

MINUTES OF THE COMMISSION MEETING HELD JULY 3, 2018

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:01 a.m. on July 3, 2018 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Barry Drew, Secretary Treasurer and John Wozniak, Commissioner. Available via telephone were Leslie Richards, Chair; William K. Lieberman, Vice Chair and Pasquale T. Deon, Sr., Commissioner.

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; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Assistant Director of Toll Collection-Fares; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Director of Policy & External Affairs, Esquire; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Jack Christensen, Director of FEMO; Richard S. DiPiero, Senior Fare Collection Operations Manager; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Jeffrey A. Naugle, Manager of Treasury Operations; Melissa Orlandini, Engineer Project Manager 1; Lynn Stakem, Senior General Accountant; Mark Strause, Technician of PC/Lan Systems; Wendell Banks, CEO Intern; Amisha Rijal-CEO Intern; Contrell Armor, CEO Intern; Eric Miller, CEO Intern; Ashley Shappell, CEO Intern; Jennifer Finn, CEO Intern; Francesca Galarza, CEO Intern; Abdelrahim Hamed, CEO Intern; Mark Gangaram, CEO Intern; Peterson Prime, CEO Intern; Kevin Riddle, CEO Intern; Trevor Engle, Engineer Trainee; Shelby Luther, Engineering Assistant; Margaret Zug, Engineering Assistant; Harry Sigley, CMTS; Eric Madden, JMT; Mike Gross, Wallace Montgomery; Steve Barber, Michael Baker International; Terrence Ziegler, KTMC; Paul McNamee, KCI and Ron Spacht, Cherry Weber & Associates.



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 promotion, termination, reclassification, new hires and vacancies.

The Commissioners also discussed Docket No. 2:06-CV-01833 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 June 19, 2018 be approved and filed as submitted -were made by Commissioner Drew, seconded by Commissioner Wozniak, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS
SUPPLEMENT

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

- a. Supplemental Agreement #3 for preliminary and final design services of the Southern Beltway, Section 55B, with Stantec Consulting Services, Inc., for an increase of \$400,000.00 for continued post-design construction consultation and to design a drainage system along S.R. 980; for a revised not-to-exceed amount of \$7,400,000.00;
- b. Supplemental Agreement #2 for open-end design services with Dawood Engineering, Inc., for an additional \$200,000.00 to complete the development of our Pavement Asset Management System; for a revised not-to-exceed amount of \$1,350,000.00;
- c. Supplemental Agreement #3 with Michael Baker International for General Consulting Engineering services, for an increase of \$401,243.00 for additional work for the Southwest Pennsylvania Funding Study (of which 50% will be reimbursed to the Commission).

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



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements for the items listed in memos “a” though “g”:

- a. Lease Agreement with Range Resources-Appalachia, LLC to permit Range Resources-Appalachia to lease 34.3502 acres of Right-of-Way and surplus property in Washington County for the purpose of exploring, developing and producing oil and gas down to the Utica Shale Formation;
- b. Agreement with Giant Eagle Food Stores to distribute E-ZPass GoPaks in its PA locations;
- c. Interagency Reimbursement Agreement with the Port Authority of Allegheny County for equal cost sharing of consultant services to recommend actions to support long-term sustainable funding for the Port Authority; at a not-to-exceed amount of \$410,000.00;
- d. Agreement with Bloomsburg University to provide employees with an opportunity to earn college credits for work experience;
- e. Reimbursement Agreement with Peoples Natural Gas Company (PNG) to reimburse PNG the cost for the engineering and facility relocation work necessary for construction of the Southern Beltway, Section 55-C2-1; at a not-to-exceed amount of \$234,851.94;

- f. Lease Agreement with AT&T to permit it to lease space on the Commission's Willow Hill tower, at a leased fee of \$36,000.00 for the first year, with a 3% increase each year thereafter, for an initial term of ten (10) years, plus three 5-year mutual extension options.
- g. Settlement Agreement in the case Vista Healthplan, Inc. v Cephalon, Inc. et al. with Sun Pharmaceutical Industries Ltd., approve the settlement amount due the Commission, and authorize the appropriate Commission officials to execute the Settlement Agreement and other documents necessary to end, settle and discontinue this matter.

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



RIGHT-OF-WAY REQUEST

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

- a. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14007-A1 (Allegheny Land Trust), a partial take parcel necessary for the total reconstruction project from MP 28.00 to MP 31.00 by authorizing payment of \$5,200.00 representing Estimated Just Compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- b. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14007-A3 and Right-of-Way #14008-J (unknown ownership), partial take parcels necessary for the total reconstruction project from MP 28.00 to MP 31.00 by authorizing payment of \$1,000.00 representing Estimated Just Compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- c. Adopt the proposed Property Acquisition Resolution for Right-of-Way #14008-G (Paul D. Kress, Jr.), a partial take parcel necessary for the total reconstruction project from MP 28.00 to MP 31.00 by authorizing payment of \$13,000.00 representing Estimated Just Compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- d. Acquisition of Right-of-Way #15041-A (Baker Hughes Oilfield Operations, Inc.), a partial take parcel necessary for Pre-Entry ITS between MP 10.00 and MP 189.00 by authorizing payment of \$507.50 representing fair market value and pro-rated taxes to Baker Hughes Oilfield Operations, Inc.; 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;

- e. Acquisition of Right-of-Way #7133-RG (Jacque L. Bennett), a partial take parcel necessary for construction of the I-95 Interchange by authorizing payment of \$312,373.48 representing fair market value, pro-rated taxes, recording fees, replacement housing supplement and closing costs to Diversified Settlement Services, Inc., 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;
- f. Acquisition of Right-of-Way #14S604 (The Estate of Mary M. Loncaric), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$382,875.53 representing fair market value and pro-rated taxes to The Estate of Mary M. Loncaric c/o Patrick P. Koch, Executor; 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.

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



TOLL INCREASE

Motion-That the Commission approves the proposed 2019 annual toll increase of 6% for cash and E-ZPass customers effective January 2019-was made by Commissioner Drew, seconded by Commissioner Wozniak and passed unanimously.



PURCHASE ORDERS

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

- a. Highmast lighting for District 4, utilizing the Commonwealth's contract with Valley Power, Inc.; at a total award of \$126,000.00;
- b. Change Orders for maintenance, replacement, testing, certifications and repairs to fuel pumps, dispensers and tanks (through August 31, 2018), to complete existing projects:

L&A Construction Co. LLC	\$500,000.00
Clark Contractors, Inc.	<u>200,000.00</u>
TOTAL CHANGE ORDERS:	\$700,000.00

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



CHANGE ORDER AND FINAL PAYMENT

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

- a. Final Payment for Contract #T-306.00R002-3-02 for bituminous resurfacing between MP 306.38 and MP 312.35 with Allan Myers, L.P., in the amount of \$42,495.11; for a final contract value of \$3,886,422.64;
- b. Change Order #2 for Contract #A-020.00R001-3-02 for pavement repairs for Mid-County Interchange with Eastern Highway Specialists, Inc., for an increase of \$985,540.45 for concrete glare screen, MPT and concrete pavement patching and repairs; for a revised not-to-exceed amount of \$7,668,674.39.

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



PennSTART

Motion-That the Commission grants authority to the Chief Executive Officer, or designee, to execute a letter of commitment for the construction and (partial) funding of the PennSTART facility in the amount of \$5,000,000.00; and approve the addition of this \$5,000,000.00 to the FY2019 Ten Year Capital Plan-was made by Commissioner Drew, seconded by Commissioner Wozniak and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held via telephone on Tuesday, August 7, 2018 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:07 a.m. -was made by Commissioner Drew, seconded by Commissioner Wozniak and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Barry Drew
Secretary Treasurer