

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 5, 2017

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:15 a.m. on December 5, 2017 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Leslie Richards, Chair; Barry Drew, Secretary Treasurer and John Wozniak, Commissioner. Available via telephone were William K. Lieberman, Vice Chair 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, Chief Engineer, Michael Baker, Inc.; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; 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 and Inclusion; Stacia A. Ritter, Esquire, Director of Policy and External Affairs; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Jack Christensen, Director of FEMO; Richard C. Dreher, Assistant CFO/Financial Management; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Jeffrey A. Naugle, Manager of Treasury Operations; Michael Schultz, Strategic Planning & Program Manager; Mark Strause, Technician of PC/Lan Systems; Eric Madden, JMT; Paul McNamee, KCI; Mike Gross, Wallace Montgomery; and Kristi Reichard, A. Morton Thomas.



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 reclassification, department reorganization, annuitants, promotions, new hires and vacancies.

The Commissioners also discussed Docket No. 17-10772 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 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 21, 2017 be approved and filed as submitted - were made by Commissioner Deon, seconded by Commissioner Drew, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

PAYMENTS

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

- a. 2018 E-ZPass Interagency Group’s (IAG) annual assessment for our participation in the E-ZPass Interagency Group, in the amount of \$75,000.00;
- b. PA Department of Labor and Industry invoice for the 2017 Notice of Assessment from the Bureau of Workers’ Compensation, in the amount of \$103,623.00, for the Workers’ Compensation Administration Fund.

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



AGREEMENTS

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

- a. Supplemental Agreement #1 with Penn State Facilities Engineering Institute for the safety inspection program, for an additional \$35,000.00 to conduct accident and illness prevention program assessments at the PTC Administration, Fare Collection, Interchange, Maintenance, Laboratory, Training, and Warehouse facilities;
- b. Interagency Agreement with Montgomery County for the design, construction, inspection, management and engineering services during construction for the complete replacement of Turnpike Bridge DB-116 at MP 331.80; at an estimated cost of \$10,000,000.00;
- c. Reimbursement Agreement with Peoples Natural Gas Company (PNGC) to reimburse PNGC the cost for the engineering and utility relocation work necessary for the replacement of Bridge WB-454 at MP 53.66; at a not-to-exceed amount of \$139,943.41;
- d. Reimbursement Agreement with Duquesne Light Company to reimburse Duquesne Light the cost for the engineering and utility relocation work necessary for the replacement of Bridge WB-454 at MP 53.66; at a not-to-exceed amount of \$51,875.00;
- e. Property Damage Settlement Agreement and Release with Tiger Style Corp. d/b/a Speed 1 Transport, Virpal Kaur and Hira Pannu;
- f. Amendments with the vendors in the pool of qualified real estate brokers/agents for real estate services, to extend the agreements for an additional year; and approval to advertise for real estate brokers/agents to form a pool of qualified vendors.

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



RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Request for the items listed in memos “a” and “b”:

- a. Acquisition of Right-of-Way #14081-RD (Michael and Bridget Milleman), a partial take parcel necessary for the total reconstruction project from MP 53.00 to MP 57.00 by authorizing payment of \$1,450.58 representing fair market value and pro-rated taxes to Michael Milleman; 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 prepared by the Legal Department;
- b. Settlement of Right-of-Way #14206-E (Joseph A. DeAngelo and Silvia Macarena Turcatti DeLeon), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00 by authorizing payment of \$46,000.00 representing balance of the Board of Viewers award to Babst, Calland, Clements and Zomnir, P.C., escrow agent; and authorize payment of delay damages as approved by the Chief Counsel.

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



ADVERTISING

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

- a. Cloud based Vendor Portal to improve Commission and vendor collaboration and further streamline and enhance business processes;
- b. Emergency spill response coverage from MP 0.00 to MP 75.20, the Beaver Valley Expressway from MP B27.50 to MP B44.80, the Mon/Fayette Expressway from MP M0.00 to MP M54.00 and the Southern Beltway from MP S0.00 to MP S5.60;
- c. Emergency spill response coverage from MP 75.30 to MP 170.40 and the AKH Bypass from MP G0.00 to MP G13.40;
- d. Emergency spill response coverage from MP A57.40 to MP A130.60;
- e. Intelligent Transportation Systems (ITS), communications and technology operations and maintenance.

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



PURCHASE ORDERS

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

- a. Diesel motor fuel and heating/emergency generator fuel, exercising the option to renew the agreements for an additional year (January 1, 2018 – December 31, 2018):

Petroleum Traders	\$700,000.00
Naughton Energy Corp	0.00
Glassmere Fuel Services	25,000.00
Talley Petroleum	100,000.00
Mansfield Energy	50,000.00
Riggins, Inc.	<u>0.00</u>
TOTAL RENEWAL:	\$875,000.00
- b. IT Disaster Recovery Solution, utilizing the Texas Department of Informational Resources cooperative purchasing agreement with Doublehorn Cloud Solutions; at a cost of \$1,650,249.48;
- c. Ten (10) 2018 Ford Fusions, utilizing the Commonwealth’s contract with Whitmoyer Ford, Inc.; at a total award of \$172,192.10;
- d. Ten (10) 2018 Chevrolet Silverado double-cab trucks, utilizing the Commonwealth’s contract with Apple Chevrolet/Westgate Chevrolet, Inc.; at a total award of \$303,180.00.

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



AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #T-166.00R001-3-02 for bituminous resurfacing between MP 166.01 and MP 173.25, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$19,364,480.84 and a contingency of \$900,000.00-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



CHANGE ORDERS AND FINAL PAYMENT

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

- a. Change Order #4 and Final Payment for Contract #T-242.00T002-3-05 for stream and wetland mitigation adjacent to MP 239.70 EB with Flyway Excavating, Inc., for a decrease of \$26,628.63 to balance items to actual work completed and changes for seeding and soil supplements, mulching, erosion and sedimentation control, for a final contract value of \$905,749.41 and final amount due to the contractor of \$18,121.67;

- b. Change Order #3 and Final Payment for Contract #T-161.00R001-3-02 for bituminous resurfacing between MP 161.01 and MP 166.07 with New Enterprise Stone & Lime Co., Inc. for a decrease of \$34,617.29 to balance items to actual work completed; for a final contract value of \$12,785,760.61 and final amount due to the contractor of \$655,612.48;
- c. Change Order #7 for Contract #T-355.00P001-3-13 for I-95/I-276 Interchange project, Section D10 with PKF-Mark III, Inc., for a decrease of \$902,883.15 to balance items to actual work completed, changes for excavation, temporary concrete barrier and glare screen, superpave asphalt mixture, type 2-S post anchorage and anchor bolts; for a revised not-to-exceed amount of \$143,675,322.91;
- d. Change Order #1 for Contract #T-248.00R001-3-02 for bituminous resurfacing between MP 246.78 and MP 254.87 with Pennsy Supply, Inc. for a decrease of \$6,488.00 for a reduction in the cost of the maintenance and protection of traffic and a 24-day time extension; for a revised not-to-exceed amount of \$9,858,394.69.

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



SUPPLEMENT

Motion-That the Commission approve the negotiation and execution of Supplemental Agreement #2 for design services for the Southern Beltway, US 22 to I-79, Section 55C2 with ms consultants, inc. for an additional \$5,850,000.00 to continue with final design including design revisions that impacted traffic control, E&S, drainage, roadway, ITS, structure design, addition of ramp and side road structures, right-of-way plan revisions and ongoing coordinate with the National Cemetery of the Alleghenies; for a revised not-to-exceed amount of \$21,550,000.00-was made by Commissioner Deon, seconded by Commissioner Drew, and passed unanimously.



OPEB

Motion-That the Commission approves the reappointment of the following individuals/positions as Trustees for the PTC Retiree Medical Trust for Other Post-Employment Benefits (OPEB), for the term January 3, 2018 to January 3, 2020: Commissioner Barry Drew, Commissioner Pasquale T. Deon, Sr., Chief Financial Officer, Chief Counsel, and Assistant CFO/Accounting & Budget-was made by Commissioner Deon, seconded by Commissioner Drew, and passed unanimously.



BOND RESOLUTION AMENDMENT

Motion-That the Commission amending the Resolution adopted on August 15, 2017, as previously amended on September 19, 2017, which approved the issuance of the Pennsylvania Turnpike Commission's Turnpike Revenue Bonds in an aggregate principal amount not to exceed \$250,000,000 (based on par amount), to allow for the advance refunding of certain of its Turnpike Revenue Bonds,

clarify terms of the bonds to be issued, increase the authorized amount of the bonds to an aggregate principal amount not to exceed \$300,000,000 (based on par amount) and certain related matters-was made by Commissioner Deon, seconded by Commissioner Drew, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, December 19, 2017 beginning at 10:00 a.m. Meeting dates for January 2018 have changed to Thursday, January 4, 2018 and Wednesday, January 17, 2018.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:22 a.m. -was made by Commissioner Deon, seconded by Commissioner Drew, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Barry Drew
Secretary Treasurer