

## MINUTES OF THE COMMISSION MEETING HELD DECEMBER 17, 2018

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:24 a.m. on December 17, 2018 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Leslie S. Richards, Chair 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, Michael Baker, Inc.; Robert F. Brady, Director of Operations/Projects-East; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; 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 Edmunds, Assistant Secretary Treasurer.

Others present were Susan Carson-Casoni, Cash Manager; Richard S. DiPiero, Senior Fare Collection Operations Manager; Huyen Huynh, General Accountant 2; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Ann Marcella, Executive Administrative Secretary; Jeffrey A. Naugle, Manager of Treasury Operations; Jesse Ream, Senior Network Engineer; Paul McNamee, KCI; Dave Azzato, TPD; Mike Houser, Markosky; Apryle Davis, Markosky; Dave Lowdermilk, WSP and Jason Gagen, GPI.



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 a reclassification, annuitant, new hires and vacancies.

The Commissioners also discussed Claim #18-10495-8121 and 6585-3197642, 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 December 4, 2018 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 and the Director of Procurement & Logistics -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

POOL FOR REAL ESTATE BROKERS AND AGENTS

Motion-That the Commission approves the establishment of a pool of qualified real estate brokers and agents to provide residential and commercial real estate services and approve inclusion of the qualified firms in the established pool -was made by Commissioner Wozniak, seconded by Commissioner Deon, and approved unanimously.



AGREEMENTS

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

- a. Reimbursement Agreement with South Fayette Township (Allegheny County) to reimburse the Township for future inspection and maintenance costs associated with the Township taking ownership of a new connector road being constructed as part of the Southern Beltway, Section 55C1-1; at a not-to-exceed amount of \$650,000.00;
- b. Authorize the use of Sourcewell’s cooperative purchasing contracts for, among other things, equipment and fleet-related products and services;
- c. Interagency Agreement with the PA Office of Administration to participate in the VMWare Enterprise License Agreement through June 30, 2022; at a total not-to-exceed cost of \$369,949.00;
- d. Supplemental Reimbursement Agreement with West Penn Power (WPP) to reimburse WPP for the engineering and utility relocation costs necessary for construction of the Southern Beltway, Section 55A1, for an additional \$69,251.52 due to higher labor and material costs for contracting out the work to meet project deadlines; for a revised not-to-exceed amount of \$196,005.25;
- e. Settlement Agreement and Release with Michael O’Keefe, and authorize the issuance of the Workers’ Compensation settlement amount;
- f. Settlement Agreement and Release with the Estate of Harold M Sexton III, and authorize the issuance of the settled amount.

-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 “l”:

- a. Acquisition of Right-of-Way #17991 (ULC Oil & Gas Field Services LLC), a total take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$1,500.00 representing Section 710 statutory damages to Maurice Brennan Breene;
- b. Acquisition of Right-of-Way #17987 (Marianne Guglielmetti), a total take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$1,500.00 representing Section 710 statutory damages to Maurice Brennan Breene;
- c. Acquisition of Right-of-Way #7248 (The Township of Milford), a partial take parcel necessary for the ITS DMS installation between MP A20.00 and MP A131.00 by authorizing payment of \$500.00 representing fair market value to The Township of Milford; 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 is contingent upon the delivery of a deed as prepared by the Legal Department;
- d. Acquisition of Right-of-Way #14S306 (Colleen A. Doonan), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$93,338.70 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement, LLC, escrow agent; authorize payment of \$350.00 representing closing costs to Colleen A. Doonan and authorize payment of \$400.00 representing Section 710 statutory damages to Robert C. Lucas; 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 her delivery of a deed as prepared by the Legal Department;
- e. Acquisition of Right-of-Way #14S302 (Karen J. Benven), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$89,945.50 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement LLC, escrow agent; 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;
- f. Acquisition of Right-of-Way #14S226 (Paul Lilly, Daniel & Jennifer Budai), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$78,193.01 representing fair market value, pro-rated taxes and recording fees to Universal Settlement Services of PA, LLC, escrow agent; 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 their delivery of a deed as prepared by the Legal Department;

