

MINUTES OF THE COMMISSION MEETING HELD MAY 19, 2020

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 9:54 a.m. on Tuesday, May 19, 2020 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; John Wozniak, Secretary Treasurer and Pasquale T. Deon Sr., Commissioner.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Michael Baker Int'l. (via telephone); Carl E. DeFebo, Jr., Director of Public Relations & Marketing (via telephone); Charles L. Duncan III, Esquire (via telephone); Nikolaus Grieshaber, Chief Financial Officer (via telephone); Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion (via telephone); Stacia Ritter, Director of Policy and Fare Collection (via telephone); Robert Taylor, Chief Technology Officer (via telephone) and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via phone were Steve Doughty, Right-of-Way Coordinator 2; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Supervisor (in person); Gina Murray, Senior Procurement Specialist; Jeff Naugle, Manager of Treasury Operations; Jesse Ream, Communication Systems Program Manager (in person); Paul McNamee, KCI; Eric Madden, JMT; Karen Gabel, Erdman Anthony; J.T. Lincoln, GAI.; Jeff Hans, HDR; Joe Romano, LDG; Jon Livingston, Jacobs; Mark Karoloski, Buchart Horn; Ed Blazina, Pittsburgh Post-Gazette; Crystalann Deardorff, Susquehanna Civil; Ed Reese, GPD; Craig Beissel, Volkert; David Lowdermilk, WSP; Derek Rogers, RIG; George Settelmaier, KSE; Jamie North, DLZ; Mike Houser, Markosky; Michael Joos, T3 Global; Joseph Platt, TPD; Paul Morrison, Teamsters Union; Casey Waller, The Brave Group; Andrew Pickford, BAE Systems; and Karen Moser.



Mrs. Edwards 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 termination and modifications to staffing benefits and leave.

The Commissioners also 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 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 May 5, 2020 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

CHANGE ORDERS/FINAL PAYMENTS

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

- a. Change Order #1 and Final Payment for Contract #T-353.00R001-3-02 for bituminous resurfacing between MP 352.99 and MP 355.71 with James D. Morrissey, Inc., for a decrease of \$186,715.47 to balance items to actual work completed, changes for polyurethane, geo textile, excavation, subbase, mix designs, sealing, milling, pavement patching, concrete glare screen, curb, construction lighting, pavement markings, deck repairs, guiderail, expansion dam repairs and asphalt payment adjustments; for a final contract value of \$5,300,552.03 and final payment due to the contractor of \$510,260.68;
- b. Change Order #20 for Contract #S-006.00X002-3-09 for construction of the Southern Beltway, Section C1-1, MP S14.24 to MP S16.06 with The Beaver Excavating Company, for an increase of \$5,309,262.44 for concrete pavement, subbase, drainage, electrical, trenching, delineation, mix designs, transition paving, relief joints, approaches, curb, shoulder and pavement back up, barrier, pond work, costs moving work from 55C1-2 to 55C1-1, mobilization, stand-by time, drawing revisions, previous time extension, subgrade work, restore access road, grading, excavation, guiderail, and a 138-day time extension; for a revised not-to-exceed amount of \$94,085,785.38.

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



AGREEMENT

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

- a. Assignment Agreement with MARC USA, LLC (MARC) to assign its active contract to 9Rooftops Marketing, LLC, as MARC has merged with 9Rooftops Marketing, LLC;
- b. Approve the terms of the Tentative Agreements with Teamster Local Unions 77 and 250; authorize the execution of the Collective Bargaining Agreements (CBAs) in accordance with such terms and authorize the appropriate Commission officials to execute the CBAs;
- c. Settlement Agreement, Peter Palacios v. Eliezer Jimenez, Tri Dim Filter Corp., David Charbonnier, and Pennsylvania Turnpike Commission; authorize the appropriate Commission officials to execute the agreement and approve payment of the settled amount;
- d. Release and Settlement Agreement to settle the property damage claim with Nancy Marshall, authorize the appropriate Commission officials to execute the agreement and approve payment of the settled amount;

- e. Reimbursement Agreement with PPL Electric Utilities Corporation (PPL) to reimburse PPL the cost for the engineering and utility work necessary for the replacement of Bridge EB-311 at MP 250.09; at a not-to-exceed amount of \$84,474.04;
- f. Amendment to our agreement with Bravo Group, Inc. for public involvement and outreach services, exercising the option to renew the agreement for an additional two-years.

-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 “c”:

- a. Acquisition of Right-of-Way #14S054 (Estate of Paul Gerald Hrubovak), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$14,353.63 representing fair market value, pro-rated taxes and recording fees to Tri-State Paralegal Services, 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 the fair market value to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #15016-A-1 (Henry E. Turkowski, a/k/a Henry E. Turkowski, Jr. & Noreen C. Turkowski; Richard H. DiBiase and Kim A. DiBiase; John L. Zambelli and Brenda Zambelli; and Gary M. Pugliano), a total take parcel necessary for reconstruction of the Harrison City maintenance facility by authorizing payment of \$1,717,551.26 representing fair market value, pro-rated taxes and recording fees to Tri-State Paralegal Services, LLC, escrow agent; also authorize payment of \$4,000.00 representing Section 710 damages to White Realty Advisors, LLC; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that may be required for closing; authorize 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. License Agreement with TCNE North Whitehall, LLC (TCNE) to permit TCNE to discharge water onto the Commission’s limited access right-of-way at MP A62.00; TCNE is developing its property adjacent to the Commission’s right-of-way.

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



ADVERTISING

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

- a. Vendor to provide Employee Assistance Program (TEAP) services to the Commission employees and their household members;
- b. Financial Advisory services to assist with the development of our Act 44 Financial Plan, consideration of alternative financing structures and in the pricing of bond sales.

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



PURCHASE ORDERS

Motion-That the Commission approves the Issuance of a Purchase Order for the items listed in memos “a” through “e”:

- a. Sodium chloride, exercising the option to renew the agreements for an additional year (August 1, 2020 – July 31, 2021):

Cargill, Inc.	\$2,000,000.00
American Rock Salt	150,000.00
Eastern Salt Co., Inc.	0.00
Riverside Construction	0.00
Morton Salt, Inc.	<u>100,000.00</u>
TOTAL RENEWAL:	\$2,250,000.00

- b. Furniture for the E-ZPass Customer Service Center (phase 2), utilizing the Commonwealth’s contract with AllSteel, Inc.; at an award of \$680,625.13;
- c. Five (5) MASH eligible trailer mounted attenuators, utilizing the Commonwealth’s contract with Traffix Devices, Inc.; at a total award of \$140,312.45;
- d. Seven (7) mobile trailer mounted stand-by generators including cables; utilizing the Commonwealth’s contract with Cleveland Brothers Equipment Co., Inc.; at a total award of \$336,370.00;
- e. Mimecast email cloud services and support, exercising the option to renew the agreement with CDW Government, LLC for a year (June 1, 2020 – May 31, 2021); at a cost of \$62,130.00.

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



AWARD OF CONTRACTS

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

- a. Contract #A-043.91S001-3-02 for collision damage repairs to Bridge NB-216 at MP A43.91, to the lowest responsive and responsible bidder, Road-Con, Inc.; at a not-to-exceed amount of \$759,241.00 and a contingency of \$35,000.00;
- b. Contract #T-334.00R002-3-02 for bituminous resurfacing between MP 333.99 and MP 340.05 and median barrier replacement between MP 337.37 and MP 340.03, to the lowest responsive and responsible bidder, Allan Myers, L.P.; at a not-to-exceed amount of \$15,155,515.00 and a contingency of \$750,000.00;
- c. Contract #EN-00115-03-12 for the installation of signs between MP 28.25 and MP 75.70, to the lowest responsive and responsible bidder, Allison Park Contractors, Inc.; at a not-to-exceed amount of \$230,250.00 and a contingency of \$10,000.00.

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



PSPC ITEM

Motion-That the Commission approves the award of services and authorize the negotiations and execution of an agreement with the selected firm for T00149, aerial mapping services systemwide:

- BAE Systems Information Solutions, Inc.
- T3 Global Strategies, Inc.

-The Commission has selected firm BAE Systems Information Solutions Inc. for award based on the Commission’s determination that the firm has the required experience and equipment needed for the contract and has extensive experience submitting survey control monumentation for inclusion into the NSRS- 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 a telephone meeting on Tuesday, June 2, 2020 beginning at 9:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:04 a.m. -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.

