

MINUTES OF THE COMMISSION MEETING HELD JULY 5, 2017

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:53 a.m. on July 5, 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; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Assistant Director of Toll Collection-Fares; Stacia A. Ritter, Esquire, Director of Policy and External Affairs; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Jack Christensen, Director of FEMO; Kelly Decker, General Litigation & Construction Counsel; John Dwyer, Assistant Counsel; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Contracts Administration; Anthony Q. Maun, Assistant CFO/Accounting & Budgeting; Michael J. McGovern, General Labor & Employment Counsel; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Mark Strause, Technician of PC/Lan Systems; Paul McNamee, KCI; Elton Cammors, VSI and Tom Cushman, AECOM.



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 terminations, promotions, new hires, vacancies and a request to reclassify and fill a position in the Executive Office.

The Commissioners also 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 20, 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 submitted- was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

OCIP PAYMENT

Motion-That the Commission approves payment of the invoice to Chubb, through our broker AON, for a total amount of \$49,841.00, which represents the premium for the Owner Controlled Insurance Program (OCIP) for the Southern Beltway, US 22 to I-79 (through July 26, 2019)-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements, an Amendment, a Work Order and a Lease for the items listed in memos "a" through "f":

- a. Amendment to our agreement with Penn State Facility Engineering Institute to continue with facility condition assessments, implementation of a utility bill management system, energy procurement assistance and educational services; exercising the option to renew the agreement for an additional 4-years at a not-to-exceed amount of \$2,250,527.00; and a supplement of \$59,338.00 for the FY 2018 contract;
- b. Agreement with the Wilkes-Barre/Scranton International Airport to protect the Commissions' interests and property during the Northeastern PA Air Show to be held August 11 – 13, 2017;
- c. Easement Agreement with Towamencin Township for the Township to install a pedestrian trail through Parcel 656 of Commission owned surplus property; for a fee of \$5,000.00 from the Township;
- d. Work Order #45 with TransCore to provide hardware, software and installation for a component upgrade to the existing Digital Video Audit System (DVAS); at a not-to-exceed amount of \$169,890.00;
- e. Lease Agreement with TransCore to lease Commission owned property at 300 East Park Drive for the Customer Service Center and Violations Processing Center;
- f. Settlement Agreement and Release with Nancy Zerfuss, and authorizing issuance of the workers' compensation settlement payment.

-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 "f":

- a. Acquisition of Right-of-Way #3062-C (Patricia M. Herrmann), a partial take parcel necessary for the installation of pre-entry ITS from MP 10.00 to MP 189.00 by authorizing payment of \$3,500.00 representing fair market value to Patricia M. Herrmann; authorize the appropriate Commission officials to execute the Temporary Construction Easement and other documents that may be required for closing; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel and payment of the fair market value to the property owner is contingent upon the delivery of a Temporary construction Easement as prepared by the Legal Department;
- b. Settlement of Right-of-Way #1031-R05 (Shreeji Properties, LLC), a partial take parcel necessary for the Somerset 5-Legged Interchange by authorizing payment of \$81,241.31 representing settlement to Bresnahan, Nixon & Finnegan, P.C., escrow agent; and payment of the settlement funds is contingent upon the execution of a Stipulation of Settlement as approved by the Legal Department and the docket being marked settled and discontinued with prejudice;
- c. Settlement of Right-of-Way #1031-R04 (GM Realty, LLC, et al.), a partial take parcel necessary for the Somerset 5-Legged Interchange by authorizing payment of \$22,538.00 representing settlement to Bresnahan, Nixon & Finnegan, P.C., escrow agent; and payment of the settlement funds is contingent upon the execution of a Stipulation of Settlement as approved by the Legal Department and the docket being marked settled and discontinued with prejudice;
- d. Settlement of Right-of-Way #1031-R20 (HK Realty, LLC, et al.), a partial take parcel necessary for the Somerset 5-Legged Interchange by authorizing payment of \$46,637.21 representing settlement to Bresnahan, Nixon & Finnegan, P.C., escrow agent; and payment of the settlement funds is contingent upon the execution of a Stipulation of Settlement as approved by the Legal Department and the docket being marked settled and discontinued with prejudice;
- e. Acquisition of Right-of-Way #1092-C2 (Samuel G. Fochtman), a partial take parcel necessary for the total reconstruction project from MP 128.00 to MP 134.00 by authorizing payment of \$707.50 representing fair market value and pro-rated taxes to Samuel G. Fochtman; 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 to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- f. Acquisition of Right-of-Way #7169-H (Paul & Kristan Hardy), a partial take parcel necessary for construction of the I-95 Interchange by authorizing payment of \$150.00 representing payment of the Borough's sewer connection application fee to The Bristol Borough Water and Sewer Authority; authorizing the payment of all other costs associated with the sewer connection, and all other damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel.

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



ADVERTISING

Motion-That the Commission approves advertising for two (2) engineering firms for traffic operations and Intelligent Transportation Systems (ITS)-was made by Commissioner Drew, seconded by Commissioner Deon and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves the Award of Bids and the Issuance of Purchase Orders for the items listed in memos “a” through “e”:

- a. Six (6) mobile generators for various towers, utilizing the Commonwealth’s contract with Cleveland Brothers Equip Co., Inc.; at a total award of \$198,630.00;
- b. Sodium Chloride (August 1, 2017 – July 31, 2018), to the lowest responsive and responsible bidders:

Compass Minerals	\$ 4,000,000.00
American Rock Salt	4,100,000.00
Cargill Inc.	3,900,000.00
TOTAL AWARD:	<u>\$12,000,000.00</u>
Plus 25% contingency	<u>3,000,000.00</u>
APPROVED TOTAL:	\$15,000,000.00
- c. Tree clearing from MP 157.30 to MP 162.00, to the lowest responsive and responsible bidder, K. W. Reese, Inc.; at a total award of \$999,418.95;
- d. AccuWeather license fee for forecasting services; exercising the option to renew the agreement (October 1, 2017 – September 30, 2018) with DELL Marketing, LP; at a cost of \$123,823.96;
- e. Annual printer maintenance agreement (through June 30, 2018), utilizing the Commonwealth’s contract with Fraser Advanced Information Systems; at a total award of \$110,000.00.

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



POOL

Motion-That the Commission approves amending the pool of qualified real estate appraisers and title abstracting and closing services to include Tri-State Paralegal Service, LLC in the qualified pool -was made by Commissioner Drew, seconded by Commissioner Deon, 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” and “b”:

- a. Change Order #1 and Final Payment for Contract #A-130.64R001-3-02 for bituminous resurfacing of Clarks Summit Interchange ramps with Pikes Creek Site Contractors, for a decrease of \$715,227.35 to balance items to actual work completed and pavement markings, for a final contract value of \$1,777,783.93 and final amount due to the contract of \$107,073.32;
- b. Change Order #1 for Contract #EN-00198-03-07 for roadway and miscellaneous repairs between MP A57.22 and MP A130.64 with Road-Con, Inc., for an increase of \$400,000.00 to perform 1½” milling and paving of the NB and SB lanes near MP A130.00; for a revised not-to-exceed amount of \$2,400,000.00.

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



SIGNING AUTHORITY

Motion-That Commission approves signing authority for the Assistant Director of Toll Collection-ETC to approve projects within the Fare Collection Systems Rehab budget for projects with pre-approved unit costs and up to \$10,000.00 of any collateral work (extra work needed to be completed in conjunction with a particular rehab project and for which there is no pre-determined line item cost), as listed in the Fare Collection Systems Agreement; and authority to the CEO to approve collateral work from \$10,000.01 to \$50,000.00-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, July 18, 2017 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:01 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