

MINUTES OF THE COMMISSION MEETING HELD OCTOBER 17, 2017

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:24 a.m. on October 17, 2017 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Leslie Richards, Chair; William K. Lieberman, Vice Chair; Barry Drew, Secretary Treasurer; Pasquale T. Deon, Sr., Commissioner and John Wozniak, Commissioner.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer, Michael Baker, Inc.; Robert F. Brady, Director of Operations/Projects-East; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Assistant Director of Toll Collections-Fares; Doreen McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity and Inclusion; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Susan Carson-Casoni, Cash Manager; Kelly Horvath, Executive Administrative Assistant; Jenna Imbrognio, H.R. Resources Analyst; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Sheri Norris, Director of Human Resources; Cindy Smith, ETC Customer Service Operations Analyst; Lynn Stakem, Senior General Accountant; Mark Strause, Technician of PC/Lan Systems; Mike Gross, Wallace Montgomery, Eric Madden, JMT; Paul McNamee, KCI; Rich Hilboky, Gibson-Thomas; Tom Cushman, AECOM; Barry Hoffman, McCormick Taylor; David Azzato, TPD; Glenn Deppert, Arora; Allison DeFoor, The Temple Group; John Wilhelm, Pickering, Corts & Summerson; Steve Barber, Michael Baker International; David Lowdermilk, WSP; Geoffrey Stryker, STV; Gregory Brennan, Benesch; Rm Rajadhyaksha, DLZ; Gary Bowen, DLZ; Robert Kirkley, DLZ; Scott Sternberger, HDR; and Paul Morrison, Teamsters Local 77.



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 promotion, reclassifications, new hires, vacancies and a request to fill a position in the Legal Department.

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 October 3, 2017 be approved and filed as submitted - were made by Commissioner Deon, 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 Deon, seconded by Commissioner Drew, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

POLICIES

Motion-That the Commission adopts a new Policy and revisions to Policies for the items listed in memos "a" through "c":

- a. Policy 1.02, Continuity of Operations Plan Committee, to establish guidelines, oversight, responsibilities and procedures for the management of the Commission's Continuity of Operations Plan;
- b. Revision to Policy 4.02, Overtime Compensation, to update and provide clearer guidelines for overtime;
- c. Revision to Policy 9.02, Tower, Monopole and Cell Site Structure Leasing, to define public agency and authorize amendments to existing lease agreements with public agencies

-was made by Commissioner Deon, seconded by Commissioner Drew 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. Settlement Agreement and Release with New Enterprise Stone & Lime Co., and authorize execution of all necessary documents in exchange for full and final release of all claims;
- b. Reimbursement Agreement with PECO Energy Company for PECO to reimburse the Commission for the design and construction costs associated with the relocation of its utility line as part of the I-95 Route 13 connector project (gas line at Beaver Dam Road); at an approximate reimbursed amount of \$45,661.02;
- c. Reimbursement Agreement with PECO Energy Company to reimburse PECO the costs for the engineering and utility relocation work necessary for the I-95 Route 13 connector project (electrical line at Ellwood Avenue); at a not-to-exceed amount of \$752,121.25;
- d. Reimbursement Agreement with PECO Energy Company to reimburse PECO the costs for the engineering and utility relocation work necessary for the I-95 Route 13 connector project (electrical line at Beaver Dam Road); at a not-to-exceed amount of \$67,832.50;

- e. Negotiate additional modifications to our agreement with TransCore for operation of the Customer Service Center/Violations Processing Center, due to cashless tolling, toll by plate and changes in the vehicle classification system;
- f. Amendment to our agreement with Stantec for administration and support services of the Project Collaboration Systems, exercising the option to renew the agreement for an additional year; at a not-to-exceed amount of \$1,183,146.06;
- g. Amendment to our agreement with Bloomberg for hardware and software for financial investments, news and analysis, to continue the service through January 2022; at an approximate annual cost of \$28,000.00.

-was made by Commissioner Deon, seconded by Commissioner Drew, 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 “d”:

- a. Acquisition of Right-of-Way #12082-G (Joseph K. & Elizabeth Kozora), a partial take parcel necessary for the Beaver River Bridge replacement project by authorizing payment of \$24,427.00 representing fair market value, pro-rated 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 fair market value to the property owners is contingent upon the delivery of a deed as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #12082-F (T Street Gang, LP), a partial take parcel necessary for the Beaver River Bridge replacement project by authorizing payment of \$22,397.00 representing fair market value, pro-rated 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 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 #6022-B (Teresa Grisales), a partial take parcel necessary for the Milford Road Bridge replacement project by authorizing payment of \$11,820.00 representing fair market value and pro-rated taxes to Teresa Grisales; 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 her deliver of a deed as prepared by the Legal Department;

- d. Easement Agreement for Right-of-Way #14129A (Range Resources-Appalachia, LLC; Patrick Scheider, d/b/a Scheider Plumbing; and Kelly Priore), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing the appropriate Commission officials to execute the required Easement Agreement as drafted and approved by the Legal Department.

