

MINUTES OF THE COMMISSION MEETING HELD SEPTEMBER 17, 2013

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:39 a.m., September 17, 2013 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were William K. Lieberman, Chairman; A. Michael Pratt, Esquire, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer; Sean Logan, Commissioner and Barry J. Schoch, P.E., Secretary of Transportation.

Also present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer Michael Baker Jr., Inc.; Robert F. Brady, Director of Operations/Projects-East; William J. Capone, Director of Communications/Public Relations; Scott Fairholm, Chief Information Officer; Todd S. Garrison, Director of Maintenance; David Gentile, Chief Compliance Officer; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection and Field Operations; Doreen McCall, Chief Counsel and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others in attendance were Jayne Anderson, Michael Baker, Jr., Inc.; Christine J. Baker, Public Information/Photo Specialist; Janice Byrum, Clark Typist 2; Susan Carson-Casoni, Cash Manager; Kelly Decker, General Litigation & Construction Counsel; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard S. Dipiero, Senior Fare Collection Operations Manager; Jack Dwyer, Attorney 2; Michael W. Flack, Assistant Chief Engineer/Construction; Pam Hatalowich, Engineer Project Manager 3; Kelly Horvath, Executive Assistant; Donald S. Klingensmith, P.E., Director of Contracts Administration; Katie Jones, Compensation & Benefits Supervisor; Donna Lapano, Executive Office Assistant; Nancy Lowell, Marketing Coordinator; Andy Lutz, Assistant Environmental Manager; Jeanmarie McLaughlin, General Real Estate & Right-of-Way Counsel; Wanda Metzger, Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Mike Phillips, Engineering Project Manager 3; Richard A. Reidy, Michael Baker, Jr., Inc.; Robert H. Rosell, Technician of PC/LAN Systems; Tim Senft, Construction Documentation Specialist; Dave Storm, Clerk Typist 2; Mary Ann Szekeres, Executive Administrative Assistant; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Allen Williamson, Senior Engineer Project Manager; Dave Willis, Environmental Manager; Steve Barber, Michael Baker, Jr., Inc.; Jon Livingston, Jacobs Engineering; Anush Nejad, Kimley-Horan & Associates, Inc.; Jeffrey Barner, Cosmos Technologies, Inc.; Glenn Deppert, Arora & Associates, P.C.; Thomas Rowader, Dawood; Kristi Reichard, Raudenbush Engineering; Paul McNamee, KCI Technologies; Blair Stocker, Hatch Mott MacDonald and Steven Iszauk, Match Mott MacDonald.

Ms. Edmunds led the Commissioners and staff in the Pledge of Allegiance.

*

The Assistant Secretary Treasurer, Ann Louise Edmunds, called the roll and declared a quorum present.

*

Chairman Lieberman opened the meeting in memory of three employees' we recently lost; John Bortz, John Spicijarich and Phil Hawley.

*

SUNSHINE ANNOUNCEMENT

MS. EDMUNDS: THE COMMISSIONERS MET IN EXECUTIVE SESSION PRIOR TO TODAY'S FORMAL AGENDA SESSION TO CONSIDER MATTERS OF PERSONNEL, PROMOTIONS, TERMINATIONS, EQUITY ADJUSTMENTS, DEPARTMENT RE-ORGANIZATIONS, NEW HIRES, VACANCIES AND REQUESTS TO ABOLISH; TO CREATE, POST AND FILL; TO POST AND FILL AND TO FILL POSITIONS IN THE EXECUTVE OFFICES AND ENGINEERING, IT AND FACILITIES AND ENERGY MANAGEMENT OPERATIONS DEPARTMENTS.

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, 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. THE FOLLOWING WERE VISTORS TO THE MEETING: STEVE BARBER, MICHAEL BAKER, JR., INC.; JON LIVINGSTON, JACOBS ENGINEERING; ANUSH NEJAD, KIMLEY-HORAN & ASSOCIATES, INC.; JEFFREY BARNER, COSMOS TECHNOLOGIES, INC.; GLENN DEPERT, ARORA & ASSOCIATES, P.C.; THOMAS ROWADER, DAWOOD; KRISTI REICHARD, RAUDENBUSH ENGINEERING; PAUL MCNAMEE, KCI TECHNOLOGIES; BLAIR STOCKER, HATCH MOTT MACDONALD AND STEVEN ISZAUK, MATCH MOTT MACDONALD.

*

MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held August 19, 2013 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Logan; and passed unanimously.

*

COMMUNICATIONS

Motion-That the Commission accepts and files the memos received from the Chief Counsel, the Manager of Strategic Sourcing and Asset Management and the Director of Fare Collection and Field Operations- was made by Commissioner Deon, seconded by Commissioner Logan; and passed unanimously.

*

PERSONNEL

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

*

NEW BUSINESS

PAYMENT OF INVOICE

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 June 30, 2013 to July 1, 2014, in the amount of \$37,925.00-was made by Commissioner Deon, seconded by Commissioner Logan; and passed unanimously.

*

AGREEMENTS

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

- a. Reimbursement Agreement with The Peoples Natural Gas Company (PNG) to reimburse PNG the engineering and gas line facility relocation costs necessary for the total reconstruction project from MP 44.00 to MP 48.00; at a not-to-exceed amount of \$1,220,599.00;

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

CHAIRMAN LIEBERMAN: I ABSTAIN ON THIS ITEM BECAUSE I HAVE A POTENTIAL BUSINESS RELATIONSHIP WITH PNG.

The motion passed.

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

- b. Agreement with White Haven Ambulance Association to provide EMS service from MP A86.20 to MP A105.30 on the Northeast Extension;
- c. Lease Agreement with Robindale Energy Services Inc. to permit Robindale to mine the Commission's coal property located in the area of the Donegal Interchange; Robindale will pay royalties to the Commission for the coal mined and removed;

- d. Programmatic Agreement with the Pennsylvania Historical and Museum Commission (PHMC) to fund a cultural resource position for five years for compliance with the PA History Code for our Capital Plan projects; at a not-to-exceed amount of \$500,000.00;
- e. Amendment to our agreement with G. R. Sponaugle for mechanical and electrical system maintenance at the Central Office Campus (CAB, CAB annex, TIP, TIP maintenance building and the Steelton warehouse), exercising our option to renew the agreement for an additional 2-years, for \$616,684.00 annually.
- f. Settlement Agreement and Release for Claim #12-215 (Annalee & Roy Costello), and approve the settlement amount;
- g. Settlement Agreement and Release for Claim #09-167 (Kenneth J. and Denise M. Friedline), and approve the settlement amount;
- h. Settlement Agreement and Release for Claim #11-008 (Harry and Debra Ritchey), and approve the settlement amount;
- i. Settlement Agreement and Release for Claim #19-167A (Joseph and Heather Luteri), and approve the settlement amount;
- j. Amendment to our Collective Bargaining Agreement, in accordance with terms set forth in the Memorandum of Understanding, between the Commission and Teamsters Local 30P;
- k. Amendment to our agreement with Marsh USA, Inc. for audit of the Worker's Compensation Function, to include consulting services to assist with the development and implementation of workers' compensation leading practices; for \$60,000.00.

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

*

RIGHT-OF-WAY REQUEST

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos "a - i" and "k - z":

- a. Settlement of Right-of-Way #14216-B1 (*Rice Real Estate Holdings, LLC*), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing payment of estimated just compensation in the amount of \$9,026.00 to Rice Real Estate Holdings, LLC; authorize the appropriate Commission officials to execute the necessary settlement documents; payment of the settlement funds to the property owner is contingent upon its execution of a settlement agreement and full and final release as approved by the Legal Department;
- b. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #7166-D2 (*Unknown property owner*), a total take parcel necessary for construction of the I-95/I-276 Interchange; authorize payment of Estimated Just Compensation in the amount of \$500.00 to a law firm to be appointed at a later date; and authorize payment of additional statutory damages and calculated by the Legal Department and approved by the Chief Executive Officer;

- c. Acquisition of Right-of-Way #17721 (*Kathleen Berry, Michael Meehan, Mary Anne White and Susan Alrutz*), a partial take parcel necessary for construction of the Southern Beltway, by authorizing payment of fair market value, pro-rated taxes and recording fees in the amount of \$7,134.50 to Fayette Professional Services, escrow agent; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;
- d. Acquisition of Right-of-Way #17630 (*Daniel Kemp Estate*), a partial take parcel necessary for construction of the Southern Beltway, by authorizing payment of fair market value and pro-rated taxes in the amount of \$2,002.68 to Karen Coon and Company, escrow agent; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;
- e. Acquisition of Right-of-Way #6051-AR1 (*Emil R. and Elizabeth M. Capetola*), a partial take parcel necessary for construction of the Yellow Springs Road Bridge, by authorizing payment of fair market value and pro-rated taxes in the amount of \$6,168.50 to Emil R. and Elizabeth M. Capetola; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;
- f. Acquisition of Right-of-Way #7137-B (*Moreco, Inc. and 83 Corp., a PA Corporation*), a partial take parcel necessary for construction of the I-95/I-276 Interchange, by authorizing payment of fair market value and pro-rated taxes in the amount of \$4,770.50 to Moreco, Inc.; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;
- g. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #6051-AR2 (*Charlestown Oaks Homeowners Association*), a partial take parcel necessary for the construction of the Yellow Springs Road Bridge; authorize payment of Estimated Just Compensation in the amount of \$1,000.00 to a law firm to be appointed at a later date; and authorize payment of additional statutory damages and calculated by the Legal Department and approved by the Chief Executive Officer;
- h. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #3192-C (*Barry L. Garman, Dennis E. Garman and Thomas L. Garman*), a partial take parcel necessary for the total reconstruction project from MP 220.00 to MP 227.00; approve the post condemnation settlement of the claim by authorizing payment in the amount of \$1,600.00 to *Cumberland County Agricultural Land Preservation Board*; authorize the appropriate Commission officials to execute the post condemnation Settlement Agreement and other documents as may be necessary as approved by the Legal Department; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;

- i. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #3205-R2 (*Wayne P. and Joan E. Keller*), a partial take parcel necessary for the total reconstruction project from MP 220.00 to MP 227.00; authorize payment of Estimated Just Compensation in the amount of \$3,000.00 to Steven & Lee, P.C., escrow agent; and authorize payment of additional statutory damages and calculated by the Legal Department and approved by the Chief Executive Officer;
- k. Acquisition of Parcel #2 (*Marshall Ice Associates*), a partial take parcel necessary for replacement of Bridge WB-400, by authorizing payment of fair market value in the amount of \$700.00 to Marshall Ice Associates; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;
- l. Acquisition of Right-of-Way #7152-A (*Bristol Township Authority, now known as the Township of Bristol*), a partial take parcel necessary for construction of the I-95/I-276 Interchange, by authorizing payment of fair market value in the amount of \$500.00 to the Township of Bristol; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;
- m. Acquisition of Right-of-Way #6483-RH (*SMG Kulpsville, LLC*), a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing payment of fair market value and pro-rated taxes in the amount of \$52,007.31 to *Diversified Settlement Services, Inc.*; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;
- n. Acquisition of Right-of-Way #7144-B1 (*Wawa, Inc.*), a partial take parcel necessary for construction of the I-95/I-276 Interchange, by authorizing payment of fair market value and pro-rated taxes in the amount of \$960,000.00 to City Line Abstract Company, escrow agent; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;
- o. Acquisition of Right-of-Way #6479-B (*Kulpsville Business Campus Condominium Association*), a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing payment of fair market value and relocation costs in the amount of \$16,048.00 to Kulpsville Business Campus Condominium Association; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;
- p. Settlement of Right-of-Way #1031-R03 (*Bowman Somerset, LLC*), a partial take parcel necessary for the Somerset Interchange Five Legged Intersection project, by authorizing payment of additional estimated just compensation in the amount of \$15,037.83 to Hollinshead,

Mendelson, Bresnahan & Nixon, P.C., escrow agent; authorize the appropriate Commission officials to execute the necessary settlement documents; payment of the settlement funds to the property owner is contingent upon its execution of a settlement agreement and full and final release as approved by the Legal Department.

-was made by Commissioner Lieberman, seconded by Commissioner Logan.

Motion-That the Commission approves the Right-of-Way Request for the item listed in memo "j":

- j. Acquisition of Right-of-Way #3374-B (*Comcast Cablevision of Southeast Pennsylvania, Inc.*), a partial take parcel necessary for the total reconstruction project from MP 242.00 to MP 245.00, by authorizing payment of fair market value and pro-rated taxes in the amount of \$65,945.06 to Comcast Cablevision of Southeast Pennsylvania, Inc.; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;

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

CHAIRMAN LIEBERMAN: I ABSTAIN ON THS ITEM BECAUSE COMCAST IS A POTENTIAL CLIENT OF MY FIRM.

*

ADVERTISING

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

- a. Three (3) engineering or construction management firms to perform open-end construction inspection services between MP 247.00 and MP 358.00 and the Northeast Extension;
- b. Engineering firm to perform an in-depth inspection of the Tuscarora Tunnel;
- c. Contract #S-006.00X002-3-04 for roadway and bridge construction of the Southern Beltway, S.R. 576, Section 55A1-1 between MP S5.08 and MP S5.64;
- d. Long term ground lease of 4.133 acres of land at the northeast corner of the intersection of Route 30 and Route 66 in Westmoreland County;
- e. Two (2) engineering firms to perform preliminary and final design services associated with the All Electronic Tolling (AET) conversion;
- f. Authorized Service Provider for coverage from MP 266.50 to MP 292.50;
- g. Authorized Service Provider for coverage from MP 49.40 to MP 75.40;
- h. Emergency Spill Response for coverage from MP 75.30 to MP 179.40, the Amos K. Hutchinson Bypass, Route 66 from MP G3.00 to MP G13.40;

- i. Emergency Spill Response for coverage from MP 179.50 to MP 286.00;
- j. Consultant to develop and implement a Supervisory Leadership Academy training (level 2) program;
- k. Worker’s Compensation Third Party Administrator (TPA) for the Commission’s Self-Insured Worker’s Compensation program.

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

*

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 – e and g”:

- a. Parts for the radio/intercom at Somerset Maintenance, to the lowest responsive and responsible bidder, Gai-Tronics Corporation; at a total award of \$119,472.11;
- b. Software license for Decision Support software and services for IT related projects, utilizing the Commonwealth’s contract with Decision Lens Inc.; at a total award of \$190,000.00;
- c. Single load cell Weigh-in-Motion (WIM) equipment for Route 903 Slip Ramps, to International Road Dynamics Corp.; at a total award of \$751,731.00;
- d. Tires, exercising our option to renew the agreements, cancel agreements and assign replacement contracts:

RENEW

- Michelin North America \$ 60,000.00
- Valley Tire 10,000.00 District 1
- Berkely Tire c/o Highland’s 10,000.00 District 2
- Wingfoot Commercial Tire 220,000.00 Districts 1, 2, 3, 4
- Service Tire Truck Center 50,000.00 District 5

CANCEL

- **McCarthy Tire-they are no longer a Michelin authorized dealer**

REPLACEMENT CONTRACTS

- Carlisle Tire & Truck 40,000.00 District 3, 4
- Jack Williams 20,000.00 District 5

RENEWAL AMOUNT: \$410,000.00

- e. Plow blades, hardware and accessories (October 1, 2013 – September 30, 2014), to the lowest responsive and responsible bidders:

- Valk Manufacturing Co. \$150,000.00
- Kennametal Inc. 100,000.00
- Winter Equipment Co., Inc. 500,000.00
- Ironhawk Industrial Distribution 100,000.00
- TOTAL AWARD: \$850,000.00

- g. Advertising space for HMSHost/Sunoco promotions (September 18, 2013 – June 30, 2016), utilizing the Commonwealth’s contract with Harmelin Media; at a total award of \$400,000.00.

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

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

- f. Facility contracts for capital replacements, upgrades and repair services, exercising our option to renew the agreements for an additional 2-years:

ELECTRICAL

Schultheis Electric	\$ 850,000.00	District 1
Clark Contractors	<u>1,020,000.00</u>	Districts 2, 3, 4 & 5
TOTAL ELECTRICAL	\$1,870,000.00	

GENERAL

Clark Contractors	\$1,676,000.00	Districts 1, 2, 3 & 5
Donald E. Reisinger	<u>200,000.00</u>	District 4
TOTAL GENERAL	\$1,876,000.00	

LANDSCAPING

The Brickman Group	\$ 300,000.00	Districts 2, 3 & 5 (rebitding D1 & D4)
--------------------	---------------	--

MECHANICAL

McKamish Inc.	\$ 200,000.00	District 1
Marc Service Inc.	150,000.00	District 2
ECI Service	150,000.00	District 3
3B Services, Inc.	<u>300,000.00</u>	Districts 4 & 5
TOTAL MECHANICAL	\$ 800,000.00	

PLUMBING

Clark Contracts	\$1,265,000.00	Districts 1, 2, 3, 4 & 5
-----------------	----------------	--------------------------

ROOFING

Not being renewed

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

CHAIRMAN LIEBERMAN: I ABSTAIN ON THIS ITEM BECAUSE I HAVE A PERSONNAL BUSINESS RELATIONSHIP WITH SCHULTHEIS.

The motion passed.

*

AWARD OF CONTRACTS

Motion-That the Commission approves the Award of Contracts for the items listed in memos “a” through “f”:

- a. Contract #T-251.08S002-3-02 for roadway and bridge reconstruction from MP 250.76 to MP 251.17, to the lowest responsive and responsible bidder, Swank Construction Company, LLC; at a not-to-exceed amount of \$47,654,340.06 and a contingency of \$2,000,000.00;
- b. Contract #A-076.09S001-3-02 for the replacement of Bridge NB-531 at MP A76.09 and Bridge NB-534 at MP A76.18, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$22,153,910.10 and a contingency of \$1,000,000.00;
- c. Contract #EN-00148-03-02 for bridge repairs between MP 0.00 and MP 109.91, Toll I-376, Turnpike 576, Turnpike 42 and Turnpike 66, to the lowest responsive and responsible bidder, Gregori Construction, Inc.; at a not-to-exceed amount of \$2,000,000.00;
- d. Contract #EN-00148-03-04 for bridge repairs between MP 236.22 and MP 358.11, to the lowest responsive and responsible bidder, J.P.S. Construction Co., Inc.; at a not-to-exceed amount of \$2,000,000.00;
- e. Contract #EN-00148-03-03 for bridge repairs between MP 109.91 and MP 236.22, to the lowest responsive and responsible bidder, J.P.S. Construction Co., Inc.; at a not-to-exceed amount of \$2,000,000.00;
- f. Contract #EN-00148-03-05 for bridge repairs between MP A20.00 to MP A130.64, to the lowest responsive and responsible bidder, J.P.S. Construction Co., Inc.; at a not-to-exceed amount of \$2,000,000.00.

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

*

SUPPLEMENTS

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

- a. Supplemental Agreement #2 with The Temple Group for open-end construction inspection services-East, for an additional \$22,388.65 for revised overhead adjustment; increasing the not-to-exceed amount to \$2,372,388.65;
- b. Supplemental Agreement #1 with Tectonic Engineering & Surveying Consultants, P.C. for open-end communication tower analyses and engineering services, for an additional \$200,000.00 to provide for additional communication tower analysis and engineering services on existing and future projects; increasing the not-to-exceed amount to \$500,000.00;
- c. Supplemental Agreement #3 with Pennoni Associates for design services for the replacement of Bridges NB-150 and NB-152 at MP A30.90 and MP A31.13, respectively, for an additional \$33,138.79 to complete the necessary changes with contract documents as a result of combining two projects into one set of documents; increasing the not-to-exceed amount to \$2,033,138.79;
- d. Supplemental Agreement #4 with Bucharth Horn, Inc. for design for the total reconstruction from MP 214.00 to MP 227.00, for an additional \$1,000,000.00 to complete the final design of the

remaining construction section from MP 220.00 to MP 227.00; increasing the not-to-exceed amount to \$21,000,000.00;

- e. Supplemental Agreement #1 with HAKS for design services for the replacement of the Swatara Creek Bridge, for an additional \$164,295.53 for revisions to contract documents due to environmental permitting agencies changes to the wetland mitigation design and stream relocation; increasing the not-to-exceed amount to \$2,664,295.53.

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

*

CHANGE ORDERS AND FINAL PAYMENTS

Motion-That the Commission approves the Change Orders and Change Order/Final Payment for the items listed in memos "a" through "d":

- a. Change Order #2 and Final Payment for Contract #T-020.47S001-3-02 with The Lane Construction Corporation for rehabilitation of six bridges between MP 21.16 and MP 27.60, for an additional \$33,286.91 to balance items to the work completed; for a final contract value of \$2,506,938.62 and a final amount due to the contractor of \$192,529.95;
- b. Change Order #1 for Contract #EN-00091-03-02 with Swank Construction Company, LLC for concrete pavement rehabilitation and joint repairs between MP B15.39 and MP B31.12, for an additional \$174,448.15 for additional work for milling, paving, drainage, concrete pavement patching, crack cleaning and sealing, credit for concrete class change, a change in guide rail end transitions and a 28-day time extension due to the excessive overrun of concrete patching;
- c. Change Order #1 for Contract #T-154.42F004-3-02 with eciConstruction, LLC for construction of the PA State Police barracks at the Everett Maintenance Facility, for an additional \$64,561.16 for startup delays, electrical items for lighting, circuit breaker and wiring, plumbing items for water line revisions and water heater changes, and a 53-day time extension;
- d. Change Order #1 for Contract #A-095.00R002-3-02 with Pikes Creek Site Contractors for bituminous resurfacing between MP A95.17 and MP A105.01, for an additional \$344,066.19 to balance items to actual work completed to date, changes for concrete and rebar for deteriorated parapet, drainage, joint repairs, removal of SNAPS for bridge work, emergency pothole repair; and a 28-day time extension for the extra work.

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

*

POOL OF UNDERWRITERS AND COUNSEL

Motion-That the Commission approves exercising our option to extend the term of the Commission's existing pools of Underwriters for an additional year-was made by Commissioner Deon, seconded by Commissioner Logan; Commissioner Pratt abstained.

VICE CHAIRMAN PRATT: I ABSTAIN ON THIS ITEM BECAUSE MANY OF THE FIRMS HAVE BEEN OR ARE CLIENTS OF MY FIRM.

Motion-That the Commission approves exercising our option to extend the term of the Commission's existing pools of Bond, Special, Underwriter's and Disclosure Counsel for an additional year-was made by Commissioner Deon, seconded by Commissioner Pratt; Commissioners Lieberman and Logan abstained.

CHAIRMAN LIEBERMAN: I ABSTAIN ON THS ITEM BECAUSE THORP REED AND ARMSTRONG, COHEN AND GRIGSBY, PC AND REED SMITH, LLP ARE CLIENTS OF MY FIRM.

COMMISSIONER LOGAN: I ABSTAIN ON THIS ITEM BECAUSE I HAD A PAST BUSINESS RELATIONSHIP WITH COHEN & GRIGSBY.

The motions passed.

*

POLICY LETTERS AND POLICIES

Motion-That the Commission approves and adopt the eliminations and revisions to the Policy Letters and Policies for the items listed in memos "a" through "c":

- a. Elimination of policy letters that are not general policy letters and are not applicable to general Commission staff; these are policies specific to the IT department and should be considered to be IT standards documents, rather than general policy letters:
 - Policy 8.2-Wireless Policy
 - Policy 8.3-Firewall Policy
 - Policy 8.4-Information Systems Access Control Policy
 - Policy 8.9-Transmission Security Policy
- b. Revision to Policy 8.6, Records Management Policy, to update the policy to include individual responsibilities and electronic records;
- c. **REMOVED FROM THE AGENDA**- Revisions to Policy Letter 3.10, Code of Conduct, to expand the policy to create a more comprehensive Code of Conduct for Commission employees.

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

*

PSPC AWARDS

Motion-That the Commission service and authorize the negotiation and execution of an agreement with the selected firm for the item listed in memo "a" and the two selected firms in item "b":

- a. RFP #4118. Procurement of real time traffic flow data;
 - HERE North America, LLC-AWARDED

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

- b. RFP #4112. Medicare Advantage Plans;
- Aetna Life Insurance Company-AWARDED
 - Highmark-AWARDED

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

VICE CHAIRMAN PRATT: I ABSTAIN ON THIS ITEM BECAUSE HIGHMARK IS A CLIENT OF MY FIRM.

*

NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, October 1, 2013 beginning at 10:00 am.

*

POST-FORMAL MEETING

Brad Heigel recognized Mike Flack for his service and wished him well on his retirement and Mark Compton discussed the SECA Campaign that will be underway at the Commission this week.

*

ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned in memory of Representative Richard Hess, was made at 12:01 p.m. -made by Commissioner Lieberman, seconded by Commissioner Logan; and passed unanimously.

*

PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer

ATTACHMENT NUMBER 1

COMMUNICATIONS: MEMOS RECEIVED FROM THE CHIEF COUNSEL AND

**THE MANAGER OF STRATEGIC SOURCING AND ASSET MANAGEMENT AND
THE DIRECTOR OF FARE COLLECTION AND FIELD OPERATIONS**