

MINUTES OF THE COMMISSION MEETING HELD SEPTEMBER 1, 2020

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:37 a.m. on Tuesday, September 1, 2020 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were Yassmin Gramian, P.E., Chair; William K. Lieberman, Vice Chair; John Wozniak, Secretary Treasurer, and Pasquale T. Deon, Sr., Commissioner.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Michael Baker Int'l; Robert Brady, Director of Operations/Projects-East (via telephone); Carl DeFebo, Jr., Director of Public Relations & Marketing (via telephone); Charles Duncan III, Esquire, Director of Legislative Affairs; Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity and Inclusion (via telephone); Robert Taylor, Chief Technology Officer; Stacia Ritter, Director of Policy and Fare Collection; and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via phone were Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Kelly Horvath, Executive Administrative Assistant; Shawn Laudenslager, End User Support Supervisor (in person); Jeff Naugle, Manager of Treasury Operations; Jesse Ream, Communication Systems Program Manager (in person); Brian Watkins, Markosky; Clyde Naugle, Markosky; Crystalann Deardorff, Susquehanna Civil; Dan O'Brien, RBC Capital Markets; Dave Thomas, Hill Int'l; David Snively, CDR; Ed Blazina, Pittsburgh Post-Gazette; Eric Madden, JMT; Jeff Hans, HDR; Jill Bolt, T.Y. Lin; Joe Platt, TPD; Joe Romano, LDG; Jon Livingston, Jacobs; Karen Gabel, Erdman Anthony; Mark Karolski, Bucharthorn; Matt Shinton, Kimley-Horn; Paul McNamee, KCI; Pete Capizzi, Quality Engineering; Peter Kuhne, Atkins; Robert Horr, Atkins; and Tom Rowader, GPI.



Chair Gramian led the Commissioners, staff and visitors in the Pledge of Allegiance.



The Assistant Secretary Treasurer, Ann Louise Edwards, called the roll and declared a quorum available. Mrs. Edwards welcomed the Commissioners, employees and guests on the WebEx and made the following statement:

Due to COVID-19, the Pennsylvania Turnpike Commission Administration Building remains closed to visitors. Accordingly, the Commission Meetings will be held via telephone (through June 2020 or until further notice). The Commission will continue to post call-in/WebEx information for those who wish to attend the meeting via telephone/WebEx. WebEx information should be posted at least 48 hours in advance of the meeting. The Commission will continue to closely monitor the CDC's and other government websites for up-to-date information regarding COVID-19, risk assessment and guidance to business. This meeting is being recorded and the Commission will post the recording on its website.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a reclassification, termination and promotions.

The Commissioners also engaged in non-deliberative, informational discussions regarding various actions and matters, which have been approved at previous public meetings.



PUBLIC COMMENT

Mrs. Edwards: 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 requested time to speak. If you have not done so, you are invited to do so at this time.

We had no requests to address the Commission.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held August 18, 2020 be approved and filed as submitted-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

ELSIP Payment

Motion-That the Commission approves payment of the Employee Liability Self-Insurance Program (ELSIP) invoice from the PA Department of General Services, which represents the annual premium due for the period July 1, 2020 - June 30, 2021, in the amount of \$117,736.29-was made by Commissioner Wozniak, seconded by Commissioner Deon, and approved unanimously.



AGREEMENTS

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

- a. Reimbursement Agreement with Union Railroad Company, LLC, to reimburse the railroad the cost to relocate railroad facilities (including rail yard tracks, scales and buildings) necessary for construction of the Mon/Fayette Expressway; at a not-to-exceed amount of \$21,859,645.00;
- b. Reimbursement Agreement with Union Railroad Company, LLC, to reimburse the railroad the cost to perform flagging and protective services necessary during the design and construction of the Mon/Fayette Expressway; at a not-to-exceed amount of \$3,068,450.00;

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

Motion-That the Commission approves the negotiation and execution of the Agreement for the item listed in memo "c":

- c. Agreement with Prudential (as advertised through our broker, Alliant, Inc.) for Accidental Death and Dismemberment (AD&D) insurance for 3 years, with 2 one-year renewable extensions; at an approximate cost of \$15,984.00 for the first 3 years.

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

VICE CHAIR LIBERMAN: I abstain on this item because Alliant, Inc. is a client of my firm. The motion passed.



RIGHT-OF-WAY REQUESTS

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

- a. Adopt the proposed Property Acquisition Resolution for Right-of-Way #6010-B (Robert E. Wilson, Joseph M. Stimmler, John Gambone), a total take parcel necessary for the total reconstruction project from MP 302.00 to MP 308.00 by authorizing payment of \$5,800.00 representing estimated just compensation; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- b. Acquisition of Right-of-Way #14S650 (Renee M. Long), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$86,099.31 representing fair market value, pro-rated taxes and recording fees to Arrow Land Solutions, LLC, escrow agent; also authorize payment of \$8,813.44 representing moving costs to Renee M. Long; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that are required for closing; authorize 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 prepared by the Legal Department.

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



ADVERTISING

Motion-That the Commission approves advertising for an engineering professional services agreement to provide administrative and support services for the Commission’s Construction Documentation System (CDS) -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves the Change Order, Award of Bids and Issue Purchase Orders for the items listed in memos “a, d & e”:

- a. Seventeen (17) Henke snowplows, utilizing the Commonwealth’s contract with Henke Manufacturing Corp.; at a cost of \$165,189.00;
- d. Fire extinguishers with Cintas Fire Protection, to add funds to cover estimated requirements through the current term of the contract (through October 31, 2021); at a cost of \$60,000.00;
- e. Seven (7) Case 721G loaders (with jib booms and pallet forks), utilizing the Commonwealth’s contract with Groff Tractor & Equipment, LLC; at a cost of \$1,343,125.00.

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

Motion-That the Commission approves the Award of Bids and Issue Purchase Orders for the items listed in memos "b" and "c":

- b. Stone, slag and gravel aggregates, exercising the option to renew the agreements for an additional year (September 1, 2020 – August 31, 2021):

Hanson Aggregates MBC, Inc.	\$ 12,000.00	HOME, GIBS, SEAR, GREE, HARC, DNGL, JEFF
Lindy Paving	5,000.00	HOME, GIBS
New Enterprise Stone & Lime	17,000.00	GREE, HARC, DNGL, SMST, KEGG, EVRT, BRNT, NEWV, MTGT, BOWM, DVLT, QTWN, SLAT, POCN, WYOM
Allegheny Mineral Corp.	no add. funding	GIBS
Pennsy Supply, Inc.	no add. funding	NEWV, NCMB, MTGT
Hempt Bros., Inc.	1,000.00	NCMB
Silver Hill Quarry	3,000.00	BOWM
Glasgow, Inc.	no add. funding	DVLT, PLYM
Douglasville Quarry	1,000.00	DVLT, PLYM
Birdsboro Quarry	no add. funding	PLYM
Highway Materials	no add. funding	PLYM
Plumstead Materials	no add. funding	TREV
Martin Stone Quarries	no add. funding	QTWN
Naceville Materials	no add. funding	QTWN
Locust Ridge Quarry	<u>no add. funding</u>	POCN
TOTAL RENEWAL:	\$ 39,000.00	
Contingency	<u>50,000.00</u>	
TOTAL REQUEST:	\$ 89,000.00	

- c. Bituminous materials (September 2020 – August 2021), to the lowest responsive and responsible bidders and approval for staff movement of funds between contracts as needed during the contract term:

Coopersburg Materials	\$ 5,000.00
H&K Materials	5,000.00
Hei-Way, LLC	15,000.00
Hempt Bros., Inc.	7,500.00
Northeast Paving	3,000.00
Lindy Paving	50,000.00
Locust Ridge Quarry	20,000.00
New Enterprise Stone/Lime	70,000.00
Sanatoga Blacktop	5,000.00
Silver Hill Quarry	20,000.00
South Reading Blacktop	3,000.00
Wilkes-Barre Materials	10,000.00
Russell Standard Corp.	<u>5,000.00</u>
TOTAL AWARD:	\$218,500.00
Contingency	<u>55,000.00</u>
TOTAL REQUEST:	\$273,500.00

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

VICE CHAIR LIEBERMAN: I abstain on these items because Lindy Paving is a client of my firm. The motion passed.



SUPPLEMENTS

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

- a. Supplemental Agreement #1 with KTA-Tator, Inc. for coating consulting services, to extend the contract to March 31, 2022;

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

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

- b. Supplemental Agreement #3 with CDR Maguire, Inc. for construction management services on the Southern Beltway, Rt. 22 to I-79, for an increase of \$3,500,000.00 due to construction contracts being extended six months beyond their original anticipated completion dates; COVID-19 delays adding additional time to anticipated construction contract completion dates; constructability review efforts for the SR 0980 drainage improvements; development and implementation of a COVID-19 safety plan for the inspection team and participation in multiple COVID-19 specific meetings; for a revised not-to-exceed amount of \$24,000,000.00;
- c. Supplemental Agreement #3 with The Markosky Engineering Group, Inc. for final design and construction services for the Southern Beltway, Rt. 22 to I-79, for an increase of \$100,000.00 for additional post-design construction consultation services due to changes during construction (relocation of DMS, revised power feed details from the proposed Maintenance facility, additional shop drawing reviews, review of the Monotube Sign structure value engineering proposal and additional effort on the implementation of Commissioning Plan); for a revised not-to-exceed amount of \$2,350,000.00.

-was made by Commissioners Wozniak, seconded by Commissioner Deon; Commissioner Gramian abstained.

CHAIR GRAMIAN: I abstain on item "b" because McCormick Taylor (a sub-consultant) is a former employer; and I abstain on item "c" because Jacob Engineering (a sub-consultant) is a former employer. The motions passed.



CHANGE ORDER

Motion-That the Commission approves Change Order #1 and Final Payment for Contract #EN-00233-03-07 for roadway and miscellaneous repairs between MP A57.22 and MP A130.64 with New Enterprise Stone & Lime Co., Inc., for a decrease of \$343,969.37 to reflect the cost of the completed work authorizations; for a final contract value of \$4,156,030.63 and final amount due to the contractor of \$10,000.00-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, September 15, 2020 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:49 a.m.-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Assistant Secretary Treasurer

John Wozniak
Secretary Treasurer

ATTACHMENTS:

Memo received from the Chief Counsel