

## MINUTES OF THE COMMISSION MEETING HELD OCTOBER 4, 2016

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:37 a.m. on October 4, 2016 at the Central Office located in Highspire, Pennsylvania. Available via telephone were Sean Logan, Chairman; William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and R. Scott Christie, P.E., Deputy 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 Inc.; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Scott Fairholm, Chief Information Officer; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection & Field Operations; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Esquire, Director of Policy & External Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others presents were Richard S. DiPiero, Senior Fare Collection Operations Manager; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Wanda Metzger, Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Theodore A. Rusenko, Accounting & Financial Reporting Manager; Lynn Stakem, Senior General Accountant; Mark Strause, Technician of PC/LAN Systems; Paul McNamee, KCI; John Smith, Parsons Brinckerhoff; Kristi Reichard, Raudenbush Engineering; Tom Cushman, Jr., AECOM; Dan Gardner, Jr., Paramount Management Group; Randall Leaman, Paramount Management Group; Eric Madden, ACEC/PA and Tim Fahrney, Erdman Anthony.

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 present.



### SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of personnel, which included a promotion, reclassification, annuitant, new hires and vacancies.

The Commissioners also discussed Docket Number PTC-2016-WC-9140 and PTC-2016-WC-5898 and 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 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 MEETINGS

Motion-That the revised Minutes of the meetings held July 19, 2016 and August 23, 2016, and the Minutes of the meeting September 20, 2016 were approved and filed as submitted-were made by Commissioner Lieberman, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATION

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



PERSONNEL

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



UNFINISHED BUSINESS

No unfinished business to discuss.



NEW BUSINESS

POLICY LETTERS

Motion-That the Commission adopt the revisions to Policy 6.04, Vehicle Assignment and Use Policy, to clarify and expand the use, definition, role, responsibility, and assignment of vehicles; and rescind and incorporate Policy 5.07, Prohibition Against Use of Electronic Devices to E-Mail or Text While Driving - was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



AGREEMENTS

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

- a. Lease Agreement with EQT Production Company to permit EQT to lease 363.67096 acres of Right-of-Way and surplus property along the Mon/Fayette Expressway for the purpose of exploring, developing and producing oil and gas from the Utica Shale Formation;
- b. Agility Agreement with the Pennsylvania Department of Transportation (PennDOT) for the equal exchange of services and/or materials in the Mapping the Future areas of design, construction, ITS, procurement, communication, maintenance and facilities for a period of 5-years;
- c. Reimbursement Agreement with PPL Electric Utilities Corporation to reimburse PPL the cost for the engineering and utility relocation work necessary for the total reconstruction project from MP A31.00 to MP A38.00 (Bridge NB-173 at MP A35.65); at a not-to-exceed amount of \$159,370.30;
- d. Reimbursement Agreement with MarkWest Energy Partners to reimburse MarkWest the cost for the engineering and utility relocation work necessary for construction of the Southern Beltway, Section 55-A2; at a not-to-exceed amount of \$6,452,820.00;
- e. Amendment to our agreement with Paramount Management Group for ATM services at the Central Administration Building (CAB), Turnpike Industrial Park (TIP) building and the service plazas, to extend the agreement for an additional 6 months;
- f. Amendment to our agreement with Stantec, Inc. for the administration and support services of the Project Collaboration System (Kahua and Constructware), exercising the option to renew the agreement for an additional year; at a not-to-exceed amount of \$1,162,315.18;
- g. Agreement with the Allegheny County Chiefs of Police Association for the Association to design, purchase, install and maintain a license plate recognition system on the Allegheny Valley Interchange ramp.

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



RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Request for the items listed in memos “a” through “c”:

- a. Settlement of Right-of-Way #17624 (Thomas R. & Sharon A. Hallam, and Range Resources, Appalachia, LLC), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$9,300.00 representing the balance of settlement funds payable to The Law Office of Robert J. Wratsher, LLC, escrow agent; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required; and payment of the settlement amount is contingent upon the execution and delivery of a Full and Final Settlement Agreement as reviewed and approved by the Legal Department;
- b. Settlement of Right-of-Way #17964 (Dennis C. Sluciak), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79 by authorizing payment of \$358,00.00 representing the settlement amount to Hollingshead, Mendelson, Bresnahan, Nixon & Finnegan, P.C., escrow agent; also authorize payment of \$4,000.00 representing statutory 710 appraisal fees to Dennis C. Sluciak; authorize the appropriate Commission officials to execute the necessary settlement documents; and payment of settlement funds to the property owner is contingent upon his execution of a settlement agreement and full and final release as approved by the Legal Department;
- c. Acquisition of Right-of-Way #12035-K2 (Mervin E. Detweiler), a total take parcel necessary for the Beaver River Bridge Replacement project by authorizing payment of \$34,178.09 representing fair market value, pro-rates taxes and recording fees to Fee Simple Settlement 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 damages to the property owner is contingent upon his delivery of a deed prepared by the Legal Department.

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



ADVERTISING

Motion-That the Commission approves advertising for a firm to provide environmental services required to advance the delivery of the Capital Plan -was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



PURCHASE ORDERS

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

- a. Two (2) vehicle lifts (1-Greensburg, 1- Homewood Maintenance), utilizing the Commonwealth’s contract with Steril-Koni USA; at a total award of \$247,736.00;
- b. Office supplies, exercising the option to renew the agreement for an additional year (October 1, 2016 – September 30, 2017) with Office Basics, Inc.; at a cost of \$87,000.00;
- c. Motor oil and lubricants (October 5, 2016 – August 31, 2018), the lowest responsive and responsible bidders:

PPC Lubricants, Inc.	\$210,000.00
Craft Oil Corp.	<u>90,000.00</u>
TOTAL AWARD:	\$300,000.00

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



REAL ESTATE APPRAISAL SERVICES

Motion-That the Commission amends the pool of qualified real estate appraisers to include John D. Dudash MAI, SRA in the qualified pool for real estate appraisal services-was made by Commissioner Deon, seconded by Commissioner Lieberman, 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” and “c-f”:

- a. Change Order #2 and Final Payment for Contract #EN-00139-03-02 for sign structure replacement between MP 309.59 and MP 345.07 with Road-Con, Inc., for a decrease of \$147,976.32 to balance items to actual work completed and changes for drilled caissons and signage; for a final contract value of \$6,123,864.43 and final amount due to the contractor of \$172,752.23;
- c. Change Order #1 for Contract #EN-00161-03-04 for roadway and miscellaneous repairs between MP 122.18 and MP 201.58 with New Enterprise Stone & Lime Co., Inc., for an increase of \$500,000.00 to repair additional deteriorated roadway throughout the project limits; for a revised not-to-exceed amount of \$2,500,000.00;
- d. Change Order #2 and Final Payment for Contract #EN-00167-03-02 for the installation of mile marker signs between MP 0.00 and MP 99.05, Toll I-376 and Turnpike 66 with Power Contracting Company, for a decrease of \$24,785.53 to balance items to actual work completed; for a final contract value of \$988,110.92 and final amount due to the contractor of \$76,066.55;
- e. Change Order #1 for Contract #EN-00161-03-03 for roadway and miscellaneous repairs between MP 0.00 and MP 122.18 with Lane Construction Corp., for an increase of \$400,000.00 to repair additional deteriorated roadway throughout the project limits; for a revised not-to-exceed amount of \$4,000,000.00;

- f. Change Order #2 for Contract #T-355.00P001-3-09 for electrical work for the mainline toll facility from MP 351.43 to MP 354.18 and Open-Road Toll facility (ORT) for the Delaware River Bridge from MP 357.96 to MP 358.32 with Phillips Brothers Electrical Contractors, Inc., for an increase of \$46,629.68 for changes to receptacles, conduit, relocation of card readers, power to fan coil unit and ATIM1 and ATIM 2 a/c unit and baseboard heat, RFI changes, furnish and install pump motor starters and neutral conductors, install smoke detectors and install chiller heat trace circuit and fan motor starter; for a revised not-to-exceed amount of \$1,061,195.73.

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

Motion-That the Commission approves the Change Order and Final Payment for the item listed in memo "b":

- b. Change Order #2 and Final Payment for Contract #EN-00149-03-05 for roadway and miscellaneous repairs between MP 0.00 and MP 75.39, Toll I-376, Turnpike 66 and Turnpike 43 with Lindy Paving, Inc., for a decrease of \$450,782.59 to balance items to actual work completed; for a final contract value of \$2,549,217.41 and final amount due to the contractor of \$127,460.87;

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

VICE CHAIRMAN LIEBERMAN: I abstain on this item because Lindy Paving, Inc. is a client of my firm.



#### SUPPLEMENTAL AGREEMENTS

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

- a. Supplemental Agreement #1 for construction inspection/project management services for the roadway and bridge reconstruction from MP 242.00 to MP 245.00 with Erdman, Anthony Associates, Inc., for an additional \$3,500,000.00 for CI/PM services for an additional construction contract and for additional environmental efforts; for a revised not-to-exceed amount of \$10,092,137.26;
- c. Supplemental Agreement #3 for design management for various total reconstruction projects (MP 128-133.5, MP 149.5-155.5, MP 180-186, MP 242-245) with ms consultants, Inc., for an additional \$3,000,000.00 to finish design management services for the MP 128-133.5, MP 149.5-155.5 and MP 180-186 projects, increased efforts on permitting, utility coordination, right-of-way acquisition costs and increased drilling costs; for a revised not-to-exceed amount of \$24,000,000.00.

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

VICE CHAIRMAN LIEBERMAN: I abstain on items "a" and "c" because a sub consultant with both of the firms, Monaloh Basin, is a client of my firm.

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

- b. Supplemental Agreement #6 for design management of the Southern Beltway, Rt. 22 to I-79, with Michael Baker International, for an additional \$3,200,000.00 due to splitting Sections 55A & 55C into multiple design sections, additional construction contracts, and increase in coordination with various utilities and state and federal agencies; for a revised not-to-exceed amount of \$13,569,665.00;

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



PSPC AWARD

Motion-That the Commission approves the award of services and authorizes the negotiation and execution of an agreement with the selected firm(s) for RFP#7441, host, maintain and support of the Electronic Bidding System (EBS):

- General Dynamics Information Technology, Inc.-AWARDED

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, October 18, 2016 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:44 a.m. -was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.  
Secretary Treasurer