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



AMENDING A POOL

Motion-That the Commission approves amending the pool of qualified audit, forensic audit, compliance assessments, specialized security and investigation services to include Titan Investigative Alliance, LLC to the qualified pool for investigative and surveillance services-was made by Commissioner Deon, seconded by Commissioner Drew 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 “d”:

- a. Catch basin cleaner body, utilizing the Commonwealth’s contract with GapVax, Inc.; at a total award of \$298,385.00;
- b. Catch basin cleaner chassis, utilizing the Commonwealth’s contract with Legacy Truck Centers Inc.; at a total award of \$125,969.00;
- c. Septic cleaning, exercising the option to renew the agreements for an additional year (November 1, 2017 – October 31, 2018):

Mr. John of Pittsburgh	\$1,870.00
Rural Wastewater Mgt.	4,576.00
Dalton Sanitary Service	16,225.00
Associated Products	6,450.00
Dillsburg Excavating & Septic	35,728.00
Burns Septic Service	23,940.00
A Septic Service	35,370.00
McGovern Environmental	<u>4,205.00</u>
TOTAL RENEWAL:	\$128,364.00

- d. Plow blades, hardware and accessories (October 2017 – September 2018), to the lowest responsive and responsible bidders:

Ironhawk Industrial Distribution	\$300,000.00
Minco Industrial Services, Inc.	180,000.00
Valk Manufacturing Co.	45,000.00
Chemung Supply Corp.	30,000.00

Trius, Inc.	30,000.00
Kennametal, Inc.	20,000.00
Winter Equipment Co., Inc.	<u>15,000.00</u>
TOTAL AWARDS:	\$620,000.00

-was made by Commissioner Deon, 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 “c”:

- a. Contract #S-006.00X002-3-09 for construction of the Southern Beltway, Section 55C1-1, between MP S14.24 and MP S16.06, to the lowest responsive and responsible bidder, The Beaver Excavating Company; at a not-to-exceed amount of \$87,132,623.46 and a contingency of \$4,300,000.00;
- b. Contract #T-288.10S001-3-02 for redecking of Bridge EB-548 at MP 288.10, to the lowest responsive and responsible bidder, Deblin, Inc.; at a not-to-exceed amount of \$1,471,216.77 and a contingency of \$70,000.00;
- c. Contract #T-010.00M001-3-02 for the installation of pre-entry Intelligent Transportation Systems between MP 10.00 and MP 189.00, to the lowest responsive and responsible bidder, Power Contracting Company; at a not-to-exceed amount of \$1,592,936.30 and a contingency of \$75,000.00.

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



CHANGE ORDERS AND FINAL PAYMENT

Motion-That the Commission approves the Change Orders and Final Payment for the items listed in memos “a” and “b”:

- a. Change Order #1 and Final Payment for Contract #EN-00161-03-05 for roadway and miscellaneous repairs between MP 201.58 and MP 299.98 with New Enterprise Stone & Lime Co., Inc., for a decrease of \$463,927.51 to reflect the cost of the completed work authorizations; for a final contract value of \$2,536,072.49 and final amount due to the contractor of \$126,803.62;
- b. Change Order #6 for Contract #T-355.00P001-3-13 for construction of the I-95/I-276 Interchange, Section D10, with PKF-Mark III, Inc., for an additional \$95,181.65 to balance items to actual work completed, changes for geotextile, drainage, pavement markings, erosion control, aggregate, lighting, drilled post holes, pedestrian walkway, repairs to impact attenuator, rock construction entrance, engineering costs, electrical work, implementation of PTS-900 standards, and a 14-day time extension; for a revised not-to-exceed amount of \$144,578,206.06.

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



PSPC AWARDS

Motion-That the Commission approves the award of services and authorizes the negotiation and execution of an agreement with the selected firm for the items listed in memos “a” through “e”:

a. T00063, preliminary and final design of Lafayette Street Interchange:

- KCI Technologies, Inc.-AWARDED
- Alfred Benesch and Company
- McCormick Taylor, Inc.

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

b. T00078, CY 2018-2019 biennial bridge inspection systemwide:

- WSP USA, Inc.-AWARDED

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

c. T00060, open-end environmental services systemwide:

- Skelly & Loy, Inc.-AWARDED

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

d. T00077, open-end quality assurance laboratory testing services systemwide:

- GeoStructures, Inc.-AWARDED

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

e. T00049, open-end right-of-way acquisition services systemwide:

- Interstate Acquisition Services-AWARDED
- Keystone Acquisition Services, Corporation
- Orion Land Services, Inc.

-was made by Commissioner Drew; Commissioners Richards, Lieberman, Deon and Wozniak voted “No”. Motion denied. A second motion was placed on the table and the following award was made:

T00049, open-end right-of-way acquisition services systemwide:

- Keystone Acquisition Services, Corporation-AWARDED
- Interstate Acquisition Services
- Orion Land Services, Inc.

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, November 7, 2017 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:37 a.m. -was made by Commissioner Richards, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Barry Drew
Secretary Treasurer