

MINUTES OF THE COMMISSION MEETING HELD JANUARY 7, 2014

A formal meeting of the Pennsylvania Turnpike Commission convened at 10:45 a.m. January 7, 2014 at the Central Office located in Highspire, Pennsylvania. Available for the meeting were William K. Lieberman, Chairman; A. Michael Pratt, Esquire, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Sean Logan, Commissioner. Available via the telephone was Barry J. Schoch, P.E., Secretary of Transportation.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer Michael Baker Jr., Inc.; Robert F. Brady, Director of Operations/Projects-East; William J. Capone, Chief of Communications and Public Relations; Scott D. Fairholm, Chief Information Officer; Todd S. Garrison, Director of Maintenance; David Gentile, Chief Compliance Officer; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection and Field Operations; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacey Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others in attendance were Jack Callahan, Risk Manager; Susan Carson-Casoni, Cash Manager; John Christensen, Director of FEMO; Renee Colborn, Manager of Media and Public Relations; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Rich DiPiero, Senior Fare Collection Operations Manager; Richard C. Dreher, Assistant CFO; Kelly Horvath, Executive Assistant; John Joyce, Attorney 3; Robert Kleimenhagen, Jr., Strategic Planning Coordinator; Donald S. Klingensmith, P.E., Director of Contracts Administration; Donna Lapano, Executive Office Assistant; Mabvuto Mkwayaya, Engineer Project Manager 2; Wanda Metzger, Contracts Supervisor; Ray Morrow, Inspector General; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Kelli Roberts, Manager of Marketing & Business Development; Robert H. Rosell, Jr., Technician of PC/LAN Systems; Patricia F. Schlegel, Director of Human Resources; Cindy Smith, General Accountant II; Alan Williamson, Senior Engineer Project Manager; Kristi Reichard, Raudenbush Engineering; Jack Raudenbush, Raudenbush Engineering; Paul McNamee, KCI Technologies; Michael Judge, BNY Mellon; Tom Rowader, Dawood Engineering; Steve Barber, Michael Baker, Jr., Inc.; Jon Livingston, Jacobs Engineering; Rich Stees, Erdman Anthony; Mario Toscano, Drive Engineering; Allie Slizofski, Drive Engineering; Roger Eden, HDR; Glenn Deppert, Arora and Associates; Scott Shimko, Borton Lawson and Quentin Rissler, Larson Design Group.

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Ms. Edmunds led the Commissioners and staff in the Pledge of Allegiance.

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The Assistant Secretary Treasurer, Ann Louise Edmunds, called the roll and declared a quorum present.

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#### SUNSHINE ANNOUNCEMENT

MS. EDMUNDS: THE COMMISSIONERS MET IN EXECUTIVE SESSION PRIOR TO TODAY'S FORMAL AGENDA SESSION TO CONSIDER MATTERS OF PERSONNEL, WHICH INCLUDED A TERMINATION, PROMOTIONS, NEW HIRES, VACANCIES AND REQUESTS TO POST AND FILL; AND TO CREATE, POST AND FILL POSITIONS IN THE FACILITIES AND MAINTENANCE DEPARTMENTS.

THE COMMISSIONERS ALSO ENGAGED IN NON-DELIBERATIVE INFORMATIONAL DISCUSSIONS REGARDING VARIOUS ACTIONS AND MATTERS, WHICH HAVE BEEN APPROVED AT PREVIOUS PUBLIC MEETINGS.

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#### PUBLIC COMMENT

MS. EDMUNDS: THE PUBLIC IS WELCOME AT THIS TIME 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, EFFICIENT, EFFECTIVE AND DIGNIFIED MEETING, ALL PERSONS WISHING TO ADDRESS THE COMMISSION SHOULD HAVE SIGNED IN AND REQUESTED TIME TO SPEAK. IF YOU HAVE NOT DONE SO, YOU ARE INVITED TO DO SO.

