

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 19, 2023

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:21 a.m. on Tuesday, December 19, 2023 at the Central Office located in Middletown, Pennsylvania. Present for the meeting was Michael Carroll, Chair. Available via telephone were 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; Doreen McCall, Chief Counsel; Kelli Roberts, Chief Strategy and Communications Officer; 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 Porter, Michael Baker Engineering, and Ann Louise Edwards, Asst. Secretary Treasurer.

Others available via telephone were Daniel Russell, Consultant (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); Keith Meehan, Consultant (in person); Kelly Horvath, Executive Administrative Assistant (in person); Kevin Scheurich, Asst. Chief Engineer/Design (in person); Nerma Gobeljic, Finance Trainee (in person); and Steve Marroni, Communications Specialist (in person). Brad Milbrand, HDR; Brad McCullough, HDR; Brian Kimmett, RTC (in person); Camille Evans, Endow Law (in person); Chris Messner, GPI; Crystalann Deardorff, Susquehanna Civil; Jeff Davis, TranSystems; Jim Brady, STV; Kari Gregory; Meg Sherman, TranSystems; Roger Eaton, HDR; and Sarah Snyder, Ramirez & Company.



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 retention of an annuitant, trainee salary rates, new hires, promotions, vacancies and a request to create, post and fill a position in the Information Technology Department.

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.

Rock the Capital live streamed the meeting.



MINUTES OF THE MEETING

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



INVOICE

Motion-That the Commission approve payment of the 2023 Notice of Assessment from the Bureau of Workers' Compensation for the operating & administrative expenses of the Dept. of Labor and Industry including the Workers' Compensation Appeal Board and staff, in the amount of \$46,011.00-was made by Commissioner Deon, seconded by Commissioner Leaphart, and passed unanimously.



AGREEMENT

Motion-That the Commission approve the negotiation and execution of an Assignment Agreement with PA 001 LLC d/b/a Fully Promoted of Lancaster (PA 001), to assign its contract to Landis Uniforms, Supplies & Gear LLC d/b/a Fully Promoted of Lancaster (LUSG) due to LUSG's acquisition of PA 001-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" and "b":

- a. Acquisition of Right-of-Way #15014-B (Jeffrey L. & Robin A. Lake), a total take parcel necessary for the construction of the Irwin Interchange project at MP 063.00, SR 130, by authorizing payment of \$147,518.01 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;

- b. Acquisition of Right-of-Way #15008-M (USA Valley Facility, Inc.; James A. Wilson, John Andrascik, Karen Sherry & Alisa Carr), a partial take parcel necessary for the Total Reconstruction project at MP 57.00 to MP 67.00 and the Harvison Road Bridge Elimination project by authorizing payment of \$1,624.00 representing fair market value and pro-rated taxes to USA Valley Facility, Inc.; also authorize payment of \$81.25 representing recording fees to Westmoreland County Recorder of Deeds; 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 Deon, seconded by Commissioner Leaphart, and passed unanimously.



POLICY LETTER

Motion-That the Commission approve the revisions to Policy Letter 2.11, Health Insurance Portability and Accountability Act (HIPAA), to expand the scope of the policy to include individual’s rights to the Protected Health Information (PHI), change HIPAA Privacy Officer to Program Manager of Benefits and Retirement, expand and clarify definitions, update the procedures section, and define the responsibilities of the departments and employees-was made by Commissioner Deon, seconded by Commissioner Leaphart, and passed unanimously.



PURCHASE ORDERS

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

- a. BeOn Radios-FirstNet with L3Harris Technologies, Inc., to include additional chargers, equipment and licenses for talkpath; at a cost of \$73,201.00;
- b. IT VMWare consulting services with Commonwealth of PA, Office of Administration, exercising the option to renew the agreement through June 30, 2025; at a cost of \$436,300.00;
- c. Trash & refuse removal service, exercising the option to renew the agreements for an additional year (December 31, 2023 through December 31, 2024):

Waste Management of PA, Inc.	\$185,000.00	Districts 1, 3, 4 & 5
Weavers Sanitation Services, Inc.	<u>82,000.00</u>	District 2
TOTAL RENEWAL	\$267,000.00	
- d. Job order contracts (general, electrical, plumbing, and HVAC), exercising the option to renew the agreements for an additional year (January 1, 2024 through December 31, 2024); and permit staff to move funds between service contracts as needed during the contract term:

Clark Contractors	\$12,575,000.00
Schultheis/TSB	2,750,000.00
Manada Electric	0.00
IB Abel	300,000.00
MARC Service	<u>500,000.00</u>
TOTAL RENEWAL	\$16,125,000.00
- e. Rubrik Enterprise edition software and hardware (for cyber security), exercising the option to purchase additional licensing with ePlus Technology, Inc.; at a cost of \$98,500.00;
- f. Internet router upgrade, utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a cost of \$171,829.56;
- g. Open-End drilling contract, to the lowest responsive and responsible bidder, TRC Engineers, Inc.; at a total award of \$900,000.00;

- h. Eight (8) Chevy trades vans, utilizing the Commonwealth’s contract with Apple Chevrolet/Westgate Chevrolet, Inc.; at a cost of \$450,854.40;
- i. Facilities open-end contracts for capital replacement, upgrade and repair services (January 1, 2024 through December 31, 2025), to the lowest responsive and responsible bidders; and permit staff to move funds between service contracts as needed during the contract term:

Clark Contractors	\$ 3,610,000.00
Schultheis/TSB	1,500,000.00
McKamish, Inc.	500,000.00
MARC Service	100,000.00
GR Sponaugle & Sons, Inc.	70,000.00
3B Services, Inc.	170,000.00
The U Company LLC	5,500,000.00
MAPM Tree LLC	<u>8,000,000.00</u>
TOTAL AWARD	\$19,450,000.00
- j. Safety-compliance services (January 1, 2024 through September 30, 2025), to the lowest responsive and responsible bidder, Alan Tye & Associates LC; at a cost of \$400,000.00.
- k. Beyond Trust software, exercising the option to renew the Password Safe and Privilege Authentication Manager license (January 1, 2024 – December 31, 2024) with CDW Government LLC/CDW LLC; at a cost of \$161,911.00.

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



AWARD OF CONTRACTS

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

- a. Contract #EN-00267-03-02 for the installation of Intelligent Transportation Systems between MP 111.50 and MP 258.70, to the lowest responsive and responsible bidder, Power Contracting Company; at a not-to-exceed amount of \$2,852,460.05 and a contingency of \$160,000.00;
- b. Contract #T-259.42S001-3-02 for the scour protection and repairs for Bridge No. EB-402 at MP 259.42, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$775,000.00 and a contingency of \$35,000.00.

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



SUPPLEMENTAL AGREEMENTS

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

- a. Supplemental Agreement #1 for Contract #EN-00285-01 with Transystems Corporation Consultants for the Systemwide Biennial Bridge Inspection, to complete the work of the project, including expended inspection of open road tolling structures recently constructed, multiple visits to sign structures and bridges due to limited availability by Maintenance to provide MPT, response to multiple emergency situations including design and field work with repairs, and load rating updates for FHWA and PennDOT policy changes; for an additional \$700,000.00, for a revised not-to-exceed amount of \$5,700,000.00;
- b. Supplemental Agreement #1 for Contract #H-043.40S001 with HDR Engineering, Inc. for the replacement of the Delaware River Bridge at MP H-43.40 necessary for the additional effort to complete the preliminary engineering design; for an additional \$28,000,000.00, for a revised not-to-exceed amount of \$38,000,000.00;
- c. Supplemental Agreement #14 for Contract #T-355.00P002-1 with KCI Technologies, Inc. for environmental services for the I-95/I-276 Interchange project, to provide additional services for Stage 2 environmental work, including multiple re-evaluations and Stage 3 of the Delaware River Bridge (DRB), including Supplemental EIS, ongoing permitting (wetland, stream and terrestrial mitigations tracking), construction consultation, environmental analysis, including significant Archeology studies, and public and agency coordination; for an additional \$4,000,000.00, for a revised not-to-exceed amount of \$22,054,094.70.

-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, January 2, 2024 beginning at 11:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:27 a.m.-was made by Commissioner Deon, seconded by Commissioner Leaphart, 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