

MINUTES OF THE COMMISSION MEETING HELD JUNE 17, 2014

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:34 a.m. June 17, 2014 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were William K. Lieberman, Chairman; A. Michael Pratt, Esquire, Vice 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.; Robert F. Brady, Director of Operations/Projects-East; William J. Capone, Chief of Communications and Public Relations; Scott D. Fairholm, Chief Information Officer; Todd S. Garrison, Director of Maintenance; Nikolaus Grieshaber, Chief Financial Officer; 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 Deborah Carpenter, Equal Opportunity/ADA Officer; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard S. Dipiero, Senior Fare Collection Operations Manager; Richard C. Dreher, Assistant CFO; Gary Graham, Assistant Chief Engineering-Design; Surbrena Hargrove-Dunbar, Executive Assistant; Kelly Horvath, Executive Administrative Assistant; Vasiliki Karandrikas, Media Specialist; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Connie Kreischer-Slingbaum, Executive Administrative Assistant; Wanda Metzger, Contracts Supervisor; Gina M. Murray, Engineering Contracts Supervisor; Robert H. Rosell, Technician of PC/LAN Systems; Patricia F. Schlegel, Director of Human Resources; Cindy Smith, General Accountant II; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Marsha Wagner, Executive Assistant; Kewan Bullock, CEO Fellow Intern; Chappelle Washington-Freer, CEO Fellow Intern, Logan Bushey, CEO Fellow Intern; Allison Bowker, CEO Fellow Intern; Jocelyn Hudson, CEO Fellow Intern; Kennedy Sinyangwe, CEO Fellow Intern; Piper Chambers Zuke, CEO Fellow Intern; Sara Zahorchak, CEO Fellow Intern; Douglas Smith, Larson Design Group; Jon Livingston, Jacobs; Peter Kuhne, Atkins; Ken McClain, URS; Glenn Deppart, Arora & Associates; Paul McNamee, KCI Technologies; Thomas Rowader, Dawood Engineers; Eric Madden, ACEC/PA; Kristi Reichard, Raudenbush Engineering, Inc.; Kari Gregory, Delilah Gregory; Edward Murphy, Esq., Wisler Pearlstine and Mason Avrigan, Esq., Wisler Pearlstine.

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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 present.

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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 REORGANIZATION, NEW HIRES, VACANCIES, INCENTIVE AWARDS AND REQUESTS TO RECLASSIFY; TO POST AND FILL; AND TO CREATE, POST AND FILL POSITIONS IN THE FARE COLLECTION, MAINTENANCE AND ENGINEERING DEPARTMENTS.

THE COMMISSIONERS ALSO DISCUSSED CLAIM NO. DSP-3706941-1 AND 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: DOUGLAS SMITH, LARSON DESIGN GROUP; JON LIVINGSTON, JACOBS; PETER KUHNE, ATKINS; KEN MCCLAIN, URS; GLENN DEPPART, ARORA & ASSOCIATES; PAUL MCNAMEE, KCI TECHNOLOGIES; THOMAS ROWADER, DAWOOD ENGINEERS; ERIC MADDEN, ACEC/PA; KRISTI REICHARD, RAUDENBUSH ENGINEERING, INC.; KARI GREGORY, DELILAH GREGORY; EDWARD MURPHY, ESQ., WISLER PEARLSTINE AND MASON AVRIGAN, ESQ., WISLER PEARLSTINE.

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MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held June 3, 2014 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.

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COMMUNICATIONS

Motion-That the Commission accepts and files the memos received from the Chief Counsel and the Acting Manager of Strategic Sourcing and Asset Management -was made by Commissioner Deon, seconded by Commissioner Schoch, and passed unanimously.

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PERSONNEL

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

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NEW BUSINESS

2015 TOLL INCREASE

Motion-That the Commission adopts the 2015 proposed annual toll increase of 5% for cash and E-ZPass customers effective January 4, 2015, which will apply to all portions of the Turnpike except for the Southern Beltway-was made by Commissioner Deon, 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 a Lease for the items listed in memos "a-h & j-k":

- a. Reimbursement Agreement with Buckeye Partners, LP to reimburse Buckeye the costs for the protection of its gas line to accommodate the replacement of Bridge EB-306 at MP 248.19; at a not-to-exceed amount of \$97,462.50;
- b. Agreement with Daktronics for eight (8) electronic message signs and spare parts for the new Delaware Valley Mainline Toll Plaza; at a not-to-exceed amount of \$139,095.00;
- c. Settlement Agreement and Release with Ernest Calavari and authorize the issuance of the workers' compensation settlement payment;
- d. Lease Agreement with Verizon Wireless for Verizon Wireless to lease space on the Highspire Interchange Monopole; Verizon will pay the Commission the initial lease rate of \$19,932.00 for the first year, with 3% increases every year after that with an initial lease term of ten (10) years, with three five-year mutual renewal options;
- e. Drainage Easement with the Pennsylvania Department of Transportation (PennDOT) to accommodate water runoff from Black Valley Road due to the modification of the existing drainage necessary for the new access ramp at MP 154.18 Westbound;

- f. License Agreement with Thomas and Stacy Foreman to permit the Foremans fence to remain in place so long as it does not interfere with Turnpike operations at MP A24.40 Northbound;
- g. Environmental Covenant with Cumberland Farms for the remediation of the Peter J. Camiel Service Plaza as required by Act 2 and DEP;
- h. Reimbursement Agreement with Aqua PA for Aqua PA to reimburse the Commission the costs associated with installing a waterline crossing as part of the proposed replacement of Bridge DB-239 at MP 355.08 (part of the I-95 Interchange project); at an estimated reimbursement of \$73,000.00;
- j. Settlement Agreement with Golden Eagle Construction, and approve issuance of the settlement amount contingent upon the Commission's receipt of an executed full and final release of all claims;
- k. Supplemental Agreements for communication consulting and strategic planning services for future expenses through the end of their respective contracts:
 - Bravo Group for an additional \$225,000.00
 - Spencer Advertising and Marketing for an additional \$75,000.00

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

Motion-that the Commission approves the negotiation and execution of the Agreement for the item listed in memo "i":

- i. Reimbursement Agreement with PECO Gas for PECO to reimburse the Commission the costs associated with the installation of steel casing for a future gas line as part of the proposed replacement of Bridge DB-239 at MP 355.08 (part of the I-95 Interchange project); at an estimated reimbursement of \$13,000.00;

-was made by Commissioner Deon, seconded by Commission Logan; Commissioner Pratt abstained. VICE CHAIRMAN 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.

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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. Acquisition of Right-of-Way #4014-RE (Mario A. & Joyce A. Corradi), a partial take parcel necessary for the replacement of Bridge EB-306 at MP 248.00 by authorizing payment of fair market value and pro-rated taxes of \$913.50 to Mario A. and Joyce A. Corradi; 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 a prepared by the Legal Department;

- b. Acquisition of Right-of-Way #6051-F (Charlestown Township), a partial take parcel necessary for the total reconstruction from MP 312.00 to MP 319.00 by authorizing payment of fair market value of \$432,300.00 to Charlestown Township; authorize the appropriate Commission officials to execute the agreement of sale and other documents as 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;
- c. Temporary Construction Easement (Maria T. Marroquin), a partial take parcel necessary for the replacement of Bridge EB-306 at MP 248.00 by authorizing payment of fair market value of \$500.00 to Maria T. Marroquin; authorize the appropriate Commission officials to execute the temporary construction easement; 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 temporary construction easement as prepared by the Legal Department.

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

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ADVERTISE

Motion-That the Commission approves advertising for a spill response team contractor for coverage from MP 286.10 to MP 359.00 and from MP A20.00 to MP A57.30-was made by Commissioner Schoch, seconded by Commissioner Deon, and passed unanimously.

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AWARD OF BIDS AND ISSUANCE OF PURCHASE ORDERS

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

- a. Nineteen (19) trailer mounted attenuators, utilizing the Commonwealth's contract with Traffix Devices, Inc.; at a total award of \$303,639.00;
- b. Vehicle lift for Plymouth Meeting Maintenance, utilizing the Commonwealth's contract with Stertil-Koni USA Inc.; at a total award of \$108,499.67;
- d. Toner/printer supplies (July 1, 2014 – June 30, 2015), to the lowest responsive and responsible bidder, Supplies Hotline Corp.; at a total award of \$120,000.00.

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

Motion-That the Commission approves Award of Bids and the Issuance of Purchase Orders for the item listed in memo "c":

- c. Job Order Contracting (JOC) services to the lowest responsive and responsible bidder, from July 1, 2014 – June 30, 2016 with the option to renew for an additional 2-year period and approve the staff movement of funds between service contracts as needed during the life of the contract:

General	District 1	Sunrise Commercial	\$3,000,000
	District 2	Lobar Associates, Inc.	2,000,000
	District 3	Lobar Associates, Inc.	2,000,000
	District 4	Lobar Associates, Inc.	2,000,000
	District 5	Lobar Associates, Inc.	<u>2,000,000</u>
		TOTAL GENERAL	\$11,000,000
Electrical	District 1	Schultheis Electric/TSB Inc.	\$1,500,000
	District 2	Schultheis Electric/TSB Inc.	500,000
	District 3	IB Abel Inc.	500,000
	District 4	Clark Contractors, Inc.	500,000
	District 5	Clark Contractors, Inc.	<u>500,000</u>
		TOTAL ELECTRICAL	\$3,500,000
Plumbing	District 1	Clark Contractors, Inc.	\$2,000,000
	District 2	Clark Contractors, Inc.	1,000,000
	District 3	Clark Contractors, Inc.	1,000,000
	District 4	Lobar Associates, Inc.	1,000,000
	District 5	Lobar Associates, Inc.	<u>1,000,000</u>
		TOTAL PLUMBING	\$6,000,000
HVAC	District 1	Marc Services, Inc.	\$1,500,000
	District 2	Marc Service, Inc.	500,000
	District 3	Henry Mechanical, Inc.	500,000
	District 4	No Bids received	0
	District 5	No Bids received	<u>0</u>
		TOTAL HVAC	\$2,500,000
TOTAL AWARDS			\$23,000,000

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

CHAIRMAN LIEBERMAN: I ABSTAIN ON THIS ITEM BECAUSE I HAVE A PERSONAL BUSINESS RELATIONSHIP WITH SCHULTHEIS ELECTRIC.

AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #T-286.23S001-3-02 for the painting of Bridge EB-541 at MP 286.23 and Bridge EB-541B at MP 286.48, to the lowest responsive and responsible bidder, Hercules Painting Company, Inc.; at a not-to-exceed amount of \$1,014,055.13 and a contingency of \$50,000.00-was made by Commissioner Schoch, seconded by Commissioner Deon, and passed unanimously.

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PSPC ITEMS

Motion-That the Commission approves the award of services and authorizes the negotiation and execution of an agreement with the selected firm for the items listed in memos "a" and "b":

a. RFP #4558. Business Intelligence and Data Analytics, the highly recommended firms in alphabetical order:

- NTT DATA-AWARDED
- Deloitte
- Enfathom

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

b. Ref #3-252. Open-end storage tank management services systemwide, the highly recommended firms in alphabetical order:

- GAI Consultants, Inc.-AWARDED
- Skelly & Loy, Inc.

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

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FEDERAL ENERGY POLICY ACT OF 2005

Motion-That the Commission approves the allocation of Section 179D tax deduction benefits to architects and other designers of Commission eligible energy efficient buildings in accordance with the Federal Energy Policy Act of 2005 and authorize the Director of Facilities and Energy Management Operations to act as a representative for the Commission to allocate the tax deductions and to execute all documents-was made by Commissioner Pratt, seconded by Commissioner Deon, and passed unanimously.

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ITEM ADDED TO THE FORMAL AGENDA

SUPPLEMENT

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 Pratt; Commissioner Lieberman abstained.

CHAIRMAN LIEBERMAN: I ABSTAIN ON THIS ITEM BECAUSE MICHAEL BAKER, JR, INC. IS A CLIENT OF MY FIRM.

The motion passed.

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NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, July 1, 2014 beginning at 10:00 am.

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POST FORMAL MEETING

Gary Graham presented the ACEC National Recognition Award for the Mon-Fayette Expressway to the Commissioners. This Diamond Award was for the Uniontown to Brownsville section of the Mon-Fayette Expressway with Gannett Fleming as the consultant.

Kari Gregory spoke to the Commissioners and made suggestions for TripTalk and spoke of Act 89 of 2013.

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ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:55 a.m.- made by Commissioner Lieberman, seconded by Commissioner Deon, and passed unanimously.

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PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer