

MINUTES OF THE COMMISSION MEETING HELD JUNE 2, 2015

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:25 a.m. on June 2, 2015 at the Central Office located in Highspire, Pennsylvania. Available via phone were Sean Logan, Chairman; William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer; A. Michael Pratt, Esquire, Commissioner and Leslie Richards, Secretary of Transportation.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, Chief Engineer; Jeffrey L. Hess, Director of Fare Collection and Field Operations; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Stacia A. Ritter, Director of Policy and External Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were John Christensen, Director of FEMO; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard S. Dipiero, Senior Fare Collection Operations Manager; Richard Dreher, Assistant CFO/Financial Management; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Wanda Metzger, Contracts Supervisor; Gina M. Murray, Engineering Contracts Supervisor; Sheri Norris, Director of Human Resources; Cindy Smith, Senior General Accountant; Lynn Stakem, Senior General Accountant; Mark Strause, Technician of PC/LAN Systems; Eric Madden, ACEC/PA; Steve Barber, Michael Baker, Jr., Inc.; Paul McNamee, KCI; Peter Kuhne, Atkins; Michael Gross, Wallace Montgomery; and John Smith, IV, Parsons Brinckerhoff.

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 reclassification, annuitant, promotions, new hires, vacancies

and requests to post and fill positions in the Fare Collection and Finance and Administration Departments.

The Commissioners also 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 May 19, 2015 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memo received from the Chief Counsel-was made by Commissioner Deon, seconded by Commissioner Lieberman, 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

POLICY LETTER

Motion-That the Commission approves the revisions to Policy 10.02, E-ZPass Customer Information Privacy Policy, to update the policy to reflect operational, procedural and account verification changes- was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements for the item listed in memo “a”:

- a. Amendment to our agreements with Highmark and Aetna for the Medicare Advantage plans, exercising our option to renew the agreements for an additional year (January 1 – December 31, 2016); at an estimated cost of \$265,482.00;

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

CHAIRMAN LOGAN: I abstain on this item because Highmark is a member of the Monroeville Area Chamber of Commerce, of which I am President.

VICE CHAIRMAN LIEBERMAN: I abstain on this item because my firm is a broker for Highmark.

Motion-That the Commission approves the negotiation and execution of the Agreements for the items listed in memos “b” and “c”:

- b. Settlement Agreement and Release for PTC v. Vitran Express, Inc., and approve the settlement in the amount of \$65,000.00;
- c. Settlement Agreement and Release with Clark Contractors, Inc., and approve payment from Clark to resolve the Wyoming Valley Engineering office renovation project.

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



RIGHT-OF-WAY REQUESTS

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

- a. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #14062-H1 (James Gratton, III), a total take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00; authorize the appropriate Commission officials to execute the necessary documents; and authorize

payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;

- b. Acquisition of Right-of-Way #14072-F (Lyle MacDonald), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing payment of fair market value and pro-rated taxes of \$44,591.00 to Lyle MacDonald; 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;
- c. Acquisition of Right-of-Way #17775 (Robert I. & Betty J. Stewart), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of fair market value and pro-rated taxes of \$913.50 to Robert I. & Betty J. Stewart; 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 #2128-P (West Providence Township), 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 of \$6,000.00 to West Providence Township, and an additional payment of Section 710 damages of \$2,342.50 to West Providence Township; authorize the appropriate Commission officials to execute the required settlement documents 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 its delivery of a deed as prepared by the Legal Department;
- e. Acquisition of Right-of-Way #2117-RB (Brooke Dinnocenti, n/k/a Brooke Becker), 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 \$609.00 to Brooke Becker; authorize the appropriate Commission officials to execute the required settlement documents 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;
- f. Acquisition of Right-of-Way #1009-A (Allyson L. Horner and Ralph F. & Cynthia J. Reiking), a partial take parcel necessary for the total reconstruction project from MP 99.00 to MP 109.00, by authorizing payment of fair market value of \$11,139.50 as follows:
 - \$5,569.75 payable to Allyson L. Horner,
 - \$5,569.75 payable to Ralph F. & Cynthia J. Reiking;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 its delivery of a deed as prepared by the Legal Department.

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



ADVERTISING

Motion-That the Commission approves advertising for a vendor to provide an Automated Fuels Control System for dispensing of fuels for Commission use-was made by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves the Award of a Bid and the Issuance of a Purchase Order for twenty-two (22) solar-assisted speed limit trailers, utilizing the Commonwealth's contract with Trafcon Industries, Inc.; at an award of \$134,596.00-was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



AWARD OF CONTRACTS

Motion-That the Commission approves the Award of a Contract for the item listed in memos "a" through 'c':

- a. Contract #EN-00160-03-02 for median shielding installation between MP M29.67 and MP M32.85, to the lowest responsive and responsible bidder Green Acres Contracting Co., Inc.; at a not-to-exceed amount of \$392,890.00 and a contingency of \$20,000.00;
- b. Contract #S-000.00R001-3-02 for concrete pavement repairs between MP S0.00 and MP S5.63, to the lowest responsive and responsible bidder Swank Construction Company, LLC; at a not-to-exceed amount of \$2,363,412.27 and a contingency of \$100,000.00;
- c. Contract #EN-00167-03-03 for installation of mile marker signs between MP 101.79 and MP 201.29, to the lowest responsive and responsible bidder, Protection Services, Inc.; at a not-to-exceed amount of \$691,956.99 and a contingency of \$30,000.00.

