

## MINUTES OF THE COMMISSION MEETING HELD NOVEMBER 17, 2015

A formal meeting of the Pennsylvania Turnpike Commission convened at 10:49 a.m. on November 17, 2015 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Sean Logan, Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Leslie Richards, Secretary of Transportation. Available via telephone for the meeting was William K. Lieberman, Vice Chairman.

Others present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Charles L. Duncan III, Esquire, Director of Legislative Affairs; 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; Myneca Y. Ojo, Director of Diversity and Inclusion and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Charlie Camp, Fare Collection Operations Manager; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard S. DiPiero, Senior Fare Collection Operations Manager; Richard C. Dreher, Assistant CFO/Financial Management; Jason Falchek, Technician of PC/LAN Systems; 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; Richard A. Reidy, Michael Baker, Jr., Inc.; Catherine L. Sabo, Accounting Manager; Cindy Smith, General Accountant 2; Paul McNamee, KCI; Kristi Reichard, Raudenbush Engineering; Mike Gross, Wallace Montgomery; Robin Kohler, C.S. Davidson, Inc.; Michael Sydlik, Earth, Inc.; Peter Kuhne, Atkins; Mike Flack, Volkert; and Randy Grove, Keller Engineers.



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 reclassification, terminations, new hires, vacancies, summer

employee program, and requests to post and fill positions in the Information Technology, Engineering, and Facilities and Energy Management Operations departments.

The Commissioners also discussed Docket No. 2013-002675 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; all visitors stood and introduced themselves.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held November 3, 2015 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Richards, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memos received from the Chief Counsel, Acting Chief of Communications & Public Relations and the Director of Procurement & Logistics-was made by Commissioner Deon, seconded by Commissioner Richards, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No unfinished business to discuss.



NEW BUSINESS

OPEB

Motion-That the Commission approves the reappointment of the individuals who hold the following positions as Trustees for the PTC Retiree Medical Trust of Other Post-Employment Benefits (OPEB), for a term of two-years (January 3, 2016 – January 2, 2018) as stated in the Trust Agreement:

Chief Financial Officer  
Chief Counsel  
Asst. Chief Financial Officer/Accounting and Budget

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



AGREEMENT

Motion-That the Commission approves the negotiation and execution of the Settlement Agreement and Release in the case, PTC v. Ransome Idealease-was made by Commissioner Deon, seconded by Commissioner Richards, 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 “g”:

- a. Acquisition of Right-of-Way #2065-N (Krystal L. & Aaron T. Turkenton), a partial take parcel necessary for the total reconstruction from MP 149.50 to MP 155.50, by authorizing payment of \$862.75 representing fair market value and pro-rated taxes to Krystal L. & Aaron T. Turkenton; 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 Administer and approved by the Chief Counsel; and payment of the 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 #17664-3 (Kathleen Hall), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, buy authorizing payment of \$35,600.00 representing fair market value of the mobile home to Coon & Company, escrow agent; authorize

the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel; and payment of fair market value to the property owner is contingent upon the delivery of the mobile home's title certificate;

- c. Acquisition of Right-of-Way #9513-D (Nuncio Lombardi), a partial take parcel necessary for the Intelligent Transportation System (ITS) project from MP A19.96 to MP A124.29, by authorizing payment of \$507.50 representing fair market value and pro-rated taxes; 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 his delivery of a Deed of Easement as prepared by the Legal Department;
- d. Acquisition of Right-of-Way #2128-T (Robert J. & Donna M. Foor and Andrew E. & Diane M. Foor), a partial take parcel necessary for the total reconstruction from MP 149.50 to MP 155.50, by authorizing payments of \$3,000.00 representing survey fees to Rick Whetstone, and \$450.00 representing appraisal fees to Larry C. Johnson;
- e. Acquisition of Right-of-Way #17679 (Rose Marie Smith), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79, by authorizing payment of \$14,020.15 representing fair market value and pro-rated taxes to Rose Marie Smith; 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;
- f. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #14069-D (Meadowridge Homeowner's Association), a partial take parcel necessary for the total reconstruction from MP 40.00 to MP 48.00; authorize payment of estimate just compensation of \$12,400.00 to Clark Hill PLC, 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 #14065-B (Meadowridge Homeowner's Association (Plan 4)), a partial take parcel necessary for the total reconstruction from MP 40.00 to MP 48.00; authorize payment of estimate just compensation of \$7,100.00 to Clark Hill PLC, 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 Deon, seconded by Commissioner Richards, and passed unanimously.



SUPPLEMENTAL AGREEMENTS

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

- a. Supplemental Agreement #1 for construction inspection/project management services (CI/PM) for the replacement of Bridge NB-391 at MP A68.53 with Erdman, Anthony Associates, Inc. for an additional \$1,088,438.74 for revised services including design-build construction document review, design phase support services and engineering reviews, CI/PM service during both design and construction, specialized geotechnical and environmental services consultants and updated overhead rates; for a revised not-to-exceed amount of \$3,473,707.83;
- b. Supplemental Agreement #1 for construction inspection/project management services (CI/PM) for roadway and bridge reconstruction from MP 250.76 to MP 251.17 with Hill International, Inc., for an additional \$1,176,548.93 for an increase in construction duration from 28 to 33 months, addition of an early action contract to construct the MP 250.30 WB access ramp, addition of a project specific website and cameras, addition of engineering services to assist with submittal reviews, independent engineering analysis, design services, and geotechnical support, and updated overhead rate; for a revised not-to-exceed amount of \$5,575,888.93.

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



AWARD OF BIDS AND ISSUANCE OF PURCHASE ORDERS

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

- a. Propane for motor vehicle fueling, and repair and service to the fuel tanks (November 2015 – November 2020), to the lowest responsive and responsible bidder, AmeriGas Propane LP; at a total award of \$250,000.00;
- b. Plow blades, hardware and accessories, to the lowest responsive and responsible bidders:

Valk Manufacturing Co.	\$ 200,000.00
Kennametal Inc.	75,000.00
Winter Equipment Co., Inc.	700,000.00
Ironhawk Industrial Distribution	91,000.00
Highway Equipment & Supply Co.	<u>2,500.00</u>
TOTAL AWARD	\$1,068,500.00

-was made by Commissioner Deon, seconded by Commissioner Richards, 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" through "f":

- a. Change Order #2 and Final Payment for Contract #T-201.00M001-3-02 for the installation of Roadway Weather Information Systems (RWIS) between MP 201.00 and MP 293.00 with Carr & Duff, Inc., for a decrease of \$20,854.80 to balance items to actual work completed, changes were necessary to make the enclosures to the RWIS maintenance free by removing soil and placing geotextile fabric and stone around the pad, and elimination of the wireless communication system in lieu of a fiber optic system; for a revised final contract value of \$471,045.22 and final amount due to the contractor of \$52,264.01;
- b. Change Order #5 for Contract #T-099.00T002-3-04 for roadway reconstruction from MP 99.05 to MP 101.79 with New Enterprise Stone & Lime Co., Inc., for an increase of \$993,210.91 for Class 1 excavation, price escalation for 2A aggregate, concrete barrier, grading and asphalt placement and signage, and a 24-day time extension for additional undercutting; for a revised not-to-exceed amount of \$34,449,994.53;
- c. Change Order #5 and Final Payment for Contract #T-113.82F001-3-04 for the reconstruction of the Somerset Maintenance Facility with Clark Contractors, Inc., for a decrease of \$65,357.19 to balance items to actual work completed and changes to storm water basin #1; for a revised final contract value of \$12,601,243.87 and final amount due to the contractor of \$78,953.31;
- d. Change Order #1 and Final Payment for Contract #T-122.18F002-3-02 for electrical upgrades at the Allegheny Tunnel with T.S.B., Inc., for an increase of \$592.61 to balance items to actual work complete and changes to the emergency lighting; for a final contract value of \$1,472,092.61 and final amount due to the contractor of \$75,241.11;
- e. Change Order #2 and Final Payment for Contract #T-113.82F001-3-07 for HVAC work for the reconstruction of the Somerset Maintenance Facility with Marc-Service, Inc., for a decrease of \$3,255.44 as a credit for Glycol needed for buildings 1 & 5 and relocation of a gas tube heater for the wash bay in building 1; for a final contract value of \$1,740,133.09 and final amount due to the contractor of \$68,738.19;
- f. Change Order #1 and Final Payment for Contract #A-031.00T001-3-03 for the replacement of Bridge NB-177 (S-32898) at MP A37.44 with Road-Con, Inc. for a decrease of \$572,256.15 to balance items to actual work completed, changed for superstructure jacking, deletion of concrete block slope wall, glare screen, impact attenuators, pavement markings and MPT; for a final contract value of \$5,346,547.55 and final amount due to the contractor of \$230,986.83;

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

Motion-That the Commission approved the Change Order for the item listed in memo "g":

- g. Change Order #2 for Contract A-020.00T002-3-07 for roadway and bridge reconstruction from MP A25.67 to MP A31.34 with Allan A. Myers, LP, for an increase of \$548,641.70 to balance items to actual work completed, changes are necessary for emergency bridge repairs, MSE wall realignment credit, drainage, removal of temporary shoring from a previous project, embankment work, temporary traffic signal, regrading and stabilization of stockpiles in waste areas, toll plaza acceleration credit, tire disposal, assistance in accident with barrier and impact attenuator, installation of mile marker signs in the work area, lighting relocation, single face barrier removal, security gate installation for fire and rescue and water proofing; for a revised not-to-exceed amount of \$201,114,321.97.

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

SECRETARY RICHARDS: I abstain on this item because Allan A. Myers was a former political donor.



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, December 1, 2015 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:54 a.m.-was made by Commissioner Deon, seconded by Commissioner Richards.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.  
Secretary Treasurer