

MINUTES OF THE COMMISSION MEETING HELD SEPTEMBER 17, 2018

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:28 a.m. on September 17, 2018 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was John Wozniak, Commissioner. Available via telephone were William K. Lieberman, Vice Chair; Barry Drew, Secretary Treasurer; Pasquale T. Deon, Sr., Commissioner and George McAuley, Deputy Secretary for Highway Administration.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Steve Barber, Michael Baker, Inc.; Robert F. Brady, Director of Operations/Projects-East; Nikolaus Grieshaber, Chief Financial Officer; Bradly J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Esquire, Director of Policy and Fare Collection; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Richard S. DiPiero, Senior Fare Collection Operations Manager; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Jeffrey A. Naugle, Manager of Treasury Operations; Paul McNamee, KCI and Tom Friel, WSP.



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 a lateral, reclassification, new hires, vacancies and requests to post and fill positions in the IT, Engineering and Maintenance 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 to address the Commission regarding items listed on the Agenda or other items not listed on the Agenda that are within the Commission's authority or control.

In order to conduct an orderly and effective meeting, all persons wishing to address the Commission should have signed in a requested time to speak. If you have not done so, you are invited to do so at this time.

There were no requests to address the Commission.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held September 4, 2018 be approved and filed as submitted - were made by Commissioner Wozniak, seconded by Commissioner Drew, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memos received from the Chief Counsel and the Director of Procurement & Logistics -was made by Commissioner Wozniak, seconded by Commissioner Drew, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

EB5 LOAN AGREEMENT

Motion-That the Commission approves amending Supplemental Trust Indenture #45 (related to the 2016 EB5 Loan Agreement between the Commission and the Delaware Valley Regional Center (DVRC)) and authorize amendments or modifications to other documents related to the 2016 EB5 Loan Agreement as may be recommended by counsel-was made by Commissioner Wozniak, seconded by Commissioner Drew, and approved unanimously.



AGREEMENTS

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

- a. Agreement with Newportville Fire Department for fire service coverage from MP H40.00 to MP H43.30 (I-95);
- b. Agreement with Pennel Fire Company for fire service coverage from MP H40.00 to MP H43.30 (I-95);
- c. Settlement Agreement and Release with Richard Bentz, and authorize issuance of the workers' compensation settlement payment;
- d. Amendment to our Agreement with Cisive, d/b/a Inquiries Screening, for pre-employment screening services; exercising the option to renew the agreement for an additional year (February 2019-January 2020); at an approximate cost of \$15,000.00.

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



RIGHT-OF-WAY REQUEST

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

- a. Acquisition of Right-of-Way #14S394 (Kimberly M. Torrey), a total take parcel necessary for construction of the Mon/Fayette Expressway (Rt. 51 to I-376) by authorizing payment of \$77,373.09 representing fair market value, pro-rated taxes and recording fees to Fuller Brown Land Services, Escrow Agent; 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;

- b. Acquisition of Right-of-Way #14S308 (Ashlee Norman), a total take parcel necessary for construction of the Mon/Fayette Expressway (Rt. 51 to I-376) by authorizing payment of \$86,193.95 representing fair market value, pro-rated taxes and recording fees to Fuller Brown Land Services, Escrow Agent; 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;
- c. Acquisition of Right-of-Way #14S396 (Federal National Mortgage Association), a total take parcel necessary for construction of the Mon/Fayette Expressway (Rt. 51 to I-376) by authorizing payment of \$61,916.75 representing fair market value, pro-rated taxes and recording fees to Fuller Brown Land Services, Escrow Agent; 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 #7135-RB-1 (Kert Wagner & Christine Carroll), a partial take parcel necessary for construction of the I-95 Interchange by authorizing payment of \$32,387.55 representing fair market value and pro-rated taxes to Kert Wagner and Christine Carroll; 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 #14081-H (Evelyn Herrmann), a total take parcel necessary for the total reconstruction project from MP 49.00 to MP 53.00 by authorizing payment of \$160,202.72 representing fair market value, pro-rated taxes, recording fees, housing supplement payment and closing costs to ARROW Land Services, LLC, escrow agent; 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 is contingent upon the delivery of a deed as prepared by the Legal Department;
- f. Acquisition of Right-of-Way #14S609 (Michael J. & Donna Dugan), a total take parcel necessary for construction of the Mon/Fayette Expressway (Rt. 51 to I-376) by authorizing payment of \$150,388.40 representing fair market value, pro-rated taxes, recording fees, housing supplement and closing costs to Closure Settlement, LLC, Escrow Agent; also authorize payment of \$2,200.00 representing residential fixed move to Michael J. & Donna Dugan; 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;

- g. Acquisition of Right-of-Way #14092-A (Andrea D. Nickel), a total take parcel necessary for the total reconstruction project from MP 53.00 to MP 57.00 by authorizing payment of \$163,979.21 representing fair market value, pro-rated taxes and recording fees to Tri-State Paralegal Service, LLC, escrow agent; 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;
- h. Acquisition of Right-of-Way #14S227 (Carol Ann Speicher-Strack), a total take parcel necessary for construction of the Mon/Fayette Expressway by authorizing payment of \$84,920.12 representing fair market value, pro-rated taxes, recording fees, housing supplement and closing costs to Universal Settlement Services, Inc., escrow agent; 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;
- i. Adopt the proposed Property Acquisition Resolution for Right-of-Way #2173-A (Wilson Mae, LP), a partial take parcel necessary for pre-entry ITS from MP 10 to MP 189.00 by authorizing payment of \$2,300.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel.

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



ADVERTISING

Motion-That the Commission approves advertising for a full-service communications and public involvement consulting company to support Cashless Tolling -was made by Commissioner Wozniak, seconded by Commissioner Drew and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves the Change Order and the Issuance of Purchase Orders for the items listed in memos "a" through "d":

- a. Fifteen (15) 2019 Chevrolet Express Cargo Vans (trades vans), utilizing the Commonwealth's contract with Apple Chevrolet; at a total award of \$598,080.00;
- b. Change Order for renovation of the Kegg Maintenance facility with Leonard S. Fiore, Inc., for an additional \$480,994.43 for relocation of utility lines, additional excavation, backfill and removal of contaminated soil;

- c. CCTV mobile cameras, utilizing the Commonwealth's contract with ePlus Technology, Inc.; at a total award of \$311,715.80;
- d. Eleven (11) 2019 Chevrolet Silverado 2500 HD crew cab responder trucks, utilizing the Commonwealth's contract with Apple Chevrolet; at a total award of \$544,434.00.

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



AWARD OF CONTRACTS

Motion-That the Commission approves the Award of Contracts for the items listed in memos "a" through "d":

- a. Contract #EN-00231-03-04 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 \$1,500,000.00;
- b. Contract #EN-00231-03-05 for bridge repairs between MP A20.00 and MP A130.64, to the lowest responsive and responsible bidder, J.P.S. Construction Co., Inc.; at a not-to-exceed amount of \$1,500,000.00;
- c. Contract #EN-00231-03-02 for bridge repairs between MP 0.00 and MP 109.91, Toll I-376, Turnpike 576, Turnpike 43 and Turnpike 66, to the lowest responsive and responsible bidder, Allison Park Contractors, Inc.; at a not-to-exceed amount of \$1,500,000.00;
- d. Contract #EN-00231-03-03 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 \$1,500,000.00.

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



CHANGE ORDERS & FINAL PAYMENTS

Motion-That the Commission approves the Change Orders and Final Payments for the items listed in memos "a" through "c":

- a. Change Order #6 and Final Payment for Contract #T-172.88S002-3-02 for the replacement of Bridges B-521A and B-521B at MP 172.88 and 172.89 and the rehabilitation of Bridge B-467B at MP 172.43 with Swank Construction Co., LLC, for a decrease of \$106,112.13 for normal quantity adjustments, asphalt adjustments and liquidated damages; for a final contract value of \$9,550,836.04 and final amount due to the contractor of \$136,336.62;
- b. Change Order #1 and Final Payment for Contract #EN-00124-03-10 for sinkhole repairs between MP 199.26 and MP 312.03 with New Enterprise Stone & Lime Co., Inc., for a decrease of

\$1,437,065.44 to reflect the actual cost of the completed work authorizations; for a final contract value of \$562,934.56 and final amount due to the contractor of \$28,146.73;

- c. Change Order #1 and Final Payment for Contract #EN-00198-03-05 for roadway and miscellaneous repairs between MP 201.58 and MP 299.98 with New Enterprise Stone & Lime Co., Inc., for a decrease of \$1,847,607.00 to reflect the actual cost of the completed work authorization and liquidated damages; for a final contract value of \$1,152,393.00 and final amount due to the contractor of \$55,719.65.

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



INSURANCE PAYMENT

Motion-That the Commission approves the renewal and payment of invoices for the property and boiler & machinery insurance coverages with Travelers and Liberty Mutual, through our broker Conner Strong & Buckelew, for a total not-to-exceed amount of \$1,760,624, for the period October 1, 2018 – September 30, 2019-was made by Commissioner Wozniak, seconded by Commissioner Drew and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, October 2, 2018 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:33 a.m. -was made by Commissioner Wozniak, seconded by Commissioner Drew, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Barry Drew
Secretary Treasurer

ATTACHMENT:

Memos received from the Chief Counsel and the Director of Procurement & Logistics