

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 3, 2019

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:25 a.m. on Tuesday, December 3, 2019 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was John Wozniak, Commissioner; available via telephone were Leslie S. Richards, Chair; William K. Lieberman, Vice Chair; Barry Drew, Secretary Treasurer; and Pasquale T. Deon Sr., Commissioner.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Michael Baker Int'l.; Robert F. Brady, Director of Operations/Projects-East; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; John DeRicci, Director of Maintenance; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity & Inclusion; Stacia A. Ritter, Esquire, Director of Policy and Fare Collection; Robert Taylor, Chief Technology Officer and Ann Louise Edwards, Assistant Secretary Treasurer.

Others present were Richard S. DiPiero, Senior Fare Collection Operations Manager; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Cindy Smith, ETC Customer Service Operations Analyst; Steve Barber, Michael Baker Int'l; Eric Madden, JMT; Quentin Rissler, Larson Design; Dave Azzato, TPD; Paul McNamee, KCI; Michael Gross, Wallace Montgomery; Alan Williamson, HNTB; and Harry Sigley, CMTS.



Mrs. Edwards 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.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of personnel, which included a promotion, new hires and vacancies.

The Commissioners also 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 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.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held November 19, 2019 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 memo received from the Chief Counsel-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

OPEB TRUSTEES

Motion-That the Commission approves the reappointment of the following individuals as Trustees for the PTC Retiree Medical Trust for Other Post-Employment Benefits (OPEB), for the term January 3, 2020 to January 3, 2022:

Commissioner Pasquale T. Deon, Sr.

Chief Financial Officer Nikolaus Grieshaber

Chief Counsel Doreen McCall

Assistant CFO/Accounting & Budget Anthony Maun

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



AGREEMENTS

Motion-That the Commission approve the negotiation and execution of the Amendment and Agreements for the items listed in memos "a" through "c":

- a. Amendment to our agreement with TransCore for cashless tolling implementation services to increase the amount authorized for Engineering Change Orders (ECO) by \$3,500,000.00 over 10 years; and exercise the option to implement its cashless tolling solution at MP A123.40 (in one direction) through the ECO process;
- b. Interagency Reimbursement Agreement with the Pennsylvania Department of Transportation (PennDOT) to reimburse PennDOT the costs for construction of the improvements at the S.R. 50 Interchange that are required as part of the Southern Beltway project; at an approximate reimbursement of \$161,385.21;
- c. Reimbursement Agreement with SEPTA for SEPTA to reimburse the Commission the actual fees and costs associated with the engineering review services on SEPTA's design of its Norristown high-speed line extension a/k/a King of Prussia Extension.

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



RIGHT-OF-WAY REQUEST

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

- a. Settlement of Right-of-Way #14206-D (Manoj S. and Tanuja Lekhwani), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00 by authorizing payment of \$50,000.00 representing delay damages and settlement of the claim to Babst Calland Clements and Zomnir, P.C. escrow agent; authorize the appropriate Commission officials to execute the Settlement Agreement and General Release as reviewed and approved by the Legal Department; and payment of the settlement amount is contingent upon Condemnees' delivery of an executed Settlement Agreement and General Release;

- b. Settlement of Right-of-Way #17910 (Dale Hilty), a total take parcel necessary for construction of the Southern Beltway, U.S. 22 to I-79, by authorizing payment of \$139,000.00 representing delay damages and settlement of the claim to Dale Hilty and Taczak Law Office, LLC; authorize the appropriate Commission officials to execute the Settlement Agreement and General Release as reviewed and approved by the Legal Department; and payment of the settlement amount is contingent upon the Condemnee's delivery of an executed Settlement Agreement and General Release;
- c. Acquisition of Right-of-Way #14S287-1 (Robert W. Wilson; Regina Spalla, tenant), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$36,120.00 representing the down payment supplement to Regina Spalla; authorize the appropriate Commission officials to execute all required documents; and authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel.

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



INVOICE PAYMENT

Motion-That the Commission approves payment of the invoice from the PA Department of Labor and Industry for the 2019 Notice of Assessment from the Bureau of Workers' Compensation, in the amount of \$75,776.00, for the Workers' Compensation Administration Fund-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves a Change Order and Issue Purchase Orders for the items listed in memos "a" through "f":

- a. Genetec DVRs, utilizing the Commonwealth's contract with Berkshire Systems Group, Inc.; at a total award of \$224,256.00;
- b. Change Order for transfer switch maintenance, service, and repair (through March 2022) with Asco Services, Inc., for systemwide transfer switch repairs and replacement parts; at a cost of \$140,000.00;
- c. Stop Loss insurance coverage, exercising the option to renew the agreement for an additional year (January 1, 2020 – December 31, 2020) with Avalon Insurance Company; at a cost of \$725,182.00;
- d. Line paint, to add funding since DGS extended the contract through February 28, 2020; at a cost of \$275,000.00;
- e. ServiceNow subscription (January 15, 2020 – January 14, 2021), utilizing the Commonwealth's contract with CDW Government LLC; at a cost of \$307,966.50;

- f. Seven (7) Freightliner stake body trucks; utilizing the Commonwealth's contract with Freightliner WS of Harrisburg; at a cost of \$1,060,108.00.

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



AWARD OF A CONTRACT

Motion-That the Commission approves Award of Contract #T-075.58S001-3-02 for the rehabilitation of Bridge B-483A and pavement repairs at the New Stanton Interchange; to the lowest responsive and responsible bidder, Gulisek Construction, LLC; at a not-to-exceed amount of \$1,649,576.20 and a contingency of \$80,000.00-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



CHANGE ORDERS/FINAL PAYMENTS

Motion-That the Commission approves Approve the Change Orders and Final Payments for the items listed in memos "a" through "e":

- a. Change Order #1 and Final Payment for Contract #T-252.39S001-3-02 for painting and fencing replacement at various bridges between MP 252.39 and MP 261.47 with Amari Painting & Lining LLC; for a decrease of \$75,162.80 to balance items to actual work completed and changes for joint cleaning and sealing, and signage; for a final contract value of \$1,348,277.20 and final amount due to the contractor of \$30,630.74;
- b. Change Order #15 for Contract #S-006.00X002-3-09 for construction of the Southern Beltway, Section 55C1-1, MP S14.24 and MP S16.06, with The Beaver Excavating Company, for an increase of \$552,168.61 for grading, sanitary risers, concrete anchors, sedimentation control, excavation, base courses, joint patching, concrete paving, shoulder sealing, depth testing, locating underground facilities, installation of conduit and junction boxes, drainage, additional costs for time extension, guiderail, concrete barrier, MPT, curbing, trenching and backfilling, pavement markings and seeding, and a 211 day time extension for additional work; for a revised not-to-exceed amount of \$87,964,791.27;
- c. Change Order #3 and Final Payment for Contract #T-210.00R001-3-02 for bituminous resurfacing between MP 210.92 and MP 215.14 with New Enterprise Stone & Lime Co., Inc. for a decrease of \$1,465.00 to balance items to actual work completed; for a final contract value of \$4,933,573.77 and final amount due to the contractor of \$405,196.88;
- d. Change Order #1 for Contract #S-006.00X002-3-13 for installation of signs on the Southern Beltway, MP S0.00 to MP S19.53 with Power Contracting Company, for an increase of \$633,402.55 for erosion and sedimentation control, work to complete SR0050 and S. Fayette Way intersection for the 55C1-1 contract to avoid delays, junction boxes, trenching and backfilling, conduit boring, grading, excavation, subbase, concrete barrier and delineator posts; for a revised not-to-exceed amount of \$12,461,221.03;

- e. Change Order #8 and Final Payment for Contract #T-057.00R002-3-03 for bituminous resurfacing between MP 61.80 and MP 67.59 with Derry Construction Company, Inc., for a decrease of \$1,027,721.87 to balance items to actual work completed and changes for rock armor; for a final contract value of \$13,539,347.47 and final amount due to the contractor of \$371,627.49.

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



SWAPS and DERIVATIVE AGREEMENTS

Motion-That the Commission approves the execution and delivery of International Swaps and Derivative Association (ISDA) protocol agreements, bi-lateral agreements, similar agreements and other instruments in order to meet requirements imposed upon financial institutions and other Commission counterparties arising from various regulatory provisions (collectively, “financial counterparty regulatory documents”); authorizing and approving any related formal or deemed amendments of various financial-related contracts required to be modified in connection with the Commission executing and delivering such financial counterparty regulatory documents; authorizing the taking of further action; ratifying prior actions taken in furtherance of the purposes of this resolution; repealing inconsistent resolutions; and declaring that this resolution shall be liberally construed-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PSPC AWARD

Motion-That the Commission approve the award of services and authorize the negotiations and execution of an agreement with the selected firm for T00117, General Consulting Engineering Services:

- Michael Baker International, Inc.-AWARDED

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



PENNSYLVANIA BULLETIN

Motion-That the Commission approves issuance of temporary regulations to be published in the Pennsylvania Bulletin that will incorporate the AWZSE temporary regulations promulgated by PennDOT (Title 67 of the Pennsylvania Code (Transportation) at Chapter 105a, Automated Speed Enforcement Systems-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 held on Wednesday, December 18, 2019 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:38 a.m. -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Assistant Secretary Treasurer

Barry Drew
Secretary Treasurer