

MINUTES OF THE COMMISSION MEETING HELD JULY 7, 2015

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:30 a.m. on July 7, 2015 at the Central Office located in Highspire, Pennsylvania. Available via the telephone for the meeting were Sean Logan, Chairman; William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Leslie Richards, Secretary of Transportation.

Also available via phone were Mark P. Compton, Chief Executive Officer and Craig R. Shuey, Chief Operating Officer. Present for the meeting were Larry Bankert, Chief Engineer for Michael Baker Jr., Inc.; 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; Myneca Y. Ojo, Director of Diversity & Inclusion; Stacia A. Ritter, Esq.-Director of Policy & External Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Susan Carson-Casoni, Cash Manager; John Christensen, Director of FEMO; Richard C. Dreher, Assistant CFO/Financial Management; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Anthony Q. Maun, Assistant CFO/Accounting & Budgeting; Gina M. Murray, Engineering Contracts Supervisor; Cindy Smith, Senior General Accountant; Lynn Stakem, Senior General Accountant; Mark Strause, Technician of PC/LAN Systems; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Judy K. Treaster, Manager of Compensation & Benefits; Tom Rowader, Dawood; Paul McNamee, KCI; Eric Madden, ACEC/PA; John H. Smith, IV, Parsons Brinkerhoff; Thomas Bice, Lochner; Valeria Cappucci, J.P. Morgan; Mark Boris, Borton Lawson; Scott Shimko, Borton Lawson; Thomas Cushman, Jr., AECOM and William Saurers, C.S. Davidson, Inc.



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 an equity adjustment, position return, terminations, promotions, new hires and vacancies.

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 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 16, 2015 be approved and filed as submitted-was made by Commissioner Richards, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

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



NEW BUSINESS
POLICY LETTERS

Motion-That the Commission adopts a new Policy Letter and revisions to an existing Policy Letter for the items listed in memos “a” and “b”:

- a. Adopt Policy Letter 2.19, Pre-Employment Screenings, to outline procedures for administering pre-employment screenings for all new hires;
- b. Revisions to Policy Letter 6.3, Procedure for Management of Pennsylvania Turnpike Commission Keys, to address shared keys security, key deposit changes, and procedural changes for keys issued to emergency response companies.

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



AGREEMENTS

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

- a. Assignment Agreement with Telvent USA, LLC for integration upgrades to the existing ITS ATMS (Advanced Transportation Management System), to assign all active contracts to Schneider Electric Mobility, NA, Inc. due to the company’s internal reorganization;
- c. Amendment to our Agreement with Paramount Management Group, LLC for ATM services at the Service Plazas, Central Administration Building and Turnpike Industrial Park Building, exercising the option to renew the agreement for an additional year (December 1, 2015 – November 30, 2016).

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

Motion-That the Commission approves the negotiation and execution of the Amendment for the items listed in memo “b”:

- b. Amendments to our Agreements with our employee health insurance providers, exercising the option to renew the agreements for an additional year (January 1, 2016 – December 31, 2016):
 - Highmark Blue Shield-medical and vision
 - Aetna-medical and prescription
 - United Concordia-dental

-was made by Commissioner Richards, seconded by Commissioner Deon; Commissioners Logan and Lieberman abstained. With these two abstentions, we cannot attain a majority vote on this motion and thus are unable to take action on this matter. In these circumstances, Section 1103(j) of the State Ethics Act permits those abstaining to vote so that action can be taken. With a second vote taken, Commissioner Richards motioned and Commissioner Deon second.

CHAIRMAN LOGAN: I am abstaining on this item because Highmark is a member of the Monroeville Area Chamber of Commerce, of which I am President.

VICE CHAIRMAN LIEBERMAN: I am abstaining on this item because my firm is a broker for Highmark. The vote passed.



RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos “a” through “g”:

- a. Acquisition of Right-of-Way #2065-M (Timothy J. & Judith K. Ford), a partial take parcel necessary for the total reconstruction project from MP 149.50 to MP 155.50 by authorizing payment of fair market value and pro-rated taxes of \$8,714.00 to Timothy J. & Judith K. Ford; 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;
- b. Acquisition of Right-of-Way #14070-B1 (Daniel R. & Catherine Barone-Michel), a partial take parcel necessary for the total reconstruction from MP 40.00 to MP 48.00 by authorizing payment of fair market value and pro-rated taxes of \$78,572.30 to Daniel R. and Catherine Barone-Michel; 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;
- c. Acquisition of Right-of-Way #6261-C (Maplewood-Virginia, LLLP), a partial take parcel necessary for the construction of the pre-entry Variable Message Sign (VMS) system at MP 286.00 by authorizing payment of \$5,540.50 to Maplewood-Virginia, LLLP; 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;
- d. Acquisition of Right-of-Way #17734 (Lester J. & Lou Ann Arthur), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of fair market value and pro-rated taxes of \$757.50 to Lester J. & Lou Ann Arthur; 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;

- e. Acquisition of Right-of-Way #17776 (Mark J. & Linda S. Curtis), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of fair market value and pro-rated taxes of \$1,509.00 to Mark J. & Linda S. Curtis; 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. Settlement of Right-of-Way #6465-A (The Rothenberger Family Partnership), a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00 by authorizing settlement funds and Section 710 fees of \$91,000.00 to Buckley, Brion, McGuire & Morris, LLP, escrow agent; authorize the appropriate Commission officials to execute the full and final release and settlement agreement and any other documents that may be required; and payment of the settlement funds is contingent upon the execution and delivery of a full and final release and settlement agreement as approved by the Legal Department;
- g. Settlement of Right-of-Way #8559-R07 (Shawn M. Kresge), a partial take parcel necessary for construction of the Route 903 E-ZPass Only Interchange by authorizing settlement funds and Section 710 fees of \$6,600.00 to Buckley, Brion, McGuire & Morris, LLP, escrow agent; authorize the appropriate Commission officials to execute the full and final release and settlement agreement and any other documents that may be required; and payment of the settlement funds is contingent upon the execution and delivery of a full and final release and settlement agreement as approved by the Legal Department.

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



ADVERTISING

Motion-That the Commission approves advertising for the items listed in memos "a" through "c":

- a. Two (2) engineering or construction management firms to perform open-end construction inspection services from MP 0.00 to MP 247.00, I-376, Turnpike 576, Turnpike 66 and Turnpike 43;
- b. Two (2) engineering or construction management firms to perform open-end construction inspection services from MP 247.00 to MP 359.00 and the Northeast Extension;
- c. Open-end materials inspection and testing services from MP 0.00 to MP 200.00, I-376, Turnpike 576, Turnpike 66 and Turnpike 43.

-was made by Commissioner Richards, seconded by Commissioner Deon, 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 maintenance agreement for Oce/Canon reproduction equipment with Oce North America (utilizing the Commonwealth’s contract) for printing overages, at a cost of \$125,000.00;
- b. Audio Visual and Video Conferencing upgrades at the Eastern Regional Office, utilizing the Commonwealth’s contract with Core BTS, Inc.; at a total award of \$100,141.20;
- c. Safety and compliance services for automotive lifts (July 1, 2015 – June 30, 2017), to the lowest responsive and responsible bidder Clark Contractors; at a total award of \$154,424.01 per year;
- d. Sludge and residual waste water removal (July 1, 2015 – June 30, 2017), to the lowest responsive and responsible bidder, Allstate Power Vac Inc.; at a total award of \$600,000.01;
- e. Sodium Chloride (August 1, 2015 – July 31, 2016) to the lowest responsive and responsible bidders:

Compass Minerals	\$ 6,690,000.00
Cargill, Inc.	6,440,000.00
American Rock Salt	880,000.00
Oceanport LLC	<u>920,000.00</u>
Total Award	\$14,930,000.00
Plus 25% contingency	<u>3,732,500.00</u>
TOTAL APPROVAL:	\$18,662,500.00

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



AWARD OF CONTRACTS

Motion-That the Commission approves the Award of a Contract for the item listed in memo “a”:

- a. Contract #T-009.47S001-3-02 for painting and fencing replacement at various bridge locations between MP 9.47 and MP 10.13, to the lowest responsive and responsible bidder, Mosites Construction Company; at a not-to-exceed amount of \$2,457,007.00 and a contingency of \$100,000.00;

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

VICE CHAIRMAN LIEBERMAN: I abstain from this item because Mosites is a potential client of my firm.

Motion-That the Commission approves the Award of a Contract for the item listed in memos “b” and ‘c”:

- b. Contract #T-355.00P001-3-14 for construction of the I-95/I-276 Interchange project, SR 95, Section D20, to the lowest responsive and responsible bidder, James D. Morrissey, Inc.; at a not-to-exceed amount of \$118,772,706.95 contingent upon approval from the Federal Highway Administration;
- c. Contract #EN-00115-03-02 for installation of signs along Toll I-376, Turnpike 66 and Turnpike 43, to the lowest responsive and responsible bidder, Green Acres Contracting Co., Inc.; at a not-to-exceed amount of \$5,000,000.00.

-was made by Commissioner Richards, 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" through "c":

- a. Change Order #1 and Final Payment for Contract #EN-00138-03-03 for roadway and miscellaneous repairs between MP 241.87 and MP 298.33 with Road-Con, Inc., for a decrease of \$1,067,598.02 to balance items to actual work completed and 67-days of damages; for a final contract value of \$432,401.98 and final amount due to the contractor of \$152,146.97;
- b. Change Order #1 and Final Payment for Contract #EN-00138-03-04 for roadway and miscellaneous repairs between MP A20.00 and MP A130.30 with Road-Con, Inc. for a decrease of \$461,483.45 to balance items to actual work completed, for a final contract value of \$2,538,516.55 and a final amount due to the contractor of \$50,770.33;
- c. Change Order #1 and Final Payment for Contract #A-114.45R001-3-02 for bituminous resurfacing of the Wyoming Valley Interchange with Pennsy Supply, Inc. for a decrease of \$24,276.76 to balance items to actual work completed, changes for guiderail, R-4 rock, placement and removal of pavement markings, concrete barrier and 32-days of damages; for a final contact value of \$1,540,322.05 and final amount due to the contractor of \$131,353.20.

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



TOLL INCREASE

Motion-That the Commission adopts the 2016 proposed annual toll increase of 6% for cash and E-ZPass customers effective January 3, 2016, which will apply to all portions of the Turnpike except:

- Southern Beltway-tolls will not change;
- Willow Hill-cash rates will round up to the nearest quarter;
- Neshaminy Falls-rates will match Delaware Valley Interchange due to the closure of Delaware Valley Interchange;

- New E-ZPass Only Interchange (replacing Delaware Valley)-passenger E-ZPass rates will be \$5.00 and video toll rates/toll by plate will be \$6.75, commercial rates will be based on number of axles.

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



SIGNING AUTHORITY

Motion-That the Commission approves signing authority for the Director of ETC Operations to approve projects within the Fare Collection Systems Rehab budget for projects with pre-approved unit costs as listed in the Fare Collection Systems Agreement, Appendix B; and authority to the Director of ETC Operations to approve 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) up to a value of \$50,000.00 with the concurrence of the Chief Executive Officer-was made by Commissioner Richards, seconded by Commissioner Deon, and passed unanimously.



PSPC AWARD

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. Ref #5-099 design management services for the roadway rehabilitation from MP A75.00 to MP A122.00:
 1. Ammann & Whitney PA, Inc.–AWARDED
 2. AECOM Technical Services, Inc.
 3. Borton-Lawson Engineering, Inc.

-was made by Commissioner Deon, seconded by Commissioner Logan; Commissioners Lieberman and Richards abstained. With these two abstentions, we cannot attain a majority vote on this motion and thus are unable to take action on this matter. In these circumstances, Section 1103(j) of the State Ethics Act permits those abstaining to vote so that action can be taken. With a second vote taken Commissioner Deon motioned and Commissioner Logan second.

VICE CHAIRMAN LIEBERMAN: I am abstaining on this item because a sub consultant (Monaloh) is a client of my firm.

SECRETARY RICHARDS: I am abstaining on this item because I was previously employed by a subconsultant (A.D. Marble) of one of the firms.

The vote passed.

- b. T00008 in-depth inspection of the Blue Mountain and Kittatinny Tunnels:
 1. Stahl Sheaffer Engineering, LLC–AWARDED
 2. C.S. Davidson, Inc.
 3. Modjeski and Masters, Inc.

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

VICE CHAIRMAN LIEBERMAN: I am abstaining on this item because a sub consultant (Monaloh) is a client of my firm.



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, July 21, 2015 beginning at 9:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:50 a.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