

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 20, 2022

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:26 a.m. on Tuesday, December 20, 2022 at the Central Office located in Middletown, Pennsylvania. Present for the meeting was Pasquale T. Deon, Sr., Commissioner; available via telephone were Wadud Ahmad, Chair; William K. Lieberman, Vice Chair; and Yassmin Gramian, P.E., Secretary of Transportation. Sean Logan, Secretary Treasure was unable to connect to the WebEx due to technical issues.

Also available for the meeting were Mark Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Bradley J. Heigel, P.E., Chief Engineer; Carl DeFebo, Director of Communications and Customer Experience; Charles Duncan III, Chief Compliance, Legislative & Cultural Affairs; Doreen McCall, Chief Counsel; Kelli Roberts, Director of Policy and External Affairs; Rick Dreher, Chief Financial Officer; Robert Brady, Director of Operations/Projects – East; Stacia A. Ritter, Esq., Asst. Chief Operating Officer/Toll Collection; Tom Porter, Michael Baker Int’l.; and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via telephone were April Rothermel, Asst. CTO-Security & Infrastructure (in person); Catherine Clements-Jenkins, Director of Diversity and Inclusion (in person); Don Klingensmith, Asst. CFO-Financial Administration; Daniel Russell, Consultant (in person); Gina Murray, Manager of Professional Services Procurement; Holly Herdman, Business Improvement & Analytics Manager; Jeff Naugle, Manager of Treasury Operations (in person); Joe Sutor, Planning & Environmental Manager; Karen Muro, Senior Human Resources Specialist (in person); Kelly Horvath, Executive Administrative Assistant (in person); Karen Ruch, Mgr. of Strategic Sourcing & Asset Mgmt.; Lara Brenckle, Strategic Programs Manager (in person); Sean Laudenslager, End User Support Supervisor (in person); Steven Marroni, Communications Specialist (in person); Steve Barber, Michael Baker Int’l (in person); Andrew Schepers-Holcim; Ann Mark, McCormick Taylor; Ben Allis; Bernie Bydlon, Navarro & Wright; Brad Milbrand, CAI; Brian Weidman; Brian Kimmeth, Rock the Capital (in person); Casey Moore; Cheryl Teamann; Chris Williams; Christopher Bauer; David Lowdermilk, WSP; Daniel Obrien, RBC; Dave Snively, CDR Maguire; D.E. Veydt; Dean Morrison, Alfred Benesch; Dean Mackin, Mackin Engineers; Don Killmeyer, MS Consultants; Ed Reese, GPD Group; Eric Epstein, Rock The Capital (in person); Eric Madden, JMT (in person); Gary McNaughton; George Settellaier, KSE; Glenn Depport, Arora; Gary Graham; Irene Eeus, JMT (in person); Jack Mitchell; J. Perrego, WBCM; Jacque Foster; Jason Gagen, Greenman-Pedersen; Jeff Davis, TranSystems (in person); Jeff Hans, HRD; Jim Brady, STV; Jim Frank; J.T. Lincoln, Dewberry; Joe Foster; Joe Sasso, CDR Maguire; Mahmood Shehata, RKK; Mark Karolski, Buchart-Horn; Marianne Campbell; Matthew Kusic, SAI; Michele Donaghy, T.Y. Lin; Michele Girolami, Gibson Thomas; Mike House, M&M; Mike Houser, Markosky; Mike Mecca, LaBella; Nicholas Noss; Nicole Tyler, PennDOT (in person); Nicki Jacobs, GPI; Pat McCabe, GPI; Paul McNamee, KCI; Rachel Perrego, Susquehanna Civil; Roger Eaton, HDR; Ronald Huey, GAI; Sean Sawford; Seemon Georges, Volkert; Stan Nalitz, PRIME AE; Stephen Janosko, Mackin; Thomas Cushman, AECOM; Tom Rowader, GPI; Tony Rauso; Wally Lorence, GeoMechanics;



Chair Ahmad 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:

With the lifting of the Commonwealth's mask and occupancy limitation related to the COVID-19 emergency, the Pennsylvania Turnpike Commission Meetings are being held in person. However, the Commission will also continue to post call-in/WebEx information for those who wish to attend the meeting via telephone/WebEx. The WebEx information was posted at least 48 hours in advance of the meeting. 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 new hires, promotions, vacancies, and requests to create, fill and appoint and to create and fill positions in the HR and Engineering Departments.

