

MINUTES OF THE COMMISSION MEETING HELD MAY 16, 2023

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:00 a.m. on Tuesday, May 16, 2023 at the Central Office located in Middletown, Pennsylvania. Present for the meeting was Michael Carroll, Chair. Available via telephone were William K. Lieberman, Vice Chair; Sean Logan, Secretary Treasurer; and Pasquale T. Deon, Commissioner.

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 Communication and Customer Experience; 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 phone); Robert Taylor, Chief Technology Officer; Stacia Ritter, Esq., Asst. COO/Toll Collection (via phone); Tom Porter, Michael Baker Int'l.; and Ann Louise Edwards, Asst. Secretary Treasurer.

Others available via telephone were April Rothermel, Asst. CTO-Security & Infrastructure (in person); Brooke Wealand, Security Analyst (in person); Catherine Clements-Jenkins, Director of Diversity & Inclusion (in person); Daniel Russell, Consultant (in person); David Bateman, Senior Security Architect (in person); Derek Knaub, Information Security Officer (in person); Don Klingensmith, Asst. CFO-Financial Administration (in person); Gina Murray, Manager of Professional Services Procurement; Holly Herdman, Debt & Derivatives Manager (in person); Jaemin Ahn, IT Technology Analyst 1 (in person); Janelle Maurer, Cyber Security Specialist (in person); Jason Falchek, End User Support Technician 2 (in person); Jeff Naugle, Manager of Treasury Operations (in person); Jennifer Hockenberry, Security Specialist (in person); Josh Easley, Summer Intern for Michael Baker Int'l. (in person); Kelly Horvath, Executive Administrative Assistant (in person); Kevin Scheurich, Asst. Chief Engineer/Design (in person); Lara Brenckle, Strategic Programs Manager (in person); Nerma Peco, Finance Trainee (in person); Sean Laudenslager, End User Support Supervisor; Steve Barber, Michael Baker Int'l. (in person); Tom Simko, Identity and Access Manager (in person); Alyssa Barlup; Bernie Bydlon, Navarro & Wright; Brian Hansel; Camille Evans, Virtus; Curtis Sanno, Dewberry; Dave Snively, CDR Maguire; Don Blough; Don Davanzo, SPK; Don Killmeyer, ms consultants; Doug Knoll; Ed Reese, GPD Group; Eric Meyer, WRA, LLP; George Settelmaier, KSE; J. Perrego, WBCM; J.T. Lincoln, Dewberry; Jeff Davis, TranSystem; Jennie Louwerse, WSP; Jim Frank; Joe Romano, Larson Design Group; Joyce Markosky; Luz Santana, Susquehanna Civil, Inc.; Matt Macey, CDR; Matt Walerysiak; Michael Sydlik, Earth, Inc.; Michele Girolami, Gibson Thomas; Michele Donaghy, T.Y. Lin; Mike House, M&M; Nicki Jacobs, GPI; Paul McNamee, KCI; Robert Maschke, WSP; Tommy Johnson; and Vince Jannetti



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 new hires, reclassifications, promotions, vacancies, a department reorganization, and a request to create, post and fill positions 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

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.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held May 2, 2023, 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 memos received from the Chief Counsel and Asst. CFO/Financial Administration-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



UNDERWRITER POOL

Motion-That the Commission approve amending the pool of qualified underwriters to serve as bond co-manager to include Rockfleet Financial-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



AGREEMENTS

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

- a. Reimbursement Agreement with West Mifflin Sanitary Sewer Authority (WMSSA) to reimburse WMSSA for the required engineering and facility relocation work necessary for the construction of the Mon/Fayette Expressway, Section 53-A2; at a total not-to-exceed amount of \$1,032,637.50;
- b. Interagency Agreement with the Pennsylvania Department of Transportation (PennDOT) for the Alternatives Analysis for the replacement of the Commission-owned Bridge No. WB-305 as part of the total reconstruction from MP 26.00 to MP 28.00; PennDOT will reimburse the Commission for the approved costs associated with the development of the Alternatives Analysis;
- c. Amendment to our Reimbursement Agreement with the Borough of Dravosburg for design and construction to upgrade Maple Avenue to accommodate additional traffic, for an additional \$600,000.00 based on current construction bids; for a revised not-to-exceed amount of \$2,600,000.00;
- d. Amendment to our agreement with Drivewyse, Inc. f/k/a Intelligent Imaging Systems for a Truck Parking Management System; exercising the option to renew the agreement for an additional year at no additional cost;
- e. Amendment to our agreement with EQT Production Company to explore, develop and produce oil and gas in the Marcellus and Utica Formations in the Borough of Jefferson Hills, Allegheny County; exercising the option to renew the agreement for an additional 3-years and to add 6.961 acres of new lease area for a total of 297.44436 acres;
- f. Supplemental Reimbursement Agreement with Peoples Natural Gas Company, LLC for the engineering and utility work on the Southern Beltway, Section 55C2-1; for higher labor and material costs, and additional required work not included in the original estimate; for an additional \$839,161.15, for a revised not-to-exceed amount of \$1,509,821.91;

- g. Supplemental Reimbursement Agreement with Peoples Natural Gas Company, LLC for the engineering and utility work for the replacement of Bridge WB-454 at MP 53.66, for unforeseen alignment revisions requiring additional labor, traffic control, and hardware restoration; for an additional \$87,063.94, for a revised not-to-exceed amount of \$254,410.56;
- h. Reimbursement Agreement with Pennsylvania American Water Company (PAWC) for PAWC to partially reimburse the Commission for the engineering and utility relocation for the construction of the Mon/Fayette Expressway, Section 53-A2; at a total estimated reimbursement to the Commission of \$143,097.50;
- i. Reimbursement Agreement with Norfolk Southern Railroad (railroad) to reimburse the railroad for the engineering costs for the replacement of Bridge NB-327 at MP A51.76; at a total not-to-exceed amount of \$47,221.25;
- j. Authorize the CFO to approve costs for banking services with PNC and Wells Fargo; these costs are estimated each year as part of the Commission's annual operating budget.

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



RIGHT-OF-WAY

Motion-That the Commission approve the Right-of-Way requests for the items lists in memos "a" through "e":

- a. Acquisition of Right-of-Way #7077-F (Ashtavinayaka Hotels LLC; Deepak Patel; Jaysherre Patel; Shree Patel; OM Patel), a partial take parcel necessary for the construction of the I-95 Ramp D reconstruction project, by authorizing payment of \$127,173.50 representing fair market value and pro-rated taxes to Ashtavinayaka Hotels 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 owner is contingent upon the delivery of a deed as approved by the Legal Department;
- b. Adopt the proposed Property Acquisition for Right-of-Way #14S083 (W.S. Properties, Inc.), a partial take parcel necessary for the construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$1,500.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- c. Adopt the proposed Property Acquisition for Right-of-Way #14S374 (Richard R. Carr), a partial take parcel necessary for the construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$6,400.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;

- d. Adopt the proposed Property Acquisition for Right-of-Way #14S445 (Faith L. & J. Rush Pierce), a partial take parcel necessary for the construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$500.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- e. Acquisition of Right-of-Way #14S253 (Banana in the Tailpipe, LLC; Brian Chien-Chih Chen), a partial take parcel necessary for the construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$46,684.00 representing fair market value and pro-rated taxes to Banana in the Tailpipe, LLC; and payment of \$140,365.00 representing fair market value and pro-rated taxes to Berkadia Commercial Mortgage, 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 owner is contingent upon the delivery of a deed as approved by the Legal Department.

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



ADVERTISING

Motion-That the Commission approve advertising for the items listed in memos “a” through “c”:

- a. Customer Experience Program vendor for the Customer Service Modernization project;
- b. Open-end Right-of-Way Acquisition Services contract;
- c. Logo sign program administrator.

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



PURCHASE ORDERS

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

- a. Replacement of CISCO Nexus switches and updated hardware for the Customer Service Center, East Park Drive and the Disaster Recovery sites; utilizing the Commonwealth’s contract with CSB Technology Partners, LLC; at a cost of \$282,412.50;
- b. SPLUNK Enterprise security incident event monitoring with CDW Government LLC/CDW LLC, exercising the option to renew the contract for an additional year (July 19, 2023 - July 18, 2024); at a cost of \$74,500.00;

- c. Contact Center Modernization hosted phone services for the CBOS solution, to extend the agreement for an additional year with ePlus Technology Inc. to allow the transition and incorporation to the UBOS solution; at a cost of \$396,960.21;
- d. Dilution control contract, utilizing the Commonwealth's contract with State Chemical Solutions / State Industrial Products Corp.; at a cost of \$199,000.00.

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



SUPPLEMENTAL AGREEMENT

Motion-That the Commission approve the negotiation and execution of Supplemental Agreement #1 for Contract #4400008085 with TranSystems Corporation for open-end design services, to complete the design of sixteen (16) bridges between MP 342.99 and MP 350.36; for an additional \$300,000.00, for a revised not-to-exceed amount of \$1,300,000.00-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



AWARD OF SERVICE

Motion-That the Commission approve the award of service and authorize the negotiations and execution of an agreement with the selected firm for T00232, Replacement of Bridge WB-218 at MP 17.71 and Bridge WB-222 at MP 19.67:

- The Markosky Engineering Group, Inc.-AWARDED
- Bergmann Associates, Architect, Engineers, Landscape Architects & Surveyors, D.P.C.
- Erdman Anthony, Associates, Inc.

-staff briefing by Brad Heigel

The Commission has selected the firm The Markosky Engineering Group, 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.

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



POLICY LETTER

Motion-That the Commission adopt the revisions to Policy 3.10, Code of Conduct, to be consistent with Governor Shapiro's recent Amended Gift Ban, and to clarify Employee reporting obligations-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, June 6, 2023 beginning at 11:00 a.m.



POST

Mark Compton, CEO, introduced the IT Security Team and recognized Robert Taylor, Chief Technology Officer who presented the Cybersecurity award to the group.

CHAIR CARROLL: On behalf of the Commissioners, we really appreciate the wonderful, professional efforts that all of you have dedicated yourselves to ensure that everything that needs protected is protected and everything is executed with skill. Thank you for everything you have done.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:10 a.m.-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards
Asst. Secretary Treasurer

Sean Logan
Secretary Treasurer

ATTACHMENTS:

Memo received from the Chief Counsel
Memo received from the Asst. CFO/Financial Administration