

MINUTES OF THE COMMISSION MEETING HELD APRIL 20, 2021

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:52 a.m. on Tuesday, April 20, 2021 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were Yassmin Gramian, P.E., Chair; William K. Lieberman, Vice Chair; Pasquale T. Deon, Sr., Commissioner and Wadud Ahmad, Commissioner. Present for the meeting was John Wozniak, Secretary Treasurer.

Available for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Bradley J. Heigel, P.E., Chief Engineer; Carl DeFebo, Jr., Director of Public Relations & Marketing; Charles Duncan III, Esquire, Chief Compliance, Legis. & Cultural Affairs; Doreen McCall, Chief Counsel; Myneca Ojo, Director of Diversity and Inclusion (via telephone); Kelli Roberts, Director of Policy and External Affairs; Ray Morrow, Chief Compliance Officer (via telephone); Rick Dreher, Chief Financial Officer; Robert Brady, Director of Operations/Projects-East (via telephone); Robert Taylor, Chief Technology Officer; Stacia Ritter, Asst. Chief Operating Officer/Toll Collection (via telephone); and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via telephone were Catherine Clements-Jenkins, Equal Opportunity/ADA Officer; Connie Kreischer-Slingbaum, Executive Administrative Asst.; Don Klingensmith, Asst. Chief Fin. Officer for Financial Administration; Anna Marcella, Executive Administrative Assistant; Gina Murray, Senior Procurement Specialist; Holly Herdman, Transportation Planning Specialist 3; Karen Muro, Senior Human Resources Specialist; Lori Clelan, Audit Analyst; Louis Van Gorder, Attorney 4; Mike Schultz, Transportation Planning Specialist 3; Rich Dipiero, Manager of Interchange Operations; Sheri Norris, Director of Human Resources; Stephanie Newbury, Procurement Specialist; Susan Carson-Casoni, Cash Manager; Susan Jones, Public & Media Relations Asst.; Tammy Miller, Legislative Assistant; William Poole, Engineer Project Manager 3; Jeff Naugle, Manager of Treasury Operations; Jesse Ream, Communication Systems Program Manager (in person); Shawn Laudenslager, End User Support Supervisor (in person); Tom Porter, Michael Baker (in person); Brian Moore, JBC; Bruce Kay, AECOM; Camille Evans, Virtus, LLP; Cody Goss, McTish, Kunkel & Assoc.; Dan Laird, Hill International; Dan O'Brien, RBC Capital Markets; David Thomas, Hill International; Ed Blazina, Pittsburgh Post-Gazette; Ed Reese, GPD Group; Eric Epstein, Rock The Capital; Eric Madden, JMT; Eric Meyer, WRA, LLP; George Settelmaier, KSE; Greg Sheffler, TRC; Janet Cunningham; Jill Bolt, T Y Lin; Jim Brady, STV; Jim Takacs, STV; Jon Livingston, Jacobs; Joseph DiFiore, Wallace Pancher Group; Karen Gabel, Erdman Anthony;

Mark Karolski, Buchart Horn; Mike Phillips, Navarro & Wright; Mike House, Modjeski & Masters; Paul McNamee, KCI; Scott Schaeffer; Steve Ryan; Steve Barber, Michael Baker (in person); Thomas Belk, Gannett Fleming; Tom Davis, Urban; Tom Rowader, GPI; Tony Dougherty, TPD; Dr. Ed Hubbard; Hubbard & Hubbard; Dr. Myra Hubbard; Hubbard & Hubbard.



Chair Gramian led the Commissioners, staff and visitors in the Pledge of Allegiance.

The Assistant Secretary Treasurer, Ann Louise Edwards, called the roll and declared a quorum available. Mrs. Edwards welcomed the Commissioners, employees and guests on the WebEx and made the following statement:

Due to COVID-19, the Pennsylvania Turnpike Commission Administration Building remains closed to visitors. Accordingly, the Commission Meetings will be held via telephone (through June 2020 or until further notice). The Commission will continue to post call-in/WebEx information for those who wish to attend the meeting via telephone/WebEx. WebEx information should be posted at least 48 hours in advance of the meeting. The Commission will continue to closely monitor the CDC's and other government websites for up-to-date information regarding COVID-19, risk assessment and guidance to business. This meeting is being recorded and the Commission will post the recording on its website.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a promotion, reclassification, new hires, terminations, vacancies, department reorganizations, and a request to post a position in the Maintenance and IT Departments.

The Commissioners also discussed Docket No. 2019-872 and engaged in non-deliberative, informational discussions regarding various actions and matters, which have been approved at previous public meetings.



PUBLIC COMMENT

Mrs. Edwards: 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 requested time to speak at least 48 hours in advance of this meeting.

The Commission recognized Eric Epstein. Mr. Epstein addressed board protocol, software contracts and a legal issue. A copy of Mr. Epstein's written statement is attached to these minutes.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held April 6, 2021 be approved and filed as submitted-was made by Commissioner Wozniak, seconded by Commissioner Ahmad, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approve the memos received from the Chief Counsel and the Asst. CFO-Financial Administration-was made by Commissioner Wozniak, seconded by Commissioner Ahmad, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



AUTHORITY-DIRECTOR OF MAINTENANCE

Motion-That the Commission grants authority to the Director of Maintenance, or designee, to sign titles or other paperwork necessary for the purchase, transfer or sale of fleet vehicles- was made by Commissioner Wozniak, seconded by Commissioner Ahmad and passed unanimously.



AGREEMENTS

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

- a. Sale of 1.136 acres of Commission owned property in Carroll Township, Washington County to Cross Development to access its adjoining property; Cross Development will pay the Commission \$110,000.00 plus development costs;
- b. Agreement with Tops Markets, LLC to distribute E-ZPass Go Paks in its stores in northern PA;
- c. Amendment to our agreement with Karns Foods for E-ZPass Go Pak distribution; exercising the option to renew the agreement for an additional five years;

- d. Settlement Agreement and Release with Sheila Farley and authorize issuance of the worker's compensation settled amount;

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

Motion-That the Commission approve the negotiation and execution of an Amendment to our agreement with Alliant Broker Services for Human Resources insurance broker and consultant services; exercising the option to renew the agreement for an additional year (November 4, 2021 – November 3, 2022); at a cost of \$78,000.00-was made by Commissioner Wozniak, seconded by Commissioner Ahmad; Commissioner Lieberman abstained.

VICE CHAIR LIEBERMAN: I abstain on this item because Alliant Broker Services is a client of my firm. The motion passed.



RIGHT-OF-WAY REQUESTS

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

- a. Acquisition of Right-of-Way #7229-A (Arthur N. & Judith A. Cameron), a partial take parcel necessary for the total reconstruction from MP A38.00 to MP A44.00 by authorizing payment of \$6,075.00 representing fair market value and pro-rated taxes to Arthur N. & Judith A. Cameron; 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;
- b. Acquisition of Right-of-Way #7223-A1 (Kenneth W. & Janet Engelman), a partial take parcel necessary for the total reconstruction from MP A38.00 to MP A44.00 by authorizing payment of \$8,590.00 representing fair market value and pro-rated taxes to Kenneth W. & Janet Engelman; 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;
- c. Acquisition of Right-of-Way #7221-RA (Mary F. Gallagher), a partial take parcel necessary for the total reconstruction from MP A38.00 to MP A44.00 by authorizing payment of \$1,618.00 representing fair market value and pro-rated taxes to Mary F. Gallagher; 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 the delivery of a deed as prepared by the Legal Department;

- d. Acquisition of Right-of-Way #14081-L (Western Pennsylvania Properties, Inc.), a total take parcel necessary for the total reconstruction project from MP 49.00 to MP 53.00 by authorizing payment of \$24,363.50 representing fair market value, pro-rated taxes and recording fees to Tri-State Paralegal Services, LLC, escrow agent; also authorize payment of \$1,400.00 representing Section 710 damages for appraisal fees to Western Pennsylvania Properties, Inc.; 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 the delivery of a deed as prepared by the Legal Department;
- e. Acquisition of Right-of-Way #8996-F (Agapios & Damianos Bouikidis), a total take parcel necessary for the Hawk Falls bridge replacement project by authorizing payment of \$110,093.93 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, Inc., 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.

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



ADVERTISING

Motion-That the Commission approves advertising for broker services for the Owner Controlled Insurance Program (OCIP) for the Mon/Fayette Expressway, SR 51 to SR 837-was made by Commissioner Wozniak, seconded by Commissioner Ahmad, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approve the Award of a Bid, Change Order and Issuance of Purchase Orders for the items listed in memos "a" through "g":

- a. Capacitor replacement at TIP with G.R. Sponaugle & Sons, Inc., for additional capacitor replacements; at a cost of \$103,239.00;
- b. Herbicides, exercising the option to renew the agreements (May 2021 – April 2022):

Arborchem Products	\$ 75,000.00
Crop Production Services	150,000.00

Helena Agri-Ent LLC	5,000.00
Contingency	<u>20,000.00</u>
TOTAL RENEWAL /CONTINGENCY	\$250,000.00

- c. Media services for E-ZPass, AET, roadway safety and other campaigns (April 2021 – June 2022), utilizing the Commonwealth’s contract with Red House Communications, Inc.; at a cost of \$1,500,000.00;
- d. Compuspread parts (May 2021 – April 2022), to the lowest responsive and responsible bidder, Truis, Inc.; at an award of \$175,000.00;
- e. VPN Access Point hardware, maintenance and support (through April 2024), utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a cost of \$127,634.56;
- f. Debt Management software with SS&C Technologies, Inc., exercising the option to renew the agreement for an additional year (through April 24, 2022); at a cost of \$87,435.00;
- g. Dell PC’s (Phase 1 purchase), utilizing the Commonwealth’s contract with CDW, LLC; at a cost of \$1,595,400.00.

