

MINUTES OF THE COMMISSION MEETING HELD NOVEMBER 16, 2021

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:21 a.m. on Tuesday, November 16, 2021 at the Central Office located in Highspire, 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, 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 DeFebo, Jr., Director of Public Relations & Marketing (via telephone); Charles L. Duncan III, Esq., 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); Stacia Ritter, Esq., Asst. Chief Operating Officer/Toll Collection; Tom Porter, Chief Engineer, 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; Jeff Naugle, Manager of Treasury Operations (in person); Kelly Horvath, Executive Administrative Assistant (in person); Sean Laudenslager, End User Support Supervisor (in person); Brad Degnan, TranSystem; Brett Carimore, AECOM; Craig Beissel, Volkert; Dan Toohey; David Snively, CDR; Don Killmeyer, ms consultants; Ed Reese, GPD Group; Eric Madden, JMT (in person); Eric Meyer, WRA, LLP; George Settelmaier, KSE; J. Gordon; Joe Platt, TPD; Nicki Jacobs, GPI; Paul McNamee, KCI; Pete Capizzi, Quality Engineering; Peter Berg, TransSystems; Robert Horr, Atkins; Roger Eaton, HDR; Samantha Osbourne, Virtus, LLP; Samuel Knaster, LaBella; Scott Shimko, KCI; Steve Barber, Michael Baker (in person); Samantha Osbourne, Thomas Cushman, AECOM; Tom Rowader, GPI; Tom Smith and Tyler Martin , Markosky .



Vice Chair Lieberman 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 reclassification, new hires, promotions, salary adjustments, performance incentive and updates to the Summer Employment Program.

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 November 2, 2021 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.

UNDERWRITERS

Motion-That the Commission approve amending the pool of qualified underwriters to provide professional and other specialized services to include FNB WauBank Securities-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



AGREEMENTS

Motion-That the Commission approves the negotiation and execution of the Agreement for the item listed in memo “a”:

- a. Settlement Agreement and Release with Barbara Carroll; and authorize payment of the workers’ compensation settled amount;
-was made by Commissioner Deon, seconded by Commissioner Lieberman.

COMMISSIONER AHMAD: I abstain on this item because Barbara Carroll is a client of my firm. The motion passed.

Motion-That the Commission approves the negotiation and execution of the Amendment and Agreement for the items listed in memos “b” and “c”:

- b. Amendment to our agreement with Bloomberg for hardware and software for financial investments and for managing the Commission’s investment portfolio, exercising the option to renew the agreement for an additional two-years (through January 29, 2024); at a cost of approximately \$98,500.00 for the two years;
- c. Reimbursement Agreement with Texas Eastern/Enbridge to reimburse Texas Eastern/Enbridge the cost for the engineering and utility relocation work necessary for the replacement of Bridge EB-715 at MP 308.32; at a not-to-exceed amount of \$1,072,500.00.

-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 “f”:

- a. Settlement of Right-of-Way #1023-B (William E. & Donna L. Baughman), a partial take parcel necessary for the total reconstruction and widening project, MP 99.00 to MP 109.00, (acquisition of property was previously approved by the Commission on July 19, 2011; item F-3o); by authorizing payment of \$15,000.00 representing settlement funds to William E. and Donna L. Baughman; also authorize payment of \$4,000.00 representing Section 710 fees to John A. Barkman, Esquire; authorize the appropriate Commission officials to execute the Settlement Agreement approved by the Legal Department and authorize payment of the settlement funds is contingent upon the receipt of an executed Settlement Agreement;

- b. Acquisition of Right-of-Way #14S427 (Richard Von Renner), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$500.00 representing fair market value to Richard Von Renner; 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 the settlement amount to the property owner is contingent upon the delivery of the Temporary Construction Easement as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #14S605A (West Mifflin Area School District), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$1,100.00 representing fair market value to West Mifflin Area School District; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents required for closing; authorize the payment of additional statutory damages calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of the settled amount to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- d. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #14S309 (R. Craig Hall), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$66,000.00 representing payment of 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 #9602 (John Pisaturo), a total take parcel necessary for the Scranton Beltway project, by authorizing payment of \$158,675.35 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;
- f. Acquisition of Right-of-Way #15054-A (Golden Oil Company), a total take parcel necessary for the total reconstruction and widening project from MP 57.00 to MP 67.00 by authorizing payment of \$460,807.53 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement, 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.

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



ADVERTISING

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

- a. Preliminary and final design services for a new interchange at MP 63.10;
- b. Open-End material inspection and testing services from MP 200.00 to the Delaware River Bridge and on the Northeast Extension;
- c. Open-End construction inspection services between MP 0.00 and MP 200.00, I-376, Turnpike 576, Turnpike 66 and Turnpike 43;
- d. Open-End construction management and construction inspection services between MP 0.00 and MP 200.00, I-376, Turnpike 576, Turnpike 66 and Turnpike 43;
- e. Two (2) Open-End drilling contracts from MP 0.00 to MP 247.30 and MP 247.30 to the Delaware River Bridge and on the Northeast Extension.

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



PURCHASE ORDERS

Motion-That the Commission approves the Award of a Bid, Change Orders and the Issuance of Purchase Orders for the items listed in memos “a” through “j”:

- a. CISCO umbrella web filtering solution and services, exercising the option to renew the contract with ePlus Technology, Inc. (November 20, 2021 – November 20, 2024); at a cost of \$191,324.52;
- b. Palo Alto firewall cluster and IoT subscription utilizing the Commonwealth’s contract with ePlus Technology, Inc., for additional hardware, support and licenses; at a cost of \$92,930.56;
- c. Snow plow training simulator, to the lowest responsive and responsible bidder, Virage Simulation/Virage Simulation Inc.; at a total award of \$273,200.00;
- d. Four (4) Chevrolet Colorado work trucks, utilizing the Commonwealth’s contract with Apple Chevrolet/Westgate Chevrolet, Inc.; at a cost of \$114,600.00;
- e. Unleaded gasoline, for additional funding to cover gasoline deliveries that were completed between October 19, 2021 and October 29, 2021 (end of contract is October 31, 2021) due to market price fluctuations and increased gasoline usage; at a cost of \$65,000.00;
- f. Three (3) Fotokites for incident management with Glick Fire Equipment Company, Inc.; at a cost of \$103,414.20;

- g. OnBase document management platform annual software maintenance and support; exercising the option to renew the contract with KeyMark IMR, Inc. (February 2022 - January 2023); at a cost of \$101,863.82;
- h. ServiceNow subscription; exercising the option to renew the contract with CDW Government, LLC through January 14, 2023; at a cost of \$496,256.99;
- i. Dell PC Refresh II, utilizing the Commonwealth's contract with CDW Government, LLC; at a cost of \$1,863,500.00;
- j. Stop Loss insurance, exercising the option to renew the contract with Avalon Insurance Company (January 2022 – December 2022); at a cost of \$820,369.00.

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



AWARD OF CONTRACT

Motion—That the Commission approve the Award of Contract #A-048.00T001-3-03 for the replacement of Bridge NB-314 at MP A49.67, to the lowest responsive and responsible bidder, Terra Structures, div. of H&K Group, Inc.; at a not-to-exceed amount of \$4,703,591.45 and a contingency of \$230,000.00.- was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



CHANGE ORDERS

Motion-That the Commission approve Change Orders and Final Payments for the items listed in memos "a" through "c":

- a. Change Order #7 and Final Payment for Contract #T-049.00T001-3-03 for the replacement of Bridge WB-452 at MP 52.36 with Mosites Construction Company, for a decrease of \$46,455.26 for normal quantity adjustments, and changes for right-of-way fence, vehicular gate and pavement marking removal; for a final contract value of \$8,832,174.31 and final amount due to the contractor of \$233,405.23;
- b. Change Order #2 for Contract #T-056.56S001-3-02 for the rehabilitation of Bridge WB-458 at MP 56.16 and Bridge WB-460 at MP 56.56 with Mosites Construction Company, for an increase of \$440,604.21 for pavement markings, concrete deck repairs, milling and paving, extended land closures and MPT; for a revised not-to-exceed amount of \$1,090,381.21;
- c. Change Order #10 and Final Payment for Contract #T-355.00P002-3-04 for the replacement of Bridge DB-224 at MP 351.37 with Allan Myers, L.P., for a decrease of \$68,070.43 to balance items to actual work completed; for a final contract value of \$22,059,725.54.

