

MINUTES OF THE COMMISSION MEETING HELD NOVEMBER 7, 2023

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:00 a.m. on Tuesday, November 7, 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 Lephart, Secretary Treasurer; and Pasquale T. Deon, Commissioner.

Also available for the meeting were Mark Compton, Chief Executive Officer; Craig Shuey, Chief Operating Officer; Brad Heigel, Chief Engineer; Doreen McCall, Chief Counsel; Kelli Roberts, Chief Strategy and Communications Officer; 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 Engineering, and Ann Louise Edwards, Asst. Secretary Treasurer.

Others available via telephone were Daniel Russell, Consultant (in person); Don Klingensmith, Asst. CFO-Financial Administration (in person); Fawn Cassel, Contract Management Services Manager (in person); Gina Murray, Manager of Professional Services Procurement; Jason Falchek, Unified Technology Solutions Architect (in person); Jeffrey Naugle, Manager of Treasury Operations/Assistant Secretary Treasurer (in person); Johnathan Harmon, Consultant (in person); Kelly Horvath, Executive Administrative Assistant (in person); Kevin Scheurich, Asst. Chief Engineer/Design; Lara Brenckle, Strategic Programs Manager (in person); Nerma Peco, Finance Trainee; Samantha Willians, Roadway Programs Specialist; Sheri Norris, Director of Human Resources; Steve Marroni, Communications Specialist (in person); Bernie Bydlon, Navarro & Wright; Bill Brooks, STV; Bill Weaver, TRC; Brad McCullough, HDR; Brad Milbrand, HDR; Chris Messner, GPI; D.E. Veydt, Gannett Fleming; Derek Rogers, HW Lochner; David Lowdermilk, HNTB; David Thomas, Hill Int'l; Ed Blazina, Pittsburgh Post-Gazette; George Settelmaier, KSE; Hannah Kolmansberger, Navarro & Wright; Harry Sigley, CMTS (in person); Jason Bono, HDR; Jeff Davis, TranSystems; Jock Rowe, Teamsters Local 77; Ken Olup, Hill Int'l; Michele Donaghy, TY Lin; Michele Girolami, Gibson-Thomas; Nicki Jacobs, GPI; Paul McNamee, KCI; Rebecca Levan, JBC; Roger Eaton, HDR; Scott Schaeffer, JBC; and Seemon Georges, GPI



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 position change, promotions, terminations, new hires, vacancies, summer programs, benefits, and requests to abolish a vacant position in the Audit Department and to create, post and fill a position at WRO.

The Commissioners also discussed Docket Numbers 2020-04736 and 2020-01135 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.



Chair Carroll asked for a moment of silence in reflection for Sean Laudenslager and Rick Fleck, two employees that recently passed away.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held October 17, 2023, be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Lieberman, and passed unanimously.



COMMUNICATION

Motion-That the Commission approve the memo received from the Chief Counsel-was made by Commissioner Deon, seconded by Commissioner Leaphart, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



CHANGE ORDERS

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

- a. Change Order #2 and Final Payment for Contract #T-286.48S001-3-02 for redecking of Bridge EB-541 EB at MP 286.48 with Deblin, Inc. for a decrease of \$3,182.84 for normal quantity adjustments to balance out the project; for a final contract value of \$4,200,647.80 and final amount due to the contractor of \$44,153.37;
- b. Change Order #1 for Contract #T-067.05S001-3-02 for rehabilitation of Bridge WB-512 at MP 67.06 and Bridge B-458 at MP 67.05 with Gulisek Construction, LLC for an increase of \$423,549.82 for superpave mix design, temporary barrier, pavement markings, concrete overlay, concrete deck repairs and temporary asphalt; for a revised not-to-exceed amount of \$3,025,879.65;
- c. Change Order #1 for Contract #T-087.16S001-3-02 for bridge painting and repairs between MP 87.16 and MP 90.14 with Allison Park Contractors, Inc. for a 119-day time extension (through February 9, 2024) due to delays in obtaining new brackets for the protective fencing;
- d. Change Order #1 and Final Payment for Contract #EN-00282-03-06 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 with J.D. Eckman, Inc. for a decrease of \$3,181,858.66 to reflect the actual cost of the completed work authorizations; for a final contract value of \$1,818,141.34 and final amount due to the contractor of \$10,000.00.

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

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

- e. Change Order #5 for Contract #A-037.50T001-3-02 for roadway and bridge reconstruction from MP A37.39 to MP A43.33 with Trumbull Corporation for an increase of \$14,341,847.44 for removal of obstructions, subgrade stabilization, erosion control, replace missing mile marker signs, lane rental fees, access road repairs, Class 1 excavation, work to remove and replace unsuitable material, drainage, construction of access roads and emergency pull of work for stage 2 construction; for a revised not-to-exceed amount of \$201,959,840.30.

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

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



AGREEMENTS

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

- a. Assignment Agreement with Whitney, Bailey, Cox & Magnani, LLC (WBCM) to assign and transfer two (2) active contracts to TranSystems Corporation d/b/a TranSystems Corporation Consultants (TranSystems) due to TranSystems acquisition of WBCM;
- b. Supplemental Reimbursement Agreement with South Whitehall Township for replacement of Bridge NB-349 at MP A57.06 as part of the total reconstruction project from MP A53.00 to MP A57.00 for an increase of \$498.61 due to engineering design costs not originally included in the estimate and additional paving requirements required during construction; for a revised not-to-exceed amount of \$311,118.61.

-was made by Commissioner Deon, seconded by Commissioner Leaphart, 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 “d”:

- a. Acquisition of Right-of-Way #13015-A (The Lori Jean Trattner Living Trust), a total take parcel necessary for the total reconstruction and widening project from MP 26.00 to MP 28.00, by authorizing payment of \$1,803,347.16 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement, 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 to the property owners is contingent upon the delivery of a deed as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #6000-RA (Philip S. and Cynthia D. Brown, owners; Michael C. Graham, tenant), a total take parcel necessary for the total reconstruction and widening project from MP 298.00 to MP 302.00, by authorizing payment of \$26,400.00 representing statutory relocation down payment supplement to Michael C. Graham; authorize the appropriate Commission officials to execute the documents that may be required for the relocation; and authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- c. Approve an Emergency Access Easement to Lower Macungie Mixed Use Development, LLC, for the use of the existing service access road at the Allentown Service Plaza to provide emergency access for fire, ambulance, police and other first responders to a residential community being

developed immediately adjacent to the service plaza; and authorize the Assistant Chief Engineer of Design to execute an Emergency Access Easement, as approved by the Legal Department;

- d. Acquisition of Right-of-Way #6000-RA (Philip Steven and Cynthia D. Brown), a total take parcel necessary for the total reconstruction and widening project from MP 298.00 to MP 302.00, by authorizing payment of \$257,373.51 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 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.

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



AWARD OF CONTRACT

Motion-That the Commission approve the Award of Contract #EN-00314-03-02 for the installation of signs between MP 245.75 and MP 356.42, MP H40.83 and MP H43.44, and MP A20.00 and MP A131.00, to the lowest responsive and responsible bidder, J.P.S Construction Co., Inc.; at a not-to-exceed amount of \$2,000,000.00 -was made by Commissioner Deon, seconded by Commissioner Leaphart, and passed unanimously.



PURCHASE ORDERS

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

- a. Fiber Optic Network-Intelligent Transportation System (ITS) and IoT equipment to implement a section of roadside ITS and IoT devices onto the fiber optic network; utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a cost of \$441,332.97;
- b. Mechanics hardware supply contract, exercising the option to renew the agreement for an additional two (2) years (November 16, 2023 - October 31, 2025) with Kimball Midwest/Midwest Motor Supply Co., Inc.; at a cost of \$122,000.00;
- c. Asphalt joint sealant, exercising the option to renew the agreement for an additional year (December 2023 - November 2024) with Crafc0, Inc.; at a cost of \$150,000.00;
- d. Cleaners and protectors contract, exercising the option to renew the agreements for an additional year (December 2023 - November 2024); and approval for staff movement of funds between contracts as needed during the contract term:

Rhomar Industries	\$120,000.00
Enzo’s Cleaning Solutions LLC	<u>\$ 10,000.00</u>
TOTAL RENEWAL COST	\$130,000.00

- e. Enterprise Data Management tools (Informatica custom bundle), exercising the option to renew the agreement for an additional two-years (November 9, 2023 – November 8, 2025) with Carahsoft Technology Corp.; at a cost of \$900,268.00;
- f. Solarwinds software maintenance support license; utilizing the Sourcwell cooperative purchase agreement with SHI International Corp. (December 10, 2023 - December 9, 2026); at a cost of \$200,000.00;
- g. VMWare carbon black, exercising the option to renew the agreement for an additional year (December 12, 2023 - December 11, 2024) with Optiv Security Inc.; at a cost of \$102,186.00.

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



AWARD OF SERVICE

Motion-That the Commission approve the award of services and authorize the negotiation and execution of an agreement with the selected firm for T00247, Construction Management & Inspection – Harrison City Maintenance Facility:

- Gannett Fleming, Inc.
- Management Engineering Corporation

Staff Briefing by Brad Heigel

The Commission has selected firm Management Engineering Corporation 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. The firm has a great history with the PTC and relatively low workload with the PTC.

- a motion was made by Commissioner Deon, seconded by Commissioner Leaphart, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, November 21, 2023 beginning at 11:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:15 a.m.-was made by Commissioner Deon, seconded by Commissioner Leaphart, and passed unanimously.



PREPARED BY:

Ann Louise Edwards
Asst. Secretary Treasurer

APPROVED BY:

Dr. Keith Leaphart
Secretary Treasurer

ATTACHMENT:

Memo received from the Chief Counsel