

MINUTES OF THE COMMISSION MEETING HELD NOVEMBER 3, 2015

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:30 a.m. on November 3, 2015 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were Sean Logan, Chairman; William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Scott Christie, Deputy Secretary of Transportation.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Michael Baker Jr., Inc.; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Scott D. Fairholm, Chief Information Officer; Nikolaus Grieshaber, Chief Financial Officer; Brad Heigel, P.E. , Chief Engineer; Jeffrey L. Hess, Director of Fare Collection & Field Operations; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Stacia Ritter, Esquire, Director of Policy & External Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Jack Christensen, Director of FEMO; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard C. Dreher, Assistant CFO/Financial Management; Donald S. Klingensmith, Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Cindy Smith, General Accountant 2; Mark Strause, Technician of PC/LAN Systems; Paul McNamee, KCI; John Smith, Parsons Brinckerhoff; Kristi Reichard, Raudenbush Engineering; Eric Madden, ACEC/PA and Mike Gross, Wallace Montgomery.



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, termination, equity adjustment, promotions, new hires, vacancies, and requests to abolish; to reclass; and to post and fill positions in the Communications and

Public Relations, Information Technology, Human Resources, Traffic Engineering and Operations 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 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; all visitors stood and introduced themselves.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held October 20, 2015 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



COMMUNICATIONS

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.



NEW BUSINESS

POLICY LETTER

Motion-That the Commission adopts the revisions to Policy 9.02, Tower, Monopole and Cell Site Structure Leasing, to rename the policy (f/n/a Tower Leasing) and to update the policy language and hierarchical needs -was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



AGREEMENTS

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

- a. Amendment to our agreement with AAA North Penn, Inc. to distribute E-ZPass at their locations, exercising the option to renew the agreement for an additional 5-year period;
- b. Reimbursement Agreement with the New Jersey Turnpike Authority to have NJTA reimburse the Commission for the costs to construct a sign structure foundation and pier as part of the I-95 Interchange project; at an estimated cost of \$74,000.00;
- c. Supplemental Agreement for annual independent audit services with Zelenkofske Axelrod LLC for an additional \$6,000-\$12,000 on an annual basis to perform an attestation examination to ensure census data reported by the Commission to the State Employees Retirement System (SERS) is complete and accurate;
- d. Agreement with Lower Swatara Township for the Township to accept the ownership, operation and all future maintenance of the newly-constructed filter trench along Baker Avenue (adjacent to MP 248.19 EB); for a payment to the Township of \$20,000.00;
- e. Settlement Agreement and Mutual Release in the case, Bryant Lee v PTC, E.D.PA No. 2:14-cv-00933, and approve payment of the settlement amount;
- f. Settlement Agreement and Mutual Release in the case, Loughney-Mook v. PTC, and approve payment of the settlement amount;
- g. Agreement with Michael Schubert, as a consultant to the Commission.

-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 item listed in memos “a” through “h”:

- a. Acquisition of Right-of-Way #17657-A (Danny H. & Carol A. Leonard), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$1,007.50 representing fair market value and pro-rated taxes to Danny H. & Carol A. Leonard; 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 their delivery of deed prepared by the Legal Department;
- b. Acquisition of Right-of-Way #14106 (Robert L. & Kathleen M. Sparber), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$247,984.03 representing fair market value and pro-rated taxes to Coon & Company, escrow agent; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents as 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;
- c. Acquisition of Right-of-Way #6084-C (Lockheed Martin Corp.), a partial take parcel necessary for the pre-entry ITS easement from MP 286.00 to MP 343.00, by authorizing payment of \$39,437.98 representing fair market value and pro-rated taxes to Lockheed Martin Corp.; 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 #17655-A (Ransom Family, LLC), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$12,638.00 representing fair market value and pro-rated taxes to Ransom Family, LLC; 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 deed prepared by the Legal Department;
- e. Acquisition of Right-of-Way #17656-A (Milton R. & Mary Jane Rodgers), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$1,315.50 representing fair market value and pro-rated taxes to Milton R. & Mary Jane Rodgers; 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 their delivery of deed prepared by the Legal Department;

- f. Acquisition of Right-of-Way #1011-A (Karen E. Mitchell), a partial take parcel necessary for the total reconstruction project from MP 99.00 to MP 109.00, by authorizing payment of \$4,525.25 representing fair market value, pro-rated taxes and 710 fees to Karen E. Mitchell; 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;
- g. Acquisition of Right-of-Way #2103-D (Catherine J. Shimer), a total take parcel necessary for the total reconstruction project from MP 149.50 to MP 155.50, by authorizing payment of \$38,697.26 representing fair market value and pro-rated taxes to Catherine J. Shimer; 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 #14206-L (Shirley J. Myers), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing payment of \$29,116.50 representing fair market value and pro-rated taxes to Shirley J. Myers and authorize payment of \$300.00 representing Section 710 damages to Shamrock Appraisal Group, Inc.; 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.

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



ADVERTISING

Motion-That the Commission approves advertising for the items listed in memos "a" and "b":

- a. Contract #EN-00190-03-03, guiderail end treatment update between MP 252.89 and MP 351.33 and MP A21.20 and MP A86.10;
- b. Contract #EN-00190-03-02, guiderail end treatment update between MP 2.80 and MP 232.72, Toll I-376 and Turnpike 66.

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



ISSUANCE OF A PURCHASE ORDER

Motion-That the Commission approves the Issuance of a Purchase Order for Gartner Advisory Services subscription renewal, utilizing the Commonwealth's contract with Gartner Inc.; at a total award of \$134,700.00-was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #A-088.00R002-3-02 for bituminous resurfacing and median barrier replacement from MP A88.66 to MP A95.17, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a total award of \$19,125,714.35 and a contingency of \$900,000.00-was made by Commissioner Deon, seconded by Commissioner Lieberman, 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 #2 and Final Payment for Contract #A-075.86R001-3-02 for ramp resurfacing of the Mahoning Valley Interchange at MP A75.68 with Pikes Creek Site Contractors, for a decrease of \$459,447.14 to balance items to actual work completed, and changes for topsoil, MPT and removal of electrical items; for a final contract of \$958,107.86 and final payment to the contractor of \$124,046.20;
- b. Change Order #1 for Contract #S-000.00R001-3-02 for concrete pavement repairs between MP S0.00 and MP S5.63 with Swank Construction Company, LLC, for a 33-day time extension to complete full depth concrete patching.

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



SUPPLEMENTAL AGREEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #1 for open-end material inspection and testing services from MP 0.00 to MP 200.00, I-376, Turnpike 576, Turnpike 66 and Turnpike 43 with Quality Engineering Solutions, Inc. (QES), for an increase of \$150,000.00 to cover material inspectors services, on-site soil testing and laboratory testing; for a revised not-to-exceed amount of \$1,100,000.00-was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



SUPPLEMENTAL AUDITING SERVICES

Motion-That the Commission approves amending the pool of supplemental auditing service providers to include Armada Global, Inc., CSI Corporate Security and Investigations, Inc. and OPS Security Group to the qualified pool for investigative and surveillance services-was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, November 17, 2015 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:35 a.m.-was made by Commissioner Deon, seconded by Commissioner Lieberman.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer