

MINUTES OF THE COMMISSION MEETING HELD JUNE 21, 2011

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:13 a.m., June 21, 2011 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were William K. Lieberman, Chairman; A. Michael Pratt, Esq., Vice Chairman; J. William Lincoln, Secretary Treasurer; Pasquale T. Deon, Sr., Commissioner and Barry J. Schoch, P.E., Secretary of Transportation.

Others present for the meeting were Roger E. Nutt, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Robert F. Brady, Director of Operations/Projects-East; Jeffrey L. Garrett, Chief Engineer, Michael Baker, Jr., Inc.; Todd S. Garrison, Director of Maintenance; Nikolaus Grieshaber, Chief Financial Officer; Jeffrey L. Hess, Director of Operations/Projects-West; Frank J. Kempf, Jr., Chief Engineer; Doreen McCall, Chief Counsel; Joe Suess, Acting Chief Informational Officer and Jeffrey A. Naugle, Assistant Secretary Treasurer.

Also in attendance were Allen W. Baldwin, Director of Operations, Safety & Incident Response; Michael D. Begler, Director of Operations Review; William J. Capone, Director of Communications/Public Relations; Susan Carson-Casoni, Cash Manager; John Christensen, Manager of FEMO; Carl E. Defebo, Jr., Manager of Public Information-East; Janielle Eby, Engineer Project Manager 1; Ann Louise Edmunds, Administrative Officer; Derek S. Hansel, Assistant Chief Financial Officer; Donald S. Klingensmith, P.E., Manager of Contracts Administration; Donna Lapano, Executive Assistant; Anthony L. Maniscola, Special Investigator; Robert H. Rosell, Technician of PC/LAN Systems; Cathy Sabo, Sr. General Accountant; Patricia F. Schlegel, Director of Human Resources; Lynn Stakem, General Accountant 2; Kathy Thomas, Administrative Secretary; Kim D. Tosh, Treasury Analyst; Captain Kathy Jo Winterbottom, PSP; John Boyer, Engineer Trainee; Brian Mostek, Engineer Trainee; Al Brulo, Engineer Trainee; Bob Leonard, Erdman Anthony; Todd Morris, Pennoni Associates, Denny Semsick, GAI Consultants; Ray Schilling, GAI Consultants; Lynn Hines, US Bank; Ralph Jones, US Bank; Mike Ryan, Michael Baker, Jr., Inc. and Fran Kelly, SEPTA.

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Mr. Naugle led the Commissioners and staff in the Pledge of Allegiance.

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The Assistant Secretary Treasurer, Jeffrey A. Naugle, called the roll and declared a quorum present.

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SUNSHINE ANNOUNCEMENT

MR. NAUGLE: THE COMMISSIONERS MET IN EXECUTIVE SESSION PRIOR TO TODAY'S FORMAL AGENDA SESSION TO CONSIDER MATTERS OF PERSONNEL, WHICH INCLUDED A REORGANIZATION, NEW HIRES, PROMOTIONS, TERMINATIONS, VACANCIES, AND REQUESTS TO CREATE AND FILL AND TO POST AND FILL POSITIONS IN THE EXECUTIVE OFFICE, MAINTENANCE, ENGINEERING, INFORMATION TECHNOLOGY AND COMMUNICATIONS AND PUBLIC RELATIONS DEPARTMENTS.

THE COMMISSIONERS ALSO DISCUSSED POLICY 2.7 AND 6.4, MARK IV v. TRANSCORE et. al (U.S. District Court Delaware), HEMPT BROTHERS v. PTC, Docket No. 3944 and TRUMBULL v. PTC, Docket No. 3997 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

MR. NAUGLE: 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.

BOB LEONARD, ERDMAN ANTHONY
TODD MORRIS, PENNONI ASSOCIATES
DENNY SEMSICK, GAI CONSULTANTS
RAY SCHILLING, GAI CONSULTANTS
LYNN HINES, US BANK
RALPH JONES, US BANK
MIKE RYAN, MICHAEL BAKER, JR. INC.

MR. NAUGLE: THIS CONCLUDES THE PUBLIC COMMENT SECTION OF THE MEETING.

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MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held May 24, 2011 be approved and filed-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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COMMUNICATIONS

Motion-That the Commission accepts and files the memos received from the Chief Counsel and the Manager of Strategic Sourcing & Asset Management-was made by Commissioner Lincoln, seconded by Commissioner Deon; Commissioner Pratt abstained.

COMMISSIONER PRATT: MR. CHAIRMAN, I ABSTAIN ON THE BASIS THAT ONE OR MORE OF THE COMPANIES SET FORTH IN THIS AGENDA ITEM ARE CLIENTS 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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PERSONNEL

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

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NEW BUSINESS

Reinvestments, Liquidations and Purchase of Securities

Upon the motion by Commissioner Lincoln, seconded by Commissioners Deon, the following Resolution was presented for adoption:

RESOLUTION

BE IT RESOLVED that The Pennsylvania Turnpike Commission hereby ratifies the action of the Assistant Chief Financial Officer, with approval of the Consulting Engineer, in directing the Trustee to make the foregoing reinvestments, liquidations and purchases; and

BE IT FURTHER RESOLVED that copies of the Resolution certified by the Assistant Secretary Treasurer shall be forwarded to the Trustee as required in Article VI, Section 602 of the 2001 Amended and Restated Trust Indenture.

The following members voted yea: Commissioners Lieberman, Pratt, Lincoln, Deon and Schoch; the motion passed unanimously.

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AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements for the items listed in memos "a, b" and "d" through "g":

- a. Approval to negotiate and execute a settlement agreement with Branding Rights as a result of contract termination of the Commission's Branding/Sponsorship Program;
- b. Reimbursement Agreement with Buckeye Pipe Line Company, L.P., for the Commission to reimburse Buckeye for the design, materials and construction costs to relocate their pipe line,

- necessary for the replacement of Bridges WB-433 and WB-434; at a not-to-exceed amount of \$4,271,542.00;
- d. Reimbursement Agreement with Verizon, for the Commission to reimburse Verizon for replacement of their underground line necessary for the total reconstruction project MP A20.00 to A30.00; at a not-to-exceed amount of \$42,947.00;
 - e. Approval to negotiate and execute a Common Interest and Confidentiality Agreement to assist Inter-Agency Group member agencies in a patent infringement lawsuit for the next generation technology equipment system;
 - f. Approval to negotiate and execute an agreement with Voicenet to establish terms and conditions for the development, ownership, and maintenance of TRIP TALK mobile phone application; at a not-to-exceed amount of \$100,000.00 annually;
 - g. Assignment Agreement with dck North America, LLC to assign active contracts to Hill International Inc. for construction inspection / project management of the Swatara Creek Bridge replacement;

-was made by Commissioner Pratt, seconded by Commissioner Deon.

Motion-That the Commission approved the negotiation and execution of the Agreement as listed in memo "c":

- c. Reimbursement Agreement with PECO Energy Co., for the Commission to reimburse PECO for replacement of their underground line necessary for the total reconstruction project MP A20.00 to A30.00; at a not-to-exceed amount of \$36,166.00;

-was made by Commissioner Deon, seconded by Commissioner Lincoln; Commissioner Pratt abstained.

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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RIGHT-OF-WAY REQUEST

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos "a" through "d" and "f" through "q":

- a. Authorize the acquisition of Right-of-Way #8995-R19, a partial take parcel, necessary for the Route 903 Slip Ramp project; by issuing payment in the amount of \$707.00, payable to Reidun Bobbe, representing fair market value and prorated taxes; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;

- b. Authorize the acquisition of Right-of-Way #8995-R03, a partial take parcel, necessary for the Route 903 Slip Ramp project; by issuing payment in the amount of \$1,131.20, payable to Stelios and Konstantina Kapodistrias, representing fair market value and prorated taxes; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;
- c. Authorize the settlement of Right-of-Way #1A036-A, a partial take parcel, necessary for the total reconstruction project from MP 67.00 to MP 75.00; by issuing settlement payment in the amount of \$54,157.59, representing general damages, delay damages and Section 710 Fees, payable to Hollinshead, Mendelson, Bresnahan & Nixon, P.C., Escrow Agent;
- d. Adopt the proposed Property Acquisition Resolution for Right-of-Way #6420-C and #6420-D, partial take parcels, necessary for the total reconstruction project from MP A20.00 to MP A30.00; authorize payment of Estimated Just Compensation in the amount of \$290,000.00, payable to Buckley, Brion, McGuire, Morris & Sommer, LLP, Escrow Agent; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;
- f. Authorize the acquisition of Right-of-Way #16451, a partial take parcel, necessary for construction of the Mon/Fayette Expressway; by issuing payment in the amount of \$1,500.00, payable to Daniel P. and Geri Lee Ternitsky, representing fair market value; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;
- g. Authorize the acquisition of Right-of-Way #17907, a total take parcel, necessary for construction of the Southern Beltway; by issuing payment in the amount of \$360,939.72, payable to Nathan Zarichnak & Associates, LLC, Escrow Agent, representing fair market value, prorated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;
- h. Authorize the acquisition of Right-of-Way #17963, a total take parcel, necessary for construction of the Southern Beltway; by issuing payment in the amount of \$1,346,303.21, payable to Nathan Zarichnak & Associates, LLC, Escrow Agent, representing fair market value, prorated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department; the claim also involves payment of \$62,500.00 to Weld Tooling Corp for the relocation of Right-of-Way #17963-01 a tenant occupying the building;
- i. Authorize the acquisition of Right-of-Way #3384-A, a partial take parcel, necessary for the total reconstruction project from MP 242 to MP 245; by issuing payment in the amount of \$507.50, payable to Guy E. Shelley, Jr., Post 974 American Legion, representing fair market

- value; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;
- j. Authorize the acquisition of Right-of-Way #3384-B, a total take parcel, necessary for the total reconstruction project from MP 242 to MP 245; by issuing payment in the amount of \$221,793.00, payable to Coon & Company, Escrow Agent, representing fair market value, prorated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;
- k. Authorize the acquisition of Right-of-Way #8995-R20, a partial take parcel, necessary for the Rt. 903 Slip Ramp construction project; by issuing payment in the amount of \$2,030.00, payable to Neil R. Goldman and Barbara A. Goldman, representing fair market value; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;
- l. Authorize the acquisition of a total take parcel, necessary to eliminate the Hazelette Street Bridge, Structure #B-518; by issuing payment in the amount of \$48,600.00, payable to Puzak Law Offices, Escrow Agent, representing fair market value, prorated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;
- m. Authorize the acquisition of Right-of-Way #1023-A, a partial take parcel, necessary for the total reconstruction project from MP 99 to MP 109; by issuing payment in the amount of \$4,916.50, payable to Valerie M. Moy, representing fair market value; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;
- n. Authorize the proposed Property Acquisition Resolution for Right-of-Way #14208-A and #14070-D, total take parcels, necessary for the total reconstruction project from MP 40 to 48; authorize payment of Estimated Just Compensation in the amount of \$4,900.00 payable to Hollinshead, Mendelson, Bresnahan and Nixon, P.C., Escrow Agent; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;
- o. Authorize the additional payment of \$15,000 payable to George A. Worthington and Lillian K. Worthington for Right-of-Way #7135-L and #7135-M, total take parcels, which were approved by the Commission on January 8, 2007. The Condemnees filed with the Court Appeal/Exceptions to the Award of the Board of View. The Legal Department has reviewed the file and believes the settlement to be in the best interest of the Commission. Payment to

the Condemnees is contingent upon their execution of the settlement agreement as approved by the Legal Department;

- p. Authorize the disposition of property for an occasional flowage easement for the total reconstruction project between MP 199 and MP 227, to Carl M. Hoover and Tammy J. Hoover, a partial take, where the property owners have requested the Commission transfer ownership of a small triangle of property in lieu of a monetary payment for the occasional flowage easement;
- q. Authorize the proposed Property Acquisition Resolution for Right-of-Way #3384-E, a total take parcel, necessary for the total reconstruction project from MP 242 to 245; authorize payment of Estimated Just Compensation in the amount of \$50,000.00 payable to Stevens & Lee, P.C., Escrow Agent; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer.

-was made by Commissioner Deon, seconded by Commissioner Lincoln.

Motion-The the Commission approves the Right-of-Way Request for the item listed in memo "e":

- e. Authorize the acquisition of Right-of-Way #6437-A, a partial take parcel, necessary for the total reconstruction project from MP A20.00 to MP A30.00; by issuing payment in the amount of \$40,000.00, payable to PECO Energy Company, representing fair market value; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;

-was made by Commissioner Deon, seconded by Commissioner Lincoln; Commissioner Pratt abstained.

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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APPROVE ADVERTISING

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

- a. Engineering Firm to perform open-end material inspection and testing services for the I-95/I-276 connection project;
- b. Compensation consultant to perform an organizational and salary study.

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

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AWARD OF BIDS AND ISSUANCE OF 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” and “j”:

- a. Toner/printer supplies (June 1, 2011 through May 31, 2012), to the lowest responsive and responsible bidder, CNI Office Supplies; at a total award of \$160,000.00;
- b. Rental of mobile sweepers and vactor units with Jack Doheny Rentals Inc., to exercise the option to renew the contract for an additional month for Districts 1, 4 and 5; at an additional cost of \$68,250.00; increasing the purchase order amount from \$227,500.00 to \$295,750.00;
- c. Purchase of E-ZPass transponders from Kapsch TrafficCom IVHS (formerly, Mark IV IVHS, Inc.) the vendor selected by the Interagency Group (IAG) (operating as the E-ZPass Group); for a total award \$1,961,270.00. This pricing reflects the seven-year pricing structure agreed to with Mark IV, IVHS, Inc., now operating as Kapsch;
- d. Exercise our option to renew the agreement for oil/water separator services with Environmental Products & Services, Inc. for an additional year; at an additional annual cost of \$100,000.00;
- e. Safe hit flexible delineation roadway markers, utilizing the Commonwealth’s contract with PIBH; for a total award of \$275,000.00;
- f. Agreement for tires; with increasing the purchase order to \$248,500.00:

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| Goodyear Tires and Rubber | \$40,000.00 |
| Michelin North America Inc. | <u>\$25,000.00</u> |
| Total Change Order: | \$65,000.00 |

- g. Exercise our option to renew the agreement for bottled water for an additional year; at an additional cost of:

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|---------------------------------------|--------------------|
| DS Waters of American/Crystal Springs | \$20,000.00 |
| Roaring Spring Water | <u>\$ 8,000.00</u> |
| Renewal Amount: | \$28,000.00 |

- h. Exercise our option to renew the agreement for asphalt sealant with McAsphalt Industries Ltd. for an additional year; at an additional annual cost of \$300,000.00;
- j. Four (4) tow plows, utilizing the Commonwealth’s contract with Lancaster Truck Bodies; at a total award of \$424,064.00.

-was made by Commissioner Lincoln, seconded by Commissioner Deon;

Motion-That the Commission approves the Award of a Bid and the Issuance of a Purchase Orders for the item listed in memo “i”:

- i. Thirty-eight (38) Tandem axle dump trucks, utilizing the Commonwealth's contract with Mack Trucks, Inc.; at a total award of \$7,792,133.88;

-was made by Commission Lincoln; seconded by Commissioner Deon; Commissioner Pratt abstained.

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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AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #T-085.00R002-3-02 for micro surfacing and shoulder repairs between MP 85.00 and MP 94.13; to the lowest responsive and responsible bidder, Strawser Construction, Inc.; at a total award of \$2,230,554.54 with a contingency amount of \$75,000.00-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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SUPPLEMENT

Motion-That the Commission approves the execution of Supplemental Agreement #4 with KCI Technologies for public outreach services for the total reconstruction projects from MP 320.00 to MP 326.00 and MP A20.00 to MP A30.00 for an additional \$710,000.00, necessary for continued public outreach- was made by Commissioner Pratt, seconded by Commissioner Deon; and passed unanimously.

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SUPPLEMENTAL AGREEMENT, WORK AUTHORIZATION, PROPERTY DAMAGE WRITE-OFF

Motion-That the Commission approves the execution of a Work Authorization, Write-off and Amendment as listed in memos "b" through "d":

- b. Work Authorization to reimburse J.P.S. Construction Co., Inc. for the cost of parapet and protective fence repair work required at MP 333.83 for damage caused by a tractor trailer; at a not-to-exceed amount of \$400,000.00;
- c. Write off of \$88,117.62 for Property Damage Claim #DC-1981;
- d. Amendment to the lease agreement with Verizon Wireless in connection with the rebuilding of the communications tower at the Trevoise Maintenance Facility.

-was made by Commissioner Lincoln, seconded by Commissioner Deon.

Motion-That the Commission approves the execution of the Supplemental Agreement listed in memo "a":

- a. Supplemental Agreement #2 with McCormick Taylor, Inc. for final design of the total reconstruction and widening project from MP 40.00 to MP 48.00; for an increase of \$6,000,000.00, necessary for changes in construction and regulatory requirements;

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

COMMISSIONER SCHOCH: MR. CHAIRMAN, I ABSTAIN BASED UPON MY PAST RELATIONSHIP WITH THE FIRM MENTIONED IN THIS ITEM.

The motion passed.

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CHANGE ORDERS

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

- a. Change Order #1 for Contract M-030.00R001-3-02 with Golden Eagle Construction, for roadway construction and resurfacing from MP M29.96 to MP M34.63; necessary to change a contract interim milestone date for paving;
- b. Change Order #4 for Contract #T-048.00R001-3-02 with Lindy Paving, Inc. for bituminous resurfacing between MP 44.70 and MP 50.66; necessary for a 56-day time extension due to a slab stabilization overrun.

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

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CHANGE ORDERS AND FINAL PAYMENTS

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

- a. Change Order #3 and Final Payment for Contract #T-057.00R001-3-02 with The Lane Construction Corporation for bituminous overlay between MP 56.37 and MP 67.49, for a decrease of \$667,244.58; making the final contract value \$9,762,474.62 and a final amount due of \$578,987.68;
- b. Change Order #1 and Final Payment for Contract #EN-00094-03-03 with Cottles Asphalt Maintenance Inc. for bridge repairs between MP 109.91 and MP 236.22, for a decrease of \$32,437.63; making the final contract value \$367,562.37 and a final amount due of \$18,378.12;
- c. Change Order #2 and Final Payment for Contract #EN-00088-03-06 with Valley Quarries, Inc. for roadway and miscellaneous repairs between MP 179.44 and MP 241.87, for an increase of \$636.87; making the final contract value \$1,057,439.20 and a final amount due of \$53,476.99.

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

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POLICY LETTER

Motion-That the Commission approves a revision to Policy Letter 5.1, Employee Accident Review and Disciplinary Program, to reflect a change to the General Policy provision-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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ENHANCED FY2012 TEN-YEAR CAPITAL PLAN

Motion-That the Commission adopts the enhanced FY2012 Ten Year Capital Plan to provide additional funding to the Highway program and grant approval for staff to advertise for the use of consultants, contractors and other necessary professional services of all phases of projects within the first two years of the adopted plan-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

CHAIRMAN LIEBERMAN: I WOULD LIKE TO THANK BOTH NICK AND FRANK KEMPF FOR THE YEOMAN'S WORK THEY DID ON THIS CAPITAL PLAN. WHAT A WELL THOUGHT OUT DOCUMENT IT IS AND IT REALLY IS THE TURNPIKE OF THE FUTURE. ON BEHALF OF THE FIVE COMMISSIONERS AND EXECUTIVE STAFF, THANK YOU FOR ALL OF THE WORK THAT YOU DID ON THIS. IT'S A GREAT DOCUMENT.

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TRC FINAL SELECTIONS AND PTRC RECOMMENDATIONS

Motion-That the Commission approves the selection recommendations from the TRC and PTRC and authorized the negotiation and execution of a contract with the first two firms listed in memo "a" and the first firm listed in memos "b" through "d":

- a. Approve the selection recommendation from the Technical Review Committee and authorize the negotiation and execution of a contract with the first two firms listed to provide Construction Inspection Services for the Western Region and Western Expansion Sections; for a not-to-exceed amount of \$950,000.00 or two (2) years:

Reference #1-153

Greenman-Pedersen, Inc.
Stahl Sheaffer Engineering, LLC
Trumbull Corporation
Erdman Anthony
CMC Engineering

- b. Approve the selection recommendation from the Technical Review Committee and authorize the negotiation and execution of a contract with the first firm listed to provide Preliminary and Final Design Services for roadway total reconstruction MP A-37.5 to A-44.5; for a not-to-exceed amount of \$18,000,000.00:

Reference #4-086

Pennoni Associates, Inc.
Greenhorne & O'Mara, Inc.
SAI Consultants Engineers, Inc.

- c. Approve the selection recommendation from the Procurement Technical Review Committee to approve the selection and authorize the negotiation of a contract with Trion, a Marsh & McLennan Agency, LLC Company;
- d. Approve the selection recommendation from the Procurement Technical Review Committee to approve the selection and authorize the negotiation of a contract with Compliance Management International.

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

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MR. NUTT: MR. CHAIRMAN, I THINK IT'S APPROPRIATE FOR ME TO MAKE A FEW COMMENTS TO THE STAFF ALSO. THEY REALLY HAVE DONE A YEOMAN'S WORK ON THE CAPITAL PLAN AND THEY HAVE TO DO A LOT MORE WORK TO IMPLEMENT IT WHICH I KNOW THEY WILL.

THERE ARE A FEW OTHER THINGS THAT HAVE HAPPENED AT THE TURNPIKE BEFORE I GOT HERE, BUT I THINK I NEED TO RECOGNIZE THE STAFF. WE ARE GETTING AN AWARD FROM IBTTA FOR A CUSTOMER SERVICE PROGRAM WE DID AND BILL CAPONE IS HERE. HE AND HIS STAFF PUT THAT TOGETHER AND RECEIVED AN AWARD. WE MIGHT ALSO GET ANOTHER ONE LATER ON, BUT THIS IS THE ONE WE CAN ANNOUNCE.

ALSO IN FRANK'S AREA, WE RECEIVED THE NUMBER TWO AWARD FOR THE ALLEGHENY RIVER BRIDGE DESIGN FROM THE AMERICAN ROAD TRANSPORTATION BUILDERS ASSOCIATION. AND NUMBER TWO DOESN'T SOUND LIKE NUMBER ONE, BUT WHEN YOU SEE THAT NUMBER ONE WAS THE BYPASS FOR THE HOOVER DAM, YOU CAN SEE HOW GOOD OF A PROJECT THAT WAS. I WOULD LIKE TO CONGRATULATE THE STAFF AND I AM VERY IMPRESSED WITH THE PROFESSIONALISM OF THE STAFF HERE AND IT'S BEEN A GREAT WORKING OPPORTUNITY TO WORK WITH THEM. CRAIG AND I REALLY APPRECIATE THE STAFF AND HOW THEY COME TOGETHER AND I THINK IT'S REALLY APPROPRIATE TO RECOGNIZE PEOPLE FOR THE WORK THEY DO FOR US AND WE THANK YOU VERY MUCH.

CHAIRMAN LIEBERMAN: WELL SAID ROGER, THANK YOU VERY MUCH.

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NEXT MEETING

MR. NAUGLE: WE HAVE NO POST-FORMAL MEETING TODAY. THE NEXT FORMAL COMMISSION MEETING WILL BE TUESDAY, JULY 19, 2011. COMMISSIONERS, I HAVE NO ADDITIONAL ITEMS FOR CONSIDERATION. I REQUEST A MOTION FOR ADJOURNMENT.

ADJOURNMENT

Motion-That this meeting of The Pennsylvania Turnpike Commission be adjourned at 11:26 a.m.-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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PREPARED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

06-21-11

APPROVED BY:

J. William Lincoln
Secretary Treasurer

ATTACHMENT NUMBER 1
COMMUNICATIONS: MEMO RECEIVED FROM THE CHIEF COUNSEL AND
THE MANAGER OF STRATEGIC SOURCING AND ASSET MANAGEMENT