

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 2 2014

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:00 a.m., December 2, 2014 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was Barry J. Schoch, P.E., Secretary of Transportation. Available via the telephone were William K. Lieberman, Chairman; A. Michael Pratt, Esquire, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Sean Logan, Commissioner.

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.; William J. Capone, Chief of Communications & Public Relations; Scott D. Fairholm, Chief Information Officer; Nikolaus Grieshaber, Chief Financial Officer; Bradly J. Heigel, P.E., Chief Engineer; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were 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; Michael J. McGovern, General Labor & Employment Counsel; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN Systems; Cindy Smith, General Accountant II; Lynn Stakem, Senior General Accountant; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Judy Treaster, Manager of Compensation & Benefits; Sean Laudenslager, Computer Aid, Inc.; Paul McNamee, KCI Technologies; Peter Kuhne, Atkins; Andrea Finn, Lotus Environmental; Ken McClain, URS; Tom Cushman, AECOM; Scott Schaffer JBC; Eric Madden, ACEC/PA and Kristi Reichard, Raudenbush Engineering.



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 an annuitant, equity adjustment, transfers, promotions, new hires and vacancies.

The Commissioners also discussed Docket Nos. 00-WC-9607 and PTC v. Stowe Leasing 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 18, 2014 be approved and filed as submitted-was made by Commissioner Schoch, seconded by Commissioner Deon, and passed unanimously.



### COMMUNICATIONS

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



### PERSONNEL

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



### NEW BUSINESS

#### POLICIES

Motion-That the Commission adopts the revisions to the Policy Letters and a new Policy for the items listed in memos "a" through "c":

- a. Revisions to Policy Letter 3.6, Driver's License Records Checks and Loss of Driving Privilege, to address operating privilege, confidential reviews of records, interlock devices, employee notification requirements and potential loss of medical coverage;
- b. Revisions to Policy Letter 2.17, Years of Service Program, to remove retirees from the Years of Service Appreciation Program;
- c. Policy 4.5, Compensatory Time for Exempt Employees, to set forth guidelines for exempt employees who work extended hours during emergencies or special projects.

-was approved by Commissioner Schoch, seconded by Commissioner Deon, and passed unanimously.



### AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements and a Supplement for the items listed in memos "a, c and d":

- a. Settlement Agreement and all necessary documents in the case, Fay v. Pennsylvania Turnpike Commission; and authorize payment of the settlement amount;
- c. Settlement Agreement and all necessary documents in the case, Mashuda Corporation, ex rel., for the use and benefit of Howard Concrete Pumping Company, Inc. v. Commonwealth of Pennsylvania, Turnpike Commission; and authorize payment of the settlement amount;
- d. Supplemental Agreement with TRC Engineers, Inc. for open-end geotechnical drilling contracts in the West, for an additional \$300,000.00 to continue with the drilling needs until a new contract is bid and executed; for a revised not-to-exceed amount of \$1,200,000.00.

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

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

- b. Amendment to our agreement with Kahua, Inc. for our project collaboration and documentations system, exercising our option to renew the agreement for an additional year; at a cost of \$246,251.00;

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

CHAIRMAN LIEBERMAN: I abstain on this item because Kahua, Inc. is a client of my firm.



#### RIGHT-OF-WAY REQUESTS

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

- a. Acquisition of Right-of-Way #2128-J (Wesley W. Clark), a partial take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00 by authorizing payment of fair market value and pro-rated taxes in the amount of \$507.50 to Wesley W. Clark; authorize the appropriate Commission officials to execute the required settlement documents; 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 deed prepared by the Legal Department;
- b. Acquisition of Right-of-Way #2073-B (Terrance R. Smith), a partial take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00 by authorizing payment of fair market value and pro-rated taxes in the amount of \$1,035.30 to Terrance R. Smith; authorize the appropriate Commission officials to execute the required settlement documents; 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 deed prepared by the Legal Department.

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



#### ADVERTISING

Motion-That the Commission approved advertising for a Liability Claims Third Party Administrator for Self-Insured liability claims-was made by Commissioner Schoch, seconded by Commissioner Deon, and passed unanimously.



AWARD OF BIDS, CHANGE ORDERS 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, b, d and e":

- a. Gate parts for Districts 4 & 5, to the lowest responsive and responsible bidder, National Automated Solutions, Inc.; at a total award of \$159,264.49;

- b. Trash removal and recycling, exercising our option to renew the agreements for an additional year (January 1, 2015 – December 31, 2015):

Waste Management	\$128,000.00	Districts 1 & 6
Weaver's Sanitation	51,000.00	District 2
Republic Services	58,000.00	District 3
Waste Management	82,000.00	District 4
Waste Management	<u>41,000.00</u>	District 5
Renewal Amount	\$360,000.00	

- d. Diesel motor fuel and heating/emergency generator fuel (January 1, 2015 – December 31, 2015), to the lowest responsive and responsible bidders:

Mansfield Oil Co.	\$2,300,000.00
Petroleum Traders	300,000.00
Glassmere Fuel Service	250,000.00
Naughton Energy Corp.	300,000.00
Pipeline Petroleum	250,000.00
Ports Petroleum Co. Inc.	350,000.00
Phoenix Energy Group	100,000.00
Talley Petroleum	<u>75,000.00</u>
Total Award:	\$3,925,000.00
Plus 25% Contingency:	<u>981,250.00</u>
TOTAL AWARD TO APPROVE:	\$4,906,250.00

- e. Bird control services (December 2014 – October 2016), to the lowest responsive and responsible bidders:

JC Ehrlich	\$220,000.00	Districts 1 & 2
Terminix	<u>280,000.00</u>	Districts 3, 4 & 5
TOTAL AWARD:	\$500,000.00	

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

Motion-That the Commission approved the Award of Bids, Change Orders and the Issuance of Purchase Orders for the item listed in memo "c":

- c. Change Orders to our agreements for our Job Order Contracts (JOC) for facilities upgrade and repair services, to provide additional funding thru the end of the contracts (September 30, 2015):

Electrical	Schultheis Electric	\$100,000.00	District 1
General	Clark Contractors	800,000.00	District 1
General	Clark Contractors	300,000.00	District 2
General	Clark Contractors	100,000.00	District 5
Landscaping	The U Company	100,000.00	District 1
Landscaping	The Brickman Group	100,000.00	District 3
Landscaping	M & M Landscaping	100,000.00	District 4
Landscaping	The Brickman Group	50,000.00	District 5
Mechanical	McKamish, Inc.	250,000.00	District 1
Mechanical	Marc Service Inc.	250,000.00	District 2
Plumbing	Clark Contractors	200,000.00	District 1
Plumbing	Clark Contractors	50,000.00	District 4
Plumbing	Clark Contractors	<u>100,000.00</u>	District 5
CHANGE ORDERS:		\$2,500,000.00	

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

CHAIRMAN LIEBERMAN: I abstain on this item because I have a personal business relationship with Schultheis Electric.



AWARD OF CONTRACTS

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

- a. Contract #T-248.19S001-3-02 for the replacement of Bridge EB-306 at MP 248.19, to the lowest responsive and responsible bidder, Susquehanna Valley Construction Corporation; at a not-to-exceed amount of \$3,061,955.00 and a contingency of \$150,000.00;
- b. Contract #T-056.35S001-3-02 for the rehabilitation of Bridge WB-459 at MP 56.35, to the lowest responsive and responsible bidder, BECDIR Construction Company; at a not-to-exceed amount of \$412,000.00 and a contingency of \$20,000.00.

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



CHANGE ORDERS AND FINAL PAYMENTS

Motion-That the Commission approves the Change Orders and Final Payments for the items listed in memos “a, c, d and e”:

- a. Change Order #3 and Final Payment for Contract #A-095.00R002-3-02 with Pikes Creek Site Contractors for bituminous resurfacing between MP A95.17 and MP A105.01, for a decrease of

\$664,392.14 to balance items to actual work completed; for a final contract value of \$9,226,326.91 and a final amount due to the contractor of \$291,012.52;

- c. Change Order #2 and Final Payment for Contract #S-006.00X002-3-03 with Earthmovers Equipment Company for structural demolition and/or removal for the Southern Beltway between US 22 and I-79, for a decrease of \$146,032.72 to balance items to actual work completed, changes were necessary for disposal of accumulated tires on numerous parcels, unforeseen hazardous household waste; pump, clean and remove septic tanks and cisterns, and an additional parcel was obtained for demolition along with removal and relocation of valuable items from one warehouse to be demolished to a new location for storage; for a final contract value of \$493,080.32 and a final amount due to the contractor of \$43,217.17;
- d. Change Order #1 and Final Payment for Contract #T-355.00P001-3-12 with Flyway Excavating, Inc. for I-95 wetland mitigation, for an additional \$5,765.92 to balance items to actual work completed and placement of boulders to be used as delineator boundary as requested by the environmental authorities; for a final contract value of \$767,405.92 and a final amount due to the contractor of \$34,324.12;
- e. Change Order #2 and Final Payment for Contract #T-129.00T001-3-04 with New Enterprise Stone and Lime Company, Inc. for the replacement of Bridge B-404 at MP 130.86 for a decrease of \$185,843.24 to balance items to actual work completed and elimination, removal and replacement of reflective pavement markers with reflective lenses only; for a final contract value of \$2,477,271.25 and a final amount due to the contractor of \$78,914.07.

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

Motion-That the Commission approves the Change Order and Final Payment for the item listed in memo "b":

- b. Change Order #2 and Final Payment for Contract #EN-00118-03-05 with Lindy Paving Inc. for roadway and miscellaneous repairs between MP 0.00 and MP 75.39, Toll I-376, Turnpike 66 and Turnpike 43, for a decrease of \$584,019.93 to balance items to actual work completed; for a final contract value of \$1,415,980.07 and a final amount due to the contractor of \$70,799.00;

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

CHAIRMAN LIEBERMAN: I abstain on this item because Lindy Paving, Inc. is a client of my firm.



#### POOL OF UNDERWRITERS

Motion-That the Commission approves revising the pool of qualified underwriters for underwriting and other specialized services to include Stifel, Nicolaus & Company, Inc./Backstrom McCarley Berry &

Co., LLC.-was made by Commissioner Schoch, seconded by Commissioner Deon, and passed unanimously.



### PSPC AWARDS

Motion-That the Commission approves the award of services and authorizes the negotiation and execution of an agreement with the selected firm for the item listed in memo “a”:

- a. Ref #3-263. Open-end Environmental Services systemwide:
  - 1. RETTEW Associates, Inc.-AWARDED
  - 2. Lotus Environmental Consulting, LLC
  - 3. Navarro & Wright Consulting Engineers, Inc.

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

Motion-That the Commission approves the award of services and authorizes the negotiation and execution of an agreement with the selected firm for the item listed in memo “b”:

- b. Ref #5-097. Construction Management/Inspection services for pavement and structure rehabilitation on the Northeast Extension, I-476 from MP A94.00 to MP A122.00;
  - 1. GAI Consultants, Inc.-AWARDED
  - 2. JBC Associates, Inc.
  - 3. TRC Engineers

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

CHAIRMAN LIEBERMAN: I abstain on this item because Trumbull Construction Management Services is a client of my firm (they were one of the highly recommended firms).



### NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be held on Wednesday, December 17, 2014 beginning at 10:00 am.



### ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:14 a.m.- was made by Commissioner Lieberman, seconded by Commissioner Schoch, and passed unanimously.

