

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 19, 2017

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:31 a.m. on December 19, 2017 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Leslie Richards, Chair; William K. Lieberman, Vice Chair; Barry Drew, Secretary Treasurer; Pasquale T. Deon, Sr., Commissioner and John Wozniak, Commissioner.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Larry Bankert, Chief Engineer, Michael Baker, Inc.; Robert F. Brady, Director of Operations/Projects-East; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Assistant Director of Toll Collection-Fares; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Jack Christensen, Director of FEMO; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Wanda Metzger, Contracts Supervisor; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Amber Reimnitz, Sr. Traffic Operations Project Manager; Michael Schultz, Strategic Planning & Program Manager; Sheri Norris, Director of Human Resources; Mark Strause, Technician of PC/Lan Systems; Eric Madden, JMT; Paul McNamee, KCI; Mike Gross, Wallace Montgomery; Kristi Reichard, A. Morton Thomas; Bob Cranmer, Cranmercon; Dan Cory, AECOM; Lou Cortelazzi, McMahon Assoc.; David Azzato, TPD; Steve Barber, Michael Baker International; Mark Karolski, Buchart Horn; David Lowdermilk, WSP; Allison Defoor, The Temple Group; Michael Conallen, Pennoni and Glenn Deppert, Arora & Assoc.



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, termination, new hires and vacancies.

The Commissioners also discussed Docket No. 2017-2344 and 4110 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 5, 2017 be approved and filed as submitted - were made by Commissioner Drew, 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 Drew, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

ESTABLISHMENT OF POOLS

Motion-That the Commission approves the establishment of pools from which qualified professionals will be selected to provide real estate closing services, real estate appraisal services, and machinery, equipment and inventory appraisal services; authorize the Right-of-Way Administrator to direct the solicitation of competitive bids from each pool for work as required; approve the execution of the necessary agreements; and approve the inclusion of the selected qualified professionals in the following pools:

- Real Estate Closing Services
- Real Estate Appraisal Services
- Machinery, Equipment and Inventory Appraisal Services

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



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements for the items listed in memos "a" and "b":

- a. Two (2) Reimbursement Agreements with Equitrans LP to reimburse Equitrans the cost for the engineering and utility relocations necessary for construction of the Southern Beltway, Section 55-C2-1; at a combined not-to-exceed amount of \$8,089,059.41;
- b. Agreement with TRC Engineers, Inc. for open-end drilling services from MP 247.30 to MP 359.00 and the Northeast Extension; at a not-to-exceed amount of \$900,000.00 or three (3) years, whichever occurs first.

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



RIGHT-OF-WAY REQUESTS

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

- a. Acquisition of Right-of-Way 6519-B (C. Eugene Davidheiser), a total take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00 by authorizing the construction of a wetland mitigation site and authorize execution of a Declaration of Restrictive Covenants for Conservation;

- b. Acquisition of Right-of-Way #14083-RD (WA Properties, LLC), a partial take parcel necessary for the total reconstruction project from MP 53.00 to MP 57.00 by authorizing payment of \$2,813.50 representing fair market value and pro-rated taxes to WA Properties, LLC; 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 its delivery of a deed as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #17904-A (Dennis James & Patricia Watson Morgan and Dale A. & Diane R. Morgan), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$5,310.75 representing fair market value and pro-rated taxes to Dennis James & Patricia Watson Morgan, also authorize payment of \$5,310.75 representing fair market value and pro-rated taxes to Dale A. & Diane R. Morgan; 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 damages to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;
- d. Settlement of Right-of-Way #14120-A (MDJST, LLC), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$18,345.50 representing fair market value and pro-rated taxes to MDJST, LLC; 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 damages to the property owner is contingent upon its delivery of a deed prepared by the Legal Department;
- e. Acquisition of Right-of-Way #14129A and #14129A-3 (Jerry Mazza, owner and Bourg, Inc., tenant), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$33,811.00 representing business dislocation damages to Bourg, Inc.; authorize the appropriate Commission officials to execute the Settlement Agreement and other documents that may be required for closing; and authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- f. Acquisition of Right-of-Way #14079-RE (John M. & Catherine L. Tysarczyk), a total take parcel necessary for the total reconstruction project from MP 49.00 to MP 53.00 (Bridge WB-456) by authorizing payment of \$98,591.54 representing fair market value, pro-rated taxes, recording fees and rent supplement to ARROW Land Services, 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;

- g. Acquisition of Right-of-Way #6018-C (PA Dept. of Conservation and Natural Resources), a partial take parcel necessary for the total reconstruction project from MP 308.00 to MP 312.00 by authorizing payment of \$364,025.00 to Natural Lands; authorize the appropriate Commission officials to execute the necessary documents with the PA Dept. of Conservation and Natural Resources and Natural Lands, as drafted and approved by the Legal Department; and payment to Natural Lands is contingent upon approval of the parcel as suitable replacement land under the Land and Water Conservation Act requirements;
- h. Acquisition of Right-of-Way #6022-A (Milford Road Associates, L.P.), a partial take parcel necessary for the total reconstruction project from MP 308.00 to MP 312.00 by authorizing payment of \$1,995,019.47 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 owner is contingent upon the delivery of a deed as prepared by the Legal Department.

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



ADVERTISING

Motion-That the Commission approves advertising for an engineering services firm to perform contract administration and oversight for the P3 broadband fiber project -was made by Commissioner Drew, seconded by Commissioner Deon and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves the Issuance of Purchase Orders for the items listed in memos "a" through "e":

- a. Glass beads (December 21, 2017 – November 30, 2018), utilizing the Commonwealth’s contract with Potters Industries, LLC; at a total award of \$200,000.00;
- b. Traffic line paint (December 21, 2017 – November 30, 2018), utilizing the Commonwealth’s contract with Ennis-Flint/Ennis Paint, Inc.; at a total award of \$400,000.00;
- c. Change Orders for the maintenance, replacement, testing, certifications and repairs of the fuel pumps, dispensers and fuel storage tanks, to add funds through 2018:

L & A Construction Co. LLC	\$ 700,000.00	Districts 1, 2, 3
Clark Contractors, Inc.	<u>400,000.00</u>	Districts 4, 5
TOTAL CHANGE ORDERS:	\$1,100,000.00	
- d. Change Order for Stop Loss insurance with Avalon Insurance Co., exercising the option to renew the agreement through December 31, 2018; at a cost of \$916,944.00;

- e. Fuel storage tank cleaning, utilizing the Commonwealth's contract with Brad's Fuel Filtering, Inc.; at a total award of \$276,000.00.

-was made by Commissioner Drew, 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" and "b":

- a. Contract #T-019.00R002-3-02 for bituminous resurfacing and substructure rehabilitation between MP 19.41 and MP 31.25 to the lowest responsive and responsible bidder, The Lane Construction Corporation; at a not-to-exceed amount of \$17,449,139.50 and contingency of \$800,000.00;
- b. Contract #T-268.00R001-3-02 for bituminous resurfacing and median barrier replacement between MP 268.32 and MP 275.05 to the lowest responsive and responsible bidder, Hempt Bros., Inc.; at a not-to-exceed amount of \$12,518,358.17 and a contingency of \$600,000.00.

-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 "c":

- a. Change Order #4 for Contract #T-202.00T001-3-02 for roadway and bridge reconstruction from MP 201.74 to MP 206.89 with New Enterprise Stone & Lime Co., Inc., for an additional \$150,000.00 for MPT enhancements for Stage 2 construction work; for a revised not-to-exceed amount of \$76,213,234.49;
- b. Change Order #6 for Contract #S-006.00X002-3-08 for construction of the Southern Beltway, Section 55B, from MP S11.17 to MP S14.31 with Joseph B. Fay Co., for an increase of \$445,345.06 for E & S control, caisson construction, excavation, void repair, capping existing sanitary sewer, drainage, and replacement of the existing sidewalk; for a revised not-to-exceed amount of \$95,352,926.29;
- c. Change Order #5 and Final Payment for Contract #A-049.00R001-3-02 for bituminous overlay between MP A48.90 and MP A59.34 with New Enterprise Stone & Lime Co., Inc. for a decrease of \$1,032,411.35 to balance items to actual work completed, and changes for the asphaltic plug joint, latex concrete deck repairs, pavement markings, price adjustment for asphalt materials and lane rental fees; for a final contract value of \$15,264,297.64 and final amount due to the contractor of \$377,640.76.

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



PSPC ITEMS

Motion-That the Commission approve the award of services and authorize the negotiation and execution of an agreement with the selected firm/firms for the items listed in memos “a” through “c”:

a. Ref #3-278, open-end mechanical, electrical and plumbing design and construction services systemwide:

- Burns Engineering, Inc.-AWARDED
- Cannon Design PA, Inc.
- STV, Inc.

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

b. T00079/T00080, two (2) open-end traffic operations and Intelligent Transportation Systems (ITS):

- McMahon Associates, Inc.-AWARDED
- WSP USA, Inc.-AWARDED
- AECOM Technical Services, Inc.

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

c. RFP #8758, mechanical and electrical maintenance services at various Commission facilities:

- G.R. Sponaugle & Sons, Inc.-AWARDED

-was made by Commissioner Drew, seconded by Commissioner Deon, 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 and December 5, 2017, which approved the issuance of the Pennsylvania Turnpike Commission’s Turnpike Revenue Bonds in an aggregate principal amount not to exceed \$300,000,000 (based on par amount), to further clarify terms of the bonds to be issued and certain related matters-was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Thursday, January 4, 2018 beginning at 10:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:42 a.m. -was made by Commissioner Drew, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Barry Drew
Secretary Treasurer