

MINUTES OF THE COMMISSION MEETING HELD APRIL 21, 2015

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:29 a.m. on April 21, 2015 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Sean Logan, Chairman; William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer, A. Michael Pratt, Esquire, Commissioner and Leslie Richards, Acting Secretary of Transportation.

Also present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer for Michael Baker Jr., Inc.; Robert F. Brady, Director of Operations/Projects-East; William J. Capone, Chief of Communications & Public Relations; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection and Field Operations; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Director of Policy and External Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Christine J. Baker, Public Information/Photo Specialist; John Christensen, Director of FEMO; Catherine Clements-Jenkins, ADA Officer; Richard S. Dipiero, Senior Fare Collection Operations Manager; Donald S. Klingensmith, Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Anthony Q. Maun, Assistant CFO/Accounting & Budgeting; Wanda Metzger, Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Timothy M. Scanlon, Director of Traffic Engineering & Operations; Cindy Smith, General Accountant II; Mark Strause, Technician of PC/LAN Systems; Christopher Will, Investment Manager; Jim Miller, Michael Baker, Jr., Inc.; Mark Rowe, Teamsters Local 77; Harry Reinhart, Buck Consultants; Tom Hricik, Buck Consultants; Kristi Reichard, Raudenbush Engineering; Quentin Rissler, Larson Design Group; Joe Gillott, Greenman Pedersen; Jeff Hans, HDR; Blair Stocker, Hatch Mott McDonald; Rabi Mallik, Mallik Engineering; Jhana Davis-Clemens, PSU student; Derek Rogers, RIG Consulting, Inc.; Matt Natale, JMT; John Prybella, WBCM; Paul McNamee, KCI; Scott Shimko, Borton-Lawson; Bill Sauers, C.S. Davidson; Scott Trommer, PFM; David Zalewski, Buck Consultants and Tom Coughlin, Buck Consultants.



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 present.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of personnel, which included a promotion, termination, equity adjustments, new hires, vacancies; and requests to reclass; and to post and fill positions in the Human Resources, Finance and Administration and Procurement and Logistics Departments.

The Commissioners also discussed matter 6003240-23 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; all visitors stood and introduced themselves.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held April 7, 2015 be approved and filed as submitted-was made by Commissioner Pratt, 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 and Logistics –was made by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.



PERSONNEL

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



NEW BUSINESS COUNSEL POOL

Motion-That the Commission approves amending the pool of qualified Bond Counsel to provide professional services as bond, special, underwriters and disclosure counsel for the Commission’s bond issues to include Zarwin Baum Devito Kaplan Schaer Toddy, P.C. to the qualified “Co-Counsel” pool-was made by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.



AGREEMENTS

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

- a. Reimbursement Agreement with PPL Electric Utilities Corporation to reimburse PPL the cost for the required engineering and facility relocation work necessary for the replacement of Bridge NB-165 at MP A33.88; at a not-to-exceed amount of \$53,337.45;
- b. Two (2) agreements for precast and prestressed concrete plant inspection services for calendar years 2016 – 2020, with the same selected consultants negotiated by PennDOT, at a total not-to-exceed amount of \$6,000,000.00;
- c. Amendment to our agreement with North American Insurance Management Corporation (NAIMC) for insurance consulting services, to extend the term of their agreement for an additional 3-months; at a cost of \$4,500.00;
- d. Amendment to the lease agreement with Chevron Appalachia, LLC that permit them to lease property under the Uniontown to Brownsville section of the Mon/Fayette Expressway to explore,

develop and produce oil and gas from the Marcellus Shale Formation; also to permit them to extract oil and gas at greater depths on two additional parcels of Commission owned property.