COMMISSIONERS, WE HAVE NO REQUESTS TO ADDRESS THE COMMISSION. AT THIS TIME WE ASK ALL VISITORS TO STAND AND INTRODUCE YOURSELF. THE FOLLOWING WERE VISITORS TO THE MEETING: KRISTI REICHARD, RAUDENBUSH ENGINEERING; JACK RAUDENBUSH, RAUDENBUSH ENGINEERING; PAUL MCNAMEE, KCI TECHNOLOGIES; MICHAEL JUDGE, BNY MELLON; TOM ROWADER, DAWOOD ENGINEERING; STEVE BARBER, MICHAEL BAKER, JR., INC.; JON LIVINGSTON, JACOBS ENGINEERING; RICH STEES, ERDMAN ANTHONY; MARIO TOSCANO, DRIVE ENGINEERING; ALLIE SLIZOFSKI, DRIVE ENGINEERING; ROGER EDEN, HDR; GLENN DEPERT, ARORA AND ASSOCIATES; SCOTT SHIMKO, BORTON LAWSON AND QUENTIN RISSLER, LARSON DESIGN GROUP.

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#### MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held December 16, 2013 be approved and filed as submitted-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.

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COMMUNICATIONS

Motion-That the Commission accepts and files the memo received from the Chief Counsel -was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.

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PERSONNEL

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

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NEW BUSINESS

PAYMENT OF INVOICE

Motion-That the Commission approves the revisions to Policy Letter 3.10, Code of Conduct, to expand the policy to create a more comprehensive Code of Conduct for Commission employees - was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.

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AGREEMENTS

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

- a. Amendment to our agreement with CSI for investigative services, exercising our option to renew the agreement for an additional year; at no additional cost;
- b. Agreement with Berlin Ambulance Association for EMS services from MP 118.20 to MP 123.20; at an approximate cost of \$5,000 annually;
- c. Agreement with North Sewickley Township Fire/Rescue Department for fire services from MP 12.90 to MP 16.20; at an approximate cost of \$7,000.00 annually;
- d. Reimbursement Agreement with East Penn Railroad LLC to reimburse the Railroad the cost to perform the required flagging and protective services necessary for the I-95 Connector project (MP 357.95, Bridge DB-252); at a not-to-exceed amount of \$17,500.00;
- e. Amendment to our agreement with Herring Motor Company for authorized provider service from MP 91.00 to MP 127.20, exercising our option to renew the agreement for an additional 5-years;
- f. Reimbursement Agreement with Dublin Township for the elimination of overhead Bridge B-554 at MP 176.35 and for improvements to other Township roads that may experience additional traffic, for a total not-to-exceed amount of \$1,000,000.00.

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

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RIGHT-OF-WAY REQUEST

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos "a" through "c":

- a. Settlement of Right-of-Way #1102-A (*Ronald E. Fochtman, Kenneth J. Fochtman & Steven P. Fochtman*), a total take parcel necessary for the slide remediation project at MP 129.00, by authorizing the payments below; authorize the appropriate Commission officials to execute the necessary settlement documents; and payment of the settlement funds to the property owner is contingent upon its execution of a settlement agreement and full and final release as approved by the Legal Department;
  - \$10,000.00, payable to Hollinshead, Mendelson, Bresnahan & Nixon, P.C., as escrow agent, representing the difference between the estimate of just compensation and the final settlement amount;
  - \$1,087.50, payable to Carolann A. Young & Associates, representing statutory 710 attorney fees; and
  - \$750.00, payable to David J. Murphy Real Estate, representing statutory 710 appraisal fees;
- b. Settlement of Right-of-Way #14210-a (*John J. Ghaznavi, Successor Trustee for Ahmad Lee Ghaznavi-owner*), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing payment in the amount of \$9,000.00 to Goldberg, Kamin & Garvin, LLP escrow agent; authorize the appropriate Commission officials to execute the full and final release and settlement agreement as approved by the Legal Department and other documents as may be required; and payment of the settlement funds to the property owner is contingent upon its execution and delivery of a full and final release and settlement agreement as approved by the Legal Department;
- c. Acquisition of Right-of-Way #14206-K (*Schirack Group, LLC-owner*), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing payment of fair market value and recording fess in the amount of \$115,500.00 to James Pecora, Esquire 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 ist delivery of a deed as prepared by the Legal Department.

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

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ADVERTISING

Motion-That the Commission approves advertising for authorized service provider coverage from MP 226.40 to MP 266.40-

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

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AWARD OF BIDS AND ISSUANCE OF 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 "h":

- a. Enterprise business services framework, IT resource inventory, and implementation (EnterVirtual CIO APPTIO, InfrSTRUCTURE and application optimization), utilizing the Commonwealth's contract with ePlus; at a total award of \$298,500.00;
- b. Nine (9) trailer-mounted attenuators, utilizing the Commonwealth's contract with Traffix Devices, Inc.; at a total award of \$143,829.00;
- c. Three (3) sign truck chassis, utilizing the Commonwealth's contract with Freightliner of Philadelphia; at a total award of \$248,505.00;
- d. Mower parts contract (January 1, 2014 – December 31, 2014) to the lowest responsive and responsible bidders:
 

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|-----------------------------|-----------------|--|
| Montage Enterprises         | \$ 92,000.00    |  |
| Cherry Valley Tractor Sales | 49,000.00       |  |
| Lacal Equipment, Inc.       | <u>5,000.00</u> |  |
| TOTAL AWARD                 | \$146,000.00    |  |
- e. ServiceNow Automation software, utilizing the Commonwealth's contract with Dell Marketing, LP c/o Dell USA LP; at a total award of \$129,980.94;
- f. Change Orders to our contracts with Computer Aid for SAP consultants, to extend the contracts through June 30, 2014 (Commonwealth contract):
 

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|-----------------------------------|-------------------|----------------|
| Senior SAP Basis Administrator    | \$ 320,000.00     | PO #4100044737 |
| Senior SAP Logistics Business SME | <u>187,500.00</u> | PO #4100046643 |
| ADDITIONAL FUNDS                  | \$ 507,500.00     |                |
| Previously approved funds         | <u>530,000.00</u> |                |
| TOTAL PURCHASE ORDERS             | \$1,037,500.00    |                |
- g. Gartner Research Subscriptions for CIO Signature and GITL Advisor/Member, to Gartner Inc.; at a total award of \$155,400.00;
- h. Cisco materials and professional services for WLAN infrastructure upgrades, utilizing the Commonwealth's contract with ePlus; at a total award of \$338,413.88.

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

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AWARD OF CONTRACTS

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

- a. Contract #T-340.00R001-3-02 for bituminous overlay between MP 340.10 and MP 345.75, to the lowest responsive and responsible bidder, Highway Materials, Inc.; at a not-to-exceed amount of \$11,156,999.00 and a contingency of \$500,000.00;
- b. Contract #T-255.00R002-3-02 for bituminous overlay between MP 254.87 and MP 263.01, to the lowest responsive and responsible bidder, Hempt Bros., Inc.; at a not-to-exceed amount of \$10,378,171.26 and a contingency of \$500,000.00;
- c. Contract #T-227.63S001-3-02 for bridge rehabilitation between MP 227.63 and MP 238.24, to the lowest responsive and responsible bidder, Kinsley Construction, Inc.; at a not-to-exceed amount of \$1,546,338.00 and a contingency of \$75,000.00;
- d. Contract #T-122.16F001-3-02 for western training facility renovations at MP 122.16 EB, to the lowest responsive and responsible bidder, J C Orr & Son, Inc.; at a not-to-exceed amount of \$1,790,000.00 and a contingency of \$80,000.00;
- e. Contract #T-333.59F001-3-02 for general construction for the Plymouth Meeting maintenance facility relocation at MP 333.28 EB, to the lowest responsive and responsible bidder, High Construction Company; at a not-to-exceed amount of \$14,063,832.50 and a contingency of \$700,000.00;
- f. Contract #T-333.59F001-3-03 for plumbing work for the Plymouth Meeting maintenance facility relocation at MP 333.28 EB, to the lowest responsive and responsible bidder, Guy M. Cooper, Inc.; at a not-to-exceed amount of \$1,150,000.00 and a contingency of \$50,000.00;
- g. Contract #T-333.59F001-3-04 for electrical work for the Plymouth Meeting maintenance facility relocation at MP 333.28 EB, to the lowest responsive and responsible bidder, Boro Developers, Inc. dba Boro Construction; at a not-to-exceed amount of \$3,344,550.00 and a contingency of \$150,000.00;
- h. Contract #T-333.59F001-3-05 for heating, ventilation and air conditioning work for the Plymouth Meeting maintenance facility relocation at MP 333.28 EB, to the lowest responsive and responsible bidder, Boro Developers, Inc. dba Boro Construction; at a not-to-exceed amount of \$1,411,000.00 and a contingency of \$70,000.00;
- i. Contract #T-122.18F002-3-02 for electrical upgrades at the Allegheny Tunnel (MP 122.16 and MP 123.34), to the lowest responsive and responsible bidder, Schultheis Electric; at a not-to-exceed amount of \$1,471,500.00 and a contingency of \$70,000.00;
- j. Contract #EN-00125-03-02 for design/build project for the installation of Intelligent Transportation Systems (ITS) between MP 282.70 and MP 346.83, to the lowest responsive and responsible bidder, Carr & Duff, Inc.; at a not-to-exceed amount of \$2,790,000.00 and a contingency of \$100,000.00.

