

MINUTES OF THE COMMISSION MEETING HELD JUNE 3, 2014

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:40 a.m. June 3, 2014 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was A. Michael Pratt, Esquire, Vice Chairman. Available via the telephone were William K. Lieberman, Chairman; Pasquale T. Deon, Sr., Secretary Treasurer; Sean Logan, Commissioner and Barry J. Schoch, P.E., 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 Michael Baker Jr., Inc.; William J. Capone, Chief of Communications and Public Relations; 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; Ray Morrow, Acting Chief Compliance Officer; 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 John Christensen, Director of Facilities & Energy Management Operations; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard C. Dreher, Assistant CFO; Kelly Horvath, Executive Assistant; Donald S. Klingensmith, P.E., Director of Contracts Administration; Jamie May, Technical Accounting Manager; Wanda Metzger, Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN Systems; Patricia F. Schlegel, Director of Human Resources; Cindy Smith, General Accountant II; Lynn Stakem, Senior General Accountant; Kewan Bullock, Summer Intern; Chappelle Washington-Freer, Summer Intern, Logan Bushey, Summer Intern; Allison Bowker, Summer Intern; and Steve Barber, Michael Baker, Jr., Inc.

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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 TERMINATION, RECLASSIFICATION, PROMOTIONS, NEW HIRES, VACANIES, REORGANIZATION AND REQUESTS TO

FILL AND TO POST AND FILL POSITIONS IN THE FARE COLLECTION, ENGINEERING, OFFICE OF DIVERSITY AND INCLUSION, FACILITIES AND ENERGY MANAGEMENT OPERATIONS, AND MAINTENANCE DEPARTMENTS.

THE COMMISSIONERS 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: STEVE BARBER OF MICHAEL BAKER, JR., INC. WAS THE ONLY VISITOR IN ATTENDANCE.

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#### MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held May 20, 2014 be approved and filed as submitted-was made by Commissioner Schoch, seconded by Commissioner Logan, and passed unanimously.

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#### COMMUNICATIONS

Motion-That the Commission accepts and files the memo received from the Chief Counsel -was made by Commissioner Schoch, seconded by Commissioner Logan, and passed unanimously.

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#### PERSONNEL

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

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NEW BUSINESS  
CHANGE ORDER

Motion-That the Commission approves Change Order #8 for Contract #T-319.30P001-3-02 with Allan A. Myers, LP for construction of the SR 29 Interchange, for an additional \$515,162.65 for Class 1 excavation, milling and paving, seeding, mulching and erosion control, temporary barrier, value engineering, rebar, pile driving increases, lighting, drainage, guide rail, sinkhole repairs, MPT and additional signs; for a revised not-to-exceed amount of \$50,577,929.05-was made by Commissioner Schoch, seconded by Commissioner Logan, Commissioner Pratt abstained.

VICE CHAIRMAN PRATT: COMMISSIONER PRATT: MR. CHAIRMAN, 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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AGREEMENTS

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

- a. Work Order #35 with TransCore to upgrade, install and integrate a new tolling system at the I-95 Interchange and the Delaware River Bridge Open Road Tolling (ORT) plaza; for a not-to-exceed amount of \$9,821,108.00;
- b. Agreement with the Pennsylvania State Police (PSP) for the PSP to provide the Commission with a license plate listing for their fleet of vehicles for E-ZPass reference;
- c. Accept the revised not-to-exceed amount of \$719,557.17 (from the previously awarded not-to-exceed amount of \$700,000.00 approved October 22, 2013, item F-11c) with Celli-Flynn Brennan Architects for design and construction services for the renovation of the Turnpike Industrial Park (TIP) Building for the E-ZPass Customer Service Center and Violation Processing Center; to include physical compliance for Payment Card Industry standards;
- d. Assignment Agreement with LT Online Corporation and Mitrtech Holdings, Inc. to assign the active LT Online Corporation agreement to Mitrtech Holdings, Inc. for legal software;
- e. Agreement with the Pennsylvania Department of Transportation (PennDOT) to have PennDOT electronically provide automatic updated information on the driver's license status of all Commission employees required to have a driver's license; at a not-to-exceed amount of \$15,000.00 to develop and install the necessary software;
- f. Change to the payment structure under the Interagency Agreement with the *PA Department of Environmental Protection (DEP)* for environmental permit applications that was previously

approved at the Commission Meeting on October 16, 2012 (Item F-2c), to make an initial advance of \$250,000.00 to the DEP to allow advertising and award of four (4) contracts for review services; the DEP will request a second, third and fourth advance of \$250,000.00 when the prior advance is drawn down to 25%.

