

MINUTES OF THE COMMISSION MEETING HELD JULY 19, 2011

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:23 a.m., July 19, 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; Richard S. DiPiero, Director of Fare Collection; Jeffrey L. Garrett, Chief Engineer, Michael Baker, Jr., Inc.; 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 Ann Louise Edmunds, 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; John Christensen, Manager of FEMO; Donald S. Klingensmith, P.E., Manager of Contracts Administration; Donna Lapano, Executive Assistant; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN Systems; Patricia F. Schlegel, Director of Human Resources; Lynn Stakem, General Accountant 2; Kathy Thomas, Administrative Secretary; Mike Ryan, Michael Baker, Jr., Inc.; John Kurgan, Michael Baker, Jr., Inc.; Mary Farrell, Voicenet; Jeffrey Case, RETTEW and Richard Stees, Erdman Anthony.

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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 NEW HIRES, PROMOTIONS, TERMINATIONS, RECLASSIFICATIONS, EQUITY ADJUSTMENTS, VACANCIES, AND REQUESTS TO CREATE, POST AND FILL, TO CREATE AND FILL; AND TO POST AND FILL POSITIONS IN THE TOLL REVENUE AUDIT, LEGAL, FARE COLLECTION, MAINTENANCE, INFORMATION TECHNOLOGY, HUMAN RESOURCES AND OPERATIONS, SAFETY AND INCIDENT RESPONSE DEPARTMENTS.

THE COMMISSIONERS ALSO DISCUSSED Suit-Kote v. Road-Con, Inc., PTC et al., (Court of Common Pleas – Lackawanna County), Docket No. 08-CV-5169; Docket No. 00494; Collective Bargaining Agreements 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.

MIKE RYAN, MICHAEL BAKER, JR. INC.
JOHN KURGAN, MICHAEL BAKER, JR. INC.
MARY FARRELL, VOICENET
JEFFREY CASE, RETTEW
RICHARD STEES, ERDMAN ANTHONY

MS. EDMUNDS: 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 June 21, 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 Schoch; and passed unanimously.

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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, Amendments, a Proposal, a Work Order and a Supplemental Agreement for the items listed in memos "a, b, e, f and h-m":

- a. Accept the June 9, 2011 proposal from TRC Engineers, Inc. for construction inspection and project management for the replacement of Bridge DB-155 at MP 342.75; for a not-to-exceed amount of \$1,790,867.33;
- b. Amendment to our agreement with Weavertown Environmental Group for emergency spill response, to exercise our option to renew the agreement for two (2) additional years;
- e. Reimbursement Agreement with Verizon for Verizon to reimburse the Commission the costs for design and construction associated with the relocation of their communication line necessary for the replacement of Bridge NB-142 at MP A30.06;
- f. Reimbursement Agreement with Towamencin Township for the Township to reimburse the Commission the costs for design and construction associated with the relocation of their communication line necessary for the replacement of Bridge NB-142 at MP A30.06;
- h. Work Order #17 with TransCore for all services, labor, material, equipment and system support to design a replacement to the Ticket Handler (ELIT) and migrate our tickets from magnetic stripe ticket stock to a bar-coded ticket; for a not-to-exceed amount of \$11,426,437.00;

- i. Amendment to our agreement with Ferra's Automotive Services as an authorized service provider covering MP 24.90 to MP 49.30, to extend the agreement on a month-to-month basis until a provider is selected via the RFP process;
- j. Amendment to our agreement with Lispi Brothers as an authorized service provider covering MP A94.50 to MP A130.60, to extend the agreement on a month-to-month basis until a provider is selected via the RFP process;
- k. Reimbursement Agreement with PPL Electric Utilities Corporation for the Commission to reimburse PPL partial costs for the engineering and facility relocation work necessary for the replacement of Bridge EB-212 at MP 244.91; at a not-to-exceed amount of \$44,400.00;
- l. Third Extension Agreement to the Mark IV Irrevocable Offer with Kapsch TrafficCom (formerly Mark IV) for the purchase of electronic toll collection transponders, readers, and miscellaneous equipment;
- m. Reimbursement Agreement with PPL Electric Utilities Corporation for the Commission to reimburse PPL the costs for the engineering and facility relocation work necessary for the replacement of Bridge B-532 at MP 222.23; at a not-to-exceed amount of \$41,138.00.

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

Motion-That the Commission approves the negotiation and execution of the Agreements listed in memos "c" and "d":

- c. Reimbursement Agreement with PECO for PECO to reimburse the Commission the costs for design and construction associated with the installation of steel casings for a future gas line crossing on Bridge NB-142 at MP A30.06;
- d. Reimbursement Agreement with PECO for the Commission to reimburse PECO the costs for the engineering and facility relocation work necessary for the replacement of Bridge NB-142 at MP A30.06; for a not-to-exceed amount of \$93,750.00.

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

COMMISSIONER PRATT: MR. CHAIRMAN, I ABSTAIN ON THE BASIS THAT THE COMPANY SET FORTH IN THESE AGENDA ITEMS 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.

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

- g. Reimbursement Agreement with PennDOT for PennDOT to reimburse the Commission the costs for design and construction associated with the replacement of Bridge NB-142 at MP A30.06.

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

COMMISSIONER SCHOCH: MR. CHAIRMAN, I ABSTAIN ON THE BASIS THAT AS AN EX-OFFICIO MEMBER OF THE COMMISSION AND SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, I WOULD BE VOTING ON AN AGREEMENT BETWEEN TWO PARTIES, BOTH OF WHICH I HAVE A RELATIONSHIP WITH.

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 "q":

- a. Authorize the acquisition of Parcel 40, a partial take parcel, necessary for the total reconstruction project from MP 99.00 to MP 109.00; by issuing payment in the amount of \$500.00, payable to James E. and Brenda J. Cox, representing fair market value; authorize the appropriate Commission officials to execute the temporary construction easement; 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 their delivery of an executed temporary construction easement as prepared by the Legal Department;
- b. Authorize the acquisition of Right-of-Way #1023-H, a partial take parcel, necessary for the total reconstruction project from MP 99.00 to MP 109.00; by issuing payment in the amount of \$500.00, payable to Patrick J. Kinsella, III, representing fair market value; authorize the appropriate Commission officials to execute the temporary construction easement; 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 his delivery of an executed temporary construction easement as prepared by the Legal Department;
- c. Authorize the acquisition of Right-of-Way #1007-F, a partial take parcel, necessary for the total reconstruction project from MP 99.00 to MP 109.00; by issuing payment in the amount of \$71,033.03, payable to Puzak Law Offices, representing fair market value and prorated taxes; 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 their delivery of a deed as prepared by the Legal Department;
- d. Authorize the acquisition of Right-of-Way #14217-E, a partial take parcel, necessary for the total reconstruction project from MP 40.00 to MP 48.00; by issuing payment in the amount of \$3,902.00, payable to John and Florence J. Bartolini, representing fair market

- value and prorated taxes; 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 their delivery of a deed as prepared by the Legal Department;
- e. Authorize the acquisition of Right-of-Way #14217-J, a partial take parcel, necessary for the total reconstruction project from MP 40.00 to MP 48.00; by issuing payment in the amount of \$500.00, payable to Charles A. Bigler, representing fair market value; 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 owner is contingent upon his delivery of a deed as prepared by the Legal Department;
 - f. Authorize the acquisition of Right-of-Way #3189-B, a partial take parcel, necessary for the total reconstruction project from MP 220.00 to MP 227.00; by issuing payment in the amount of \$12,500.00, payable to Saint Patrick Roman Catholic Church and School, representing fair market value; 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 owner is contingent upon the delivery of a deed as prepared by the Legal Department;
 - g. Authorize the acquisition of Right-of-Way #16453, a partial take parcel, necessary for construction of the Mon/Fayette Expressway; by issuing payment in the amount of \$500.00, payable to Menallen Township Sewer Authority, representing fair market value; 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 owner is contingent upon the execution and delivery of a deed as prepared by the Legal Department;
 - h. Authorize the acquisition of Right-of-Way #1007-E, a partial take parcel, necessary for the total reconstruction project from MP 99.00 to MP 109.00; by issuing payment in the amount of \$505.25, payable to the Estate of David A. Reese, deceased, Dwain R. Reese, Phyllis K. Rager, and Ralph F. Reiking, representing fair market value and prorated taxes; 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 their delivery of a deed as prepared by the Legal Department;
 - i. Authorize the acquisition of Right-of-Way #6489-RB, 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 \$12,923.30, payable to Towamencin Mennonite Church, representing fair market value, prorated taxes, temporary construction easement and cost to cure; 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 owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- j. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #1007-G, a partial take parcel, necessary for the total reconstruction project from MP 99.00 to MP 109.00; authorize payment of Estimated Just Compensation in the amount of \$5,200.00, payable to McDonald, Snyder & Lightcap, 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;
 - k. Authorize the acquisition of Right-of-Way #3384-D, a partial take parcel, necessary for the total reconstruction project from MP 242.00 to MP 245.00; by issuing payment in the amount of \$122,065.00, 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 their delivery of a deed as prepared by the Legal Department;
 - l. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #3170-D, a partial take parcel, necessary for the total reconstruction project from MP 199.00 to MP 227.00; authorize payment of Estimated Just Compensation in the amount of \$16,700.00, payable to Hollinshead, Mendelson, Bresnahan & 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;
 - m. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #3189-C, a partial take parcel, necessary for the total reconstruction project from MP 199.00 to MP 227.00; authorize payment of Estimated Just Compensation in the amount of \$13,900.00, 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;
 - n. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #1031-R03, a partial take parcel, necessary for the Somerset Interchange Five Legged Intersection project; authorize payment of Estimated Just Compensation in the amount of \$62,800.00, payable to Hollinshead, Mendelson, Bresnahan & 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. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #1023-J, a partial take parcel, necessary for the total reconstruction project from MP 99.00 to MP 109.00; authorize payment of Estimated Just Compensation in the amount of \$20,500.00, payable to McDonald, Snyder & Lightcap, 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;
 - p. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #1006-B, a partial take parcel, necessary for the total reconstruction project from MP 99.00 to MP 109.00;

authorize payment of Estimated Just Compensation in the amount of \$7,600.00, payable to McDonald, Snyder & Lightcap, 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;

- q. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #1023-J, a partial take parcel, necessary for the total reconstruction project from MP 99.00 to MP 109.00; authorize payment of Estimated Just Compensation in the amount of \$75,000.00, payable to McDonald, Snyder & Lightcap, 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 Lincoln, seconded by Commissioner Pratt; and passed unanimously.

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APPROVE ADVERTISING

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

- a. Qualified firms for supplemental auditing services of capital projects and other specialized operations in Engineering and Technology;
- b. Engineering firm to perform storage tank related services system wide on an open-end basis;
- c. Operations and maintenance support of the Toll Collection system hardware on the Findlay Connector.

-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-c, e, f, h-l":

- a. Six (6) crack sealant kettles with air compressors, utilizing the Commonwealth's contract with Crafc0, Inc.; at a total award of \$305,924.70;
- b. Sixteen (16) towed air compressors, utilizing the Commonwealth's contract with Cleveland Brothers; at a total award of \$292,240.00;
- c. Microwave backbone upgrade (Phase Three), utilizing the Commonwealth's contract with Alcatel Lucent USA, Inc.; at a total award of \$1,999,856.00;
- e. Two (2) mini excavators, utilizing the Commonwealth's contract with Bobcat Company; at a total award of \$123,497.54;

- f. Truck mounted catch basin cleaner, utilizing the Commonwealth's contract with Gap Vax, Inc.; at a total award of \$226,137.00;
- h. Thirty-four (34) snow plows, utilizing the Commonwealth's contract with Valk Manufacturing Company; at a total award of \$186,508.00;
- i. Liquid calcium chloride, to the lowest responsive and responsible bidders:

Calcium Chloride Sales	\$ 98,000.00
Recon Construction Services Inc.	\$ 30,000.00
JMG Enterprises Inc.	<u>\$ 58,000.00</u>
TOTAL AWARD	\$186,000.00
25% contingency	<u>\$ 46,500.00</u>
TOTAL APPROVAL	\$232,500.00
- j. Motor oil and lubricants (September 1, 2011-August 31, 2013), to the lowest responsive and responsible bidder, PPC Lubricants, Inc.; at a total award of \$291,000.00;
- k. Renewal of annual contracts for automotive filters (September 1, 2011-August 31, 2012):

Current Purchase Order	\$ 75,000.00
Fred Beans Parts	Additional \$ 28,500.00
Sunbury Motors	Additional \$ 22,000.00
Transedge Truck Centers	Additional \$ 22,000.00
Cherry Valley Tractor Sales	Additional <u>\$ 7,000.00</u>
Change Order:	<u>\$ 79,500.00</u>
Total Purchase Order:	\$154,500.00
- l. Install generator and pre-fabricated generator building at M-19 Toll Plaza; to the lowest responsive and responsible bidder, TSB, Inc.; at a total award of \$289,850.00.

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

Motion-That the Commission approves the Award of Bids and the Issuance of Purchase Orders for the item listed in memos "d" and "g":

- d. Four (4) single axle dump trucks, utilizing the Commonwealth's contract with Mack Trucks, Inc.; at a total award of \$626,575.92;
- g. Chassis for catch basin cleaner, utilizing the Commonwealth's contract with Mack Trucks, Inc.; at a total award of \$102,275.10.

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

COMMISSIONER PRATT: MR. CHAIRMAN, I ABSTAIN ON THE BASIS THAT THE COMPANY SET FORTH IN THESE AGENDA ITEMS 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.

IAG REQUESTS AND PROPERTY DAMAGE WRITE-OFF

Motion-That the Commission approves the E-ZPass IAG requests and a property damage claim write-off for the items listed in memos "a" through "c":

- a. Reimbursement payment to the E-ZPass Interagency Group (IAG) for expenses incurred in supporting the backup Virtual Private Network Connections, from January through June 2011 in the amount of \$4,634.40;
- b. Authorize and approve the reimbursable salary and benefits for the E-ZPass Group (IAG) Executive Director and Secretary to the Executive Director as determined by the E-ZPass Group (IAG);
- c. Write-off of Property Damage Claim #DC-2515 in the amount of \$10,436.20.

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

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SUPPLEMENT

Motion-That the Commission approves the execution of Supplemental Agreement #1 with Astorino for Mechanical, Electrical and Plumbing Design and Construction Management Services, for an increase of \$410,000.00; increasing the not-to-exceed amount to \$1,160,000.00 - was made by Commissioner Lincoln, seconded by Commissioner Deon; Chairman Lieberman abstained.

CHAIRMAN LIEBERMAN: I ABSTAIN ON THIS ITEM BECAUSE THE VENDOR IS A CLIENT OF MY FIRM.

The motion passed.

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CHANGE ORDER

Motion-That the Commission approves Change Order #2 for Contract #A-078.00R001-3-02 with Pikes Creek Site Contractors for bituminous resurfacing and median barrier replacement between MP A77.99 and MP A88.52, for an increase of \$91,111.68-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 Change Orders for the items listed in memos "a" through "e" and g":

- a. Change Order #1 and Final Payment for Contract #EN-00094-03-05 with J.P.S. Construction, Inc. for bridge repairs between MP A20.00 and MP A130.64, for an

- increase of \$33,063.38; making the final contract value \$833,063.38 and the final amount due of \$73,063.38;
- b. Change Order #1 and Final Payment for Contract #EN-00036-03-03 with Collinson, Inc. for wide area signing from MP 242.10 to MP 357.50 and MP A34.20 and MP A124.50, for an increase of \$15,294.58; making the final contract value \$277,345.78 and the final amount due of \$36,275.59;
 - c. Change Order #8 and Final Payment for Contract #01-002-FCXJ with Golden Triangle Construction Co., Inc. for construction of Section 51E2 of the Mon/Fayette Expressway, for a decrease of \$146,289.48; making the final contract value \$30,730,437.76 and the final amount due of \$648,823.62;
 - d. Change Order #1 and Final Payment for Contract #EN-00088-03-11 with New Enterprise Stone & Lime Co., Inc. for roadway and miscellaneous repairs between MP 75.39 and MP 179.44, for a decrease of \$344,790.74; making the final contract value \$1,655,209.26 and the final amount due of \$82,760.46;
 - e. Change Order #1 and Final Payment for Contract #C000.00R001-3-02 with New Enterprise Stone & Lime, Inc. for bituminous resurfacing between MP C0.00 and MP C1.51, for a decrease of \$138,727.71; making the final contract value \$1,450,870.53 and the final amount due of \$92,627.82;
 - g. Change Order #1 and Final Payment for Contract #EN-00088-03-02 with Cottles Asphalt Maintenance, Inc. for roadway and miscellaneous repairs between MP 75.39 and MP 179.44, for a decrease of \$251,320.55 and the final amount due of \$62,433.97.

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

Motion-That the Commission approves Change Order for the item listed in memo "f":

- f. Change Order #4 and Final Payment for Contract #T-319.00T001-3-02 with Allan A. Myers, LP, for the replacement of Bridge EB-739 at MP 324.31, for a decrease of \$507,301.41; making the final contract value \$4,589,568.64 and the final amount due of \$43,420.18.

-was made by Commissioner Deon, seconded by Commissioner Schoch; 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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TOLL INCREASE, PTRC, TRC RECOMMENDATIONS

Motion-That the Commission approves the request from the Chief Financial Officer, the vendor selection recommendations from the Procurement Technical Review Committee and the

Technical Review Committee, and authorizes the negotiation and execution of the agreements with the first vendors listed in memos “a” through “d”:

- a. Approve the following toll increases and the commercial discount request from the Chief Financial Officer:
 - Adopt the proposed annual toll rate increase in each of the next 3 years that average 3% annually,
 - E-ZPass rates will not increase in the first year,
 - Cash rates will increase approximately 10% beginning January 2012 with rounding up to the nearest \$0.05 for all vehicle classes with the exception of the Southern Beltway,
 - Modify the Commercial discount rates to 5/10% effective January 2012;
- b. Approve the consultant selection recommendation from the Procurement Technical Review Committee and authorize the negotiation and execution of a contract with the first firm listed for retention of a firm to provide emergency road services and removal of abandoned vehicles on the Turnpike; for a term of five (5) years:

Ferra’s Automotive Services, Inc.
Oak’s Auto/Truck Services, LLC

- c. Approve the consultant selection recommendation from the Procurement Technical Review Committee and authorize the negotiation and execution of a contract with Lispi Brothers to provide emergency road services and removal of abandoned vehicles on the Turnpike; for a term of five (5) years;
- d. Approve the consultant selection recommendation from the Technical Review Committee and authorize the negotiation and execution of a contract with the first firm listed for retention of a firm to provide open end wastewater/environmental engineering services; for a term of four (4) years:

RETTEW Associates, Inc.
Skelly & Loy, Inc.
Brinjac Engineering, Inc.

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

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CONTRACTING POLICIES AND PROCEDURES MANUAL CHANGE

Motion-That the Commission approves the appointment of the Chief Operating Officer, Chief Engineer, Chief Counsel and Manager of Contracts Administration to serve as members of the Manage Contracts Process Team to review and recommend, for final approval by the Chief Executive Officer, changes to the Contracting Policies and Procedures Manual as may be necessary

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

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CHAIRMAN LIEBERMAN: I WOULD LIKE TO RECOGNIZE THE CHIEF OPERATING OFFICER.

CRAIG SHUEY: THANK YOU MR. CHAIRMAN. AN EVENT HAPPENED LAST FRIDAY THAT I THINK IS IMPORTANT TO BRING TO THE ATTENTION OF THE COMMISSIONERS. LAST FRIDAY, A HISTORIC EVENT HAPPENED BETWEEN THE DEPARTMENT OF TRANSPORTATION AND THE COMMISSION AT DOT'S BUILDING IN DOWNTOWN HARRISBURG. WE HAD A SUMMIT BETWEEN THE TWO AGENCIES TO DISCUSS A VARIETY OF ISSUES WHERE WE CAN COLLABORATE. THIS EVENT IS PROBABLY 30 YEARS OVER DUE, AND ONLY HAPPENED NOW BECAUSE OF THE LEADERSHIP OF THE COMMISSION AND THE LEADERSHIP OF THE SECRETARY OF TRANSPORTATION AND WAS ASSISTED IN NO SMALL MEASURE BY THE FOLKS AT MICHAEL BAKER JR, INC., WHO FACILITATED THE MEETING. THIS, ABOUT THREE-QUARTERS OF A DAY EVENT, MARKS A POINT WHERE THE COMMISSION AND PENNDOT ARE GOING TO WORK TOGETHER IN WAYS THEY NEVER WORKED TOGETHER BEFORE. FOR THAT PURPOSE, I WANTED TO MAKE THE COMMISSIONERS AWARE OF IT. IT WENT VERY WELL AND SEEMED WELL RECEIVED BY BOTH AGENCIES. THE COOPERATION WAS TREMENDOUS BY ALL STAFF OF PENNDOT, THE COMMISSION AND THE FOLKS AT BAKER. I THINK IT'S A GREAT STEPPING OFF POINT FOR US IN SHOWING THAT THESE TWO AGENCIES WILL WORK TOGETHER, WILL DO THE BEST FOR THE MOTORING PUBLIC, WHETHER THEY ARE PAYING TOLLS OR PAYING FUEL TAXES AND OTHER FEES. I THINK IT'S A GREAT PLACE FOR US TO START WHAT I THINK IS GOING TO BE AN INTERESTING TIME FOR TRANSPORTATION MOVING FORWARD, AND IT'S GOOD THAT THESE TWO AGENCIES WILL BE WORKING HAND IN HAND, ARM IN ARM, THROUGH THE NEXT FEW YEARS AT THE VERY LEAST, BUT HOPEFULLY FOR A LONG TIME TO COME. THANK YOU.

COMMISSIONER SCHOCH: MR. CHAIRMAN, IF I COULD I WOULD JUST LIKE TO ADD THAT REPRESENTING BOTH AGENCIES, AS A COMMISSIONER HERE AND AS THE SECRETARY OF TRANSPORTATION AT PENN DOT, I THINK THIS IS AN OUTSTANDING THING. I APPRECIATE WHAT MICHAEL BAKER JR, INC. DID. MIKE RYAN, BRAD HEIGEL, JEFF GARRETT AND THE OTHERS AT BAKER THAT CONTRIBUTED TO THIS MADE IT EFFECTIVE. BUT IN GENERAL WHAT WE WOULD LIKE TO DO IS WHEN BAKER PREPARES THE SUMMARY REPORT; WE WOULD LIKE TO SEND THAT TO THE FOUR TRANSPORTATION CHAIRS.

BOTH ROGER NUTT AND I, IN OUR CONFIRMATION HEARINGS, WERE QUESTIONED ABOUT THE RELATIONSHIP BETWEEN THE TWO AGENCIES AND I THINK THIS SUMMARY REPORT ON WHAT WE ARE GOING TO BE DOING, WILL SHOW HOW CLOSELY WE WILL BE WORKING AND SHARING RESOURCES TO MAKE SURE WE ARE AS COST EFFECTIVE AS POSSIBLE IN PROVIDING TRANSPORTATION.

I'VE MADE THE COMMENT MANY TIMES TO THE PUBLIC THAT WE ARE ALL GOVERNMENT AND THIS SHOWS THAT GOVERNMENT IN TOTAL IS WORKING TOGETHER AND CLOSELY TO CONSERVE EVERY DOLLAR THAT WE CAN, AS APPLYING TO TRANSPORTATION DEVELOPMENT. I ALIKE IT TO WHAT CRAIG SAID, I

THINK IT WAS VERY EFFECTIVE. WHEN WE GET THAT REPORT MIKE, I THINK WE WANT TO PROVIDE IT TO THE FOUR TRANSPORTATION CHAIRS SO THAT WE CAN LET OUR CHAIRS IN THE LEGISLATURE KNOW WHAT WE ARE DOING HERE AND I THINK IT WILL BE VERY WILL RECEIVED.

CHAIRMAN LIEBERMAN: LET ME JUST SAY THAT I'VE SEEN A CHANGE IN THE SHORT TIME THAT I'VE BEEN ON THE COMMISSION, BUT I WOULD LIKE MY MENTOR AND DEAR FRIEND, PAT DEON, WHO IS ON THE COMMISSION LONGER THAN ANYONE TO TALK ABOUT THE SIGNIFICANCE ON WHAT HAS HAPPENED BETWEEN PENNDOT AND THE COMMISSION, BECAUSE IT REALLY IS QUITE SIGNIFICANT AND I THINK PAT HAS THE BREAHE OF KNOWLEDGE TO REALLY REFLECT ON IT FOR A MOMENT, IF YOU WOULD PLEASE.

COMMISSIONER DEON: UNDER THE LEADERSHIP OF BILL LINCOLN, I MEAN BILL LIEBERMAN, IT'S THE BEST WE'VE EVER HAD. I HAVE BEEN HERE THE LONGEST; AND WITH BARRY AND BILL AND THIS COMMISSION, AND ESPECIALLY WITH THE RELATIONSHIP WITH PENNDOT, AND I'LL STEP OVER THE LINE AND SAY WITH SEPTA, IT'S NEVER BEEN THIS COOPERATIVE STATEWIDE, LOCALLY; THE LEADERSHIP HERE WITH THE TURNPIKE TO MAKE TRANSPORTATION WORK TOGETHER AND SAVE MONEY. I'VE NEVER SEEN ANYTHING LIKE IT AND IT'S BEEN REALLY REFRESHING CHANGE IN ATTITUDE AND I WOULD LIKE TO COMMEND BILL IN BEING A GOOD CHAIRMAN AND BARRY YOU ARE DOING A GREAT JOB ON THIS COMMISSION AND WITH THE STATE.

CHAIRMAN LIEBERMAN; AND IT'S IMPORTANT BECAUSE PAT'S BEEN HERE A WHILE AND HE'S SEEN A LOT OF DIFFICULTY BETWEEN THE TWO AGENCIES AND PAT'S ALWAYS BEEN A CHAMPION OF THE COMMISSION. ONE OF THE FIRST THINGS PAT SAID WE NEED TO DO IS TO WORK BETTER WITH PENNDOT AND I THINK UNDER ALL OF OUR LEADERSHIPS, BOTH ORGANIZATIONS, IT'S BEEN GREAT. ALONG THAT LINE, THIS COMMONWEALTH AND THIS TURNPIKE LOST A GIANT THIS PAST MONTH, FRANK MASCARA, WHO WAS A FRIEND TO ALL OF US AND A REAL FRIEND TO TRANSPORTATION; WE SHOULD NOTE THAT IN OUR MINUTES. I WOULD LIKE A LETTER SENT TO FRANK'S WIFE AND TELL HER HOW SORRY WE ARE ABOUT HIS PASSING AND I WOULD LIKE THE COMMISSION TO ADJOURN THIS MEETING IN HIS MEMORY, AND A LETTER FROM THE COMMISSION WOULD BE TERRIFIC.

NEXT MEETING

MS. EDMUNDS: WE HAVE NO POST-FORMAL MEETING TODAY. THE NEXT FORMAL COMMISSION MEETING WILL BE A TELEPHONE MEETING ON TUESDAY, AUGUST 16, 2011 BEGINNING AT 10:00 A.M. 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 11:40 a.m.-was made by Commissioner Pratt, seconded by Commissioner Deon; and passed unanimously.

PREPARED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

07-19-11

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