

MINUTES OF THE COMMISSION MEETING HELD JUNE 6, 2017

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:25 a.m. on June 6, 2017 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was Barry Drew, Commissioner. Available via telephone were William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Leslie Richards, Secretary of Transportation.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer, Michael Baker, Inc.; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Gary Graham, Asst. Chief Engineer/Design; Nikolaus Grieshaber, Chief Financial Officer; Jeffrey L. Hess, Assistant Director of Toll Collection-Fares; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity & Inclusion; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Jack Christensen, Director of FEMO; Richard C. Dreher, Assistant CFO/Financial Management; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Donna Lapano, Executive Office Assistant; Anthony Q. Maun, Asst. CFO/Accounting & Budgeting; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Timothy M. Scanlon, Director of Traffic Engineering and Operations; Cindy Smith, ETC Customer Service Operations Analyst; Lynn Stakem, Senior General Accountant; Joseph Sutor, Planning Manager; Claire Shaak, Summer Employee and Paul McNamee, KCI.



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 available.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a reclassification, promotions, terminations, voluntary downgrade, new hires, vacancies, salary matrix and a request to abolish positions in the Fare Collection Department.

The Commissioners also discussed Case No. 2017-PTC-SA-0001 and 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 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 16, 2017 be approved and filed as submitted -were made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memo received from the Chief Counsel-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

Motion- That the Commission approves the proposed FY 2018 Ten Year Capital Plan and grant approval for staff to procure long lead equipment items and advertise for the use of consultants, contractors and other necessary professional services to advance all phases of projects within the first two years of the adopted plan-was made by Commissioner Drew, seconded by Commissioner Deon; Commissioner Lieberman voted “No”. The motion passed.



NEW BUSINESS
BOND RESOLUTION

Motion-That the Commission Adopt the revisions to Policy 6.05, Utility Crossing License Agreements, to increase the application fee and to establish a fee for unauthorized crossings-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



AGREEMENTS

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

- a. Agreements with our Authorized Service Providers in Districts 2 and 4, for an incentive program (July 1, 2017 – May 31, 2018) to promote the safe and quick clearance of major traffic incidents; at an approximate cost of \$125,000.00;
- b. Agreement and all necessary documents with UGI Corporation to sell approximately one acre of Commission property in Lancaster County to UGI to provide access to its new corporate headquarters; UGI will pay the Commission \$15,000.00;
- c. Amendment to our agreement with Transcore for Communications Systems Maintenance, exercising the option to renew the agreement for an additional year (June 1, 2018 – May 31, 2019); at a not-to-exceed amount of \$3,335,083.00;
- d. Settlement Agreement and Release with Conner Strong.

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



RIGHT-OF-WAY REQUESTS

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

- a. Settlement of Right-of-Way #17637 (Richard C. & Graciela Burton, Jr.), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$29,300.00 representing the balance of the Board of View award to Richard D. & Graciela Burton, Jr.;
- b. Acquisition of Right-of-Way #14087-B (Michael A. Shovlin), a total take parcel necessary for the total reconstruction project from MP 53.00 to MP 57.00 by authorizing payment of \$38,388.51 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement

Services, escrow agent; authorize the appropriate Commission officials to execute the Agreement of Sale and all other documents 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 is contingent upon the delivery of a deed as prepared by the Legal Department;

- c. Acquisition of Right-of-Way #14088-A (Larry J. McCluskey and Billie L. Kikta), a total take parcel necessary for the total reconstruction project from MP 53.00 to MP 57.00 by authorizing payment of \$75,606.11 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, escrow agent; authorize the appropriate Commission officials to execute the Agreement of Sale and all other documents 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 is contingent upon the delivery of a deed as prepared by the Legal Department;
- d. Acquisition of Right-of-Way #2002-D (Preston S. and Edna D. Dietz), a partial take parcel necessary for the total reconstruction project from MP 128.00 to MP 134.00 by authorizing payment of \$1,517.25 representing fair market value and pro-rated taxes to Preston S. and Edna D. Dietz; 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 damages to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;
- e. Acquisition of Right-of-Way #1031-R26 (Joseph Cuong Manh Ngo and Tracy Lu Ngo), a partial take parcel necessary for the reconstruction of Bridge B-502 at MP 110.12 by authorizing payment of \$5,130.00 representing fair market value and pro-rated taxes to Joseph Cuong Manh Ngo and Tracy Lu Ngo; 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 damages to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;
- f. Acquisition of Right-of-Way #15008-K (David J. Hobaugh), a total take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$186,754.11 representing fair market value and pro-rated taxes to TRG Closing Services, escrow agent; also issue payment of \$108,571.80 representing housing supplement and closing costs to Barristers; 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 his delivery of a deed prepared by the Legal Department;

- g. Settlement of Right-of-Way #6539-B (The Township of Salford), a partial take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00 by authorizing payment of \$14,500.00 representing fair market value to the Township of Salford; 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 damages to the property owner is contingent upon its delivery of a deed prepared by the Legal Department;
- h. Acquisition of Right-of-Way #17931 (United States of America Department of Veterans Affairs "VA"), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing the transfer fee simple title of approximately 17.6 acres of property to the VA to fulfill its obligations under the projects Final Environmental Impact Statement; and authorizing the execution of a Memorandum of Understanding and all necessary and appropriate documents to complete the land transfer;
- i. Transfer of approximately 0.93 acres of land back to Imperial Land (RW #14411) that was previously donated to the Commission, by Imperial Land, for the construction of the Southern Beltway; authorize the appropriate Commission officials to execute a deed as prepared by the Legal Department.

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



ADVERTISING

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

- a. Three (3) engineering firms for open-end engineering design related services systemwide;
- b. Open-end materials inspection and testing services from MP 0.00 to MP 200.00, I-376, Turnpike 576, Turnpike 66 and Turnpike 43.

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



PURCHASE ORDERS

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

- a. Change Order for promotional items and corporate apparel with Apex Advertising, Inc., to include items and apparel for the FY18 Safety Recognition program at a cost of \$85,000.00;
- b. Maintenance and technical support for Cisco equipment (Smartnet) for 2017-2018, utilizing the Commonwealth's contract with ePlus Technology, Inc.; at a total award of \$1,155,314.82;

- c. Change Order for tree clearing from MP 138.00 to MP 143.00 with Penn Live Service, Inc., to also clear areas for the access gate improvements and adjacent property; at a cost of \$89,640.54;
- d. Emergency generators and installation for the Virginia Drive Slip Ramp, to the lowest responsive and responsible bidder, Carr & Duff, Inc.; at a total award of \$146,000.00;
- e. Safety and compliance services for automotive lifts; exercising the option to renew the agreement with Clark Contractors for an additional two-years (July 1, 2017 – June 30, 2019); at a cost of \$124,860.00;
- f. Canon copier maintenance contract (CAB Print Shop through April 30, 2018), utilizing the Commonwealth’s contract with Canon Solutions America, Inc.; at a total award of \$119,242.00;
- g. Reimbursement for the printing of motorist alert handout, utilizing PennDOT’s Graphic Service Center; at a cost of \$323,520.00;
- h. Overhead door repair and installation services (July 1, 2017 – June 30, 2019), to the lowest responsive and responsible bidders:

Overhead Door Co. of Greater Pittsburgh	\$300,000.00	Western PA
Allmark Door Co.	100,000.00	Central PA
Set Rite Corp.	200,000.00	Eastern PA
TOTAL AWARD:	\$600,000.00	

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



CONTRACT AWARD

Motion-That the Commission approves the Award of #T-342.91R001-3-02 for bituminous overlay and retaining wall construction at Willow Grove Interchange, to the lowest responsive and responsible bidder, Allan Meyers, L.P.; at a not-to-exceed amount of \$9,697,555.00 and a contingency of \$485,000.00-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



CHANGE ORDERS AND FINAL PAYMENTS

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

- a. Change Order #1 and Final Payment for Contract #EN-00124-03-04 for sinkhole repairs between MP 199.26 and MP 312.03 with Bi-State Construction Co., Inc., for a decrease of \$124,737.39 to balance items to actual work completed; for a final contract value of \$375,262.61 and final amount due to the contractor of \$71,076.75;

- b. Change Order #1 for Contract #EN-00198-03-03 for roadway and miscellaneous repairs between MP 0.00 and MP 122.18 with Lane Construction Corp., for an additional \$2,400,000.00 to repair additional deteriorated roadway locations throughout the project limit; increasing the not-to-exceed amount to \$4,900,000.00;
- c. Change Order #1 for Contract #EN-00162-03-02 for bridge repairs between MP 0.00 and MP 109.91, I-376, Turnpike 576 and Turnpike 66 with J.P.S. Construction Co., Inc. for a 28-day time extension due to weather limitations for the installation of weather sensitive material;
- d. Change Order #11 and Final Payment for Contract #A-087.00P001-3-03 for construction of the E-ZPass Only Interchange at MP A87.07 with New Enterprise Stone & Lime Co., Inc., for an additional \$11,268.82 for snowplowable raised pavement markers, cutting headwall and MPT for RPM installation; for a final contract value of \$23,478,105.56 and final amount due to the contractor of \$23,268.82;
- e. Change Order #1 and Final Payment for Contract #T-235.00R001-3-02 for bituminous resurfacing between MP 235.47 and MP 237.14 with Hempt Bros., Inc., for a decrease of \$207,952.06 to balance items to actual work completed, changes for Class 1 excavation, drainage, guide rail, concrete bridge barrier, concrete encasement, endwall, ramp rework, mill and pave transition area, signage, miscellaneous repairs and asphalt price adjustments; for a final contract value of \$3,035,879.28 and final amount due to the contractor of \$196,390.94;
- f. Change Order #6 and Final Payment for Contract #A-102.00R001-3-02 for roadway rehabilitation between MP A101.30 and MP A104.25 with Pikes Creek Site Contractors, for a decrease of \$899,482.95 to balance items to actual work completed, changes for excavation, barrier, call boxes, barrier backfill, MPT, inlet modification, topsoil, seeding and soil supplements and erosion control; for a final contract value of \$36,959,716.52 and final payment due to the contractor of \$795,171.00;
- g. Change Order #10 for Contract #A-020.00T002-3-07 for roadway and bridge reconstruction from MP A25.67 to MP A31.34 with Allan Myers, LP, for an additional \$1,211,356.18 to balance items to actual work completed, changes for concrete deck repairs, verification of buried utility lines, material disposal fees, E & S control, paving, slope stabilization, pavement patching, installation of conduit and installation of foundation drains; for a revised not-to-exceed amount of \$211,258,037.55.

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, June 20, 2017 beginning at 10:00 a.m.



POST-FORMAL MEETING

Craig Shuey recognized First Responders for their actions in an incident on the Clarks Summit Bridge on May 4, 2017 in which their actions lead to the safe extraction of a teen from the bridge fence.

ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:32 a.m. -was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer