

## MINUTES OF THE COMMISSION MEETING HELD JANUARY 3, 2023

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:00 a.m. on Tuesday, January 3, 2023 at the Central Office located in Middletown, Pennsylvania. Present for the meeting was Pasquale T. Deon, Sr., Commissioner. Available via telephone were Wadud Ahmad, Chair; William K. Lieberman, Vice Chair; Sean Logan, Secretary Treasurer; and Yassmin Gramian, P.E., Secretary of Transportation.

Also available for the meeting were Mark Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; 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; Tom Porter, Michael Baker Int'l.; and Ann Louise Edwards, Financial Specialist.

Others available via telephone were Anna Marcella, Executive Administrative Assistant (in person); Don Klingensmith, Asst. CFO-Financial Administration (in person); Daniel Russell, Consultant (in person); Gina Murray, Manager of Professional Services Procurement; Holly Herdman, Business Improvement & Analytics Manager; Jeff Naugle, Manager of Treasury Operations (in person); Joe Sutor, Planning & Environmental Manager; Kelly Horvath, Executive Administrative Assistant; Kevin Scheurich, Asst. Chief Engineer/Design (in person); Nick Noss, Senior Engineer Project Manager (in person); Steve Marroni, Communications Specialist (in person); Sean Laudenslager, End User Support Supervisor (in person); Steve Barber, Michael Baker Int'l. (in person); Alyssa Barlup; Ann Mark, McCormick Taylor; Bernie Bydlon, Navarro & Wright; Brad Milbrand, CAI; Brian Kimmitt, RTL; Cheryl Teamann; Chris Williams; Christopher Bauer; Daniel Obrien, RBC; Dave Snively, CDR Maguire; Dean Mackin, Mackin Engineers; Dean Morrison, Alfred Benesch; Don Davanzo, SPK; Don Killmeyer, MS Consultants; Ed Blazina, Pittsburgh Post-Gazette; Eric Madden, JMT (in person); Gary Graham; Gary Harriger, Arora and Associates; Gary McNaughton; Irene Eells, JMT; J. Perrego, WBCM; Jack Mitchell; Jason Bono; Jeff Hans, HDR; J. Frank, Lehman Engineers; Jeff Davis, TransSystems (in person); Jim O'Mara; J.T. Lincoln, Dewberry; KP Chopra; Lou Cortelazzi, McMahan Associates; Marty Malone; Master Sergeant Eric Myers (in person); Matthew Kusic, SAI; Michele Donaghy, T.Y. Lin; Michele Girolami, Gibson Thomas; Mike Houser, Markosky; Mike Mecca, LaBella; Pat McCabe, GPI; Paul McNamee, KCI; Roger Eaton, HDR; Ronald Huey, GAI; Samuel Knaster, LaBella; Sean Sawford; Seemon Georges, Volkert; Stephen Janosko, Mackin; Rachel Perego, Susquehanna Civil; Thomas Cushman, AECOM; Tom Rowader, GPI; D.E. Veydt; and Wally Lorence, GeoMechanics.



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



The Financial Specialist, 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 an annuitant, department reorganization, education assistance program, new hires, promotions, and vacancies.

The Commissioners also discussed Docket No. 2021-03199-TT 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.

The Commission recognized Master Sargent Eric Myers. Mr. Myers is active in the Air Force and expressed his concern regarding the cost of tolls for active-duty military.



MINUTES OF THE MEETING

Motion-That the revised Minutes of the October 4, 2022 meeting (to accurately reflect Commissioner Logan's abstention) and Minutes of the meeting held December 20, 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 memo received from the Chief Counsel-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.



POLICY LETTER

Motion-That the Commission approve the revisions to Policy 2.18, Partial and Full-Day Closings, to update policy title and the responsible department, to expand the scope and procedures to include part-time employees, telework eligible and non-telework eligible positions, to indicate what procedures employees should follow in the event of a Commission location closure depending on essential/non-essential and telework/non-telework eligible designations, and to update possible leave usage requirement.-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



IAG

Motion-That the Commission approves payment of the 2023 E-ZPass Interagency Group's (IAG) annual assessment for our participation in the E-ZPass Interagency Group, in the amount of \$80,000.00-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 "f":

- a. Acquisition of Right-of-Way #7131-B (Christopher McMahon), a partial take parcel necessary for construction of the I-95 Interchange, Section D30, by authorizing payment of \$14,036.00 representing fair market value and pro-rated taxes to Christopher McMahon; 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. Settlement and Release of Right-of-Way #11139-A (Michael W. Leckwart and Joseph S. Beatty), for drainage matters adjacent to MP B18.00 on the Beaver Valley Expressway, by authorizing payment of \$231,000.00 for full and final release payable to Michael W. & Karen Leckwart and Joseph & Bobby Jo Beatty; authorize the execution of a Deed of Drainage Easement and a full

and final settlement and release of all current future claims arising out of drainage leaving the PTC limited access right-of-way and entering the owners' property; and authorize the appropriate Commission officials to execute all necessary agreements as prepared by the Legal Department;

- c. Acquisition of Right-of-Way #14S447 (Todd Alan Bickerton), a partial take parcel necessary for construction of the Mon-Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$500.00 representing fair market value to Todd Alan Bickerton; authorize the appropriate Commission officials to execute the Temporary Construction Easement and other documents that may be required for closing; authorize 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 Temporary Construction Easement as prepared by the Legal Department;
- d. Acquisition of Right-of-Way #7135-C5 (Melissa Parker), a partial take parcel necessary for construction of the I-95 Interchange, Section D30, by authorizing payment of \$20,240.00 representing fair market value and pro-rated taxes to Melissa Parker; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that may be required for closing; authorize 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 #7080-A2 (General Machine Products (KT), LLC - Principals, Thomas R. Klein, Jr.; Leah Klein Fox; Matthew J. Thomason; Kurt J. Owen; F. Ernest Pawelczyk; Robert J. Vechiola), a partial take parcel necessary for the I-95A, Ramp D reconstruction project, by authorizing payment of \$1,800.00 representing fair market value to General Machine Products (KT), LLC.; authorize the Commission officials to execute the Temporary Construction Easement 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 Temporary Construction Easement as approved by the Legal Department;
- f. Convey substitute Right-of-Way (for construction of the Mon/Fayette Expressway) to Peoples Natural Gas Company, LLC, by authorizing the appropriate Commission officials to execute the required Right-of-Way Agreements as approved by the Legal Department for the following parcels:

<u>R/W #</u>	<u>PROPERTY OWNER</u>
14402	PTC (formerly Dick Corporation)
14S004	PTC (formerly Rochez)
14S020	PTC (formerly Gouker/Pennel)
14S022	Walter, Carl A. & Hazel M.
14S031	PTC (formerly Robinson)
14S204	PTC (formerly 1125 Camp Partners, LLC)
14S209 & 14S209A	PTC (formerly Mauro/Sparaga/Hoglund)
14S253	Banana in the Tailpipe, LLC

14S374	Carr, Richard R.
14S280	PTC (formerly Smith)
14S281	PTC (formerly Wright)
14S282	PTC (formerly Oakhurst Management, Inc.)
14S283	TLC Properties, Inc.
14S287	PTC (formerly Wilson)
14S288	Equitable Gas, Co.
14S290	Glenwood Dravosburg Electric Street Railway Company
14S291	PTC (formerly Wilson)
14S292	Andrew V. Borriello
14S379	PTC (formerly Borriello)
14S313	Duquesne Light Company
13S320	PTC (formerly Stewart)
14S322	PTC (formerly Yatsko)
14S330	PTC (formerly Kusko)
14S604	PTC (formerly Loncaric)
14S605 & 14S605A	PTC (formerly the School District of the Borough of West Mifflin)
14S618	PTC (formerly Festival Fun Parks, Inc.)
14S620	IBIS Kennywood, LLC

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



ADVERTISING

Motion-That the Commission approve advertising for the Mon/Fayette Expressway, S.R. 0043, Section 53C3 between MP M51.52 and MP M55.35.-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approve the Change Order and Issuance of Purchase Orders for the items listed in memos “a” and “b”:

- a. OnBase Document Management software maintenance and support, exercising the option to renew the agreement for an additional year (February 2023 - January 2024) with KeyMark IMR, Inc.; at a cost of \$104,586.97;
- b. Palo Alto Network subscription with ePlus Technology, Inc., for Firewalls and an Enterprise Service/License agreement to support the Network Segmentation project through December 2028; at a cost of \$12,709,932.29.

-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” through “c”:

- a. Contract #T-114.00R001-3-02 for shoulder and slope rehabilitation between MP 114.20 and MP 120.20, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$12,925,000.00 and a contingency of \$650,000.00;
- b. Contract #T-180.00R002-3-02 for asphalt resurfacing between MP 179.91 and MP 184.24, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$31,925,000.00 and a contingency of \$1,600,000.00;
- c. Contract #T-148.06S001-3-02 for the replacement of Bridge B-140 at MP 148.06, to the lowest responsive and responsible bidder, Cottles Asphalt Maintenance, Inc.; at a not-to-exceed amount of \$10,976,547.42 and a contingency of \$450,000.00.

-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” through “e”:

- a. Change Order #2 and Final Payment for Contract #T-123.00R002-3-02 for asphalt resurfacing between MP 121.84 and MP 131.50 with New Enterprise Stone & Lime Co. Inc., for an increase of \$251,353.60 for normal quantity adjustments and pavement patching; for a final contract value of \$7,706,981.38 and final amount due to the contractor of \$512,727.36;
- b. Change Order #2 and Final Payment for Contract #EN-00277-03-07 for roadway and miscellaneous repairs between MP A31.34 and MP A130.64 with New Enterprise Stone & Lime Co. Inc., for a decrease of \$336,484.36 to reflect the actual cost of the completed work authorizations; for a final contract value of \$6,663,515.64 and final amount due to the contractor of \$333,175.78;
- c. Change Order #20 for Contract #S-006.00X002-3-10 for construction of the Southern Beltway, Section 55C2-1, MP S17.04 to MP S19.23 with Walsh Construction Company, for an increase of \$3,338,718.12 for normal quantity adjustments, basin work, shoulder work, topsoil preparation for seeding, additional milling and paving and OCIP insurance costs; for a revised not-to-exceed amount of \$187,684,631.42;
- d. Change Order #14 and Final Payment for Contract #T-355.00P001-3-14 for widening and reconstruction of S.R. 0095, Section D20, with James D. Morrissey, Inc., for a decrease of \$246,849.22 for normal quantity adjustments, embankment work, soil testing, extension to inspection facility, drainage and PECO service additional costs; for a final contract value of \$121,431,057.24 and final amount due to the contractor of \$96,419.54;

- e. Change Order #1 for Contract #EN-00272-03-04 for bridge repairs between MP 236.22 and 358.11, and MP H40.83 and H42.54 with J.P.S. Construction Co., Inc., for a 117-day time extension due to material delays.

-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. T00210, Design services for the total reconstruction and widening project from MP 155.60 to MP 161.00:
  - MS Consultants, Inc.-AWARDED
  - Dewberry Engineers, Inc.
  - Gibson-Thomas Engineering Company, Inc.

-after staff briefing and deliberation, a motion was made by Commissioner Logan, seconded by Commissioner Deon. The Commission has selected firm MS Consultants, 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 material submitted. The firm has demonstrated it exceeds the requirements of this project and has performed very well on its current project, with similar services, thus demonstrating the ability to deliver the required services. MS Consultants, Inc. has teamed up with subconsultant Azalea Group which is a Women Owned firm. Furthermore, MS Consultants, Inc's most recent new contract with the Commission was executed in May of 2014.

- b. T00221, Storage tank management/environmental services systemwide:
  - GAI Consultants, Inc.-AWARDED
  - Skelly and Loy, Inc.

-after staff briefing and deliberation, a motion was made by Chair Ahmad, seconded by Commissioner Deon.

COMMISSIONER LOGAN: I abstain on this item because GAI Consultants, Inc. and Skelly and Loy, Inc. are both members of the Monroeville Chamber of Commerce.

The motion passed.

The Commission has selected firm GAI Consultants, 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. GAI Consultants, Inc. current contracts with the Commission total less than \$4.5 million which is lower than the other Highly Recommended firm.

- c. T00196, Preliminary and final design services for the Allegheny Tunnel transportation improvements:
  - McMahon Associates, Inc.-AWARDED

- Johnson, Mirmiran & Thompson, Inc.

-after staff briefing and deliberation, a motion was made by Commissioner Logan, seconded by Commissioner Deon; and passed unanimously. The Commission has selected McMahon Associates, 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. McMahon Associates, Inc. currently holds contracts with the Commission totaling less than \$3 million dollars which is much lower than the other Highly Recommended firm.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, January 17, 2023 beginning at 11:00 a.m.



POST

Bradley J. Heigel, P.E., Chief Engineer, introduced Tom Porter, Michael Baker Int'l. Tom Porter reviewed the 2022 Strategic Performance Report.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:34 a.m.-was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards  
Financial Specialist

Sean Logan  
Secretary Treasurer



ATTACHMENTS:

Memo received from the Chief Counsel