

MINUTES OF THE COMMISSION MEETING HELD APRIL 22, 2014

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:32 a.m. April 22, 2014 at the Central Office located in Highspire, Pennsylvania. Available for the meeting were A. Michael Pratt, Esquire, Vice Chairman; and Barry J. Schoch, P.E., Secretary of Transportation. Available via the telephone for the meeting were William K. Lieberman, Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Sean Logan, Commissioner.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer Michael Baker Jr., Inc.; William J. Capone, Chief of Communications and Public Relations; Scott D. Fairholm, Chief Information Officer; Todd S. Garrison, Director of Maintenance; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection and Field Operations; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others in attendance were Susan Carson-Casoni, Cash Manager; Richard S. Dipiero, Senior Fare Collection Operations Manager; Donald S. Klingensmith, P.E., Director of Contracts Administration; Donna Lapano, Executive Office Assistant; Wanda Metzger, Contracts Supervisor; Ray Morrow, Acting Chief Compliance Officer; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Jr., Technician of PC/LAN Systems; Patricia F. Schlegel, Director of Human Resources; Cindy Smith, General Accountant II; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Eric Madden, ACEC/PA; Troy Holloway, Century Engineering and Stevan Wilver, Larson Design Group.

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

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

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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 SALARY ADJUSTMENT, VACANCY, PROMOTIONS, TERMINATIONS, SUMMER PROGRAM, NEW HIRES AND A REQUEST TO POST AND FILL A POSITION IN THE COMMUNICATION AND PUBLIC RELATIONS DEPARTMENT.

THE COMMISSIONERS ALSO DISCUSSED DOCKET NOS. 4055, 2013-1361 AND 13-CV-00612-LPL AND ENGAGED IN NON-DELIBERATIVE INFORMATIONAL DISCUSSIONS REGARDING VARIOUS ACTIONS AND MATTERS, WHICH HAVE BEEN APPROVED AT PREVIOUS PUBLIC MEETINGS.

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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. THE FOLLOWING WERE VISTORS TO THE MEETING: ERIC MADDEN, ACEC/PA; TROY HOLLOWAY, CENTURY ENGINEERING AND STEVAN WILVER, LARSON DESIGN GROUP.

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MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held April 1, 2014 be approved and filed as submitted-was made by Commissioner Schoch, seconded by Commissioner Pratt, and passed unanimously.

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COMMUNICATIONS

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

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PERSONNEL

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

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NEW BUSINESS

CHANGE ORDERS AND FINAL PAYMENT

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

- a. Change Order #1 for Contract #EN-00124-03-03 with New Enterprise Stone & Lime, Inc. for sinkhole repairs between MP 199.26 and MP 312.03, for a time extension since no work authorizations have been issued on this contract to date, the Commission has elected to extend this contract from 11/15/13 to 11/14/14 in anticipation of repairs that may result from the harsh winter conditions;

- b. Change Order #1 and Final Payment for Contract #EN-00136-03-02 with Gregori Construction & Engineering, Inc. for bridge repairs between MP 0.00 and MP 109.91, Toll I-376, Turnpike 576, Turnpike 43 and Turnpike 66, for a decrease of \$84,644.39 to balance items to actual work completed; for a final contract value of \$915,355.61 and a final amount due to the contractor of \$45,767.78.

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

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AGREEMENTS

Motion-That the Commission approves Agreements, Supplements and Amendments for the items listed in memos "a and c-e":

- a. License Agreement with Geokinetics to conduct seismic testing on 603.28 acres of right-of-way and surplus property in Allegheny County; Geokinetics will pay the Commission \$3,016.40 for the right to test this acreage;
- c. Amendment to our agreement with H&S Towing for authorized service provider coverage from MP 226.40 to MP 266.40, to exercise our option to renew the agreement for an additional five (5) years (June 28, 2014 – June 27, 2019);
- d. Amendment to our agreement with Milliman's for Medicare Part D attestation, to exercise our option to renew the agreement for an additional year; at a cost of \$7,500;
- e. Reimbursement Agreement with HMSHost to reimburse HMSHost the costs for the demolition and removal of the UST's and fuel pump canopies at the Blue Mountain and Cumberland Valley Service Plazas and the construction of new UST's and canopies to accommodate the total reconstruction and widening of the roadway at these service plazas; at a not-to-exceed amount of \$575,306.00;

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

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

- b. Supplemental Agreement with PECO Energy Co. for the engineering and facility relocation work necessary for the replacement of Bridge NB-177 at MP A34.44, for an additional \$17,315.48 for clearing, grubbing and guide rail removal and replacement which were not part of the original estimate; increasing the not-to-exceed amount to \$68,893.00;

-was made by Commissioner Schoch, seconded by Commissioner Lieberman, Commissioner Pratt abstained.

