

MINUTES OF THE COMMISSION MEETING HELD JANUARY 17, 2023

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:03 a.m. on Tuesday, January 17, 2023 at the Central Office located in Middletown, Pennsylvania. Available via telephone were Wadud Ahmad, Chair; William K. Lieberman, Vice Chair; Sean Logan, Secretary Treasurer; and Melissa Betula, Acting Deputy Secretary.

Also available for the meeting were Mark Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Bradley J. Heigel, P.E., Chief Engineer (via telephone); 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 (via telephone); Robert Taylor, Chief Technology Officer; Stacia A. Ritter, Esq., Asst. Chief Operating Officer/Toll Collection (via telephone); Tom Porter, Michael Baker Int’l. (via telephone); Steve Barber, Michael Baker Int’l.; and Ann Louise Edwards, Financial Specialist.

Others available via telephone were Catherine Clements-Jenkins, Director of Diversity & Inclusion (in person); Don Klingensmith, Asst. CFO-Financial Administration (in person); Fawn Cassel, Contract Management Services Manager (in person); Daniel Russell, Consultant; Holly Herdman, Business Improvement & Analytics Manager; Jeff Naugle, Manager of Treasury Operations (in person); Kelly Horvath, Executive Administrative Assistant (in person); Kevin Scheurich, Asst. Chief Engineer/Design (in person); Louis Van Gorder, Attorney 4; Nerma Gobeljic, Finance Trainee (in person); Richard Dipiero, Manager of Interchange Operations; Sean Laudenslager, End User Support Supervisor (in person); Alyssa Barlup; Andrea Gosfield, Gosfield Law; Bernie Bydlon, Navarro & Wright; Brad Milbrand, CAI; Brad McCullough; Brian Kimmett, RTL (in person); Daniel Obrien, RBC; Dave Snively, CDR Maguire; Derek Rogers, RIG; Ed Blazina, Pittsburgh Post-Gazette; Ed Reese, GPD Group; Eric Epstein, RTC (in person); Greg Shiffler, CDR; Jason Bono; Jeff Davis, TranSystems; Jim Takacs, STV; Jock P. Rowe, Teamsters Local 77; Michele Donaghy, T.Y. Lin; Mike House, M&M; Pat McCabe, GPI; Roger Eaton, HDR; Seemon Georges, Volkert; and Rachel Perego, Susquehanna Civil.



Chair Ahmad led the Commissioners, staff and visitors in the Pledge of Allegiance.



The Asst. 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 a termination, new hires, and vacancies.

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 discussed his concern regarding Right-to-Know Requests, Office of Open Records (ORR), refueling electric vehicles and Bucks County agreement.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held January 3, 2023 be approved and filed as submitted-was made by Commissioner Logan, seconded by Commissioner Lieberman, and passed unanimously.



COMMUNICATION

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



CHANGE ORDER

Motion-That the Commission approve Change Order #2 and Final Payment for Contract #T-144.85S001-3-02 for replacement of Bridge B-510 and MP 144.85 with New Enterprise Stone & Lime Co., Inc. for a decrease of \$65,336.98 for normal quantity adjustments and price adjustments for asphalt and steel; for a final contract value of \$3,248,078.17 and final amount due to the contractor of \$102,178.74-was made by Commissioner Logan, seconded by Commissioner Lieberman, and passed unanimously.



AGREEMENTS

Motion-That the Commission approve the negotiation and execution of the Agreements and an MOU for the items listed in memos “a” through “c”:

- a. Settlement Agreement and Release in the case, King v. Valenteen, John Doe and PTC; and authorize payment of settled amount;
- b. Ownership Agreement with the City of Duquesne for a storm-water basin located at S.R. 837, a storm-water basin located at Commonwealth Avenue, and six (6) water quality inlets located on S.R. 837 necessary for construction of the Mon/Fayette Expressway, Section 53-C3; after construction, maintenance and ownership of all referenced stormwater facilities will be turned over to the City of Duquesne; at a cost of \$795,400.00 to the City;
- c. Memoranda of Understanding (MOU) with forty-eight (48) state Departments of Motor Vehicles (DMVs) for vehicle registration lookups to support All Electronic Tolling (AET); and authorize the Asst. COO-Toll Collection, Manager of ETC Customer Service & Revenue Enforcement, and the ETC Programs Supervisor to negotiate the applications, agreements, MOUs, and other documents that the individual state DMVs require; and authorize the Asst. COO-Toll Collection to execute the agreements and other documents that may be required by the state Department of Motor Vehicles and approved by the Legal Department.

-was made by Commissioner Logan, 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 “c”:

- a. Acquisition of Right-of-Way #14S429 (Kyle A. Walk), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$5,510.50 representing fair market value and pro-rated taxes to Kyle A. Walk; 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 #7131-E (The County of Bucks), a partial take parcel necessary for the construction of the I-95 Interchange, Section D30, by authorizing payment of \$18,300.00 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 #7130-B (The County of Bucks), a partial take parcel necessary for the construction of the I-95 Interchange, Section D30, by authorizing payment of \$4,100.00 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.

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



ADVERTISING

Motion-That the Commission approve advertising for an Open-End Construction Management and Construction Inspection Services for FEMO projects systemwide-was made by Commissioner Logan, seconded by Commissioner Lieberman, and passed unanimously.



PURCHASE ORDERS

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

- a. Claroty xDome comprehensive IoT asset inventory solution (January 2023 – December 2025), utilizing the Commonwealth's contract with CDW Government LLC/CDW LLC; at a cost of \$375,357.00;
- b. Pest control service, exercising the option to renew the agreement for an additional two-years (February 2023 – January 2025) with Ehrlich Pest Control; at a cost of \$262,000.00;
- c. Three (3) Fotokites for traffic incident management to Glick Fire Equipment Company, Inc.; at a cost of \$139,380.00;
- d. Assistance updating roadway information in the CAD Linear Reference System (LRS) with available roadway data from January through March 2023 and PIM & CAD system updates to include quarterly PennDOT updates and software upgrades, utilizing the Commonwealth's contract with Microdesk, Inc.; at a cost of \$101,163.72.
- e. Carbon Black subscription, exercising the option to renew the agreement for an additional year (January 2023 – December 2023) with Optiv Security, Inc.; at a cost of \$194,796.00.

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



CONTRACT AWARDS

Motion-That the Commission approve the Award of Contracts for the items listed in memos “a” and “b”:

- a. Contract #T-031.00R002-3-02 for asphalt resurfacing between MP 31.20 and MP 39.64, to the lowest responsive and responsible bidder, Lindy Paving, Inc.; at a not-to-exceed amount of \$18,372,244.49 and a contingency of \$920,000.00;
- b. Contract #M-052.50X002-3-02 for construction of the Mon/Fayette Expressway, SR 0043, Section 53A1 between MP M51.52 and MP M55.35, to the lowest responsive and responsible bidder, Trumbull Corporation; at a not-to-exceed amount of \$213,983,732.10 and a contingency of \$11,000,000.00;

-was made by Chair Ahmad, seconded by Commissioner Logan; Commissioner Lieberman abstained.
COMMISSIONER LIEBERMAN: I abstain on both of these items because Lindy Paving, Inc. and Trumbull Corporation are both clients of my firm.
The motion passed.

Motion-That the Commission approve the Award of Contracts for the items listed in memos “c” through “e”:

- c. Contract #EN-00286-03-02 for roadway and miscellaneous repairs for Toll I-376, Turnpike 43, Turnpike 576 and Turnpike 66, to the lowest responsive and responsible bidder, Eurovia Atlantic Coast, LLC.; at a not-to-exceed amount of \$2,000,000.00;
- d. Contract #EN-00286-03-04 for roadway and miscellaneous repairs between MP 122.00 and MP 201.58, to the lowest responsive and responsible bidder, New Enterprise Stone and Lime Co., Inc.; at a not-to-exceed amount of \$4,000,000.00;
- e. Contract #EN-00286-03-06 for roadway and miscellaneous repairs between MP 299.98 and MP 356.42, MP H40.83 and MP H43.44 and MP A20.00 and MP A31.34, to the lowest responsive and responsible bidder, J.D. Eckman, Inc.; at a not-to-exceed amount of \$3,500,000.00.

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, February 7, 2023 beginning at 11:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:16 a.m.-was made by Commissioner Logan, seconded by Commissioner Lieberman, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Financial Specialist

Sean Logan
Secretary Treasurer

ATTACHMENTS:

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