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



WORKERS' COMPENSATION

Motion-That the Commission approve payment of the 2021 Notice of Assessment from the Bureau of Workers' Compensation for the Supersedeas and Subsequent Injury Funds, in the amount of \$20,214.00-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



SUPPLEMENTAL AGREEMENTS

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

- a. Supplemental Agreement #2 with HDR, Inc. for design management of the Mon/Fayette Expressway project, for an increase of \$5,500,000.00 to continue design management services for the Mon/Fayette Expressway project through the bidding of the Southern section up to SR 837, for a revised not-to-exceed amount of \$33,200,000.00;
- c. Supplemental Agreement #1 with HDR, Inc. for design of the total reconstruction projects from MP 28.00 to MP 31.00, MP 49.00 to MP 53.00, MP 53.00 to MP 57.00 and MP 57.00 to MP 67.00 for an increase of \$10,000,000.00 to complete construction at MP 28.00 to MP 31.00 and final design for the projects from MP 49.00 to MP 67.00 which are extremely challenging projects in a highly urbanized area; for a revised not-to-exceed amount of \$22,000,000.00.

-was made by Commissioner Deon, seconded by Commissioner Ahmad; Commissioner Lieberman voted "No". The motion passed.

Motion-That the Commission approve the negotiation and execution of the Supplemental Agreement as listed in memo "b":

- b. Supplemental Agreement #1 with AECOM Technical Services, Inc. for the final design of the total reconstruction project from MP 298.00 to MP 302.00 for an increase of \$6,500,000.00 to complete the final design of the four (4) mile reconstruction project; for a revised not-to-exceed amount of \$18,500,000.00;

-was made by Commissioner Deon, seconded by Commissioner Ahmad.



BANKING SERVICES

Motion-That the Commission approve increasing the estimated cost for banking and cash management services with PNC Bank, N.A. for fiscal year 2021/2022 at an additional \$1,200,000.00 due to increased volumes in Toll-By-Plate transactions, work for the customer service modernization, the unified back-office support and PA tolling expansion projects; for a revised estimated cost of \$1,400,000.00 -was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.



AWARD OF SERVICES

Motion-That the Commission approve the award of services and authorize the negotiations and execution of an agreement with the selected firms for the items listed in memos “a” and “b”:

- a. T00174/T00175/T00176/T00177, Cashless tolling design for new open road toll (ORT) zones:
- Stantec Consulting Services, Inc.-AWARDED
 - Jacobs Engineering Group, Inc.-AWARDED
 - AECOM Technical Services, Inc.-AWARDED
 - LaBelle Associates, P.C.-AWARDED
 - Greenman-Pedersen Inc.
 - Whitney, Bailey, Cox & Magnani, LLC

The Commission has selected firms AECOM Technical Services, Inc.; Jacobs Engineering Group, Inc.; LaBella Associates, P.C. and Stantec Consulting Services, Inc. for award based on the Commission’s determination that the firm’s Statement of Interest is the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted. These firms have demonstrated relevant experience in toll facility design especially in open-road tolling.

-was made by Commissioner Deon, seconded by Commissioner Ahmad.

- b. T00180, CY 2022-2023 systemwide biennial bridge inspection:

- TranSystems Corporation, d/b/a TranSystems Corporation Consultants-AWARDED
- AECOM Technical Services, Inc.
- STV Incorporated

The Commission has selected firm TranSystems Corporation, d/b/a TranSystems Corporation Consultants for award based on the Commission’s determination that the firm’s Statement of Interest is the most advantageous to the Commission as determined by the Commission based on its review of all materials submitted. The firm has provided teams that provide coverage across our entire system that enables them to quickly address bridge related emergencies.

-was made by Commissioner Deon, seconded by Commissioner Ahmad.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, December 7, 2021 beginning at 11:00 a.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:33 a.m.-was made by Commissioner Deon, seconded by Commissioner Ahmad, and passed unanimously.