

MINUTES OF THE COMMISSION MEETING HELD OCTOBER 17, 2023

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:00 a.m. on Tuesday, October 17, 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; Sean Logan, Commissioner; 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; 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; Robert Brady, Director of Operations/Projects-East (via telephone); Robert Taylor, Chief Technology Officer; Stacia Ritter, Esq., Asst. Chief Operating Officer/Toll Collection; Tom Macchione, Director of Traffic Engineering and Operations; and Ann Louise Edwards, Asst. Secretary Treasurer.

Others available via telephone were Catherine Clements-Jenkins, Director of Diversity & Inclusion (in person); Crispin Havener, Media Communications Specialist; 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; Holly Herdman, Debt & Derivatives Manager; Jason Falchek, PC/LAN Systems Supervisor (in person); Jeffrey Naugle, Manager of Treasury Operations/Assistant Secretary Treasurer (in person); Kelly Horvath, Executive Administrative Assistant (in person); Lara Brenckle, Strategic Programs Manager (in person); Sheri Norris, Director of Human Resources; Steve Marroni, Communications Specialist (in person); Tameka Hatcher, Equal Opportunity/ADA Officer (in person); Bernie Bydlon, Navarro & Wright; Bill Brooks, STV; Bill Harris, STV; Bob Prophet, TPD (in person); Brad McCullough, HDR; Brad Milbrand, HDR; Brett Canimore, AECOM; Brian Kimmett, RTC; Camille Evans, Endow Law; Chris Messner, GPI; Craig Beissel, STV (in person); D.E. Veydt, Gannett Fleming; David Lowdermilk, HNTB; Don Blough, STV; Don Killmeyer, ms consultants; Doug George, HW Lochner; Ed Reese, GPD Group; Gary Graham, Bowman; George Settelmaier, KSE; Hannah Kolmansberger, Navarro & Wright; Jason Bono, HDR; Jeff Davis, TranSystems; Jennie Louwerse, WSP; Jim Brady, STV; Karen Gabel, Erdman Anthony; Keith Lilley, HW Lochner; Ken Olup, Hill Int'l; Kimberlee Waiwada, HNTB (in person); Kristen Obush, Azalea Group; Lance Savant, Larson; Luz Santana, Susquehanna Civil; Melissa Yost, NTM; Michele Girolami, Gibson-Thomas; Mike Houser, Markosky; Nicki Jacobs, GPI; Omar Khan, WSP; Paul McNamee, KCI; Roger Eaton, HDR; Robert Maschke, WSP; Stefan Gombas, EADS; Seemon Georges, GPI; and Tom Holloway, Alpha Consulting.



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 lateral, promotions, new hires, reclassifications, vacancies and reorganizations in the Information Technology and Strategy and Communications 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.

We had no requests to address the Commission.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held October 3, 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 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.



CHANGE ORDERS

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

- a. Change Order #3 and Final Payment for Contract #T-144.95R001-3-02 for asphalt resurfacing between MP 144.95 and MP 149.23 with New Enterprise Stone & Lime Co., Inc. for a decrease of \$10,321.72 for normal quantity adjustments and liquidated damages; for a final contract value of \$9,381,432.19 and final amount due to the contractor of \$207,098.11;
- b. Change Order #26 for Contract #S-006.00X002-3-10 for construction of the Southern Beltway SR 0576, Section 55C2-1 between MP S17.04 and MP S19.23 with Walsh Construction Company for an increase of \$1,018,013.85 for normal quantity adjustments, traffic control, drainage, single face barrier, shoring abutments, E&S control, PADEP 102 permit work, saw cutting clean-up, permanent median crossover, overhang changes and subbase sealant; for a revised not-to-exceed amount of \$190,734,606.14;
- c. Change Order #1 and Final Payment for Contract #A-105.44R001-3-02 for asphalt resurfacing of the Wilkes-Barre Interchange ramps with New Enterprise Stone and Lime Co., Inc. for a decrease of \$134,173.56 for normal quantity adjustments to balance contract items to the actual work completed, additional pavement markings, and a 41-day time extension; for a final contract value of \$2,354,313.14 and final amount due to the contractor of \$209,171.96;
- d. Change Order #3 and Final Payment for Contract #EN-00282-03-07 for roadway and miscellaneous repairs between MP A31.34 and MP A130.64 with J.D. Eckman, Inc., to reflect the actual cost of the completed work authorizations; for a final contract value of \$7,841,552.00 and final amount due to the contractor of \$78,415.52;
- e. Change Order #1 and Final Payment for Contract #EN-00279-03-05 for bridge repairs between MP A20.00 and MP A130.64 with Bill Anskis Co., Inc., for a decrease of \$124,511.25 to reflect the actual cost of the completed work authorizations; for a final contract value of \$2,375,488.75 and final amount due to the contractor of \$23,754.89.

-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 an Amendment for the items listed in memos “a” and “b”:

- a. Assignment Agreement with Navarro & Wright Consulting Engineer, Inc. (N&W) to assign its geotechnical drilling group services contracts to NexTerra Subterranean, Inc. due to NexTerra Subterranean, Inc.’s acquisition of N&W’s Geotechnical Drilling Group services;
- b. Amendment to the Agility Agreement with Pennsylvania Department of Transportation (PennDOT) to share best practice ideas, resources, as well as work jointly through the agility work plan process; exercising the option to renew the agreement for an additional year (through December 2024).

-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 “c”:

- a. Adopt the proposed Property Acquisition Resolution for Right-of-Way #8268-A (D.R. Horton, Inc.), a partial take parcel necessary for total reconstruction from MP A53.00 to MP A57.00, by authorizing payment of \$164,937.50 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;
- b. Extension of a Temporary Construction Easement for Right-of-Way #12082-L1 (CSX Transportation, Inc.), for the Beaver River Bridge replacement project, to extend the term of the easement for an additional three (3) years, authorizing payment of \$11,016.00 representing fair market value to CSX Transportation, Inc.; authorize the appropriate Commission officials to execute the required Temporary Construction Easement Agreement and other documents that may be required for closing; authorize the payment of additional statutory damages as calculated by the Right-of-Administrator and approved by the Chief Counsel; and payment of fair market value is contingent upon the delivery of a Temporary Construction Easement Agreement as approved by the Legal Department;
- c. Acquisition of Right-of-Way #7015-RD (Wayne R. & Nancy J. Stephenson), a partial take parcel necessary for the Buck Road Bridge replacement project at MP 348.25, by authorizing payment of \$21,526.29 representing fair market value and pro-rated taxes to Wayne R. & Nancy J. Stephenson; 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.

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



ADVERTISING

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

- a. Application Development Work Order Services;
- b. Cell Tower Lease Consultant.

-was made by Commissioner Logan, seconded by Commissioner Deon, 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 “e”:

- a. Splunk Cloud Subscription, exercising the option to renew the agreement for an additional year (through September 29, 2024) with Insight Public Sector, Inc.; at a cost of \$125,675.00.
- b. Intelligent Transportation Systems and IoT eastern roadside fiber optic network equipment to connect roadside devices between Plymouth Maintenance Facility and Trevoise Maintenance Facility onto the new distribution fiber, utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a cost of \$475,384.75;
- c. Tire re-tread contract, exercising the option to renew the agreement for an additional year (November 2023 – October 2024) with Good Tire Services; at a cost of \$140,000.00;
- d. Swaploader stakebody with liftgate, Swaploader rollback with beavertail and Swaploader SL222; utilizing the Commonwealth’s contract with US Municipal Supply Inc.; at a cost of \$160,879.00;
- e. Motor oil, grease and lubricants (November 2023 - October 2024), to the lowest responsive and responsible bidders; and approval for staff movement of funds between contracts as needed during the contract term:

PetroChoice LLC	\$ 22,000.00
PPC Lubricants Inc.	\$ 48,000.00
Safety-Kleen System, Inc.	\$155,000.00
CONTINGENCY	<u>\$ 25,000.00</u>
TOTAL	\$250,000.00

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



AWARD OF CONTRACTS

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

- a. Contract #EN-00309-03-04 for bridge repairs between MP 236.22 and MP 356.42 and between MP H40.38 and MP H43.44, to the lowest responsive and responsible bidder, J.P.S. Construction Co., Inc.; at a not-to-exceed amount of \$2,500,000.00;
- b. Contract #EN-00309-03-05 for bridge repairs between MP A20.00 and MP A130.64, to the lowest responsive and responsible bidder, J.P.S. Construction Co., Inc.; at a not-to-exceed amount of \$2,500,000.00;
- c. Contract #EN-00309-03-02 for bridge repairs between MP 0.00 and MP 109.91, Toll I-376, Turnpike 576, Turnpike 43 and Turnpike 66, to the lowest responsive and responsible bidder, J.P.S. Construction Co., Inc.; at a not-to-exceed amount of \$1,500,000.00;
- d. Contract #EN-00309-03-03 for bridge repairs between MP 109.91 and MP 236.22, to the lowest responsive and responsible bidder, J.P.S. Construction Co., Inc.; at a not-to-exceed amount of \$1,500,000.00;
- e. Contract #A-105.11S001-3-02 for replacement of bridge #NB-637 at MP A105.11 and replacement of bridge #NB-638 at MP A105.33, to the lowest responsive and responsible bidder, H&K Group, Inc.; at a not-to-exceed amount of \$15,727,892.81 and a contingency of \$750,000.00;

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

Motion-That the Commission approve the Award of Contract for the item listed in memo “f”:

- f. Contract #M-052.50X002-3-16 for construction of the Mon/Fayette Expressway SR 0043, Section 53A2 between MP M54.27 and MP M57.53, to the lowest responsive and responsible bidder, Trumbull Corporation; at a not-to-exceed amount of \$165,542,113.76 and a contingency of \$8,000,000.00.

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

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



AWARD OF SERVICES

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

- a. T00248, Open-end construction management and inspection services between MP 0.00 and MP 200.00, I-376, Turnpike 576, Turnpike 66 and Turnpike 43:

- Stahl Shaeffer Engineering-AWARDED
- H.W. Lochner, Inc.
- Quality Engineering Solutions, Inc.

Staff briefing by Brad Heigel

The Commission has selected firm Stahl Shaeffer Engineering 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. Stahl Shaeffer Engineering has a large Pennsylvania presence and current workload can justify additional work.

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

- b. T00249, CY 2024-2025 systemwide biennial bridge inspection:

- STV Incorporated-AWARDED
- WSP USA Inc.
- Larson Design Group, Inc.

Staff briefing by Brad Heigel

COMMISSIONER LIEBERMAN: Do we inspect all the bridges/walls every 2 year?

BRAD HEIGEL: The inspection is once every two-year cycle for the items that are within the criteria.

The Commission has selected firm STV Incorporated 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 all materials submitted. STV Incorporated has a significant Pennsylvania presence in multiple offices across PA.

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

- c. RFP #10874, contracted spill response team-Area 5:

- Rapid Response and Environmental Waste Minimization, Inc.-AWARDED

Staff briefing by Tom Macchione

COMMISSIONER LIEBERMAN: How often are these firms called out for action.

CRAIG SHUEY: It varies section to section, possibly weekly.

The Commission has selected Rapid Response and Environmental Waste Minimizations, Inc. for award based on the Commission's determination that the firms' proposal is advantageous to the Commission as determined by the Commission based on its review of all materials submitted and the firm's performance history for the Commission.

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, November 7, 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 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