

MINUTES OF THE COMMISSION MEETING HELD NOVEMBER 18, 2014

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:10 a.m., November 18, 2014 at the Central Office located in Highspire, Pennsylvania. Present 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.

Others present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer for Michael Baker Jr., Inc.; Robert F. Brady, Director of Operations/Projects-East; William J. Capone, Chief of Communications & Public Relations; Scott D. Fairholm, Chief Information Officer; Todd S. Garrison, Director of Maintenance; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection and Field Operations; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Stacia A. Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were John Christensen, Director of FEMO; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard S. Dipiero, Senior Fare Collection Operations Manager; Richard C. Dreher, Assistant CFO/Financial Management; Donald S. Klingensmith, P.E., Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN Systems; Catherine L. Sabo, Accounting Manager; Cindy Smith, General Accountant II; Lynn Stakem, Senior General Accountant; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Alan Williamson, Senior Engineer Project Manager; Steve Barber, Michael Baker, Jr., Inc.; Jim Miller, Michael Baker, Jr., Inc.; Bill Sauers, C.S. Davidson; Jen Hendricks, H2 Engineers; Glen Deppert, Arora and Associates; Schott Shimko, Borton-Lawson; Reshmi Lal, Larson Design Group and Paul McNamee, KCI Technologies.



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 the Summer Program, CEO Intern Fellows Program, new hires and vacancies.

The Commissioners also discussed Docket Nos. 2013-02690 and 3549 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 4, 2014 be approved and filed as submitted-was made by Commissioner Logan, seconded by Commissioner Pratt, 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 Pratt, and passed unanimously.



PERSONNEL

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



NEW BUSINESS

PAYMENT OF INVOICE

Motion-That the Commission approves payment of the invoice to Travelers Insurance Company, through the broker Conner Strong & Buckelew, in the amount of \$2,309,680.00 which represents the annual premium for property and inland marine insurance coverage for the period October 1, 2014 – September 30, 2015-was approved by Commissioner Deon, seconded by Commissioner Schoch; Commissioner Pratt abstained.

VICE CHAIRMAN PRATT: I abstain on this item because Travelers Insurance Company is a client of my firm.



AGREEMENTS and AMENDMENTS

Motion-That the Commission approves negotiation and execution of the Agreement listed in memos “a”:

- a. Reimbursement Agreement with Allegheny County to reimburse the county the cost to perform inspections of its newly constructed culvert and roadway that were necessary as part of the replacement of Bridge WB-400 at MP 29.33; at a not-to-exceed amount of \$30,000.00;

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

CHAIRMAN LIEBERMAN: I abstain on this item out of an abundance of caution to avoid controversy regarding this matter.

Motion-That the Commission approves negotiation and execution of the Agreements, approve cost sharing discussions, and authorize participation in a cooperative purchasing program for the items listed in memos “b” through “e”:

- b. Engage in discussions with Montgomery County for the proposed construction of a new interchange with the Turnpike near MP 331.60; the discussions would gain an understanding of the County’s schedule and expectations regarding cost sharing with the Commission;

- c. Reimbursement Agreement with Penn Power Company to reimburse the utility the cost to perform the required engineering and facility relocation work necessary for the Beaver River Bridge project at MP 12.58; at a not-to-exceed amount of \$77,897.64;
- d. Agreement with Xerox State and Local Solutions to support and maintain the toll equipment on the Findlay Connector for one (1) year with the option for two (2) one-year extensions; the not-to-exceed amount for the 3 years is \$1,392,472.87;
- e. Participation in the United States General Services Administration (GSA) cooperative purchasing program.

-were approved by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.



#### RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos "a" through "d":

- a. Acquisition of Right-of-Way #2117-D (Helen Lock Foor, Jacquelyn Smith and Daphne Jill Foor), a total take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00, by authorizing payment of fair market value, pro-rated taxes and recording fess of \$125,190.74 to David J. Puzak, Attorney at Law, 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 their delivery of a deed as prepared by the Legal Department;
- b. Settlement of Right-of-Way #14207-A (Thomas K. Eichenlaub), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing post condemnation settlement payment of \$12,100.00 to Babst Calland, escrow agent; authorize the appropriate Commission officials to execute the post condemnation settlement agreement and other documents as may be required and approved by the Legal Department; and payment of the settlement amount to the property owner is contingent upon the delivery of an executed post condemnation settlement agreement as approved by the Legal Department;
- c. Acquisition of Right-of-Way #12034-RA (Julie L. Taylor, a/k/a Julie L. Soterin), a partial take parcel necessary for the Beaver River Bridge replacement project, by authorizing payment of fair market value and pro-rated taxes in the amount of \$4,567.50 to Julie L. Soterin; 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 owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- d. Acquisition of Right-of-Way #14204-A1 (Dolores M. Lawniczak), 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, pro-rated taxes and recording fess of \$2,025.50 to Dolores M. Lawniczak; 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 their delivery of a deed as prepared by the Legal Department.

-were approved by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.



ADVERTISING

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

- a. Cell tower lease consultant with cell tower marketing experience to assist the Commission in evaluating its cell tower program to maximize the market competitiveness and future leasing opportunities;
- b. Information Technology applications development, maintenance and support services for SAP and other applications;
- c. Geospatial Information System (GIS) development, integration, support and maintenance services.

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



AWARD OF BIDS, CHANGE ORDERS AND ISSUANCE OF PURCHASE ORDERS

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

- a. Communication system parts for the radio/intercom system, to the lowest responsive and responsible bidder, Gai-Tronics Corporation; at a total award of \$106,291.86;
- b. Weigh In Motion equipment for the Lansdale Interchange, to International Road Dynamics, Inc.; at a total award of \$433,693.00;
- c. Change Order to our agreement for fuel storage tank cleaning (thru April 30, 2015) with Clean Fuels Associates, Inc., to continue the services through the end of the contract; at a cost of \$155,000.00;
- d. Automotive filters, exercising our option to renew the agreement for an additional year (September 1, 2014 – August 31, 2015):

Fred Beans	\$34,000.00
Sunbury Motors	20,000.00
Transedge Truck	34,000.00

Cherry Valley Tractor	<u>11,000.00</u>
TOTAL CHANGE ORDER:	\$99,000.00

- e. Automatic Vehicle Locator (GPS) services with AT&T utilizing Western States Contracting Alliances cooperative purchasing agreement; at a not-to-exceed amount of \$1,600,000.00.

-were approved by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.



#### AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #A-056.04S001-3-02 for the replacement of Bridge NB-345A at MP A56.04, to the lowest responsive and responsible bidder Allan A. Myers, LP; at a not-to-exceed amount of \$6,917,000.00 and a contingency of \$300,000.00- was made by Commissioner Deon, seconded by Commissioner Schoch; Commissioner Pratt abstained.

VICE CHAIRMAN PRATT: I ABSTAIN ON THIS ITEM BECAUSE ALLAN A MYERS IS A CLIENT OF MY FIRM.



#### CHANGE ORDER AND FINAL PAYMENT

Motion-That the Commission approves Change Order #1 and Final Payment for Contract #T-090.69R001-3-02 with New Enterprise Stone and Lime, Inc. for bituminous resurfacing of the Donegal Interchange ramps at MP 90.69, for a decrease of \$44,956.72 to balance items to actual work completed and line painting on the milled surface; for a final contract value of \$778,261.03 and final amount due to the contractor of \$48,966.14-was made by Commissioner Deon, seconded by Commissioner Pratt, 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 open-end fabricated steel inspection with KTA-Tator, Inc., Pennoni Associates, Inc., HRV Conformance Verification Associates, Inc. and Bureau Veritas North America, Inc., for a total increase of \$300,000.00 necessary to continue the existing agreements until December 31, 2014; increasing the not-to-exceed combined contract value of the four (4) contracts to \$5,300,000.00;

- b. Supplemental Agreement #1 with HNTB Corporation for All Electronic Tolling (AET) program management, for an additional \$7,000,000.00 to continue program and project management services in support of the Capital Plan; for a revised not-to-exceed amount of \$13,000,000.00;

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

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

- c. Supplemental Agreement #1 with McCormick Taylor, Inc. for All Electronic Tolling (AET) advisory services, for an additional \$2,000,000.00 to continue supporting Commission staff for the AET conversion project; for a revised not-to-exceed amount of \$4,000,000.00.

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

COMMISSIONER SCHOCH: I ABSTAIN DUE TO A PAST BUSINESS RELATIONSHIP WITH MCCORMICK TAYLOR, INC.



#### AMENDING A POOL

Motion-That the Commission approves amending the pool of qualified title abstracting firms to include Fuller Brown Land Services, LLC to the qualified pool-was made by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.



#### POST-FORMAL MEETING

Brad Heigel introduced Larry Bankert of Michael Baker Jr., Inc. who briefed the Commissioners and staff on the General Consulting Engineers Fiscal Year 2014 Metrics Report.



#### ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:32 a.m.-was made by Commissioner Lieberman, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.  
Secretary Treasurer