- g. Acquisition of Right-of-Way #14S299 (Ronald Angerman, Gerald Angerman and Robert A. Merwitzer, Trustee of the Helen Merwitzer Irrevocable Trust), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$100,455.09 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement, LLC, escrow agent; also authorize payment of \$4,000.00 representing Section 710 statutory damages to Brennan, Robins & Daley, P.C.; 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;
- h. Acquisition of Right-of-Way #8266-A (Carlo I. & Gail Volpe), a total take parcel necessary for the total reconstruction project from MP A48.00 to MP A53.00 by authorizing payment of \$228,453.46 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, Inc., escrow agent; 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 their delivery of a deed as prepared by the Legal Department;
- i. Acquisition of Right-of-Way #14S263 (Deborah Hoover Spano), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$115,917.89 representing fair market value, pro-rated taxes, recording fees, housing supplement and closing costs to ARROW Land Solutions, LLC, escrow agent; also authorize payment of \$385.00 representing payment for home inspection to Deborah Hoover Spano; 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 her delivery of a deed as prepared by the Legal Department;
- j. Acquisition of Right-of-Way #14S326 (Andrea Louise Rice & Michael Rice), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$283,623.60 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement LLC, escrow agent; 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 is contingent upon the delivery of a deed as prepared by the Legal Department;
- k. Acquisition of Right-of-Way #17979 (William Wallace Stewart), a total take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$156,871.33 representing fair market value, pro-rated taxes and recording fees to Tri-State Paralegal Service, LLC, escrow agent; 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 his delivery of deed prepared by the Legal Department;

- I. Approve the plans entitled, "Drawings for Establishing and Re-Establishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for the Southern Beltway State Route 0576, Section 55C2 R/W in Allegheny and Washington Counties, EB from Sta 1015+00.00 to Sta 1129+67.81 Length 11,467.81 feet or 2.172 miles, WB from Sta 1015+00.00 to Sta 1126+81.42 Length 11,181.42 feet or 2.118 miles; and State Route 0079, NB from Sta 11+49.00 to Sta 19+75.00 Length 826.00 feet or 0.156 miles, From Seg 0496 Offset 1180 to Seg 0496 Offset 2006, SB from Sta 26+73.62 to Sta 39+62.83 Length 1289.21 feet or 0.244 miles From Seg 0500 Offset 0685 to Seg 0500 Offset 1975; and State Route 1009, From Sta 49+75.00 to Sta 106+72.00 Length 5,697.00 feet or 1.079 miles, From Seg 0240 Offset 0491 to Seg 0260 Offset 2006; and also T-712 (Karmann Road) Ramp 576E\_79S, T-714 (County Line Road) Ramp 576E\_79N, T-781 (Morgan Road) Ramp 576W\_79N, T-787 (Baker Road) Ramp 79N\_576W, North Morganza Road Ramp 79S\_576E, and South Morganza Road Ramp 79S\_576W"; as prepared by the Engineering Department.

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



#### ADVERTISING

Motion-That the Commission advertising for the items listed in memos "a" and "b":

- a. Engineering or construction management firm to perform open-end construction inspection services between MP 0.00 and MP 247.00, I-376, Turnpike 576, Turnpike 66 and Turnpike 43;
- b. Engineering or construction management firm to perform open-end construction inspection services between MP 247.00 and the Delaware River Bridge, and the Northeast Extension.

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



AWARD OF BIDS

Motion-That the Commission approves approve the Award of Bids and Issue Purchase Orders for the items listed in memos “a” through “e”:

- a. Trash and refuse removal services, exercising the option to renew the agreements for an additional year (January 1, 2019 – December 31, 2019):

Waste Management of PA	\$116,500.00	District 1
Weavers Sanitation Service Inc.	69,000.00	District 2
Republic Services of PA	56,000.00	District 3
Waste Management of PA	88,500.00	District 4
Waste Management of PA	<u>50,500.00</u>	District 5
TOTAL RENEWAL:	<u>\$380,500.00</u>	
Contingency:	103,250.00	
TOTAL FOR APPROVAL:	\$483,750.00	

- b. Fleet-wide upgrade of the Commission/Commonwealth’s existing radio fleet during the roll-out of the new PA-STARNET P25 radio system, utilizing the Commonwealth’s contract with Motorola Solutions, Inc.; at a total award of \$133,962.07;
- c. Fleet-wide upgrade of the Commission/Commonwealth’s existing radio fleet during the roll-out of the new PA-STARNET P25 radio system, utilizing the Commonwealth’s contract with Kenwood USA Corp. at a total award of \$128,074.53;

- d. Diesel motor fuel and heating/emergency generator fuel (January 1, 2019 – December 31, 2019), to the lowest responsive and responsible bidders:

Petroleum Traders	\$ 988,000.00
Glassmere Fuel Service	887,000.00
Talley Petroleum	165,000.00
PAPCO Inc.	945,000.00
Naughton Energy Corp.	251,000.00
Mansfield Energy	<u>214,000.00</u>
TOTAL AWARDS:	<u>\$3,450,000.00</u>
Contingency	862,500.00
TOTAL FOR APPROVAL:	\$4,312,500.00

- e. Stormwater Management application, implementation and hosting (January 2019 – December 2021), utilizing the Commonwealth’s contract with Agile Assets, Inc.; at a total award of \$1,524,966.43.

-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" through "c":

- a. Contract #T-174.00R002-3-02 for shoulder and slope rehabilitation, ramp resurfacing and bridge painting between MP 173.23 and MP 179.95, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$11,500,929.18 and a contingency of \$500,000.00;
- b. Contract #T-057.00R002-3-02 for bituminous resurfacing between MP 56.37 and MP 61.80 to the lowest responsive and responsible bidder, The Lane Construction Corporation; at a not-to-exceed amount of \$15,342,958.65 and a contingency of \$700,000.00;
- c. Contract #T-282.00R002-3-02 for bituminous resurfacing between MP 282.02 and MP 292.02 to the lowest responsive and responsible bidder, Allan Myers, L.P.; at a not-to-exceed amount of \$18,626,555.00 and a contingency of \$900,000.00.

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



CHANGE ORDERS & FINAL PAYMENTS

Motion-That the Commission approves the Change Orders for the items listed in memos "a" and "b":

- a. Change Order #2 and Final Payment for Contract #EN-00198-03-06 for roadway and miscellaneous repairs between MP 299.98 and MP 358.11 and between MP A20.00 and MP A57.22 with Road-Con, Inc., for a decrease of \$1,249,211.17 to reflect actual cost of the completed work authorizations; for a final contract amount of \$2,850,788.83 and final amount due to the contractor of \$10,000.00;
- b. Change Order #3 and Final Payment for Contract #A-120.68S001-3-02 for the replacement of Bridge NB-709 at MP A120.68 with Nyleve Bridge Corp., for a decrease of \$142,106.73 to balance items to actual work completed, changes for bituminous pavement patching, sealing shoulders, MPT and furnish and install a gate for a privacy fence; for a final contract amount of \$5,361,493.30 and final amount due to the contractor of \$167,808.20.

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





SUPPLEMENT

Motion-That the Commission the negotiation and execution of Supplemental Agreement #3 with ms consultants, inc. for design services for the Southern Beltway, US 22 to I-79, for an additional \$1,250,000.00 to complete the final design of Section 55C2, including coordination with PennDOT, blasting of rock within the project limits, additional coordination with National Cemetery of the Alleghenies, revision to environmental permit submissions, erosion and sedimentation control plans; post construction stormwater management plans; utility coordination and relocation designs; and revisions to ITS and MPT along the I-79 corridor in coordination with PennDOT; for a revised not-to-exceed amount of \$22,800,000.00-was made by Commission Wozniak, seconded by Commission Deon and passed unanimously.



IAG ASSESSMENT

Motion-That the Commission approves payment of the 2019 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 Commission Wozniak, seconded by Commission Deon and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Wednesday, January 2, 2019 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:28 a.m. -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Barry Drew  
Secretary Treasurer