

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 1, 2020

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:13 a.m. on Tuesday, December 1, 2020 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were Yassmin Gramian, P.E., Chair; William K. Lieberman, Vice Chair; Pasquale T. Deon, Sr., Commissioner and Wadud Ahmad, Commissioner. Present for the meeting was John Wozniak, Secretary Treasurer.

Available for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Robert Brady, Director of Operations/Projects-East (via telephone); Carl DeFebo, Jr., Director of Public Relations & Marketing (via telephone); Charles Duncan III, Esquire, Chief Compliance, Legis. & Cultural Affairs (via telephone); Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Myneca Ojo, Director of Diversity and Inclusion; Stacia Ritter, Asst. COO-Toll Collection (via telephone); Robert Taylor, Chief Technology Officer (via telephone); and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via telephone were Kelly Horvath, Executive Administrative Assistant; Don Klingensmith, Asst. Chief Fin. Officer for Financial Administration; Shawn Laudenslager, End User Support Supervisor (in person); Gina Murray, Senior Procurement Specialist; Jeff Naugle, Manager of Treasury Operations; Jesse Ream, Communication Systems Program Manager (in person); Steven Doughty, Right-of-Way Coordinator 2; Ann Mark, McMahon Associates; Craig Beissel, Volkert; Dan O'Brien, RBC Capital Markets; Dana Wodarczyk, Am. Engineering Group; David Lowdermilk, WSP; David Thomas, Hill Intl.; Ed Reese, GPD Group; Eric Madden, JMT; Jeff Hans, HDR; Jill Bolt, TY Lin; Jim Marsula, TW Engineering; Joanne Manganello, Mid Atlantic Laborers Union; Joe Platt, TPD; Joe Romano, LDG; John Livingston, John H. Smith; Jacobs; Joseph DiFiore, Parsons; Karen Gabel, Erdman Anthony; Kevin Lettrich, SAI; Lou Cortelazzi, McMahon Associates; Mark Karoloski, Buchart Horn; Matt Shinton, Kimley-Horn; Paul Massy, Moraloh Basin; Paul McNamee, KCI; Rachel Perrego, Susquehanna Civil; Robert Horr, Atkins; Steve Barber, Michael Baker; and Tom Rowader, GPI.



Chair Gramian led the Commissioners, staff and visitors in the Pledge of Allegiance.



The Assistant Secretary Treasurer, Ann Louise Edwards, called the roll and declared a quorum available. Mrs. Edwards welcomed the Commissioners, employees and guests on the WebEx and made the following statement:

Due to COVID-19, the Pennsylvania Turnpike Commission Administration Building remains closed to visitors. Accordingly, the Commission Meetings will be held via telephone (through June 2020 or until further notice). The Commission will continue to post call-in/WebEx information for those who wish to attend the meeting via telephone/WebEx. WebEx information should be posted at least 48 hours in advance of the meeting. The Commission will continue to closely monitor the CDC's and other government websites for up-to-date information regarding COVID-19, risk assessment and guidance to business. This meeting is being recorded and the Commission will post the recording on its website.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a termination and a request to post and fill a position in the IT Department.

The Commissioners also discussed Docket #2020-6274 and engaged in non-deliberative, informational discussions regarding various actions and matters, which have been approved at previous public meetings.



PUBLIC COMMENT

Mrs. Edwards: 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 requested time to speak. If you have not done so, you are invited to do so at this time.

We had no requests to address the Commission.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held November 17, 2020 be approved and filed as submitted-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memos received from the Chief Counsel-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.

PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



CHANGE ORDERS

Motion- That the Commission approves the change orders and final payments for the items listed in memos “a” through “h”:

- a. Change Order #2 and Final Payment for Contract #T-075.58S001-3-02 for rehabilitation of Bridge B-483A and pavement repairs for the New Stanton Interchange with Gulisek Construction, LLC, for a decrease of \$163,251.54 for normal quantity adjustments, excavation, mix designs, milling, pavement patching, field office usage and pavement markings; for a final contract value of \$1,487,290.60 and final amount due to the contractor of \$187,912.72;
- b. Change Order #5 and Final Payment for Contract #T-110.12S001-3-02 for the replacement of Bridge B-502 at MP 110.12 with Beech Construction, Inc., for a decrease of \$1,673.50 for normal quantity adjustments to balance the contract items to the actual work completed; for a final contract value of \$7,498,037.58 and final amount due to the contractor of \$167,853.73;
- c. Change Order #1 and Final Payment for Contract #EN-00164-03-03 for installation of signs between MP 245.75 and MP 359.00 and MP A20.00 to MP A131.00 with William Orr & Sons, Inc., for a decrease of \$395,291.28 to reflect the actual cost of the completed work authorizations; for a final contract value of \$604,708.72 and final amount due to the contractor of \$30,160.88;
- d. Change Order #7 and Final Payment for Contract #A-020.00R001-3-02 for pavement repairs at Mid-County Interchange with Eastern Highway Specialists, Inc., for a decrease of \$564,524.05 for normal quantity adjustments, joint cleaning and sealing, junction boxes, rebar, asphalt adjustment costs, repairs to impact attenuator, E&S control, pavement marking removal, pavement repairs and patching, conduit, trenching, barrier repair and curb repairs; for a final contract value of \$7,158,288.09 and final amount due to the contractor of \$17,751.44;
- e. Change Order #4 for Contract #T-282.00R002-3-02 for bituminous resurfacing between MP 282.02 and MP 292.02 with Allan Myers, L.P., for an increase of \$528,055.36 for normal quantity adjustments, excavation, cap repairs on deteriorated parapets, toll-by-plate reimbursements and shoulder repair for collapsed pipe; for a revised not-to-exceed amount of \$19,259,257.15;

- f. Change Order #1 for Contract #EN-00115-03-12 for installation of signs between MP 28.25 and MP 75.70 with Allison Park Contractors, Inc., for an increase of \$206,753.46 for MPT and removal and installation of signs for the implementation of AET; for a revised not-to-exceed amount of \$437,003.46;
- g. Change Order #1 for Contract #EN-00115-03-13 for installation of signs between MP 90.40 and MP 188.70 with Penn Line Service, Inc., for an increase of \$51,881.51 for removal and installation of signs for the implementation of AET; for a revised not-to-exceed amount of \$278,443.51;
- h. Change Order #3 for Contract #S-006.00X002-3-15 for construction of the Southern Beltway maintenance facility at MP S15.30EB with Gito Inc. d/b/a Nello Construction Company, for an increase of \$1,075,000.00 for resequencing of paving and winter work due to COVID-19 and a 168-day time extension; for a revised not-to-exceed amount of \$14,318,285.66.

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



AGREEMENTS

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

- a. Execution of a Deed of Easement for Pine Township, Allegheny County for the Township to use 95 square feet of Commission owned property for a traffic signal pole; and authorize the Chief Counsel to execute the Deed of Easement;
- b. License Agreement with Black and Veatch Construction Inc. (contractor), for the contractor to use 2 acres of Commission property near the Downingtown Interchange for a field office and laydown area; the contractor will pay the Commission \$6,000 a month through March 2022;
- c. Agreements for open-end drilling contracts; at a not-to-exceed amount of \$900,000.00 each;
 - i. TRC Engineers – MP 247.30 through Delaware River Bridge and Northeast Extension
 - ii. 7NT Enterprises, LLC – MP 0.00 – 247.30, AKH, BVE, Mon/Fayette Expressway and Southern Beltway
- d. Increase the estimated cost for banking and cash management services by PNC Bank, N.A. due to an increase in Toll-By Plate payments, for an additional \$1,150,000.00, for a revised estimate of \$1,600,000.00 for fiscal year 20/21;
- e. Settlement Agreement of the case, Cecil Township v. PTC and Walsh Construction Company, and authorize the appropriate Commission officials to execute the necessary documents in exchange for full and final release of all claims against the Commission.

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



RIGHT-OF-WAY REQUEST

Motion-That the Commission approve the Right-of-Way Requests for the items listed in memos “a” through “e”:

- a. Acquisition of Right-of-Way #6047-B1 (Michael & Jeannie Semar), a partial take parcel necessary for the total reconstruction project from MP 312.00 to MP 316.00 by authorizing payment of \$2,436.00 representing fair market value and pro-rated taxes to Michael & Jeannie Semar; 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 the 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 #8234-B (Carol L. Brueninger), a partial take parcel necessary for the total reconstruction project from MP A48.00 to MP A53.00 by authorizing payment of \$2,009.00 representing fair market value and pro-rated taxes to Carol L. Brueninger; 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 #8234-C (REW Associates; Bruce W. Weida), a partial take parcel necessary for the total reconstruction project from MP A48.00 to MP A53.00 by authorizing payment of \$500.00 representing fair market value to Bruce W. Weida; 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 #14S075 (Sean P. & Michele L. McGuire), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$127,254.36 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement, LLC escrow agent; also authorize payment of \$59,755.30 representing replacement housing supplement and closing costs to Sean P. & Michele L. McGuire; 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;

- e. Acquisition of Right-of-Way #14S049 (Ryan P. Roberts), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376 by authorizing payment of \$116,942.11 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement, LLC escrow agent; also authorize payment of \$40,323.00 representing replacement housing supplement and closing costs to Ryan P. Roberts; 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 Wozniak, seconded by Commissioner Deon, and passed unanimously.



ADVERTISE

Motion – That the Commission approve to advertise for S.R. 980 drainage improvements, necessary for construction of Section 55B of the Southern Beltway – was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PURCHASE ORDERS

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

- a. Mower parts, exercising the option to renew the agreements for an additional year (January 2021 – December 2021):

Cherry Valley Tractor Sales, Inc.	\$200,000.00
Lacal Equipment, Inc.	25,000.00
Messicks Farm Equip.	25,000.00
Contingency	<u>25,000.00</u>
TOTAL AWARD:	\$275,000.00

- b. Goodyear and Michelin tires (December 2020 – November 2021), utilizing the Commonwealth’s contracts:

Goodyear Tire & Rubber	\$ 65,000.00	District 1,2
Goodyear Commercial Tire	60,000.00	District 4
Valley Tire Co., Inc.	15,000.00	District 1
Highlands Tire & Service Centers, Inc.	10,000.00	District 2
Bergey’s Commercial Tire Center	10,000.00	District 4
Contingency	<u>16,000.00</u>	
TOTAL AWARD:	\$176,000.00	

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



AWARD OF CONTRACTS

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

- a. Contract #T-099.00T002-3-05 for roadway reconstruction from MP 101.69 to MP 109.10, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$116,719,134.32 and a contingency of \$5,800,000.00;
- b. Contract #T-292.00R002-3-02 for asphalt resurfacing between MP 292.00 and MP 299.12, to the lowest responsive and responsible bidder, Allan Myers, L.P.; at a not-to-exceed amount of \$5,555,076.00 and a contingency of \$250,000.00.

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



AWARD OF SERVICES

~~REMOVED FROM THE AGENDA~~ – The award of services and authorize the negotiation and execution of an agreement with the selected firm for T00162, open-end surveying services systemwide.



UNDERWRITERS

Motion – That the Commission approve amending the pool of qualified underwriters to include Multi-Bank Securities, Inc.; Robert Ryan and Investments, Inc.; San Blas Securities, LLC and Sturdivant & Co., Inc. – was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.

NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, December 14, 2020 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:20 a.m.-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Assistant Secretary Treasurer

John Wozniak
Secretary Treasurer