

MINUTES OF THE COMMISSION MEETING HELD JUNE 5, 2012

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:58 a.m., June 5, 2012 at the Central Office located in Highspire, Pennsylvania. Available via the phone for the meeting were William K. Lieberman, Chairman; J. William Lincoln, Secretary Treasurer; Pasquale T. Deon, Sr., Commissioner and Barry J. Schoch, P.E., Secretary of Transportation. Present for the meeting was A. Michael Pratt, Esq., Vice Chairman,

Others present for the meeting were Roger E. Nutt, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; William J. Capone, Director of Communications/Public Relations; Richard S. DiPiero, Director of Fare Collection; Jeffrey L. Garrett, Chief Engineer, Michael Baker Jr., Inc.; Nikolaus Grieshaber, Chief Financial Officer; Bradley Heigel, Chief Engineer; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion; Joseph P. Suess, Acting Chief Information Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Allen W. Baldwin, Director of Operations, Safety & Incident Response; Michael D. Begler, Director of Operations Review; Susan Carson-Casoni, Cash Manager; John Christensen, Director of FEMO; Kelly Horvath, Executive Secretary; Donald S. Klingensmith, P.E., Manager of Contracts Administration; Donna Lapano, Executive Office Assistant; Jeffrey A. Naugle, Manager of Treasury Operations; Bob Rosell, Technician of PC/LAN Systems; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Cody Smith, Summer Intern; Thomas Harding, Auditor General's Office; Dean Kohr, Atkins; John Yacapsin, McMahon & Associates.

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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 AN EQUITY ADJUSTMENT, PROMOTIONS, NEW HIRES, RECLASSIFICATIONS, VACANCIES, REORGANIZATIONS AND REQUESTS TO POST AND FILL POSITIONS IN THE FACILITIES AND ENERGY MANAGEMENT OPERATIONS, INFORMATION TECHNOLOGY AND FARE COLLECTION DEPARTMENTS.

THE COMMISSIONERS ALSO 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.

THOMAS HARDING, AUDITOR GENERAL
DEAN KOHR, ATKINS
JOHN YACAPSIN, MCMAHON ENGINEERS

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MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held May 15, 2012 be approved and filed as submitted-was made by Commissioner Pratt seconded by Commissioner Schoch; 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 Pratt, seconded by Commissioner Schoch; and passed unanimously.

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PERSONNEL

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

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NEW BUSINESS

RATIFICATION OF PSPC ITEMS

Motion-That the Commission approves the ratification of the May 15, 2012 vendor ranking and selections for the following items:

RFP #1-157 – Open-end Material Inspection and Testing MP 0.00-200.00, James E. Ross Highway, Amos K. Hutchinson Bypass and Mon/Fayette Expressway (item F-8a):

1. Jeff Zell Consultants, Inc.
2. ACA Engineering
3. Pennoni Associates

RFP #5-079 – Open-end Material Inspection and Testing Services from MP 200.00 to MP 358.11 and MP A20.00 to MP A130.11 (item F-8b):

1. Solar Testing of Pennsylvania, LLC
2. ACA Engineering
3. Pennoni Associates

RFP #3-227 - Open-end Coating Consultant Services - Systemwide (item F-8d):

1. KTA-Tator, Inc.
2. Greenman-Pedersen, Inc.

RFP#3-228 - Open-end Quality Assurance Testing Laboratory Services - Systemwide (item F-8e):

1. Professional Service Industries, Inc.
2. GAI Consultants, Inc.
3. Specialized Engineering

RFP#1-159 - Construction Inspection/Project Management Services for the Beaver River Bridge Replacement Project and Roadway and Bridge Reconstruction from MP 12.00 to MP 14.00 (item F-8f):

1. ALCM, LLC
2. Hill International, Inc.
3. GAI Consultants, Inc.

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

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AGREEMENTS

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

- a. Agreement with Brownsville North Side Volunteer Fire Department for fire/rescue services between Exit 22 and Exit 26 northbound and Exit 22 to Exit 18 southbound on Toll 43;
- b. Agreement with Hiller Volunteer Fire Company for fire/rescue services between Exit 26 and Exit 28 northbound and Exit 26 to Exit 22 southbound on Toll 43;
- c. Agreement with Hiller Volunteer Fire Company Ambulance Service for emergency medical services (EMS) between Exit 26 and Exit 28 northbound and Exit 26 to Exit 22 southbound on Toll 43;
- d. Agreement with Emmaus Fire Department for fire/rescue services between MP 52.20 and MP 50.30 southbound on the Northeast Extension (I-476);
- e. Amendment to our agreement with XNR Productions, to exercise our option to renew the agreement for one year and to supplement the agreement for an additional \$3,000.00 due to the

increase in the cost of paper needed to print the remaining 250,000 copies of the PTC map and travel guide;

- f. Agreement with ECBM to assist the Commission in reviewing OCIP Broker RFP responses and drafting the broker services agreement; for a not-to-exceed amount of \$25,000.00

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

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RIGHT-OF-WAY REQUEST

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

- a. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #2003-5, a partial take parcel necessary for Bridge B-404 replacement project; authorize payment of the Estimated Just Compensation in the amount of \$3,800.00 payable to Babst Calland, Escrow Agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Acquisition Unit and approved by the Chief Counsel;
- b. Authorize the acquisition of Right-of-Way #6024-A0, a total take parcel, necessary for the total reconstruction project from MP 312.00 to MP 320.00; by issuing payment in the amount of \$1,301,966.84 representing fair market value, pro-rated taxes, recording fees and mortgage satisfaction fee, payable to City Line Abstract Company, Escrow Agent; authorize the appropriate Commission officials to execute the agreement of sale and other documents necessary for closing; authorize payment of additional statutory damages as calculated by the Right-of-Way Acquisition Unit 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. Authorize the acquisition of Right-of-Way #6494-A, a partial take parcel, necessary for the replacement of Bridge NB-150 and Bridge NB-152; by issuing payment in the amount of \$70,482.50 representing fair market value and pro-rated taxes, payable to City Line Abstract Company, Escrow Agent; authorize the appropriate Commission officials to execute the agreement of sale and other documents necessary for closing; authorize payment of additional statutory damages as calculated by the Right-of-Way Acquisition Unit 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.

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

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AMEND RFQ

Motion-That the Commission approves amending RFQ #11-10210-3455 for Auditing Services to expand the requested scope of services to create a pool of qualified audit firms for auditing and advisory services-was made by Commissioner Pratt, seconded by Commissioner Schoch; and passed unanimously.

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AWARD OF A BID AND ISSUANCE OF A PURCHASE ORDER

Motion-That the Commission approves the Award of a Bid and the Issuance of a Purchase Order for eighteen (18) tandem axle dump trucks; utilizing the Commonwealth's contract with Mack Trucks, Inc.; at a total award of \$3,986,220.46-was made by Commission Schoch, seconded by Commission Lincoln; Vice Chairman Pratt abstained.

VICE CHAIRMAN PRATT: I ABSTAIN ON THIS VOTE BECAUSE THE VENDORS LISTED IN THIS ITEM IS A CLIENT OF MY FIRM.

The motion passed.

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AWARD OF CONTRACTS

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

- a. Contract #T-056.44R001-3-02 for bituminous overlay at the Pittsburgh Interchange ramps at MP 56.44, to the lowest responsive and responsible bidder, Derry Construction Company, Inc.; at a not-to-exceed amount of \$1,054,030.50 and a contingency of \$50,000.00;
- b. Contract #T-355.00P001-3-05 for advanced ITS deployment for I-276/I-95 Interchange project (MP 350.20 to MP 359.00), to the lowest responsive and responsible bidder, Carr & Duff, Inc.; at a not-to-exceed amount of \$3,415,001.05 and a contingency of \$150,000.00;
- c. Contract #T-161.43S001-3-02 for rehabilitation of Bridge B-543A at MP 161.43 and Bridge B-544A at MP 161.66, to the lowest responsive and responsible bidder, Gregori Construction & Engineering, Inc.; at a not-to-exceed amount of \$672,276.00 and a contingency of \$30,000.00.

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

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SUPPLEMENTAL AGREEMENTS

Motion-That the Commission approves the Supplemental Agreements for the items listed in memos "a" through "c":

- a. Supplemental Agreement #2 with STV, Inc. for design services for the I-95/I-276 Interchange Project-Section B, for an additional \$2,000,000.00 for design work necessary to complete final design and consultation during construction (post design) services;
- b. Supplemental Agreement #1 with Arora and Associates, P.C. for open-end design services, for an additional \$150,000.00 to complete active Work Orders including the overhead bridge replacement design at MP 63.06 which encountered geotechnical issues during construction;
- c. Supplemental Agreement #2 with AECOM for design services for the total reconstruction project from MP 99.00 to MP 109.00, for an additional \$5,000,000.00 to cover costs for the many changes in design and regulatory requirements including stormwater management, noise

analysis, remediation, environmental remediation, permitting, remediation of rock cuts, and a third early action bridge replacement contract was added to the scope.

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

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CHANGE ORDERS & CHANGE ORDERS/FINAL PAYMENTS

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

- a. Change Order #1 for Contract #T-187.00R001-3-02 with Highway Materials, Inc. for bituminous overlay between MP 187.80 and MP 191.52 and shoulder and median sealing between MP 187.30 and MP 196.80, for an additional \$161,385.90 to replace the as bid 4" wide line striping quantity with 6" wide line striping;
- b. Change Order #1 and Final Payment for Contract #A-120.40R001-3-02 with Pennsy Supply, Inc. for bituminous resurfacing between MP A120.40 and MP A125.10, for a decrease of \$14,692.31, necessary for normal quantity adjustments to balance items to actual work completed and costs incurred for gore area milling, paving and pavement markings, for a final contract value of \$2,474,423.89 and a final amount due to the contractor of \$219,272.09;
- c. Change Order #2 and Final Payment for Contract #EN-00111-03-03 with J.P.S. Construction Co., Inc. for bridge repairs between MP 109.91 and MP 236.22, for an additional \$48,964.00 necessary for normal quantity adjustments to balance items to actual work completed, for a final contract value of \$673,964.00 and a final amount due to the contractor of \$80,214.00;
- d. Change Order #1 for Contract #EN-00116-03-05 with J.P.S. Construction Co., Inc. for bridge repairs between MP A20.00 and MP A130.64, for an additional \$750,000.00 necessary to perform as needed bridge work issued on work authorizations;
- e. Change Order #1 and Final Payment for #EN-00097-03-06 with Valley Quarries, Inc. for roadway and miscellaneous repairs between MP 179.44 and MP 241.87, for a decrease of \$876,608.16 for normal quantity adjustments to balance items to work completed.

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

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POLICY LETTER & PROFESSIONAL LICENSE FEES

Motion-That the Commission approves reactivating and revising a Policy Letter and approve the reimbursement for professional license fees as listed in the items listed in memos "a" and "b":

- a. Reactivate Policy Letter 4.1, *Tuition Reimbursement Policy*, which governs the tuition reimbursement program for the Commission and approve revisions to the policy in the following areas as per the Policy: approvals, reimbursement levels, caps, reimbursement for current/future opportunities, minimum grade required for reimbursement, budgeting requirements, discontinue partial advancement of tuition, and courses taken in area of existing degree(s);

- b. Reimburse management employees (retroactive to January 1, 2012) the renewal fees for approved professional licenses and certifications; reimbursement of any future license or certification fees required or preferred in management job descriptions; and authorize the CEO and/or COO to approve reimbursement of renewal fees for certifications not listed as required or preferred as they deem appropriate for new or existing positions.

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

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AWARD OF SERVICE

Motion-That the Commission approves the award of service and authorizes the negotiation and execution of an agreement with the selected firm for open-end Intelligent Transportation Systems (ITS) design services systemwide to Jacobs Engineering Group, Inc.-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 a formal meeting on Tuesday, June 19, 2012 beginning at 10:00 am.

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ADJOURNMENT

Motion-That this meeting of The Pennsylvania Turnpike Commission be adjourned at 11:07 a.m. -was made by Commissioner Pratt, seconded by Commissioner Schoch; and passed unanimously.

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PREPARED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

06-5-12

APPROVED BY:

J. William Lincoln
Secretary Treasurer

ATTACHMENT NUMBER 1
COMMUNICATIONS: MEMO RECEIVED FROM THE CHIEF COUNSEL