

MINUTES OF THE COMMISSION MEETING HELD JANUARY 18, 2022

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:04 a.m. on Tuesday, January 18, 2022 at the Central Office located in Middletown, Pennsylvania. Available via telephone for the meeting were Yassmin Gramian, Chair; William K. Lieberman, Vice Chair; Wadud Ahmad, Secretary Treasurer 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 (via telephone); Carl DeFebo, Jr., Director of Public Relations & Marketing (via telephone); Charles Duncan III, Chief Compliance, Legislative & Cultural Affairs (via telephone); Doreen McCall, Chief Counsel (via telephone); Kelli Roberts, Director of Policy and External Affairs (via telephone); Rick Dreher, Chief Financial Officer; Robert Brady, Director of Operations/Projects-East (via telephone); Robert Taylor, Chief Technology Officer (via telephone); Stacia Ritter, Asst. Chief Operating Officer/Toll Collection (via telephone); Thomas Porter, Michael Baker Int'l. and Jeffrey Naugle, Manager of Treasury Operations.

Others available via telephone were Anna Marcella, Executive Administrative Assistant (in person); Cory Campbell, Senior Network Engineer (in person); Don Klingensmith, Asst. Chief Fin. Officer for Financial Administration; Kelly Horvath, Executive Administrative Assistant; Myneca Ojo, Cultural Inclusion Program Manager; Sean Laudenslager, End User Support Supervisor (in person); Dan O'Brien, RBC Capital Markets; Dylan Sands; Eric Madden, JMT; Eric Meyer, WRA, LLP; Joseph DiFiore, Wallace Pancer Group; Karen Gabel, Erdman Anthony; Michele Donaghy, T.Y. Lin; Mike House, Modjeski & Masters; Patrick Kane, GPI; Roger Eaton, HDR; Sarah Cassi, News Reporter and Vincent Jannetti.



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



The Manager of Treasury Operations, Jeff Naugle, called the roll and declared a quorum present. Mr. Naugle 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 new hires, vacancies and a request to create and fill a position in the Engineering 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

Mr. Naugle: 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 January 4, 2022 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Ahmad, 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 Ahmad, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



POLICY LETTER

Motion-That the Commission approves the revisions to Policy 5.03 (Access Control) to be updated and consolidated with Policy 6.03, (Management of PTC Turnpike Keys) to address the movement toward the use of access control cards for gates and building access; also rescind Policy 6.03 as it is now included in Policy 5.03.-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



AGREEMENTS

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

- a. Reimbursement Agreement with Colombia Gas of PA (Columbia Gas) to reimburse Columbia Gas the cost for the engineering and utility relocation work necessary for construction of the Mon/Fayette Expressway, Section 53-A1; at a not-to-exceed amount of \$1,544,340.00;
- b. Access and Ownership Agreement with Worcester Township (Township), the Township is constructing a sound barrier (MP A26.49- MP A26.65 southbound) and requested access to Commission right-of-way for construction; after construction of the sound wall, the Township will turn over maintenance and ownership to the Commission;
- c. Assignment Agreement with Hempt Bros., Inc. to assign its active contracts to New Enterprise Stone & Lime Co., Inc. (NESL), due to NESL’s acquisition of Hempt Bros., Inc.;
- d. Ownership Agreement with Allegheny County for a stormwater system that will collect and transport stormwater from a stormwater pond necessary for the Mon/Fayette Expressway, Section 53-C2 project; the Commission will construct the stormwater system and turn over maintenance and ownership to Allegheny County;
- e. Reimbursement Agreement with Pennsylvania American Water (PAWC), for PAWC to reimburse the Commission half the cost for the engineering and utility relocation necessary for construction of the Southern Beltway, S.R. 980; at an estimated reimbursement of \$392,800.00.

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

- a. Acquisition of Right-of-Way #14S016 (Vacant Land Now, LLC), a partial take parcel necessary for the Mon/Fayette Expressway, Rt. 51 to I-376 project, by authorizing payment of \$507.50 representing fair market value and pro-rated taxes to Vacant Land Now, 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 is contingent upon the delivery of a deed as prepared by the Legal Department;

- b. Acquisition of Right-of-Way #14S426 (Tri-COG Land Bank), a partial take parcel necessary for the Mon/Fayette Expressway, Rt. 51 to I-376 project, by authorizing payment of \$500.00 representing fair market value to Tri-COG Land Bank; authorize the appropriate Commission officials to execute the Temporary Construction Easement 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 owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #14S340 (Robert D. and Jill B. Oeler), a partial take parcel necessary for the Mon/Fayette Expressway, Rt. 51 to I-376 project, by authorizing payment of \$14,606.50 representing fair market value and pro-rated taxes to Robert D. and Jill B. Oeler; 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. Adopt the Proposed Property Acquisition Resolution for coal and mineral interests, including but not limited to construction coal owned by multiple individuals and entities necessary for the Mon/Fayette Expressway, Rt. 51 to I-376 Project, by authorizing payment not to exceed \$500.00 for each surface claim, representing payment of Estimated Just Compensation; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel to the following impacted parcels:

14393	Formerly Dick Corporation	14S324	Formerly Steiner
14491	Formerly Dick Corporation	14S325	Formerly Veseleny
14402	Formerly Dick Corporation	14S327	Formerly Nemchick
14S002	Formerly Voland	14S330	Formerly Kusko
14S003	Formerly Rochez	14S337	Formerly Pepke
14S004	Formerly Rochez	14S338	Baker, James C.
14S007	Duquesne Light Company	14S339	Formerly Thomas
14S008	Formerly White	14S345	Formerly Chuba
14S014	Formerly Owens	14S353	Formerly Borough of West Mifflin
14S015	Formerly Amicarella	14S354	Formerly Borough of West Mifflin
14S017	Formerly Sorrentino	14S380	Formerly Eagan
14S020	Pennell, Eileen V.	14S381	Formerly Yniguez
14S024	Formerly Betty Ann Bisacca	14S382	Formerly Hindmarch
14S031	Formerly Robinson	14S403	Formerly Gauss
14S051	Formerly United States Steel Corp.	14S605	Formerly West Mifflin Area School District
14S255	Formerly Zozom & Springer	14S711	Formerly United States Steel Corporation
14S256	Formerly Uhlyar	14S606	Commercial Net Lease Realty, Inc.
14S257	Formerly Pearson	14S608	Formerly Borough of West Mifflin
14S258	Formerly Williams	14S609	Formerly Dugan
14S262	Formerly Zeleznik Family Trust	14S610	Formerly Cardamone
14S267	Formerly Skiff	14S611	Formerly Tankersley
14S268	Formerly Lucko	14S612	Formerly Saporito
14S269	Formerly Hagerty	14S618	Formerly Festival Fun Parks, LLC

14S271	Formerly Schaeffer	14S671	Formerly Borough of West Mifflin
14S272	Formerly Union Realty Co. of Wash.	14S704	Ondo, John R. and Sherry A.
14S287	Formerly Wilson	14S322	Formerly Yatsko
14S291	Formerly Wilson	14S299	Formerly <b>Angerman &amp; Werwitzer Irrevocable Trust</b>
14S293	Formerly Estate of Berkley		

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



#### ADVERTISING

Motion-That the Commission approve advertising for an Engineering Public Outreach consultant-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



#### PURCHASE ORDERS

Motion-That the Commission approves the Award of a Bid and the Issuance of a Purchase Order for the items listed in memos "a" and "b":

- a. Two (2) joint sealers/crack seal kettles, utilizing the Commonwealth's contract with Crafcro, Inc.; at a cost of \$104,888.80;
- b. Access gate upgrades, to the lowest responsive and responsible bidder, Schaedler Yesco Distribution, Inc.; at a cost of \$260,800.00.

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



#### CONTRACT AWARD

Motion-That the Commission approves the Award of Contracts for the item listed in memos "a" through "d":

- a. Contract #T-345.00R001-3-02 for asphalt resurfacing between MP 345.73 and MP 353.49, to the lowest responsive and responsible bidder, Reading Site Contractors, div. of H&K Group, Inc.; at a not-to-exceed amount of \$11,805,492.00 and a contingency of \$550,000.00;
- b. Contract #EN-00282-03-02 for roadway and miscellaneous repairs on Toll I-376, Turnpike 43, Turnpike 576, Turnpike 66, to the lowest responsive and responsible bidder, Eurovia Atlantic Coast, LLC; at a not-to-exceed amount of \$3,000,000.00;
- c. Contract #EN-00282-03-04 for roadway and miscellaneous repairs between MP 122.00 and MP 201.58, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$5,000,000.00;

- d. 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, to the lowest responsive and responsible bidder, J.D. Eckman, Inc.; at a not-to-exceed amount of \$5,000,000.00.

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



#### CHANGE ORDERS

Motion-That the Commission approves the Change Orders and Final Payments for the items listed in memos "a" and "b":

- a. Change Order #1 and Final Payment for Contract #EN-00237-03-02 for sinkhole repairs between MP 199.26 and MP 312.03 with New Enterprise Stone & Lime Co., Inc., for a decrease of \$1,706,411.65 to reflect the cost of the completed work authorizations; for a final contract value of \$293,588.35 and final amount due to the contractor of \$14,679.42;
- b. Change Order #6 and Final Payment for Contract #T-241.96S001-3-02 for redecking of Bridge EB-203 at MP 241.96 with Deblin, Inc., for a decrease of \$29,367.06 for normal quantity adjustments, shoulder repair, asphalt supplier switch for cold weather paving, FAA light temporary fix, flagging costs, geotextile, excavation, milling, drainage items, E & S control, cap existing conduit and barrier work, for a final contract value of \$2,864,254.95 and final amount due to the contractor of \$133,265.94.

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



#### SUPPLEMENTAL AGREEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #1 with Navarro & Wright Consulting Engineers, Inc. for open-end quality assurance inspection, auditing and laboratory testing services, to allow for assignment of new Work Orders through the new completion date of February 28, 2023-was made by Commissioner Deon, seconded by Commissioner Ahmad; and passed unanimously.



#### NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, February 1, 2022 beginning at 11:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:13a.m.-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards  
Assistant Secretary Treasurer

Wadud Ahmad  
Secretary Treasurer