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: Copies of today's agenda are located in the Large Board Room for those attending in person. The agenda is also available on the Commission website at least 48 hours in advance of the meeting. 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 at least 48 hours in advance of this meeting.

The Commission recognized Eric Epstein of Rock the Capital. Mr. Epstein expressed his concern regarding Roberts Rules of Order and deliberation on PSPC items.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held December 6, 2022 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



COMMUNICATION

Motion-That the Commission approves the memos received from the Chief Counsel and the Asst. CFO-Financial Administration-was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



QUALIFIED POOLS

Motion-That the Commission approve amending the pools for the items listed in memos “a” and “b”:

- a. Pool of qualified firms to provide bond, special, underwriters and disclosure counsel services to include Dentons Cohen & Grigsby PC;
- b. Pool of qualified firms to perform audits, forensic audits, compliance assessments and specialized security and investigation services (Advisory Services Pool) to include A-PI Investigations, Opportunity Consulting, Iron Advocate Mindset, LLC, Mendoza Group and RKL.

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



AGREEMENTS

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

- a. Agreement with Mitrastech Holdings, Inc. for installation, configuration, integration, customization, conversion and training for the Legal Matter Management/eBilling software system for five (5) years; at a cost of \$297,350.47;
- b. Lease Agreement with Pittsburgh SMSA Limited Partnership d/b/a Verizon Wireless (Verizon) for Verizon to lease space the Commission’s Harrison City Maintenance tower at a monthly fee of \$3,000.00 for ten (10) years with three (3) successive five (5) year renewal terms;
- c. Supplemental Reimbursement Agreement with Verizon Pennsylvania, LLC to install conduits and relocate aerial communication lines for the replacement of Bridge NB-363 at MP A59.20 for an additional \$32,650.27 due to higher labor and material costs; for a revised not-to-exceed amount of \$57,320.27;
- d. Agreements with West Penn Power to inter-connect to the utility grid for the Greensburg Maintenance Microgrid project; and to authorize the appropriate Commission officials to execute the necessary agreements for the project as approved by the Legal Department.

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



RIGHT-OF-WAY REQUESTS

Motion-That the Commission approve the Right-of-Way requests for the items listed in memos “a” through “e”:

- a. Acquisition of Right-of-Way #7132-C1 (Robert Oxley), a partial take parcel necessary for construction of the I-95 Interchange, Section D30, by authorizing payment of \$2,924.00 representing fair market value and pro-rated taxes to Robert Oxley; 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;
- b. Adopt the proposed Property Acquisition for Right-of-Way #7130-A (Bella J. Fioravanti), a total take parcel necessary for construction of the I-95 Interchange, Section D30, by authorizing payment of \$130,000.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- c. Adopt the proposed Property Acquisition for Right-of-Way #7132-A1 (Lisa Hindman), a partial take parcel necessary for construction of the I-95 Interchange, Section D30, by authorizing payment of \$7,800.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- d. Acquisition of Right-of-Way #7132-A2 (Linda V. Jackson and Jeannette V. Jackson), a partial take parcel necessary for construction of the I-95 Interchange, Section D30, by authorizing payment of \$5,455.50 representing fair market value and pro-rated taxes to Linda V. Jackson; 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 the delivery of a deed as prepared by the Legal Department;
- e. Acquisition of Right-of-Way #7127-A (Roger Carney), a partial take parcel necessary for construction of the I-95 Interchange, Section D30, by authorizing payment of \$12,735.00 representing fair market value and pro-rated taxes to Roger Carney; 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 Deon, seconded by Commissioner Lieberman, and passed unanimously.



POLICY LETTER

Motion-That the Commission approve the revisions to Policy 10.05, Pennsylvania Turnpike Commission (PTC) Advisory Committee, to permit the CEO or any Commissioner, to reconvene or reconstitute the PTC Advisory Committee for the purposes of addressing any concerns related to the areas covered under the “Responsibility” section of the policy-was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



PURCHASE ORDERS

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

- a. Skyline mobile camera support, exercising the option to renew the agreement with ePlus Technology, Inc. for an additional year (February 2023 - January 2024); at a cost of \$246,790.45;

- b. Mower parts, exercising the option to renew the agreements for an additional year (January 2023 - December 2023); and approval for staff movement of funds between contracts as needed during the contract term:

Cherry Valley Tractor Sales, Inc.	\$ 0.00
Montage Enterprises, Inc.	\$135,000.00
Lacal Equipment, Inc.	\$ 10,000.00
TOTAL RENEWAL	\$145,000.00

- c. Trash & refuse removal service, exercising the option to renew the agreements for an additional year (January 2023 - December 2023):

Waste Management of PA, Inc.	\$453,000.00
Weaver’s Sanitation Service, Inc.	\$ 95,000.00
Contingency	<u>\$109,600.00</u> (seasonal needs for extra containers/pickups)
TOTAL RENEWAL	\$657,600.00

- d. Delineator reflectors & hardware, exercising the option to renew the agreements for an additional year (January 2023 - December 2023); and approval for staff movement of funds between contracts as needed during the contract term:

Artuk	\$ 15,000.00
Pexco	\$100,000.00
UniqueSource	\$110,000.00
CONTINGENCY	<u>\$ 25,000.00</u>
TOTAL	\$250,000.00

e. IAM SailPoint software, implementation, and maintenance, exercising the option to renew the agreement with CDW Government LLC/CDW LLC for an additional two (2) years (December 18, 2022 - December 17, 2024); at a cost of \$473,254.89;

f. Printing/graphic design services (December 2022 – November 2024), to the lowest responsive and responsible bidders:

Print Words On Demand, Inc.	\$150,000.00	design/general printing
Hot Frog Media	\$ 40,000.00	Milepost print/bulk mailing
American Diversity	<u>\$ 10,000.00</u>	Posters
TOTAL AWARDS:	\$200,000.00	

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



CONTRACT AWARDS

Motion-That the Commission approve the Award of Contract #EN-00266-03-02 for installation of Intelligent Transportation Systems between MP 9.70 and MP 99.40 and MP B15.80 and MP B30.60 and MP G1.80 and MP G12.50 and MP M4.50 and MP M38.60, to the lowest responsive and responsible bidder, Power Contracting Company; at a not-to-exceed amount of \$7,995,797.55 and a contingency of \$400,000.00-was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



CHANGE ORDERS

Motion-That the Commission approve Change Orders for the items listed in memos “a” and “b”:

- a. Change Order #1 for Contract #A-070.60F001-3-03 for plumbing work at the Eastern Training Facility at MP A70.60 with K.C. Mechanical Service, Inc. for an increase of \$36,000.00 for installation of a new well pump and a new septic tank; for a revised not-to-exceed amount of \$333,000.00;
- b. Change Order #14 for the rehabilitation of the Tuscarora Tunnel and Bridges B-561 and B-562 between MP 185.89 and MP 187.49 with Mosites Construction Company for an increase of \$1,887,257.70 for changes for electrical work, superpave asphalt mix, milling, pavement markings, manhole frame and lid replacement, overhead costs, MPT costs, and a 209-day time extension for network security, manhole work and material delays; for a revised not-to-exceed amount of \$116,097,350.41.

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



SUPPLEMENTAL AGREEMENT

Motion-That the Commission approve the negotiation and execution of Supplemental Agreement #4 for Contract #M-052.50X002 for construction design of the Mon/Fayette Expressway, Rt. 51 to I-376, with TranSystems for an additional \$3,500,000.00 to complete final design of Section 53A1 and 53A2, and to provide construction consultation during construction for both construction contracts; for a revised not-to-exceed amount of \$27,000,000.00-was made by Commissioner Deon, seconded by Lieberman, and passed unanimously.



AWARD OF SERVICES

REMOVED FROM AGENDA. Approve the award of services and authorize the negotiations and execution of an agreement with the selected firm for the items listed in memos “a” through “c”:

- a. T00210, Design services for the total reconstruction and widening project from MP 155.60 to MP 161.00;
 - Staff Briefing
 - Deliberation

- b. T00221, Storage tank management/environmental services systemwide;
 - Staff Briefing
 - Deliberation

- c. T00196, Preliminary and final design services for the Allegheny Tunnel transportation improvements;
 - Staff Briefing
 - Deliberation



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, January 3, 2023 beginning at 11:00 a.m.



POST FORMAL MEETING

Catherine Clements-Jenkins, Director of Diversity and Inclusion, gave an update on the Workplace Climate Survey Report.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:26 a.m.-was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Assistant Secretary Treasurer

Sean Logan
Secretary Treasurer

ATTACHMENTS:

- Memo received from the Chief Counsel
- Memo received from the Asst. CFO-Financial Administration
- Memo received from Eric Epstein from Rock the Capital