VICE CHAIRMAN PRATT: MR. PRATT: I ABSTAIN ON THE BASIS THAT THE COMPANY SET FORTH IN THIS AGENDA ITEM IS A CLIENT OF THE FIRM OF WHICH I AM A PARTNER. I ASK THAT THE SECRETARY PLEASE HAVE THE MINUTES OF THE MEETING REFLECT MY ABSTENTION ON THIS VOTE. The motion passed.

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RIGHT-OF-WAY REQUESTS

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

- a. Acquisition of Right-of-Way #2113-R5 (*Verne A. Fuller*), a total take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00, by authorizing payment of fair market value, pro-rated taxes and recording fees of \$59,722.49 to *David J. Puzak, Esquire*, Escrow Agent; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents as may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel; and payment of fair market value to the property owner is contingent upon delivery of a deed as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #6069-A (*Green Hills Landowners Association*), a partial take parcel necessary for the total reconstruction project from MP 320.00 to MP 326.00, by authorizing payment of fair market value of \$65,000.00 to *Diversified Settlement Services, Inc.*, Escrow Agent; authorize the appropriate Commission officials to execute the agreement of sale and other documents as may be required for closing; approve the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of statutory damages is contingent upon the property owner's delivery of a deed as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #6539-A (*George Tod and Helen Ann Haines Pennock*), a partial take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00, by authorizing payment of fair market value and pro-rated taxes of \$28,767.00 to *George Tod Haines Pennock and Helen Ann Haines Pennock*; authorize the appropriate Commission officials to execute the agreement of sale and other documents as 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 delivery of a deed as prepared by the Legal Department;
- d. Acquisition of Right-of-Way #6519-C (*Clyde L. & Rachel R. Beidler*), a total take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00, by authorizing payment of Section 710 damages of \$500.00 to *Clyde L. & Rachel R. Beidler*;
- e. Settlement of Right-of-Way #3375-C (*Russell C. Goodling*), a partial take parcel necessary for the total reconstruction project from MP 242.00 to MP 245.00, by authorizing payment of additional fair market value and pro-rated taxes of \$46,653.88 to *Russell C. Goodling*; and payment of settlement funds to the claimant is contingent upon his execution of a full and final release and post condemnation settlement as prepared by the Legal Department;
- f. Settlement of Right-of-Way #14217-L (*Variety, The Children's Charity of Pittsburgh*), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing payment of the settlement amount of \$1,750.00 to *Babst Calland*, Escrow Agent;

authorize the appropriate Commission officials to execute the settlement agreement and release, and other documents as may be required for settlement, as approved by the Legal Department; and payment of the settlement funds to the property owner is contingent upon the execution and delivery of a full and final settlement agreement and release as approved by the Legal Department.

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

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ADVERTISING

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

- a. Insurance broker to procure and negotiate employee insurances and benefits services including Short Term Disability, Stop Loss, Accidental Death & Dismemberment, Life Insurance, Voluntary Supplemental Insurance and COBRA administration;
- b. Contract #T-201.00M001-3-02 for the installation of roadway weather information systems between MP 201.00 and MP 293.00.

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

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AWARD OF BIDS, CHANGE ORDERS AND ISSUANCE OF PURCHASE ORDERS

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

- a. Omron STI light curtains to Omron Scientific Technologies; at a total award of \$315,060.00;
- b. Twenty-seven (27) truck mounted attenuators and twenty-seven (27) arrow boards (May 1, 2014 – April 30, 2015), the lowest responsive and responsible bidder, Reading Equipment & Distribution LLC; at a total award of \$730,000.00;
- c. Change Order to our agreement for sodium chloride with Cargill, Inc. for \$150,000.00 to cover additional needs for the 2014 winter season;
- d. Change Order to our agreement for propane (July 1, 2013 – June 30, 2018) with Suburban Propane LP, for \$100,000.00 due to a higher than expected annual need for the Plymouth warehouse;
- e. Tree clearing from MP A36.90 to MP A53.00, to the lowest responsive and responsible bidder, Penn Line Service Inc.; at a total award of \$1,612,089.93.

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

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AWARD OF CONTRACTS

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

- a. Contract #EN-00128-03-02 for the installation of closed circuit televisions between MP 28.00 and MP 189.00, to the lowest responsive and responsible bidder, Power Contracting Company; at a not-to-exceed amount of \$718,969.34 and a contingency of \$25,000.00;
- b. Contract #A-114.45R001-3-02 for bituminous resurfacing of the Wyoming Valley Interchange, to the lowest responsive and responsible bidder, Pennsy Supply, Inc.; at a not-to-exceed amount of \$1,564,598.81 and a contingency of \$75,000.00;
- c. Contract #EN-00128-03-03 for the installation of closed circuit televisions between MP 283.00 and MP 340.00, and between MP A43.00 and MP A130.00, to the lowest responsive and responsible bidder, Bruce & Merrilees Electric Co.; at a not-to-exceed amount of \$1,983,983.00 and a contingency of \$75,000.00;
- d. Contract #T-286.09F002-3-02 for lighting upgrades at the Reading/Lancaster Interchange (MP 286.10 to MP 286.80), to the lowest responsive and responsible bidder, Bruce & Merrilees Electric Co.; at a not-to-exceed amount of \$1,528,874.00 and a contingency of \$75,000.00.

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

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SUPPLEMENTAL AGREEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #2 with Traffic, Planning and Design, Inc. (TPD) for design services for the replacement of Bridge EB-730 at MP 317.37, for an additional \$249,019.12 to complete final design tasks, changes in the stormwater basin location due to significant archeological cultural resource findings and to finalize the structure design due to the complexity of the two-span curved girder superstructure; for a revised not-to-exceed amount of \$1,749,019.12.-was made by Commissioner Pratt, seconded by Commissioner Schoch, and passed unanimously.

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PSPC AWARDS

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

- a. Ref #5-091. Three (3) open-end construction inspection services from MP 247.00 to MP 358.00 and the Northeast Extension;

- Navarro & Wright Consulting Engineers, Inc.-AWARDED
- Stantec Consulting Services, Inc.-AWARDED
- The Temple Group, Inc.-AWARDED
- Erdman Anthony Associates, Inc.
- JBC Associates, Inc.

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

b. Ref #5-092. Open-end material inspection and testing services from MP 200.00 to MP 358.11 and the Northeast Extension;

- A&A Consultants, Inc.-AWARDED
- ACA Engineering, Inc.
- TRC Engineers, Inc.

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

c. RFP #4630. Medical benefit plan in Western Pennsylvania;

- Aetna Life Insurance Company-AWARDED
- UPMC Benefit Management Services, Inc.

-was made by Commissioner Pratt, seconded by Commissioner Schoch; Commissioners Lieberman and Logan abstained.

CHAIRMAN LIEBERMAN: I ABSTAIN ON THIS ITEM BECAUSE I AM ON THE BOARD AT THE UNIVERSITY OF PITTSBURGH.

COMMISSIONER LOGAN: I ABSTAIN BECAUSE I AM CHAIRMAN OF THE BOARD AT UPMC EAST AND A CONSULTANT FOR UPMC.

d. RFP #4447. Resource and Service Management Project;

- KPMG LLP-AWARDED

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

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ITEM ADDED TO THE FORMAL AGENDA

RIGHT-OF-WAY ACQUISITION

Motion-That the Commission adopts the Proposed Property Acquisition Resolution for Right-of-Way #3191-R1 (*Waggoners Gap Road, LLC*), a partial take parcel necessary for the total reconstruction from MP 220.00 to MP 227.00; authorize payment of Estimated Just Compensation in the amount of \$25,000.00 to Hollinshead, Mendelson, Bresnahan & Nixon, PC, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel-was made by Commissioner Pratt, seconded by Commissioner Schoch, and passed unanimously.

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WORK ORDER

Motion-That the Commission approves the negotiation and execution of a Work Order with TransCore to modify four (4) existing spare Automatic Multi-Modal Machines (AMM's) for a pilot program to offer customers the ability to pay their tolls with credit cards; at a not-to-exceed amount of \$1,424,633.00-was made by Commissioner Pratt, seconded by Commissioner Schoch, and passed unanimously.

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NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, May 6, 2014 beginning at 10:00 am.

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ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned was made at 10:45 a.m. - made by Commissioner Pratt, seconded by Commissioner Schoch, and passed unanimously.

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PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer

04-22-14