

MINUTES OF THE COMMISSION MEETING HELD MARCH 1, 2022

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:02 a.m. on Tuesday, March 1, 2022 at the Central Office located in Middletown, Pennsylvania. Available via telephone for the meeting were William K. Lieberman, Vice Chair; Wadud Ahmad, Secretary Treasurer, Pasquale T. Deon, Sr., Commissioner; and Mike Keiser, Acting Deputy Secretary for Highway Administration.

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 E. DeFebo, Jr., Director of Public Relations and Marketing (via telephone); 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 Ritter, Asst. Chief Operating Officer/Toll Collection (via telephone); Thomas Porter, Michael Baker Int'l. and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via telephone were Cory Campbell, Senior Network Engineer (in person); Don Klingensmith, Asst. Chief Fin. Officer for Financial Administration (in person); Gina Murray, Senior Procurement Specialist; Jeffrey Naugle, Manager of Treasury Operations (in person); Kelly Horvath, Executive Administrative Assistant (in person); Sean Laudenslager, End User Support Supervisor (in person); Ann Mark, McMahon Associates; Carlos Desmaras, Mesirow Financial, Inc.; Craig Beissel, Volkert; Crystalann Deardorff, Susquehanna Civil; Dave Snively, CDR; David Lowdermik, WSP; Dean Morrison, Alfred Benesch; Don Killmeyer, MS Consultants; Ed Reese, GPD Group; Eric Epstein, Rock the Capital (in person); Eric Madden, JMT; Garrett Amsbaugh, CCJM; Gary Harriger, Arora; George Settelmaier, KSE; Glenn Depport, Arora; Heather Heeter, Borton Lawson; J. Perrego; Jim Gordon, A Morton Thomas; Joe Romano, Larson Design Group; Joseph DiFiore, Wallace Pancer Group; Mark Karolski, Buchart Horn; Michele Donaghy, T.Y. Lin; Mike Mecca, LaBella Assoc.; Osaze Romany, Bankcroft; Patty Smith, Rock the Capital (in person); Paul McNamee, KCI; Rob Wills, WRA; Ron Huey, GAI; Samantha Osbourne, Virtus, LLP; Scott Holden, SPK Engineering; Steve McGinley; Steve Pacchioli, Computer Aid; Tom Rowader, GPI; and Vico Innocenti; Fisher Associates.



Vice Chair 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.



Vice Chair Lieberman asked for a moment of silence for the invasion in Ukraine.

SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a reclassification, new hires, vacancies and a request to create and fill a position in the Toll Collection Department.

The Commissioners also discussed Docket Nos. E4R6496, GD19-7005, GD19-7006, GD19-7007 and GD18-11037 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 Eric Epstein of Rock the Capital. Mr. Epstein discussed his concerns on many of the items being brought before the Commission for approval today (i.e. utilities, ensuring no Russian relationships, zoning questions, definition on various words) and requested his questions be admitted as Right-to-Know requests. Mr. Epstein's comments are attached to the Minutes.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held February 15, 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 memo received from the Chief Counsel-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.



CHANGE ORDER

Motion-That the Commission approves Change Order #3 and Final Payment for Contract #T-056.56S001-3-02 for the rehabilitation of Bridges WB-458 (MP 56.16) and WB-460 (MP 56.56) with Mosites Construction Company, for a decrease of \$13,112.52 to balance items to actual work completed, for a final contract value of \$1,077,268.69 and final amount due to the contractor of \$24,578.58.-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of Agreements for the items listed in memos "a" through "g":

- a. Agreement with Upper Moreland Township (Township) to permit the Township to install two truck prohibition signs at the Willow Grove Interchange to notify trucks exiting the Turnpike to use a certain State Route; the Township will install, own and maintain the signs;
- b. Reimbursement Agreement with the Municipal Authority of Westmoreland County (Authority) for the Commission to reimburse the Authority the cost for the engineering and utility relocation necessary for the total reconstruction project from MP 57.00 to MP 67.00; at a not-to-exceed amount of \$727,562.50;
- c. Reimbursement Agreement with PPL Electric Utilities Corp. (PPL) for the Commission to reimburse PPL the cost for the engineering and utility relocation work necessary for the total reconstruction project from MP A48.00 to MP A53.00; at a not-to-exceed amount of \$107,637.30;
- d. Reimbursement Agreement with PPL Electric Utilities Corp. (PPL) for the Commission to reimburse PPL the cost for the engineering and utility relocation work necessary for the total reconstruction project from MP A53.00 to MP A57.00; at a not-to-exceed amount of \$563,205.06;
- e. Assignment Agreement with U.S. Bank, N.A. to assign its corporate trust services to U.S. Bank Trust Company, N.A., due to U.S. Bank's transfer of all corporate trust services to U.S. Bank Trust Company, N.A.;

- f. Assignment Agreement with Cumberland Truck Equipment Co. (CTEC) to assign its purchase order contracts for paint and supplies, safety supplies, filters for auto/equipment and hydraulic hose & fittings to Bergey's Truck Parts, Inc. d/b/a Cumberland Truck Parts' (Bergey's) due to Bergey's acquisition of CTEC;
- g. Settlement Agreement and all necessary documents with Charlestown Township relating to the land development process for construction of the new Devault Maintenance Facility.

-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 "f":

- a. Acquisition of Right-of-Way #14S203 (JMD Real Estate, LLC), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$5,000.00 representing fair market value to Daniel J. Salaj; authorize the appropriate Commission officials to execute the Temporary Construction Easement and other documents 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;
- b. Acquisition of Right-of-Way #14S315 (Craig T. and Linda Nevius), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$111,111.56 representing fair market value, pro-rated taxes and recording fees to Arrow Land Solutions, LLC, 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 to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #17668-1 (Champion Processing, Inc.), a total take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$36,200.00 representing fair market value to Champion Processing, Inc.; authorize the appropriate Commission officials to execute the Quit Claim Deed and other documents as 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 Quit Claim Deed as prepared by the Legal Department;

- d. Acquisition of Right-of-Way #14S022 (Estate of George A. Walter; Ruth A. Walter), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$10,036.00 representing fair market value and pro-rated taxes to The Estate of George A. Walter; 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;
- e. Acquisition of Right-of-Way #17631 (Kenneth & Erica M. Plute), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$4,951.00 representing fair market value and pro-rated taxes to Kenneth & Erica M. Plute; also authorize payment of \$69.25 representing recording fees to Washington 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 is contingent upon the delivery of deed prepared by the Legal Department;
- f. Acquisition of Right-of-Way #15008-L (Jennifer L. Bell), a total take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$25,113.25 representing fair market value and recording fees to Tri-County Abstract Agency, LLC 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 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 Ahmad, and passed unanimously.



SUPPLEMENTAL AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Supplemental Agreements or the items listed in memos "a" through "d":

- a. Supplemental Agreement #1 with Rettew Associates, Inc. for open-end engineering design services systemwide (awarded December 18, 2019), for an increase of \$750,000.00 to allow continued advancement of the overhead bridge replacement at MP A83.33 as a current Digital Delivery pilot project to support the Capital Plan; for a revised not-to-exceed amount of \$2,250,000.00;
- b. Supplemental Agreement #1 with Rummel, Klepper and Kahl, LLP for open-end engineering design services systemwide (awarded November 20, 2018), for an increase of \$750,000.00 to allow continued development and advancement of an Elimination Study of Joshua Road at MP 336.53 to support the Capital Plan; for a revised not-to-exceed amount of \$2,250,000.00;

- c. Supplemental Agreement #1 with Whitney, Bailey, Cox and Magnani, LLC for open-end engineering design services systemwide (awarded May 20, 2019), for an increase of \$750,000.00 to support the Capital Plan with additional Project Development and Delivery; for a revised not-to-exceed amount of \$2,250,000.00;
- d. Supplemental Agreement #1 with McCormick Taylor for final design environmental activities (awarded October 20, 2015), for an increase of \$2,000,000.00 to continue to provide services for final design environmental activities for the Mon/Fayette project through bidding of the southern section; for a revised not-to-exceed amount of \$12,000,000.00.

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



PURCHASE ORDERS

Motion–That the Commission approve the Issuance of Purchase Orders for the items listed in memos “a” through “f”:

- a. Traffic Operations center video wall maintenance and support (June 2022 – May 2025), utilizing the Commonwealth’s contract with Vistacom, Inc.; at a cost of \$151,000.00;
- b. Sideling Hill salt storage facility electrical service, utilizing the Commonwealth’s contract with Schultheis Electric; at a cost of \$128,850.00;
- c. Five (5) Case wheel loaders, utilizing the Commonwealth’s contract with Groff Tractor & Equipment, LLC/Groff Tractor Holdings LLC; at a cost of \$1,096,705.00;
- d. CaseWare IDEA and SAP SmartSuite license and support (May 2022 – April 2027) with CaseWare; at a cost of \$98,000.00;
- e. Tire contracts (March 2022 – February 2023), utilizing the Commonwealth’s contracts; and request for staff movement of funds between contracts:

Goodyear Tire & Rubber	\$ 60,000.00	Districts 1, 2
Good Tire Service, Inc.	100,000.00	Districts 1, 2
Highlands Tire	10,000.00	Districts 1, 2
Service Tire Truck Center, Inc.	70,000.00	District 4
Bergey’s Commercial Tire	15,000.00	District 4
Highlands Tire	15,000.00	District 4
Contingency	<u>30,000.00</u>	
TOTAL AWARD/CONTINGENCY:	\$300,000.00	
- f. Fifteen (15) Henke snowplows, utilizing the Commonwealth’s contract with Henke Manufacturing, Corp.; at a cost of \$254,479.00.

-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” and “b”:

- a. Contract #EN-00115-03-08 for construction of tolling facilities between MP A27.21 and MP A77.23, to the lowest responsive and responsible bidder, PKF-Mark III, Inc. at a not-to-exceed amount of \$11,918,428.00 and a contingency of \$425,000.00;
- b. Contract #T-306.00R003-3-02 for asphalt resurfacing between MP 306.39 and MP 312.32, to the lowest responsive and responsible bidder, Reading Site Contractors, div. of H&K Group, Inc.; at a not-to-exceed amount of \$5,777,306.39 and a contingency of \$250,000.00.

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



AWARD OF SERVICE

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” and “b”:

- a. T00179/T00186/T00187, open-end engineering design services systemwide:
 - Borton-Lawson Engineering, Inc.-AWARDED
 - Dewberry Engineers, Inc.-AWARDED
 - Rummel Klepper & Kahl, LLP-AWARDED
 - M.J. McTish and Associates, Inc. d/b/a McTish, Kunkel & Associates
 - Sucevic, Piccolomini & Kuchar Engineering, Inc.

The Commission has selected Borton-Lawson Engineering, Inc.; Dewberry Engineers, Inc.; and Rummel Klepper & Kahl, LLP for award based on the Commission’s determination that the firm’s Statement of Interest are the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted. These firms and key staff have extensive experience with this type of contract that encompasses a wide range of assignments. Borton Lawson Engineering, Inc. and Rummel Klepper & Kahl, LLP have performed well on similar contracts for the PTC, and selecting Dewberry Engineers, Inc. will provide an opportunity for the PTC to contract with a new firm.

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

b. RFP #6630, broker services for Owner Controlled Insurance Program (OCIP) on the Mon/Fayette Expressway, PA 51 to Duquesne:

- Marsh- AWARDED
- Willis Towers Watson
- Alliant Insurance Services, Inc.

The Commission has selected Marsh for award based on the Commission's determination that the firm's proposal is the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted. The firm has extensive OCIP experience including many highway projects, provided a well-thought-out approach tailored specifically for the PTC's Mon-Fayette project and committed to significantly exceed the Diverse Business goal for this contract.

-was made by Commissioner Deon, seconded by Commissioner Ahmad; Commissioner Lieberman abstain.

VICE CHAIR LIEBERMAN: I abstain on this item because I have a current business relationship with Marsh and a past business relationship with Willis Towners Watson.

The motion passed.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, March 15, 2022 beginning at 11:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:20 a.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

ATTACHMENTS:

Attached documents are maintained in hardcopy form in the Central Office.

- Memo received from the Chief Counsel
- Requests submitted by Eric Epstein