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



CHANGE ORDERS AND FINAL PAYMENT

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

- a. Change Order #1 for Contract #EN-00126-03-02 for the installation of Intelligent Transportation Systems (ITS) between MP 6.80 and MP 175.90 with Wellington Power Company, for an additional \$211,692.61 to replace/install a missing junction box, Ethernet upgrades to RWIS sites and a requested change to integrate the existing access gates between MP 72.40 EB to MP 88.60 EB with the new DMS installation; for a revised not-to-exceed amount of \$2,525,365.91;
- b. Change Order #1 for Contract #EN-00138-03-05 for roadway and miscellaneous repairs between MP 0.00 and MP 75.39, Toll I-376, Turnpike 66 and Turnpike 43 with Lane Construction Corp., for a 67-day time extension for deep culvert cleaning that was delayed due to the harsh winter;
- c. Change Order #1 and Final Payment for Contract #A-070.26F001-3-03 for heat detector installation at the northbound Lehigh Tunnel with Carr & Duff, Inc., for a decrease of \$8,731.00 to balance items to actual work completed, asbestos abatement and a 33-day time extension for the asbestos abatement, for a final contract value of \$1,691,669.00 and final amount due to the contractor of \$107,639.00;
- d. Change Order #6 for Contract #T-355.00P001-3-07 for construction of the I-95/I-276 Interchange, Section B with Road-Con, Inc., for an additional \$1,890,000.00 for an additional undercutting, class 1 excavation and geotextile to complete stage 3 construction; for a revised not-to-exceed amount of \$63,854,682.76;
- e. Change Order #1 and Final Payment for Contract #EN-00148-03-05 for bridge repairs between MP A20.00 and MP A130.64 with J.P.S. Construction Co., Inc., for a decrease of \$36,760.58 to balance items to actual work completed, for a final contract value of \$1,963,239.42 and final amount due to the vendor of \$29,287.88;
- f. Change Order #7 for Contract #A-087.00P001-3-03 for construction of the E-ZPass Only Interchange at MP A87.07 with New Enterprise Stone and Lime Company, Inc. for an additional \$545,499.46 to balance items to actual work completed, changes for Binder Course, variable depth milling, TMA usage, sign caissons, gantry structures to accommodate "E-ZPass Only" lanes and pavement markings and removal; for a revised not-to-exceed amount of \$24,535,233.50;
- g. Change Order #2 for Contract #T-220.00T001-3-04 for roadway and bridge reconstruction from MP 220.30 to MP 226.72 with New Enterprise Stone and Lime Company, Inc., for a decrease of \$60,591.95 for additional drilling due to unforeseen rock obstructions, repairs to existing roadway prior to winter, repairs to existing median inlets to support traffic switch, installation of snap-tite pipe in lieu of jack and bore pipe, engineered rock embankment in lieu of two post and plank retaining walls and additional temporary deck support bracing; for a revised not-to-exceed amount of \$110,017,961.11.

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



SUPPLEMENTAL AGREEMENTS

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

- a. Supplemental Agreement #2 for design services for the total reconstruction from MP 128.00 to MP 134.00 with JMT, Inc., for an additional \$6,000,000.00 to complete the final design of the project that was extended to MP 124.50, an additional lane of travel was added to the original design, additional stream and wetland mitigation, culvert redesign and the New Baltimore Slide project required two additional waste areas; for a revised not-to-exceed amount of \$24,000,000.00;
- b. Supplemental Agreement for heating, ventilation and air conditioning (HVAC) for the Central Administration Building (CAB) and the TIP Building with G. R. Sponaugle & Sons, Inc. for an additional \$2,863.37 for contract year 2014; and approve an amendment to the agreement to exercise the option to renew the agreement for an additional two year (January 1, 2016 – December 31, 2017), for a cost of \$739,426.00 per year.

-was made by Commissioner Deon, seconded by Commissioner Lieberman, 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 two selected firms for the items listed in memo “a” and the first firm for the item listed in memo “b”:

- a. Ref #3-271, two (2) open-end traffic engineering services systemwide;
 - 1. Gibson-Thomas Engineering Co., Inc.-AWARDED
 - 2. Taylor Wiseman & Taylor-AWARDED
 - 3. Burns Engineering, Inc.
 - 4. Dawood Engineering, Inc.

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

- b. RFP #5182, attestation of retiree prescription drug coverage;
 - 1. Milliman, Inc.-AWARDED

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



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, June 16, 2015 beginning at 12:00 p.m.



RECOGNITION OF COMMISSIONER PRATT

Chairman Logan noted that this was Commissioner Pratt's last Commission Meeting and wished him well .



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:37 a.m.- was made by Commissioner Logan and seconded by Commissioner Lieberman; in Commissioner Pratt's last action, he abstained.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer