

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 14, 2020

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:15 a.m. on Monday, December 14, 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, Wadud Ahmad, Commissioner and 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; Ray Morrow, Chief Compliance Officer (via telephone); Myneca Ojo, Director of Diversity and Inclusion (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; Dan O'Brien, RBC Capital Markets; Derek McNeil; Donald Davanzo, SPK; Ed Reese, GPD Group; Jill Bolt, TY Lin; Jim Brady, STV; Jim Marsula, TW Engineering; John Livingston, Jacobs; Mark Karolski, Bucharthorn; Paul McNamee, KCI; and Steve Barber, Michael Baker (in person).



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 reclassifications, vacancies and posting positions in the Engineering and IT Departments.

The Commissioners also discussed Docket Nos. 2020-4231 and 2020-X002-3-08 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 December 1, 2020 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approve the memos received from the Chief Counsel and the Asst. CFO-Financial Administration-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.



PAYMENT

Motion – That the Commission approve payment of the 2021 E-ZPass Interagency Group’s (IAG) annual assessment for our participation in the E-ZPass Interagency Group, in the amount of \$75,000.00-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 “c”:

- a. Reimbursement Agreement with Duquesne Light Company, to reimburse Duquesne Light Company the costs for the engineering and facility relocation work necessary for construction of the Mon/Fayette Expressway, Sections 53A, 53B and 53C; at a not-to-exceed amount of \$56,043,344.50;
- b. Supplemental Reimbursement Agreement with Columbia Gas of PA, Inc. to reimburse Columbia Gas of PA, Inc. the cost for the engineering and facility relocation work necessary for the replacement of Bridge WB-209 at MP 12.83, for an additional \$179,264.82 due to issues encountered in the boring process and the need to extend an existing service tap; for a revised not-to-exceed amount of \$876,375.71;
- c. Settlement Agreement and Release with Joseph B. Fay, Inc. for Contract S-006.00X002-3-08.

-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 “c”:

- a. Acquisition of Right-of-Way #6047-B2 (Patrick J. & Terry Ann Taggart), a partial take parcel necessary for the total reconstruction project from MP 312.00 to MP 316.00 by authorizing payment of \$8,627.50 representing fair market value and pro-rated taxes to Patrick J. & Terry Ann Taggart; 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 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;
- b. Acquisition of Right-of-Way #17972 (Michael A. Leporace), a total take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$210,763.68 representing balance of fair market value, statutory damages and Section 710 damages to Bresnahan, Finnegan and Bresnahan, P.C., escrow agent;
- c. Convey substitute Right-of-Way to Duquesne Light Company, necessary for construction of the Mon/Fayette Expressway, by authorizing the appropriate Commission officials to execute the required Right-of-Way Agreements as approved by the Legal Department for the following parcels:

<u>R/W NO.</u>	<u>PROPERTY OWNER</u>
14S051	UNITED STATES STEEL CORPORATION
14S031	ROBINSON, LEONARD E., JR.
14S323	CRISTALLINI, LOUIS E.
14S324	STEINER, ROBIN A. (DIVORCED) and STEINER, GARY J.
14S325	VESELENY, THOMAS R. & KATHLEEN
14S326	RICE, ANDREA LOUISE & JOHN MICHAEL
14S327	NEMCHICK, DANIEL J. & MARILYN J.
14S354	THE BOROUGH OF WEST MIFFLIN
14S396	FEDERAL NATIONAL MORTGAGE ASSOCIATION
14S397	BALDWIN, LOUIS A. AND BALDWIN LYNN M.
14S401	ARNFIELD, ROBERT C. & CAROL L.
14S402	ARNFIELD, WILLIAM S.
14S344	SMITH, RICHARD C.
14S347	WESTWOOD & ASSOCIATES LLC
14S355	THE BOROUGH OF WEST MIFFLIN
14S370	DUQUESNE LIGHT COMPANY
14S603	UNITED STATES STEEL CORPORATION
14S648	VEGELY, KENNETH L.

14S604	ESTATE OF MARY M LONCARIC
14S605	SCHOOL DISTRICT OF BOROUGH OF WEST MIFFLIN
14S607	SMITH, RICHARD C. & TAMARA R. OHLER
14S620	IBIS KENNYWOOD, LLC
14S708	ESTATE OF MARY M LONCARIC
14S710	BOROUGH OF WEST MIFFLIN

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



ADVERTISE

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

- a. Two (2) open-end drilling contracts to perform subsurface boring, sampling and testing services systemwide;
- b. Authorized Service Provider to provide coverage on the Mon/Fayette Expressway, from MP M28.00 to MP M54.00;
- c. Authorized Service Provider to provide coverage on the Northeast Extension from MP A94.50 to MP A130.60;
- d. Authorized Service Provider to provide coverage on the Northeast Extension from MP A37.90 to MP A67.50;
- e. Authorized Service Provider to provide coverage from MP 24.90 to MP 49.30.

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



AWARD OF BIDS

Motion – That the Commission approve the Award of Bids, Change Order and Issue of Purchase Orders for the items listed in memos “a” through “i”:

- a. Multicast router upgrade systemwide, utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a cost of \$326,673.92;
- b. Carbon Black (cloud security) subscription renewal with Optiv Security, Inc.; at a cost of \$191,255.00;
- c. Zero Trust Network license, support, and maintenance for one year (through January 2022), utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a cost of \$297,798.62;

- d. CheckPoint Security Gateway Solutions (through September 2021) with ePlus Technology, Inc., for upgrades and one-year maintenance and support (including trade-in refund); at a cost of \$296,940.16;
- e. P25 radios and installation for the Pennsylvania State Police, utilizing the Commonwealth's contract with Motorola Solutions, Inc.; at a cost of \$226,258.00;

- f. Delineator reflectors and hardware (January 2021-December 2021), utilizing the Commonwealth's contracts; and approval for staff movement of funds between contracts as needed during the contract term:

Artuk, Inc.	\$120,000.00
Pexco, LLC	165,000.00
UniqueSource Products	310,000.00
Garden State Highway	5,000.00
Contingency	<u>60,000.00</u>
TOTAL AWARD/CONTINGENCY	\$660,000.00

- g. Trash and refuse removal services (January 2021 – December 2021), to the lowest responsive and responsible bidders:

Waste Management	\$600,000.00	Districts 1, 3, 4, 5
Weavers Sanitation	140,000.00	District 2
Contingency	<u>74,000.00</u>	
TOTAL AWARD/CONTINGENCY	\$814,000.00	

- h. Diesel motor fuel and heating/emergency generator fuel (January 2021 – December 2021), to the lowest responsive and responsible bidders:

Guttman Energy	\$1,150,000.00
Mansfield Oil Co.	260,000.00
Ports Petroleum	280,000.00
Petroleum Traders Corp.	100,000.00
Sprague Energy	25,000.00
Glassmere Fuels	2,000.00
Naughton Energy	9,000.00
Riggins Oil	15,000.00
Talley Petroleum	14,000.00
Contingency	<u>464,000.00</u>
TOTAL AWARD/CONTINGENCY	\$2,319,000.00

- i. Automotive and equipment filters (January 2021 – December 2021), to the lowest responsive and responsible bidders:

Penn Diesel Service Co.	\$ 50,000.00
Cumberland Truck Equip., Co.	10,000.00
Messick Farm Equip., Inc.	4,000.00
Sunbury Motor Co.	40,000.00
Wheeler Bros., Inc.	7,000.00
Contingency	<u>14,000.00</u>
TOTAL AWARD/CONTINGENCY	\$125,000.00

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



AWARD OF CONTRACT

Motion – That the Commission approve the Award of Contract T-226.00R002-3-02 for asphalt resurfacing between MP 226.63 and MP 235.53, to the lowest responsive and responsible bidder, Hempt Bros., Inc.; at a not-to-exceed amount of \$7,500,715.94 and a contingency of \$300,000.00- was Made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



CHANGE ORDERS

Motion- That the Commission approve the change orders and final payment for the items listed in memos “a” through “d”:

- a. Change Order #4 and Final Payment for Contract #T-326.00R001-3-02 for bituminous resurfacing between MP 326.34 and MP 334.08 with Allan Myers, L.P., for a decrease of \$61,146.41 for normal quantity adjustments and rebates for payment adjustments for asphalt materials; for a final contract value of \$9,036,002.39 and final amount due to the contractor of \$8,705.34;
- b. Change Order #1 for Contract #T-302.00T001-3-05 for the elimination of Bridge EB-705 at MP 303.39 with J.D. Eckman, Inc., for an increase of \$36,725.37 for project field office, barrier work and a 42-day time extension to accommodate adjacent paving project; for a revised not-to-exceed amount of \$1,286,784.39;
- c. Change Order #3 for Contract #T-149.50T002-3-04 for the removal of Bridge B-518 at MP 154.42 with New Enterprise Stone & Lime Co., Inc., for an increase of \$157,724.99 for normal quantity adjustments and changes for mix designs, excavation, subbase, milling, R-3 rock, drainage and fiber matrix; for a revised not-to-exceed amount of \$3,590,529.41;

- d. Change Order #11 for Contract #T-355.00P001-3-14 for widening and reconstruction of S.R. 95, Section D20, with James D. Morrissey, Inc., for an increase of \$17,151.44 for normal quantity adjustments and changes for subbase, mix designs, rumble strips, drainage, fencing rental, plantings and pavement shields; for a revised not-to-exceed amount of \$122,205,054.75.

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



PAYMENT

Motion – That the Commission approve payment of the Risk Management invoices as listed in memos “a” and “b”:

- a. OCIP pollution liability insurance policy (December 15, 2020 – December 15, 2021), with Great American Insurance Company through our broker, AON; at a premium of \$15,083.00;
- b. 2020 Notice of Assessment from the PA Department of Labor and Industry for the Workers’ Compensation Administration Fund, in the amount of \$54,761.00.

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



AWARD OF SERVICES

Motion – That the Commission approve the award of services and authorize the negotiation and execution of an agreement with the selected firm for T00162, open-end surveying services systemwide; the highly recommended firms in alphabetical order:

- Sucevic, Piccolomini & Kuchar Engineering, Inc. - AWARDED
- Gibson-Thomas Engineering Company, Inc.
- T. W. Engineering, Inc.

The Commission has selected firm Sucevic, Piccolomini & Kuchar Engineering, Inc. for award based on the Commission’s determination that the firm’s Statement of Interest is the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted. The firm has demonstrated it exceeds the requirements of this project and has performed very well on its current project, with similar services, thus demonstrating the ability to deliver the required services. Sucevic, Piccolomini & Kuchar Engineering, Inc. is a Pennsylvania based firm and currently holds one contract with the Commission which will expire the end of this year.

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



ADD ON ITEMS

AGREEMENTS

Motion – That the Commission approve the negotiation and execution of the agreements listed in memos “a” and “b”:

- a. Settlement Agreement and Release in the case, Paparozzi v. PTC and Rodriguez; and authorize the appropriate officials to execute the necessary documents;
- b. Agreement with Mihelics Supermarkets, LLC to distribute E-ZPass Go Paks in its stores.

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



AMENDMENT

Motion – That the Commission amend the previously approved not-to-exceed amount of \$60,000 for the purchase of up to four (4) Unmanned Aircraft Systems for use by PSP for accident reconstruction on the Turnpike System (approved November 2, 2020, item F-2a); to a not to exceed amount of \$62,500 (of which \$50,000 will be reimbursed by the FY20 State Transportation Innovation Council Incentive Funds) and authorize the appropriate officials to execute the necessary documents -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, January 5, 2020 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:31 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