Turnpike Commission will be a telephone meeting to be held Tuesday, May 1, 2012 beginning at 10:00 am.

*

ADJOURNMENT

Motion-That this meeting of The Pennsylvania Turnpike Commission be adjourned at 11:55 a.m in honor of Frank Kempf's retirement and Brad Heigel starting as Chief Engineer-was made by Commissioner Deon, seconded by Commissioner Schoch; and passed unanimously.

*

PREPARED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

04-17-12

APPROVED BY:

J. William Lincoln
Secretary Treasurer

ATTACHMENT NUMBER 1

COMMUNICATIONS: MEMO RECEIVED FROM THE CHIEF COUNSEL