

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 21, 2021

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:08 a.m. on Tuesday, December 21, 2021 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were Yassmin Gramian, Chair; William K. Lieberman, Vice Chair and Pasquale T. Deon, Sr., Commissioner.

Also available for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Bradley J. Heigel, P.E., Chief Engineer; Carl DeFebo, Jr., Director of Public Relations & Marketing (via telephone); Charles Duncan, Chief Compliance, Legislation and Cultural Affairs (via telephone); Doreen McCall, Chief Counsel; Kelli Roberts, Director of Policy and External Affairs (via telephone); Rick Dreher, Chief Financial Officer (via telephone); Robert Brady, Director of Operations/Projects-East (via telephone); Robert Taylor, Chief Technology Officer (via telephone); Stacia Ritter, Esq., Asst. Chief Operating Officer/Toll Collection (via telephone); Steve Barber, Michael Baker Int'l. (via phone); Thomas Porter, Michael Baker Int'l. and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via telephone were Don Klingensmith, Asst. Chief Fin. Officer for Financial Administration (in person); Jeff Naugle, Manager of Treasury Operations; Kelly Horvath, Executive Administrative Assistant (via telephone); Sean Laudenslager, End User Support Supervisor (in person); Andrew Kwarcinski, New Enterprise Stone & Lime; Craig Beissel, Volkert; Don Killmeyer, ms consultants; Ed Reese, GPD Group; Eric Madden, JMT; Jason Gagen, Greenman-Pedersen; Joseph DiFiore, Wallace Pancer Group; JT Lincoln, Dewbury; Karen Gabel, Erdman Anthony; Michele Donaghy, T.Y. Lin; Mike House, Modjeski & Masters; Paul McNamee, KCI; Pete Capizzi, Quality Engineering; Roger Eaton, HDR; Samantha Osbourne, Virtus, LLP; Sarah Cassi; and Scott Rocuskie, New Enterprise Stone & Lime.



Chair Gramian 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 promotion, reclassification, vaccination incentive program, new hires, vacancies and a request to create, post and fill a position in the Finance and Administration 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.

No requests to address the Commission.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held December 7, 2021 be approved and filed as submitted-was made by Commissioner Lieberman, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATION

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



CHANGE ORDERS/FINAL PAYMENTS

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

- a. Change Order #1 and Final Payment for Contract #EN-00115-03-18 for the installation of signs between MP M0.00 and MP M53.20 with Green Acres Contracting Co., Inc., for a decrease of \$42,141.55 to balance items to actual work completed, conduit, trenching and backfilling, fencing, saw cutting and material costs for sign #32; for a final contract value of \$1,441,770.53 and final amount due to the contractor of \$92,368.27;
- b. Change Order #11 for Contract #T-186.20S004-3-02 for the rehabilitation of the Tuscarora Tunnel and Bridges B-561 and B-562 between MP 185.89 and MP 187.49 with Mosites Construction Company, for an increase of \$203,257.18 for removal of the East Portal brick façade due to bulging; for a revised not-to-exceed amount of \$113,472,146.00;
- c. Change Order #3 for Contract #A-120.40R002-3-02 for bituminous resurfacing between MP A120.40 and MP A128.05 with New Enterprise Stone & Lime Co., Inc., for an increase of \$408,236.79 to replace a deteriorating pipe, tree trimming and removal, mortar repairs and concrete repairs; for a revised not-to-exceed amount of \$20,881,105.79;
- d. Change Order #13 and Final Payment for Contract #T-202.00T001-3-02 for roadway and bridge reconstruction from MP 201.74 to MP 206.89 with New Enterprise Stone & Lime Co., Inc., for an increase of \$3,763.78 to balance items to actual work completed, changes for pipe cleaning, seeding and mulching and a filter sock; for a final contract value of \$75,379,262.50 and final amount due to the contractor of \$77,562.93.

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



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreements, Supplemental Agreements, a Supplemental Agreement, and an Amendment and the Issuance of Financial Solicitations for the items listed in memos “a” through “e”:

- a. Assignment Agreement with Wells Fargo Bank, N.A. to assign the active contracts for Corporate Trust Services to Computershare Corporate Trust due to its acquisition of Wells Fargo Bank Corporate Trust Services division;
- b. Request for our financial advisors (Phoenix Capital Partners, LLP and Public Resources Advisory Group, Inc. (PRAG)) to issue Requests for Information or similar such solicitations, as may become necessary and appropriate, for various refinancing ideas, proposals, bids or other forms of refinancing, credit enhancement and/or liquidity facilities with respect to any existing Commission issued variable rate debt;

- c. Supplemental Reimbursement Agreement with Pennsylvania Electric Company (Penelec), for the Commission to reimburse Penelec a portion of the cost for the engineering and utility relocation at MP 148.06, for an increase of \$10,170.15 to subcontract out work to meet PTC project schedule; for a revised not-to-exceed amount of \$35,170.15;
- d. Agreement with the PA Air National Guard to set up an E-ZPass account;
- e. Amendment to our agreement with the Pennsylvania Department of Transportation (PennDOT) for the pre-entry installation project, to extend the agreement through December 2022 to install the remaining Dynamic Message Sign in District 5 that is delayed due to material shortages.

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



#### RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos “a” through “m”:

- a. Acquisition of Right-of-Way #11010-B (Robert W. & Beth A. Kindelberger), a total take parcel necessary at MP 2.28 by authorizing payment of \$689.76 representing fair market value and pro-rated taxes to Robert W. & Beth A. Kindelberger; 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 is contingent upon the delivery of a deed as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #15008-C1 (Barbara A. Legnine), a total take parcel necessary for the total reconstruction from MP 57.00 to MP 67.00 by authorizing payment of \$150,188.01 representing fair market value and pro-rated taxes to Barbara A. Legnine; 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;
- c. Acquisition of Right-of-Way #14S368 (James V. & Deborah S. Miller), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$106,508.03 representing fair market value, pro-rated taxes and recording fees to Arrow Land Solutions, LLC, escrow agent; also authorize payment of \$35,000.00 representing replacement housing supplement to James V. & Deborah S. Miller; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents 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;

- d. Acquisition of Right-of-Way #9006-RC (Richard A. Alley, Trustee of the Richard A. Alley Revocable Trust), a partial take parcel necessary for the bridge replacement project at MP A105.11 by authorizing payment of \$507.50 representing fair market value and pro-rated taxes to Richard A. Alley; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents 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;
- e. Acquisition of Right-of-Way #14S101 (Frank & Theresa Ciccanti), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$45,561.00 representing fair market value, pro-rated taxes and personal property loss to Frank & Theresa Ciccanti; also authorize payment of \$181.75 representing recording fees to the Allegheny County Department of Real Estate; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents 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;
- f. Declaration of Restrictive Covenants for Conservation necessary for the total reconstruction project from MP 123.00 to MP 131.00, to meet the requirements of the Clean Water Act as required by the U.S. Army Corps of Engineers; and authorize the appropriate Commission officials to execute the Declaration of Restrictive Covenants for Conservation as prepared by the Legal Department and approved by the U.S. Army Corps of Engineers;
- g. Adopt the proposed Property Acquisition Resolutions for Right-of-Way #14S020 and Right-of-Way #14S059 (Eileen V. Pennell; SBA Towers, Inc.), partial take parcels necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$107,800.00 representing estimated just compensation to Eileen V. Pennell; also authorize payment of \$18,200.00 representing estimated just compensation to SBA Towers, Inc.; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- h. Approve the drawings entitled, "Drawings for Reestablishing Limited Access Highway and Authorizing Acquisition of Right-of-Way in Montgomery County, Station 354+41.91 to Station 367+16.69, Length 1275.08 FT - 0.241 MI, Milepost A-26.3 to Milepost A-26.6", as prepared by the Engineering Department;
- i. Approve the drawings entitled, "Drawings for Reestablishing Limited Access Highway and Authorizing Acquisition of Right-of-Way for Contract No. T-249.70R001-4, Highspire Service Plaza Auxiliary Truck Parking, Milepost 249.7 to Milepost 249.9 in Dauphin County, Reestablishment Station 214+42.00 to Station 217+80.00, Length = 338.00 Feet = 0.064 Miles;

Authorization Station 214+42 to Station 217+80.00, Station 223+07.00 to Station 224+74.00, Length = 505.00 Feet = 0.096 Miles", as prepared by the Engineering Department;

- j. Approve the plans entitled, "Drawings for Reestablishing Limited Access Right-of-Way for SR 0043, Section 50B in Fayette County from Station 291+48.17 to Station 296+98.12, Length 549.95 Feet, 0.104 Miles, MP M-001.42 to MP M-001.52 and Authorizing Right-of-Way for SR 3002 (Gans Road) in Fayette County from Station 90+65.00 to Station 96+75, Length 610 Feet, 0.116 Miles, Segment 0064 Offset 1185 to Segment 0064 Offset 0575"; as prepared by the Engineering Department;
- k. Approve payment of statutory moving costs of \$47,350.00 to WJS Partnership, L.P. for the relocation of electrical services as necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment will be made upon the receipt of the final invoice for services rendered;
- l. Acquisition of Right-of-Way #6004-A (Timothy J. Gayanne L. Rubalcaba), a total take parcel necessary for the total reconstruction project from MP 298.00 to MP 302.00 by authorizing payment of \$692,374.75 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, Inc., 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 is contingent upon the delivery of a deed as prepared by the Legal Department;
- m. Acquisition of Right-of-Way #14S204 (1125 Camp Partners, LLC), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of up to \$4,000.00 representing Section 710 damages; and authorize the appropriate Commission officials to execute the Access Agreement (needed to conduct geotechnical studies) as approved by the Legal Department.

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



#### SUPPLEMENTAL AGREEMENTS

Motion-That the Commission the negotiation and execution of the Supplemental Agreements as listed in memos "a, c and d":

- a. Supplemental Agreement #1 for open-end design services systemwide with Gibson-Thomas Engineering Co., Inc., for an increase of \$850,000.00 to continue development and presentation of Technical Training Modules for the Engineering staff and advancement of the MP 238.00 access ramps as a current Digital Delivery Pilot; for a revised not-to-exceed amount of \$2,350,000.00;

- c. Supplemental Agreement #1 for design services for the total reconstruction project from MP A44.00 to MP A48.00 with Traffic, Planning and Design, Inc., for an increase of \$5,000,000.00 for the final design of this four-mile reconstruction project that includes two (2) structures, three (3) culvert extensions, a retaining wall and a noise wall; for a revised not-to-exceed amount of \$15,000,000.00;
- d. Supplemental Agreement #4 for design services for the total reconstruction project from MP 149.00 to MP 155.00 with GAI Consultants, Inc., for an increase of \$1,800,000.00 for the final design including major changes to the design, standards, permitting and contract documents; for a revised not-to-exceed amount of \$21,300,000.00.

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

Item F-4b was removed from the Agenda

- b. **REMOVED.** Supplemental Agreement #1 for design services for the total reconstruction project from MP A48.00 to MP A53.00, with Jacobs Engineering Group, Inc. for an increase of \$12,000,000.00 for the final design of a five-mile reconstruction project that includes five (5) structures, seven (7) culverts, twenty-two (22) retaining walls and twenty-five (25) noise walls; for a revised not-to-exceed amount of \$24,000,000.00;



#### PURCHASE ORDERS

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

- a. Auto transfer switch system (Newville Maintenance Facility), utilizing the Commonwealth’s contract with Schultheis Electric/TSB, Inc.; at a cost of \$232,690.00;
- b. Pure Storage service (January 2022 – January 2025), utilizing the Commonwealth’s contract with SHI International Corp.; at a cost of \$146,861.00;
- c. Toll plaza cameras, utilizing the Commonwealth’s contract with Signal Service, Inc.; at a cost of \$223,116.00;
- d. Beyond Trust software with CDW Government LLC (originally procured via the Commonwealth’s contract), for servers, installation services, license fees and support/maintenance for the implementation of new Password Safe Authentication Manager (January 2022 – December 2022); at a cost of \$472,615.00;
- e. Facilities capital replacement, upgrade and repair services, exercising the option to renew the agreements for two years (January 2022 – December 2023); and approval for staff movement of funds between contracts as needed during the contract term:

<u>ELECTRICAL</u>	<u>DISTRICT</u>	<u>RENEWAL</u>
Schultheis Electric	1	\$1,000,000.00
Clark Contractors	2	100,000.00
Clark Contractors	3	50,000.00
Clark Contractors	4	50,000.00
Clark Contractors	5	50,000.00
<u>GENERAL</u>		
Clark Contractors	1	\$1,500,000.00
Clark Contractors	2	250,000.00
Clark Contractors	3	250,000.00
Clark Contractors	4	250,000.00
Clark Contractors	5	100,000.00
<u>LANDSCAPING</u>		
The U Company, LLC	1	\$250,000.00
The U Company, LLC	2	200,000.00
Strauser Natures	3	200,000.00
M&M Landscaping, LLC	4	200,000.00
Strauser Natures	5	200,000.00
<u>HVAC</u>		
McKamish, Inc.	1	\$500,000.00
MARC-Services, Inc	2	100,000.00
3B Services, Inc.	3	50,000.00
3B Services, Inc.	4	50,000.00
3B Services, Inc.	5	50,000.00
<u>PLUMBING</u>		
Clark Contractors	1	\$250,000.00
Clark Contractors	2	200,000.00
Clark Contractors	3	50,000.00
Clark Contractors	4	50,000.00
Clark Contractors	5	<u>50,000.00</u>
TOTAL RENEWAL:		\$6,000,000.00

- f. Inspection, cleaning and maintenance of water quality structures for three years (January 2022 – December 2024), to the lowest responsive and responsible bidder, Your Quality Solutions, Inc.; at a total cost of \$200,000.00;
- g. Fifteen (15) aluminum body upfits (for stakebody trucks), utilizing the Commonwealth’s contract with DK Hostetler, Inc.; at a cost of \$386,786.58;



- h. Septic tank services (February 2022 – January 2023), to the lowest responsive and responsible bidders:

Dalton Sanitary Service	\$ 22,940.00
Mr. John/Tri Boro	900.00
A-Septic Tank Services	41,860.00
Walters Environmental Svcs., Inc.	55,927.00
Rural Wastewater Mgmt., Inc.	12,694.50
Contingency	<u>27,000.00</u>
TOTAL AWARD/CONTINGENCY	\$161,321.50

- i. Smartwire access control system, utilizing the Commonwealth’s contract with Billows Electrical Supply Co., Inc.; at a cost of \$227,800.00;
- j. Informatica subscription license with CDW Government, LLC (originally procured via Commonwealth’s contract), for additional products that were not included in the renewal request; at a cost of \$231,260.05;
- k. Verizon Connect fleet telematics contract (January 2022 – December 2024), utilizing the Sourcewell Cooperative contract with Verizon Connect Telo, Inc.; at a cost of \$850,000.00.

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



CONTRACT AWARD

Motion-That the Commission approve the Award of Contract #A-104.00R001-3-02 for asphalt resurfacing between MP A107.11 and MP A115.02, to the lowest responsive and responsible bidder, Pikes Creek Site Contractors; at a not-to-exceed amount of \$11,567,425.81 and a contingency of \$550,000.00-was made by Commissioner Lieberman, seconded by Commissioner Deon, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, January 4, 2022 beginning at 11:00 a.m.



POST-FORMAL MEETING

Tom Porter, Michael Baker Int’l., presented the Strategic Performance Report to the Commissioners, staff and visitors.

ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:23a.m.-was made by Commissioner Lieberman, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards  
Assistant Secretary Treasurer

Wadud Ahmad  
Secretary Treasurer