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



AWARD OF CONTRACTS

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

- a. Contract #T-123.00R002-3-02 for asphalt resurfacing between MP 121.84 and MP 131.50, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$7,299,764.50 and a contingency of \$360,000.00;
- b. Contract #A-059.00R003-3-02 for asphalt resurfacing between MP A61.00 and MP A68.10, to the lowest responsive and responsible bidder, Lehigh Valley Site Contractors, div. of H&K Group, Inc.; at a not-to-exceed amount of \$7,335,216.52 and a contingency of \$350,000.00.

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



CHANGE ORDERS

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

- a. Change Order #2 and Final Payment for Contract #EN-00165-03-02 for the installation of signs between MP 0.00 and MP 245.75, Toll I-376, Turnpike 66, 43 and 576 with Allison Park Contractors, Inc., for a decrease of \$513,830.83 to reflect the cost of the completed work

authorizations; for a final contract value of \$1,946,169.17 and final amount due to the contractor of \$99,825.58;

- b. Change Order #2 for Contract #S-006.00X002-3-17 for electrical work on the Southern Beltway maintenance facility at MP S15.30EB with T.S.B., Inc., d/b/a Schultheis Electric, for an increase of \$49,914.65 for conduit changes, access control revisions, additional grounding cable and security camera revisions; for a revised not-to-exceed amount of \$3,215,682.62.

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



SUPPLEMENTAL AGREEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #1 with Microdesk, Inc. for engineering automation work order services, for an additional \$850,000.00 to continue development and implementation of the Commission's Engineering Technology Plan to support 3D model development, support current and planned pilot projects identified for Digital Delivery and ensure we achieve a 2023 schedule; for a revised not-to-exceed amount of \$2,850,000.00- was made by Commissioner Wozniak, seconded by Commissioner Ahmad, and passed unanimously.



PSPC ITEMS

Motion-That the Commission approves the award of services and authorizes the negotiation and execution of an agreement with the selected firms for the items listed in memos "a" and "b":

- a. T00166, construction management and inspection for the Hawk Falls bridge replacement:
 - STV, Inc.-AWARDED
 - TRC Engineers, Inc.
 - Pennoni Associates, Inc.

-was made by Commissioner Wozniak, seconded by Commissioner Ahmad, and passed unanimously. The Commission has selected STV Incorporated for award based on the Commission's determination that the firm's Statement of Interest is the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted. The firm has significant CM/CI experience on large projects including a recent complex construction project for the PTC. Its key staff and team demonstrated significant experience and capabilities

- b. T00167, construction inspection services for the roadway and bridge reconstruction from MP 324.00 to MP 326.00:
 - TRC Engineers, Inc.-AWARDED
 - AECOM Technical Services, Inc.
 - Stantec Consulting Services, Inc.

-was made by Commissioner Wozniak, seconded by Commissioner Ahmad, and passed unanimously. The Commission has selected TRC Engineers, Inc., for award based on the Commission's determination that the firm's Statement of Interest is the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted. The

firm has significant construction services experience, highly qualified key staff members and has the lowest current workload with the PTC of the 3 highly recommended firms.



ITEM ADDED TO THE FORMAL AGENDA

Motion-That the Commission approves the negotiation and execution of an agreement with Waze to support customer and employee safety in PTC work zones with geo-located, incident-based messaging and safety reminders on its mobile navigation app; at an approximate cost of \$50,000.00-was made by Commissioner Wozniak, seconded by Commissioner Ahmad, and passed unanimously.



POST-FORMAL MEETING

Charles Duncan III, Esquire, Chief Compliance, Legislative and Cultural Affairs, and staff members on the Social and Racial Justice task force presented their finding and recommendations to the Commission, staff and visitors on the call. Mark Compton thanked everyone who worked on the project and ensured the report will be provided to the Commissioners and will be followed up on.

NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held virtually on Tuesday, May 4, 2021 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 12:39 p.m.-was made by Commissioner Wozniak, seconded by Commissioner Ahmad, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Assistant Secretary Treasurer

John Wozniak
Secretary Treasurer