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

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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 "c":

- a. Settlement of Right-of-Way #3191-R1 (Waggoners Gap Road, LLC), a partial take parcel necessary for the total reconstruction project from MP 220.00 to MP 227.00, by authorizing payment of the settlement amount of \$47,500.00 to Waggoners Gap Road, LLC and approve additional settlement funds of \$47,500.00 after the driveway improvements are completed to the Commission's satisfaction; authorize the appropriate Commission officials to execute the settlement agreement and other documents as may be required for closing, including the proposed access easement as drafted by the Legal Department; and authorize the 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 #6048-A3 (Wenzi Romnus), a total take parcel necessary for the total reconstruction project from MP 311.00 to MP 319.00, by authorizing payment of fair market value, pro-rated taxes and recording fess of \$353,558.64 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 owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #6505-A (Patrick W. Ebner, Peter T. Ebner & John Kraemer), a total take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00, by authorizing payment of fair market value, pro-rated taxes, recording fees and mortgage satisfaction of \$294,101.66 to Diversified Settlement Services, Inc., escrow agent; authorize the appropriate Commission officials to execute the Agreement of Sale and the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owners is contingent upon their delivery of a deed prepared by the Legal Department.

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

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SUPPLEMENTAL AGREEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #2 with Michael Baker, Jr., Inc. for General Consultant Engineering Services, to exercise the option to extend the agreement through May 31, 2020; for an additional \$2.7 million annually was made by Commissioner Schoch, seconded by Commissioner Logan, and passed unanimously.

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AWARD OF BIDS AND ISSUANCE OF PURCHASE ORDERS

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

- a. Change Order to the agreement for motor oil and lubricant (September 1, 2011 – August 31, 2014) with PPC Lubricants, Inc. due to higher than estimated usage during the 2013-2014 winter season:

District 1	\$25,000.00
District 2	15,000.00
District 4	5,000.00
District 5	10,000.00
ADDITIONAL FUNDS:	\$55,000.00

- b. Change Orders to the agreements for unleaded gasoline and ethanol (June 1, 2013 – May 31, 2015), due to re-bidding for these locations:

Petroleum Traders	\$600,000.00	Devault & Plymouth Meeting
Mansfield Oil Co.	300,000.00	Trevese & Quakertown
ADDITIONAL FUNDS:	\$900,000.00	

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

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AWARD OF CONTRACTS

Motion-That the Commission approves the Award of a Contract for the item listed in memo "a":

- a. Contract #T-188.59R001-3-02 for bituminous resurfacing of the Willow Hill Interchange ramps at MP 188.59, to the lowest responsive and responsible bidder, Highway Materials, Inc.; at a not-to-exceed amount of \$880,341.10 and a contingency of \$40,000.00.

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

Motion-That the Commission approves the Award of Contracts for the item listed in memo "b":

- b. Contract #T-040.00T001-3-08 for roadway and bridge reconstruction from MP 43.56 to MP 47.07, to the lowest responsive and responsible bidder, Trumbull Corporation; at a not-to-exceed amount of \$79,316,017.17 and a contingency of \$3,500,000.00.

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

CHAIRMAN LIEBERMAN: I ABSTAIN ON THIS ITEM BECAUSE TRUMBULL CORPORATION IS A CLIENT OF MY FIRM.

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PSPC ITEMS

**REMOVED FROM THE AGENDA.** Approve the award of services and authorize the negotiation and execution of an agreement with the selected firm for RFP #4530, Authorized Service Provider coverage from MP G0.00 to MP G13.40 (AKH Bypass) and from MP 75.50 to MP 90.90.

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NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, June 17, 2014 beginning at 9:30 am.

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ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned in memory of Bill McGuigan and a thanks to all employees was made at 11:49 a.m. - made by Commissioner Lieberman, seconded by Commissioner Logan, and passed unanimously.

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PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.  
Secretary Treasurer

06-03-14