

MINUTES OF THE COMMISSION MEETING HELD JULY 18, 2023

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:14 a.m. on Wednesday, July 18, 2023 at the Central Office located in Middletown, Pennsylvania. Present for the meeting was Michael Carroll, Chair. Available via telephone were William K. Lieberman, Vice Chair; Dr. Keith Leaphart, Secretary Treasurer; Pasquale T. Deon, Commissioner; and Sean Logan, Commissioner.

Also available for the meeting were Mark Compton, Chief Executive Officer; Craig Shuey, Chief Operating Officer; Brad Heigel, Chief Engineer; Carl DeFebo, Director of Communication and Customer Experience; Doreen McCall, Chief Counsel; Kelli Roberts, Director of Policy and External Affairs; Rick Dreher, Chief Financial Officer (via telephone); Robert Brady, Director of Operations/Projects-East (via telephone); Robert Taylor, Chief Technology Officer; Stacia Ritter, Esq., Asst. Chief Operating Officer/Toll Collection; Tom Porter, Michael Baker Intl.; and Ann Louise Edwards, Asst. Secretary Treasurer.

Others available via telephone were Crispin Havener, Media Communications Specialist; Daniel Russell, Consultant (in person); Don Klingensmith, Asst. CFO-Financial Administration (in person); Edward Skorpinski, Engineer Project Manager 2; Gina Murray, Manager of Professional Services Procurement; Holly Herdman, Debt & Derivatives Manager; Jeff Naugle, Manager of Treasury Operations (in person); Kathryn Hartzell, Director of Technology & Innovation (in person); Kelly Horvath, Executive Administrative Assistant (in person); Kevin Scheurich, Asst. Chief Engineer/Design (in person); Sean Laudenslager, End User Support Supervisor (in person); Shanna Baranko, Executive Administrative Assistant; Stephanie Newbury, Senior Procurement Specialist; Steve Marroni, Communications Specialist (in person); Steve Barber, Michael Baker Int'l. (in person); Alyssa Barlup, NTM Engineering; Ann Mark, McCormick Taylor; Bernie Bydlon, Navarro Wright; Bill Weaver, TRC ; Brad Kughn, Bergman/Colliers Engineering & Design; Brad McCullough, HDR Inc.; Brian Hansel, Lochner; Brian Kimmet, Rock the Capital (in person); Camille Evans, Virtus LLP; Cathy Taylor, TranSystems; Chris Messner, GPI; Chris West, Lochner; Curtis Sanno, Dewberry; Danielle List, WSP; Dave Snively, CDR Maguire; Dean Mackin, Mackin Eng.; Damon Rhodes, Larson; Ed Blazina, Pittsburgh Post-Gazette; Ed Reese, GPD Group; Eric Meyer, WRA; Erin Brenneman, M&M; Gary Graham, Bowman; George Kevgas, Bergman; George Settelmaier, KSE; Hannah Kolmansberger, Navarro & Wright; Henry Fina, Long Nyquist; Irene Eells, JMT; Jack Mitchell, Bowman; Jason Bono, HDR; Jeff Davis, TranSystems; Jennie Louwerse, WSP (in person); J. Perrego, WBCM; Jim Brady, STV; Jim Frank, Lehman; Jock Rowe, Teamsters Local 77; John Eagen, Benesch; Josh Neyhart, Commonwealth; J.T. Lincoln, Dewberry; Karen Gabel, Erdman Anthony; Luz Santana, Susquehanna Civil, Inc.; Marianne Campbell, AGES; Michele Donaghy, TYLin; Michele Girolami, Gibson-Thomas; Michelle Underwood, Modjeski; M Kilgore, SPK; Nick Smith, EADS; Nicki Jacobs, GPI; Paul McNamee, KCI; Phil Rampulla, EADS; Robert Maschke, WSP; Ryan Gargan, Lochner; Steve Rodgers, Lochner; Seemon Georges, GPI; Stan Nalitz, PRIME; Stefan Gombas, EADS; Todd Cruny, Mackin; Tom Rowader, GPI; Tom Smith, Kleinfelder; Tommy Johnson, Allegheny Strategy; and Trevor Young, EADS.



Chair Carroll 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, vacancies and a request to create, post and fill a position in the Internal Audit Department.

The Commissioners also discussed Local 30P collective bargaining and 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.

We had no requests to address the Commission.

Rock the Capital live streamed the meeting.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held July 5, 2023, be approved and filed as submitted-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATION

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



APPROVAL AUTHORITY

Motion-That the Commission amend the previously approved authorization (approved November 14, 2006; Item G-8) for the Engineering Department to prepare Reimbursement Letter Agreements for municipality review fees, for costs incurred by various municipalities to review Turnpike Stormwater Management plans; to increase the approval level of the Chief Engineer or designee from \$25,000.00 to \$50,000.00, and authorize the Chief Engineer or designee to execute Routine Letter Agreements, with the concurrence of the Legal Department, with various municipalities-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



AGREEMENTS

Motion-That the Commission approve the negotiation and execution of the Agreements and Amendments for the items listed in memos "a" through "d":

- a. Rental Agreement with the Pennsylvania Department of Transportation (PennDOT), to continue renting space (on a month-to-month basis) at PennDOT's facility in Luzerne County to store core soil samples; at an annual cost of \$8,400.00;
- b. Amendment to our Interagency Agreement with the Pennsylvania Department of Transportation (PennDOT) for the joint procurement of traveler information services (511PA); exercising the option to renew the agreement for an additional five (5) years; at an approximate cost of \$1,675,000.00;
- c. Amendment to our lease agreement with Apex Energy (PA), LLC to explore, develop, and produce oil and gas from the Marcellus Shale Formation in Hempfield Township, Westmoreland County, to include an additional 11.217 acres of Right-of-Way and surplus property for a total of 30 acres;

- d. Agreement with Moses Park, LLC for Moses Park, LLC to purchase 0.14 acres of Commission owned property in Highspire Borough due to an encroachment of multiple mobile homes on Commission owned property, at a cost of \$7,500.00.

-was made by Commissioner Logan, seconded by Commissioner Deon, 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. Grant right-of-way access to Peoples Natural Gas Company, LLC (PNG) to cross Commission owned property on the Mon/Fayette Expressway, Rt. 51 to I-376; and authorize the Assistant Chief Engineer of Design to execute the agreement as reviewed and approved by the Legal Department;
- b. Acquisition of Right-of-Way #7015-RC (Katty Jean Laurent; Marie Yolene Dumas Bazin), a partial take parcel necessary for the Buck Road Bridge (MP 348.25) replacement project by authorizing payment of \$5,066.00 representing fair market value and pro-rated taxes to Katty Jean Laurent and Marie Yolene Dumas Bazin; also authorize payment of \$85.75 representing recording fees to Bucks County Recorder of Deeds Office; 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 approved by the Legal Department;
- c. Acquisition of Right-of-Way #3360-D (Hollinger Development III, LLC ; Brad Hollinger; David Hauck), a partial take parcel necessary for construction of the access ramps at MP 238.25, by authorizing payment of \$176,101.32 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, Inc., as 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 approved by the Legal Department.

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



ADVERTISING

Motion-That the Commission approve advertising for a towing and road service provider for coverage from MP 49.40 to MP 83.60 eastbound/westbound, Toll 66 and from MP G0.00 to MP G13.40 -was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approve the Award of a Bid, Change Orders and the Issuance of Purchase Orders for the items listed in memos “a” through “c”:

- a. Open-end drilling contract, to the lowest responsive and responsible bidder, Navarro & Wright Consulting Engineers, Inc.; at a not-to-exceed amount of \$900,000.00 or a term of 3 years, whichever occurs first;
- b. CISCO DUO BEYOND edition subscription and basic support with EPlus Technology, Inc., for an additional 1,450 licenses for PTC employees and consultants; at a cost of \$127,281.00;
- c. Motor oil, grease and lube contract with PPC Lubricants, Inc., for additional funding needs through the end of the contract (October 2023); at a cost of \$85,000.00;

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



AWARD OF CONTRACT

Motion-That the Commission approve the Award of Contract #A-053.00T001-3-04 for the replacement of Bridge NB-349 at MP A57.06, to the lowest responsive and responsible bidder, J.D. Eckman, Inc.; at a not-to-exceed amount of \$18,567,725.31 and a contingency of \$930,000.00 -was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



CHANGE ORDERS

Motion-That the Commission approve the Change Order for the item listed in memo “a”:

- a. Change Order #13 for Contract #T-099.00T002-3-05 for roadway reconstruction from MP 101.69 to MP 109.10 with New Enterprise Stone & Lime Co., Inc. for an increase of \$3,635,524.76 for Class 1A excavation and items for WB Stage 2 crossover between MP 104.50 and MP 104.90, and an 84-day time extension for the overrun in Class 1A excavating; for a revised not-to-exceed amount of \$129,750,091.02;

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

Motion-That the Commission approve the Change Order for the item listed in memo "b":

- b. Change Order #2 for Contract #M-052.50X002-3-02 for construction of the Mon/Fayette Expressway, Section 53A1 between MP M51.52 and MP M55.35 with Trumbull Corporation, for an increase of \$2,328,239.59 for preemptive tree clearing and erosion and control efforts for the future 53A2 project being bid in September 2023; for a revised not-to-exceed amount of \$216,382,515.94.

-was made by Commissioner Logan, seconded by Commissioner Deon; Commissioner Lieberman abstained.

COMMISSIONER LIEBERMAN: I abstain on this item because Trumbull Corporation is a client of my firm. Motion passed.



TOLL INCREASE

Motion-That the Commission approve the proposed 2024 annual toll increase of 5% across the entire Turnpike System effective January 7, 2024; E-ZPass and Toll-By-Plate (TBP) rates for passenger and commercial vehicles will round up to the nearest dime -was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.

CHAIR CARROLL: The 2024 toll increase this year was a direct product of the decisions that were made with respect to budgets that were enacted by the general assembly dating back to the passage of Act 44. The PTC's responsibility resulted in an \$8 billion liability for the Turnpike. As much as the PA Turnpike is not eager to increase the tolls, the financial responsibility puts us in this position.



AWARD OF SERVICE

Motion-That the Commission 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" and "b":

- a. T00231, Design services for the reconstruction and widening from MP 26.00 to MP 28.00; the highly recommended firms in alphabetical order:
 - H.W. Lochner, Inc. - AWARDED
 - Alfred Benesch and Company
 - Gibson-Thomas Engineering

Staff briefing by Brad Heigel.

The Commission has selected the firm H.W. LOCHNER, INC. for award based on the Commission's determination that the firms' proposal is the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted.

- a motion was made by Commissioner Deon; seconded by Commissioner Logan, passed unanimously.

b. T00241, Construction management and inspection services for Cashless Tolling facilities (West and Central); the highly recommended firms in alphabetical order:

- The EADS Group, Inc. - AWARDED
- TRC Engineer, Inc.

Staff briefing by Brad Heigel

The Commission has selected the firm TRC ENGINEERS, INC. for award based on the Commission's determination that the firms' proposals are the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted.

- a motion was made by Commissioner Lieberman; seconded by Commissioner Deon, passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, August 15, 2023 beginning at 11:00 a.m.



ADJOURNMENT

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



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Asst. Secretary Treasurer

Dr. Keith Leaphart
Secretary Treasurer

ATTACHMENTS:

Memo received from the Chief Counsel

Memo received from the Asst. CFO/Financial Administration