

MINUTES OF THE COMMISSION MEETING HELD OCTOBER 1, 2013

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:04 a.m., October 1, 2013 at the Central Office located in Highspire, Pennsylvania. Available via the telephone 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.

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.; 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; Doreen McCall, Chief Counsel; Stacey Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others in attendance were Susan Carson-Casoni, Cash Manager; Jack Christensen, Director of FEMO; Donald S. Klingensmith, P.E., Director of Contracts Administration; Donna Lapano, Executive Office Assistant; Anthony Q. Maun, Assistant CFP/Accounting & Budgeting; Jeffrey A. Naugle, Manager of Treasury Operations; Joseph Rispoli, Manager of Customer & Employee Safety; Robert H. Rosell, Technician of PC/LAN Systems; Catherine L. Sabo, Accounting Manager; Timothy M. Scanlon, Acting Director of Operations, Safety & Incident Response; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Allen Williamson, Senior Engineer Project Manager; Kristi Reichard, Raudenbush Engineering; Paul McNamee, KCI Technologies; Linda Feiertag, Mechanics Plus; Mark Feiertag, Mechanics Plus and Jenn Wragg, Mechanics Plus.

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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 A RECLASSIFICATION, NEW HIRES, VACANCIES AND REQUESTS TO ABOLISH, AND TO CREATE, POST AND FILL POSITIONS IN THE FINANCE AND ADMINISTRATION AND ENGINEERING DEPARTMENTS.

THE COMMISSIONERS ALSO 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 2 REQUESTS TO ADDRESS THE COMMISSION. MARK FEIERTAG OF MECHANICS PLUS AND JEN WRAGG OF MECHANICS PLUS BOTH ADDRESSED THE COMMISSION REGARDING REMOVAL FROM THEIR TOWING CONTRACT.

AT THIS TIME WE ASK ALL OTHER VISITORS TO STAND AND INTRODUCE YOURSELF. THE FOLLOWING WERE VISTORS TO THE MEETING: KRISTI REICHARD, RAUDENBUSH ENGINEERING; PAUL MCNAMEE, KCI TECHNOLOGIES; LINDA FEIERTAG, MECHANICS PLUS.

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MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held September 17, 2013 be approved and filed as submitted-was made by Commissioner Logan, seconded by Commissioner Schoch, and passed unanimously.

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COMMUNICATIONS

Motion-That the Commission accepts and files the memo received from the Chief Counsel-was made by Commissioner Logan, seconded by Commissioner Schoch, and passed unanimously.

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PERSONNEL

Motion-That the Commission approves the Personnel as amended-was made by Commissioner Logan, seconded by Commissioner Schoch, and passed unanimously.

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NEW BUSINESS

PAYMENT OF INVOICE

Motion-That the Commission approves payment from the PA Department of Labor and Industry for the 2013 Notice of Assessments from the Bureau of Workers' Compensation in the amount of \$19,911.00, for the Supersedeas and Subsequent Injury Fund-was made by Commissioner Logan,

seconded by Commissioner Schoch; Commissioner Pratt was disconnected from the call; the motion passed with 4 votes.

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### AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreement and a Supplement for the items listed in memos “b” through “c”:

- b. Reimbursement Agreement with PECO to reimburse PECO the costs for the engineering and utility relocation work at MP 317.37, necessary for the total reconstruction project from MP 312.00 to MP 319.00; at a not-to-exceed amount of \$88,379.58;
- c. Supplemental Reimbursement Agreement with PECO Energy Co. for the required engineering and facility relocation (MP A29.66, Bridge NB-141) work necessary for the total reconstruction project from MP A20.00 to MP A30.00, for an additional \$72,347.50 to reimburse PECO for actual costs; for a not-to-exceed amount of \$109,847.50;

-was made by Commissioner Logan, seconded by Commissioner Schoch; Commissioner Pratt was not on the call for this item; it passed with 4 votes.

Motion-That the Commission approves the negotiation and execution of the Agreements, a Supplement and an Amendment for the items listed in memos “a, d and e”:

- a. Reimbursement Agreement with Texas Eastern Transmission (SPECTRA) to reimburse Texas Eastern Transmission the costs for the engineering and utility relocation work at MP A29.98, necessary for the total reconstruction project from MP A26.00 to MP A31.00; at a not-to-exceed amount of \$486,250.00;
- d. Amendment to our Memorandum of Understanding (MOU) with The Township of Upper Dublin regarding vehicle restrictions on the Virginia Drive Slip Ramp, to amend the MOU to authorize school buses to also utilize the Virginia Drive Slip Ramp;
- e. Agreement with Ross Body and Frame Works d/b/a A-1 Towing for authorized service provider coverage from MP A37.90 to MP A67.50.

-was made by Commissioner Logan, seconded by Commissioner Schoch, and passed unanimously (Commissioner Pratt was reconnected to the meeting for this vote).

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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 “i”:

- a. Acquisition of Right-of-Way #7166-D1 (*Ampol*), a partial take parcel necessary for the I-95/I-276 Interchange project, by authorizing payment of fair market value in the amount of \$3,000.00 to Ampol, LLC; authorize the appropriate Commission officials to execute the required settlement documents; 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 its delivery of an executed temporary construction easement prepared by the Legal Department;

- b. Acquisition of Right-of-Way #14216-C (*Patrick F. & Carol A. McClelland*), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing payment of fair market value in the amount of \$1,000.00 to Patrick F. and Carol A. McClelland; authorize the appropriate Commission officials to execute the required settlement documents; 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 their delivery of an executed temporary construction easement prepared by the Legal Department;
- c. Acquisition of Right-of-Way #14213-A1 (*Concordia Lutheran Ministries of Pittsburgh*), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing payment of fair market value and pro-rated taxes of \$8,527.50 to Concordia Lutheran Ministries of Pittsburgh; authorize the appropriate Commission officials to execute the agreement of sale; authorize the 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 its delivery of a deed prepared by the Legal Department;
- d. Acquisition of Right-of-Way #3384-G (*The Township of Fairview*), 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 of \$2,400.00 to The Township of Fairview; 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 its delivery of a deed as prepared by the Legal Department;
- e. Acquisition of Right-of-Way #3375-B (*The Township of Fairview*), 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 of \$5,700.00 to The Township of Fairview; 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 its delivery of a deed as prepared by the Legal Department;
- f. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #3375-E (*Russell C. Goodling*), a partial take parcel necessary for the total reconstruction project from MP 242.00 to MP 245.00; authorize payment of Estimated Just Compensation in the amount of \$23,400.00 to Stevens & Lee, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- g. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #3375-RD (*Mary M. Rider*), a partial take parcel necessary for the total reconstruction project from MP 242.00 to MP 245.00; authorize payment of Estimated Just Compensation in the amount of \$44,500.00 to Stevens & Lee, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;

- h. Approve settlement of Right-of-Way #8995-R16 (*Anthony Gaudio and Domenico Balzano*), a partial take parcel necessary for the Rt. 903 Slip Ramp project at MP A87.07, by authorizing payment of \$7,200.00, representing the difference in the award and previous estimated just compensation paid, to Stevens & Lee, escrow agent;
- i. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #12035-RC-1A (*Roger R. Tivilino*), a total take parcel necessary for the Beaver River Bridge Reconstruction project; authorize payment of Estimated Just Compensation in the amount of \$84,000.00 to Babst Calland, escrow agent; 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 Logan, seconded by Commissioner Schoch, and passed unanimously.

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#### ADVERTISING

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

- a. Authorized Service Provider coverage from MP 75.50 to MP 90.90 and on the Amos K. Hutchinson Bypass from MP G0.00 to MP G13.40;
- b. Engineering firm to perform the design for the rehabilitation of several mainline bridges on the Northeast Extension utilizing Accelerated Bridge Construction techniques/methods;
- c. Contract #T-227.63S001-3-02 for bridge rehabilitation between MP 227.63 and MP 238.24.

-was made by Commissioner Logan, seconded by Commissioner Schoch, 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” through “c”:

- a. Change Order to our agreement for an SAP FRICE Subject Matter Expert (SME) with Computer Aid, Inc., to extend the contract through June 30, 2014, at a cost of \$131,012.00;
- b. Change Order to our agreement for an IT Technical Specialist 4 with Computer Aid, Inc., to extend the contract through June 30, 2014, at a cost of \$156,268.00;
- c. SAP HR Subject Matter Expert (SME) for the period of October 1, 2013 – June 30, 2014, utilizing the Commonwealth’s contract with Computer Aid, Inc.; at a total award of \$140,370.00.

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

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POLICY LETTER

**REMOVED FROM THE AGENDA-** Approve the revisions to Policy Letter 3.10, Code of Conduct, to expand the policy to create a more comprehensive Code of Conduct for Commission employees.

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SUPPLEMENTS

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

- a. Supplemental Agreement #2 with CDM Smith, Inc. for final design on the total reconstruction project from MP 242.00 to MP 245.00, for an additional \$700,000.00 to complete the design which requires additional coordination with the permitting agencies, additional right-of-way impacts due to environmental mitigation, design changes requested by the defense logistics agency located in the project area, and extensive geotechnical investigation and design due to poor soil conditions in the project area; increasing the not-to-exceed amount to \$8,000,000.00;
- b. Supplemental Agreement #2 with Skelly and Loy for open-end storage tank services, for an additional \$200,000.00 for engineering services necessary to complete the inspection program to comply with PA DEP and address new regulatory compliance requirements; increasing the not-to-exceed amount to \$2,200,000.00.

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

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COMMERCIAL DISCOUNT

Motion-That the Commission rescinds the elimination of the commercial volume discount effective January 2014, which was previously approved at the July 16, 2013 Commission Meeting (item F-10); and approve a modified commercial discount rate of 3% to PTC commercial E-ZPass account holders that expend \$20,000.00 or more in tolls per month on the Pennsylvania Turnpike, effective January 1, 2014-was made by Commissioner Logan, seconded by Commissioner Schoch, and passed unanimously.

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NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, October 22, 2013 beginning at 10:00 am.

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ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned was made at 11:21 a.m. -made by Commissioner Logan, seconded by Commissioner Schoch, and passed unanimously.

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PREPARED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

APPROVED BY:

Pasquale T. Deon, Sr.  
Secretary Treasurer

ATTACHMENT NUMBER 1

COMMUNICATIONS: MEMOS RECEIVED FROM THE CHIEF COUNSEL