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



RIGHT-OF-WAY ACQUISITION

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

- a. Temporary Construction Easement (Village Green Associates, LP) necessary to construct drainage swale repairs at MP 343.90 WB by authorizing payment of fair market value of \$500.00 to Village Green Associates, LP; authorize the appropriate Commission officials to execute the Temporary Construction Easement agreement and other documents that may be required at closing; authorized 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 Temporary Construction Easement as approved by the Legal Department;
- b. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #12034-RA (Julie L. Taylor, n/k/a Julie L. Soterin), a partial take parcel necessary for the Beaver River Bridge replacement project; authorize payment of Estimated Just Compensation of \$4,500.00 to Babst Calland, escrow agent; and authorize payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer;
- c. Vacation a portion of the Township of Marshall's Northgate Drive that adjoins the Turnpike's limited access right-of-way at MP 29.00 WB; and authorize the appropriate Commission officials to execute the indenture, consenting to the vacation of a portion of Northgate Drive as reviewed and approved by the Legal Department;
- d. Acquisition of Right-of-Way #2128-N (Leon V. and Sarah Aikey-Pittman), a partial take parcel necessary for the total reconstruction project from MP 149.50 to MP 155.50 by authorizing payment of fair market value and pro-rated taxes of \$1,218.00 to Leon V. & Sarah Aikey-Pittman, and authorize payment of Section 710 damages of \$1,000.00 to Clark Surveying & Engineering, 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 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 Pratt, and passed unanimously.



SUPPLEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #1 for construction inspection/project management services for the E-ZPass only Interchange at MP A87.07 with Trumbull Construction Management Services (TCMS), for an additional \$240,452.49 to complete inspection/management and for CDS services for an adjacent slide remediation, project website support and labor escalation; increasing the not-to-exceed amount to \$3,132,023.34-was made by Commissioner Deon, seconded by Commissioner Pratt; Commissioner Lieberman abstained.

VICE CHAIRMAN LIEBERMAN: I abstain on this item because TCMS is a client of my firm.



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 “e”:

- a. Smart Work Zone System for the total reconstruction project from MP A26.00 to MP A31.00, to the sole responsive and responsible bidder, IJN Inc. d/b/a Beth’s Barricades; at a total award of \$1,109,800.00;
- b. Seven (7) high-volume, high pressure sprayer skid units, utilizing the Commonwealth’s contract with Witmer Public Safety Group, Inc.; at a total award of \$181,293.00;
- c. Five (5) tractor mowers and five (5) flail mowers, utilizing the Commonwealth’s contracts:

CNH America LLC New Holland Brand	Tractor Mowers	\$228,080.20
Alamo Sales Corp.	Flail Mowers	190,457.25
TOTAL AWARD		\$418,537.45
- d. Three (3) welder bodies, utilizing the Commonwealth’s contract with Freightliner of Harrisburg; at a total award of \$375,264.00;
- e. Three (3) welder chassis, utilizing the Commonwealth’s contract with Freightliner of Harrisburg; at a total award of \$209,727.00.

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



AWARD OF A CONTRACT

Motion-That the Commission approves the award of Contract #T-319.00T001-3-07 for construction of an earth berm at the Valley Forge Service Plaza, MP 324.60, to the lowest responsive and responsible bidder, Reading Site Contractors, div. of H&K Group, Inc.; at a not-to-exceed amount of

\$2,522,367.50 and a contingency of \$100,000.00-was made by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.



CHANGE ORDER AND FINAL PAYMENT

Motion-That the Commission approves Change Order #2 and Final Payment for Contract #EN-00124-03-03 for sinkhole repairs between MP 199.26 and MP 312.03 with New Enterprise Stone & Lime, Inc., for a decrease of \$389,686.22 to balance items to actual work completed; for a final contract value of \$110,313.78 and final amount due to the contractor of \$5,515.69-was made by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.



PSPC AWARD

Motion-That the Commission approves the award of service and authorizes the negotiation and execution of an agreement with the selected firm for RFP #5021, broker services for Owner Controlled Insurance Program (OCIP):

1. AON Risk Solutions-AWARDED
2. Marsh USA Inc.
3. Willis of Pennsylvania, Inc.

-was made by Commissioner Deon, seconded by Commissioner Richards; Commissioner Lieberman and Commissioner Pratt abstained.

VICE CHAIRMAN LIEBERMAN: I abstain on this item because Willis is a former employer and because AON Risk Solutions is a business with which I am associated.

COMMISSIONER PRATT: I abstain on this item because AON Risk Solutions is a client of his firm.



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting Wednesday, May 6, 2015 beginning at 10:00 a.m.



POST-FORMAL MEETING

Michael Baker, Jr., Inc. briefed the Commissioners and staff on the 2014 Condition Assessment of the Roadway, Structures, Facilities and Roadway Technology.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:43 a.m.- was made by Commissioner Deon and seconded by Commissioner Pratt.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer