

MINUTES OF THE COMMISSION MEETING HELD JUNE 16, 2015

A formal meeting of the Pennsylvania Turnpike Commission convened at 12:46 p.m. on June 16, 2015 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Sean Logan, Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Leslie Richards, Secretary of Transportation. Available via telephone was William K. Lieberman, Vice Chairman.

Others present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer for Michael Baker Jr., Inc.; Robert F. Brady, Director of Operations/Projects-East; William J. Capone, Chief of Communications & Public Relations; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Scott D. Fairholm, Chief Information Officer; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection and Field Operations; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity & Inclusion and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Susan Carson-Casoni, Cash Manager; John Christensen, Director of FEMO; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard S. DiPiero, Senior Fare Collection Operations Manager; Richard C. Dreher, Assistant CFO/Financial Management; Donald S. Klingensmith, Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Robert H. Rosell, Technician of PC/LAN Systems; Cindy Smith, Senior General Accountant; Leo Bagley, PennDOT; Scott Christie, PennDOT; Paul McNamee, KCI; Jon Livingston, Jacobs; Eric Madden, ACEC/PA; Rich Hilboky, Gibson-Thomas; Tom Rowader, Dawood Engineers; Kristi Reichard, Raudenbush Engineering; Quentin Rissler, LDG; David Lowdermilk, Parsons Brinkerhoff; John Smith, Parson Brinckerhoff; Jeff Kupko, Gibson-Thomas; Joseph Zarriello, KS Engineers; Robert Latham, APC; Kent Freese, Team LMI; Mark Markosky, The Markosky Engineering Group; Jeff Hans, HDR; Dan Burgundy, Atkins; Peter Kuhne, Atkins; Glenn Deppert, Arora & Associations; David Beachy, Arora & Associations; and Mike Flack, Volkert.



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 lateral, promotions, new hires, vacancies and requests to post and fill positions in the Maintenance and Communications and Public Relations Departments.

The Commissioners also discussed Docket No. WC1374 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 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 June 2, 2015 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Richards, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memos received from the Chief Counsel and the Director of Procurement and Logistics—was made by Commissioner Deon, seconded by Commissioner Richards, and passed unanimously.



PERSONNEL

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



NEW BUSINESS

SUPPLEMENTAL AUDITING SERVICES POOL

Motion-That the Commission approves amending mending the pool of qualified supplemental auditing service providers to include Baker, Tilly, Virchow, Krause (BTVK merged with previously approved vendor, Parente Beard) and BDO USA, LLP (BDO merged with previously approved vendor, Alpern Rosenthal)—was made by Commissioner Deon, seconded by Commissioner Richards; Commissioner Lieberman abstained.

VICE CHAIRMAN LIEBERMAN: I abstain on this item because I have a business relationship with a BDO Principals' spouse.



AGREEMENTS

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

- a. Supplemental Agreement with PPL Electric Utilities Corp. for utility relocation work necessary for the replacement of Bridge B-532 at MP 222.23, for an additional \$26,384.47 due to increased labor costs, additional field visits, adjustments in design of the relocation and rock issues during pole installation; for a revised not-to-exceed amount of \$67,522.47;
- b. Supplemental Agreement with Enterprise TE Products Pipeline for utility relocation work necessary for the total reconstruction project from MP 242.00 to MP 245.00 (MP 242.29), for an additional \$32,237.76 due to increased labor and material costs; for a revised not-to-exceed amount of \$832,237.76;

- c. Lease Amendment for fueling services at the service plazas with Sunoco, Inc. (R&M), to eliminate Sunoco's obligation to install E-85 at the Valley Forge Service Plaza due to lack of market demand at other four (4) service plaza E-85 locations;
- d. Supplemental Agreement with General Dynamics IT (GDIT) for upgrading, hosting, maintaining and providing help desk support for the Electronic Bidding System (EBS), for an additional \$57,058.14 to complete the browser compatibility upgrades and for an increased overhead rate;
- e. Amendment to our agreement with PNC Merchant Services for E-ZPass credit card processing services, to reduce the "per item" fee from \$0.060 to \$0.055 for each authorization and credit processed; and authorize the CFO to execute the Amendment;
- f. Amendment to our agreement with I.B. Abel for infrastructure cabling and communications system, for an additional \$1,000,000.00 for the previously approved (April 7, 2015; item F-2d) contract renewal (August 3, 2015 – August 2, 2016).

-was made by Commissioner Deon, seconded by Commissioner Richards, 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 "g":

- a. Drainage Easement for Right-of-Way #7143-A (HK New Plan Bristol Plaza, LP, n/k/a Brixmore GA Bristol Plaza, LP) necessary for the I-95 Interchange project, and authorize the appropriate Commission officials to execute a drainage easement agreement and other documents that may be necessary for the transfer, as drafted and approved by the Legal Department;
- b. Acquisition of Right-of-Way #17680 (Henry Leasher, Trustee of the Henry Leasher Revocable Living Trust), a total take parcel necessary for the Southern Beltway, US 22 to I-79, Section 55A1 by authorizing payment of fair market value, pro-rated taxes and recording fees of \$80,633.02 to Coon & Company, 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 #6511-A (Curtis F. & Gladys M. Nice), a partial take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00 by authorizing payment of fair market value and pro-rated taxes of \$3,540.50 to Curtis F. and Gladys M. Nice; 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 owners is contingent upon their delivery of a deed as prepared by the Legal Department;

- d. Acquisition of Right-of-Way #14204-E (Gene R. & Shirley J. Beck), 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 \$10,105.00 to Gene R. & Shirley J. Beck; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that may be required for closing; authorize the payment of 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;
- e. Acquisition of Right-of-Way #3124-C (Mark E. & Tammy F. Hoover), a partial take parcel necessary for the total reconstruction project from MP 202.00 to MP 206.00 by authorizing payment of fair market value and pro-rated taxes of \$18,495.00 to Mark E. & Tammy F. Hoover; 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;
- f. Transfer of certain property interests necessary for the total reconstruction project from MP 67.00 to MP 75; and authorize the appropriate Commission officials to execute the deeds and other documents that may be required for the transfers, as drafted and/or approved by the Legal Department:
 - Easement for the benefit of Allegheny Power, its successors and assigns, to accommodate existing poles and lines;
 - Fee simple title of approximately 23,267.39 square feet of property underlying old legal right-of-way for SR 3071 to Carol H. Brady, a widow and only adjoining property owner; transfer will include ownership and maintenance responsibilities for the existing structure within the old legal right-of-way for SR 3071; transfer will also except and reserve to the Turnpike Commission, Allegheny Power, and their respective successors and assigns, an access easement over and across the parcel for perpetual access to the existing facilities of each;
- g. Acquisition of Right-of-Way #8383-B and #8383-C (Township of Washington), a partial take parcel necessary for the bridge replacement at MP A68.00 by authorizing payment of fair market value of \$6,000.00 to Washington Township; authorize the appropriate Commission officials to execute the Agreement of Sale; 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 an executed Easement Agreement prepared by the Legal Department.

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



ADVERTISING

Motion-That the Commission approves advertising for environmental services to advance the design of the Mon/Fayette project from Rt. 51 to I-376-was made by Commissioner Deon, seconded by Commissioner Richards, 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 “e”:

- a. Change Order to the contract for IT staff augmentation for a Product Specialist 5, to extend the services to September 30, 2015 in accordance with the Commonwealth’s contract with Computer Aid, at a cost of \$50,729.00;
- b. Change Order to the contract for IT staff augmentation for a FRICE Business Subject Matter Expert, to extend the services to September 30, 2015 in accordance with the Commonwealth’s contract with Computer Aid, at a cost of \$53,000.00;

c. Gate parts (July 1, 2015 – April 30, 2017) to the lowest responsive and responsible bidders:

Allegheny Fence Co.	\$1,500,000.00
Electronic Systems Integration, Inc.	<u>500,000.00</u>
TOTAL AWARD	\$2,000,000.00

- d. Microwave backbone upgrade, utilizing the Commonwealth’s contract with Alcatel-Lucent USA, Inc.; at a total award of \$2,381,653.31;

e. Janitorial supplies contract, exercising the option to renew the agreements for an additional year (July 1, 2015 – June 30, 2016):

XPEDX	\$133,750.85
Grainger	30,934.27
Unique Source	4,221.61
All American Poly	<u>35,448.80</u>
TOTAL RENEWAL:	\$204,355.53

-was made by Commissioner Deon, seconded by Commissioner Richards, 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-00167-03-02 for the installation of mile marker signs between MP 0.00 and MP 99.05, Toll 376 and Turnpike 66, to the lowest responsive and responsible bidder, Power Contracting Company; at a not-to-exceed amount of \$959,626.72 and a contingency of \$45,000.00;
- b. Contract #A-102.00R001-3-02 for roadway rehabilitation between MP A101.30 and MP A104.25, to the lowest responsive and responsible bidder, Pikes Creek Site Contractors; at a not-to-exceed amount of \$35,832,273.82 and a contingency of \$1,500,000.00;
- c. Contract #T-161.00R001-3-02 for bituminous resurfacing between MP 161.01 and MP 166.07, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$13,619,114.34 and a contingency of \$650,000.00.

-was made by Commissioner Deon, seconded by Commissioner Richards, 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 "e":

- a. Change Order #1 and Final Payment for Contract #A-031.00R001-3-03 for bituminous resurfacing between MP A31.86 and MP A40.20 and miscellaneous repairs at MP A43.91 with Blooming Glen Contractors, for a decrease of \$940,226.33, for a final contract value of \$6,458,801.15 and a final amount due to the contractor of \$129,176.02;
- b. Change Order #2 and Final Payment for Contract #EN-00138-03-07 for roadway and miscellaneous repairs between MP 298.33 and MP 358.11 with Glasgow, Inc., for a decrease of \$4,146,387.29 to balance items to actual work completed; for a final contract value of \$853,612.71 and final amount due to the contractor of \$42,680.64;
- c. Change Order #1 and Final Payment for Contract #A-052.30S001-3-02 for painting and fencing replacement at various bridge locations between MP A52.30 and MP A54.29 with Hercules Painting Company, Inc., for a decrease of \$55,546.21 to balance items to actual work completed, disposal of hazardous waste, and 5-day liquidated damages were assessed for not meeting the completion date; for a final contract value of \$1,312,926.79 and final amount due to the contractor of \$27,286.35;
- d. Change Order #1 and Final Payment for Contract #EN-00148-03-04 for bridge repairs between MP 236.22 and MP 358.11 with J.P.S. Construction Co., Inc., for a decrease of \$329,202.88 to balance items to actual work completed; for a final contract value of \$1,670,797.12 and a final amount due of \$33,415.94;
- e. Change Order #1 for Contract #T-355.00P001-3-13 for construction of the I-95/I-276 Interchange project, Section D10 with PKF-Mark III, Inc., for an additional \$34,788.36 to relocate the construction entrance due to a conflict with a separate contract's construction entrance; for a revised not-to-exceed amount of \$142,918,605.50.

-was made by Commissioner Deon, seconded by Commissioner Richards, 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 selected firms for #T00004 for signing design services for the Southern Beltway, US 22 to I-79:

1. The Markosky Engineering Group, Inc.–AWARDED
2. Gibson-Thomas Engineering Co., Inc.
3. Dawood Engineering, Inc.

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



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting Tuesday, July 7, 2015 beginning at 10:00 a.m.



RECOGNITION OF STAFF

Chairman Logan recognized many staff who contributed information for the Senate Transportation Committee hearing earlier in the day.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 12:54 p.m.- was made by Commissioner Deon and seconded by Commissioner Richards.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer