

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 1, 2015

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:41 a.m. on December 1, 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 Leslie Richards, Secretary of Transportation.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Banker, 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; 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.

Also in attendance were Carl E. Defebo, Jr., Director of Public Relations & Marketing; 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; Cindy Smith, General Accountant 2; Paul McNamee, KCI; Kristi Reichard, Raudenbush Engineering; Mike Gross, Wallace Montgomery; John Smith, Parsons Brinckerhoff; Eric Madden, ACEC/PA; Scott Shimko, Borton Lawson and Mark Boris, Borton Lawson.



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 lateral, terminations, promotions, new hires, vacancies, and requests to re-post and fill; and to post and fill positions in the Engineering, Facilities and Energy Management Operations, Fare Collection and Finance and Administration departments.

The Commissioners also discussed Real Estate No. 303EPD, Docket No. 2013-cv-5158-cv, Docket No. PTC-WC-0488, Claim No. PTC-HPC, 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 17, 2015 be approved and filed as submitted-was made by Commissioner Lieberman, seconded by Commissioner Richards, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

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



UNFINISHED BUSINESS

No unfinished business to discuss.



NEW BUSINESS

PAYMENT OF INVOICES

Motion-That the Commission approves payment of the invoices for the items listed in memos “a” and “b”:

- a. Invoices to Travelers Insurance Company, through our broker Conner Strong & Buckelew, for a total amount of \$2,079,050.00 which represents the annual premium for property and inland marine insurance coverage (\$2,069,061.00) and boiler and machinery insurance coverage (\$9,989.00) for the period October 1, 2015 – October 1, 2016;
- b. Invoices to Travelers Insurance Company, through our broker Conner Strong & Buckelew, for a total amount of \$42,413.00 which represents the Builder’s Risk policies for the Bridge Replacement projects for DB-239, WB-400, NB-345A, NB-170, NB-178, WB-429 and Bridge Reconstruction T-241.98 to T-245.33.

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



AGREEMENT

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

- a. Amendment to our agreement with the Pennsylvania State Police (PSP) for its patrol coverage of the Findlay Connector, to renew/exercising the option to renew our agreement for an additional five (5) year period;
- b. Reimbursement Agreement with Columbia Gas to reimburse Columbia Gas the cost to perform the preliminary engineering work for the relocation of the gas line necessary for construction of Section 55-C1 of the Southern Beltway; at a not-to-exceed amount of \$100,125.00;
- d. Settlement Agreement and Release in the case, Hercules Painting Company v. PTC;
- e. Settlement Agreement and Release in the case, PTC v. Worth & Company, Inc;
- f. Settlement Agreement and Release with Peter Gozzi, and authorize issuance of the workers’ compensation settlement payment.

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

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

- c. Assignment Agreement with Trumbull Construction Management Services (TCMS) to assign all active contracts to Johnson, Mirmiran & Thompson (JMT) due to JMT acquiring TCMS;

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

VICE CHAIRMAN LIEBERMAN: I abstain on this item because Trumbull is a client of my firm.



### RIGHT-OF-WAY REQUESTS

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

- a. Acquisition of Right-of-Way #2117-K (Marian Kay Clark), a partial take parcel necessary for the total reconstruction project from MP 149.50 to MP 155.50, by authorizing payment of \$500.00 representing fair market value to Marian Kay Clark; authorize the appropriate Commission officials to execute the Temporary Construction Easement 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 Temporary Construction Easement as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #15034-B (Hallie Marie Keba n/k/a Hallie Estepp), a total take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00, by authorizing payment of \$207,613.99 representing fair market value, pro-rated taxes, housing supplement and closing costs to TRG Closing Services, escrow agent; authorize the appropriate Commission officials to execute the required 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 delivery of deed prepared by the Legal Department;
- c. Acquisition of property at 300 East Park Drive, Harrisburg (Harrisburg Empire, LLC ) for the expansion of the E-ZPass Customer Service Center; authorize payment of \$2,661,008.44 representing fair market value, pro-rated taxes and recording fees to PA Real Estate Settlement Services, 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.

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



ADVERTISING

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

- a. Media planning services to assist with all marketing/advertising campaigns;
- b. Toll Systems Integrator for Cashless Tolling installations and maintenance services.

-was made by Commissioner Richards, seconded by Commissioner Lieberman, 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. Trash removal and recycling contract, exercising our option to renew the agreements (January 1, 2016 – December 31, 2016):

Waste Management	\$139,000.00	Districts 1 & 6
Weaver’s Sanitation	51,000.00	District 2
Republic Services	58,000.00	District 3
Waste Management	85,000.00	District 4
Waste Management	<u>41,000.00</u>	District 5
TOTAL RENEWAL:	\$374,000.00	

- b. Stop Loss insurance provider, exercising the option to renew our agreement for an additional year (January 1, 2016 – December 31, 2016) with Avalon Insurance Company; at a cost of \$539,684.00.

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



AWARD OF CONTRACT

Motion-That the Commission approves the Award of Contract # T-235.00R001-3-02 for bituminous resurfacing between MP 235.47 and MP 237.14, to the lowest responsive and responsible bidder, Hempt Bros., Inc.; at a not-to-exceed amount of \$3,243,831.34 and a contingency of \$150,000.00--was made by Commissioner Richards, 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 #1 and Final Payment for Contract #A-070.26S007-3-02 for air plenum insulation and lining system rehabilitation for Lehigh Tunnel #1 with Bi State Construction Co., Inc., for an increase of \$188,413.39 to balance items to actual work completed; for a revised final contract value of \$883,763.39 and final amount due to the contractor of \$227,796.93;
- b. Change Order #11 (revised, previously approved at the October 20, 2015 Commission Meeting, item F-7b) for Contract #A-020.00T002-3-05 for roadway and bridge reconstruction from MP A20.31 to MP A25.67 with Walsh Construction, for an increase of \$921,085.21 (not \$984,539.71 as previously approved) to balance items to actual work completed, additional costs for anchor wall changes, Bidwell runoff area, waterproofing, spall repair, diaphragm repair, dynamic pile load testing, elimination of post and panel section, slope repair, undercutting, excavation, structure backfill, pavement restoration, concrete pavement repairs, drainage, ITS changes, MPT, R-3 rock, removal of bituminous curb, glare screen, pedestrian gate, additional grading and restoration, tree removal, erosion control and fabrication and installation of sign bracket; for a revised not-to-exceed amount of \$163,287,869.59 (not \$163,292,869.59 as previously approved).

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



REAL ESTATE APPRAISERS

Motion-That the Commission amends the pool of qualified real estate appraisers to include Johnson Realty Services in the qualified pool for real estate appraisal services-was made by Commissioner Richards, seconded by Commissioner Lieberman, and passed unanimously.



OPEB

Motion-That the Commission approves the appointment of the items listed in memos “a” and “b”:

- a. Commission’s Chairman, Sean Logan, as Trustees to the Commission’s Retiree Medical Trust Board (OPEB) through January 2, 2018;

-was made by Commissioner Richards, seconded by Commissioner Lieberman, Commissioner Logan abstained.

CHAIRMAN LOGAN: I abstain on voting on this item because it involves my appointment to the Board.

- b. Commissioner Pasquale T. Deon, Sr., as Trustees to the Commission’s Retiree Medical Trust Board (OPEB) through January 2, 2018.

-was made by Commissioner Richards, seconded by Commissioner Lieberman, Commissioner Deon abstained.

COMMISSIONER DEON: I abstain on this item because it involves my appointment to the Board.



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, December 15, 2015 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:48 a.m. -was made by Commissioner Richards, seconded by Commissioner Lieberman, and passed unanimously.

PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.  
Secretary Treasurer