

MINUTES OF THE COMMISSION MEETING HELD NOVEMBER 15, 2022

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:16 a.m. on Tuesday, November 15, 2022 at the Central Office located in Middletown, Pennsylvania. Available via telephone were Wadud Ahmad, Chair; William K. Lieberman, Vice Chair; Sean Logan, Secretary Treasurer; Pasquale T. Deon, Sr., Commissioner; and Mike Keiser, Deputy Secretary for Highway Administration.

Also available for the meeting were Mark Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer (via telephone); 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 (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.; and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via telephone were Anthony Maun, Asst. CFO/Accounting & Budget (in person); Catherine Clements-Jenkins, Manager of Diverse Business Programs (in person); Don Klingensmith, Asst. CFO-Financial Administration (in person); Daniel Russell, Consultant (in person); Erik Johnson, Landscape Specialist (in person); Gina Murray, Manager of Professional Services Procurement; Jeff Naugle, Manager of Treasury Operations (in person); Karen Ruch, Manager of Strategic Sourcing and Asset Management; 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 (in person); Sheri Norris, Director of Human Resources; Tameka Hatcher, EEO/ADA Officer (in person); Aaron Roach; Adam Pope, The Bravo Group; Alyssa Barlup; Andrea Gosfield, Gosfield Law; Bernie Bydlon, Navarro & Wright; Brad Milbrand, CAI; Camille Evans, Virtus; Chris Roberts, Pitt; Christopher Carbutt, JBC Associates; Dave Snively, CDR Maguire; David Lowdermilk, WSP; David Thomas, Hill Intl.; Don Killmeyer, MS Consultants; Eric Epstein, Rock The Capital (in person); Eric Madden, JMT; Esther Bertancourt, Volkert (in person); George Settelmaier, KSE; Glenn Depport, Arora; Greg Shiffler, CDR; Jason Gagen, Greenman-Pedersen; Jay Roth, Jacobs; Jeff Davis, TranSystems; Jeff Kerst, Kokosing Construction Co.; Jennie Louwerse, WSP; Jock Rowe, Teamsters Local 77; Joe Romano, Larson Design Group; Jon Livingston, Jacobs; Joseph Restelli, The TCG Electric; Josh Reinert, The TCG Electric; Justin Zelekovitz; Karen Gabel, Erdman Anthony; K. Christy, Kokosing Construction Co.; Kurt Karanovich, Kokosing Construction Co.; Michael Poletti; Michele Girolami, Gibson Thomas; Mike Houser, Markosky; Mike Keiser; Mike Phillips, Navarro & Wright; Mike Poletti; Mike Suchar, ACA Engineering; Paul McNamee, KCI; Pete Capizzi; Roger Eaton, HDR Inc.; Scott Schaeffer, JB Associates; Seemon Georges, Volkert (in person); Stan Nalitz, PRIME; Steve Cunningham, Jacobs; Steve Pacchioli, CAI; Steve Ryan, JB Associates; Thomas Cushman, AECOM; Tom Rowader, GPI; and Vico Innocenti, Fisher Associates.



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 a new hire, reclassification, department reorganization, promotions, vacancies, and the summer employment and CEO Intern Fellows programs.

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 unanswered Right-to-Know requests and questions regarding Duquesne Light agenda item, Intellectual Property, Orange Tree, definition of open-end, CDW Government, stop loss, software, and fiber optic assets.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held November 1, 2022 be approved and filed as submitted-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATION

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



WORKERS' COMPENSATION

Motion-That the Commission approve payment of the 2022 Notice of Assessment from the Bureau of Workers' Compensation for the Supersedeas and Subsequent Injury Fund; in the amount of \$25,276.00-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements and an Amendment for the items listed in memos "a" through "c":

- a. Reimbursement Agreement with Duquesne Light Company (Duquesne) for Duquesne to reimburse the Commission for the construction costs associated with Section 53-C3 of the Mon/Fayette Expressway; at a total estimated reimbursement to the Commission of \$200,500.00;
- b. Reimbursement Agreement with Comcast for Comcast to reimburse the Commission for the construction costs associated with Section 53-C3 of the Mon/Fayette Expressway; at a total estimated reimbursement to the Commission of \$122,750.00;
- c. Amendment to our Agreement with Orange Tree Employment Screening, LLC d/b/a/ Hire Image, LLC for pre-employment screening services; exercising the option to renew the agreement from February 1, 2023 through January 31, 2024; at an estimated cost of \$15,000.00.

-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 "e":

- a. Acquisition of Right-of-Way #14S438 (Valley View Court, LLC; Valleyvieux Holding; Principal-Richel Francis), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376 project, by authorizing payment of \$7,712.50 representing fair market value and pro-rated taxes to Valley View Court, 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 the delivery of a deed as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #14S260 (William E. Strausser, Jr. and Margaret A. Strausser), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376 project, by authorizing payment of \$4,018.00 representing fair market value and pro-rated taxes to William E. Strausser, Jr. and Margaret A. Strausser; 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;
- c. Acquisition of Right-of-Way #14S283 (TLC Properties, LLC;-Principal-Lamar TLC, The Lamar Company, LLC; Lamar Media Corp.; Stan Geier; Sean E. Reilly; Jay L. Johnson), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376 project, by authorizing payment of \$75,251.70 representing fair market value and pro-rated taxes to TLC 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 the delivery of a deed as prepared by the Legal Department;
- d. Acquisition of Right-of-Way #6345 (234 Conshohocken, LLC; Principal-Carol Chung), a total take parcel necessary for construction of the Lafayette Street Interchange project, by authorizing payment of \$238,439.38 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, Inc.; 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;
- e. Acquisition of Right-of-Way #6003-A (Beam Leasing, Inc.), a partial take parcel necessary for the total reconstruction and widening project from MP 298.00 to MP 302.00, by authorizing payment of \$17,526.50 representing fair market value and pro-rated taxes to Beam Leasing, Inc.; also authorize payment of \$105.75 representing recording fees to Chester County Recorder; 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 Logan, seconded by Commissioner Deon, and passed unanimously.



ADVERTISING

Motion-That the Commission approve advertising for an Open-End contract for Advisory, Strategy and Independent Verification and Validation (IV&V) Work Order Services-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



PURCHASE ORDERS

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

- a. SolarWinds software maintenance support, exercising the option to renew the contract through December 10, 2023 with CDW Government LLC/CDW LLC; at a cost of \$61,465.00;
- b. Tire retread contract (November 2022 - October 2023), to the lowest responsive and responsible bidder Good Tire Service, Inc.; at a cost of \$140,000.00;
- c. Stop loss insurance provider, exercising the option to renew the contract from January 1, 2023 - December 31, 2023 with Avalon Insurance Company; at a cost of \$775,849.00;
- d. Beyond Trust software, exercising the option to renew the Privilege Authentication Manager license (January 1, 2023 - December 31, 2023) with CDW Government LLC/CDW LLC; at a cost of \$145,135.87;
- e. ServiceNow subscription, exercising the option to renew the contract through January 14, 2024 with CDW Government LLC/CDW LLC; at a cost of \$565,885.34.

-was made by Commissioner Logan, seconded by Commissioner Deon, 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 #A-048.00T001-3-04 for the replacement of Bridge NB-331 at MP A52.30, to the lowest and responsive bidder, Deblin, Inc.; at a not-to-exceed amount of \$8,698,951.34 and a contingency of \$435,000.00;
- b. Contract #EN-00232-03-04 for the design/build project for fiber optic network installation between MP G0.00 and MP G0.55, and between MP 75.00 and MP 236.00, to the lowest and responsive bidder, Kokosing Construction Co., Inc.; at a not-to-exceed amount of \$163,756,100.00 and a contingency of \$8,000,000.00.

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



CHANGE ORDERS

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

- a. Change Order #1 for Contract #M-030.00R002-3-02 for asphalt resurfacing between MP M30.11 and M32.40 with Eurovia Atlantic Coast, LLC for an increase of \$946,712.75 for additional pavement patching needed to repair asphalt prior to paving; for a revised not-to-exceed amount of \$4,524,490.52;
- b. Change Order #1 for Contract #T-075.39R001-3-02 for concrete repairs at the New Stanton Interchange at MP 75.39 with C.H. & D. Enterprises, Inc. for a 231-day time extension necessary for securing materials needed for the project.

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



PROFESSIONALS

Motion-That the Commission approve amending the pool of qualified professionals to provide real estate appraisal services to include Vista Realty Service, Inc.-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



AWARD OF SERVICES

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

- a. T00218, Material Inspection & Testing Services from MP 0.00 to MP200.00, I-376, Turnpike 576, Turnpike 66 and Turnpike 43;
 - Quality Engineering Solutions, Inc.-AWARDED

-after staff briefing and deliberation, a motion was made by Commissioner Deon, seconded by Commissioner Logan. The Commission has selected firm Quality Engineering Solutions, Inc. for award based on the Commission’s determination that the firm’s Statement of Interest is the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted.

b. T00197/T00198, Roadway and Bridge Reconstruction from MP 312.00 to 316.00:

- JBC Associates, Inc.-AWARDED
- Stantec Consulting Services, Inc.-AWARDED
- PRIME AE Group, Inc.
- Volkert, Inc.

-after staff briefing and deliberation, a motion was made by Commissioner Deon, seconded by Commissioner Logan; and passed unanimously. The Commission has selected firms JBC Associates, Inc. and Stantec Consulting Services, Inc. for award based on the Commission's determination that the firm's Statement of Interest is the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted. JBC Associates, Inc. is a Woman Owned Pennsylvania based firm and Stantec Consulting Services, Inc. employees over 500 Pennsylvania employees.

c. RFP 8192, Marketing Creative:

- Red House Communications, Inc.-AWARDED

-after staff briefing and deliberation, a motion was made by Commissioner Deon, seconded by Commissioner Logan; and passed unanimously. The Commission has selected firm Red House Communications, 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. Red House Communications, Inc. was the only Highly Recommended firm.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, December 6, 2022 beginning at 11:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:35 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