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

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SUPPLEMENTAL AGREEMENT

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

- a. Supplemental Agreement #2 with Ammann & Whitney for preliminary and final design for the replacement of Bridge NB-531 and Bridge NB-534 at MP A76.09 and MP A76.18, respectively, for an additional \$135,000.00 for additional design that was required to adjust the depth of the two major retaining wall foundations in order to tie into the back of the bridge abutment without impacting the flood plain, and to re-evaluate the as-designed stormwater management basins and investigating other basin locations for better infiltration to obtain the environmental permits; for a revised not-to-exceed amount of \$2,635,000.00;
  
- b. Supplemental Agreement #8 with STV Incorporated for design of the total reconstruction project from MP 320.00 to MP 326.00 and SR 29 Interchange, for an additional \$1,500,000.00 to address the comments from the latest permit application and to coordinate with the environmental agencies and the Township to complete the permitting process which is anticipated to take 12 – 18 months; for a revised not-to-exceed amount of \$38,000,000.00.

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

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CHANGE ORDERS/FINAL PAYMENTS

Motion-That the Commission approves the Change Orders/Final Payments for the items listed in memos "a" through "d":

- a. Change Order #8 and Final Payment for Contract #T-355.00P001-3 with Wohlsen Construction Company for construction of the Trevoise Maintenance Facility relocation project, for a decrease of \$224,034.63 to balance items to actual work completed and additional changes for caulking, kitchen vent piping, flashing installation, a credit for spare parts, and a 79-day time extension due to unforeseen conditions during demo; for a final contract value of \$18,070,276.54 and a final amount due to the contractor of \$100,000.00;
  
- b. Final Payment for Contract #T-247.38F004-3-02 with Clark Contractors, Inc. for Turnpike Industrial Park (TIP) site improvements; for a final contract value of \$2,759,631.27 and final amount due to the contractor of \$25,000.00;
  
- c. Change Order #13 and Final Payment for Contract #A-074.27S001-3-02 with Walsh Construction for the replacement of the Lehigh River and Pohopoco Creek Bridges between MP A73.52 and MP A75.29, for an increase of \$182,831.19 for changes for SNAPS, water pollution control, sign posts, steel fluctuations, concrete, design and costs for wing walls, salvage yard access road deletion and removal of a contingency item; for a final contract value of \$100,225,020.40 and final amount due to the contractor of \$700,657.44;
  
- d. Change Order #16 and Final Payment for Contract #T-031.20T003-3-01 with Joseph B. Fay Company for roadway and bridge reconstruction from MP 31.04 to MP 37.82, for a decrease of

\$57,379.33 to balance items to actual work completed and additional pavement repairs on Bakerstown-Warrendale Road; for a final contract value \$116,305,520.75 and final amount due to the contractor of \$590,259.65;

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

Motion-That the Commission approves the Change Order/Final Payment for the item listed in memo "e":

- e. Change Order #4 and Final Payment for Contract #T-122.18S008-3-02 with Mosites Construction Company for the rehabilitation of the Allegheny Tunnel from MP 122.18 to MP 123.34, for an additional \$1,456.89 to balance items to actual work completed and additional changes for stain removal, lane control devices and changes to solar powered flashing beacons; for a final contract value of \$5,068,139.91 and final amount due to the contractor of \$200,768.09.

-was made by Commissioner Pratt, seconded by Commission Logan; Commissioner Lieberman abstained.

CHAIRMAN LEIBERMAN: I ABSTAIN ON THIS ITEM BECAUSE MOSITES CONSTRUCTION COMPANY IS A POTENTIAL CLIENT OF MY FIRM.

The motion passed.

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#### PSPC AWARDS

Motion-That the Commission approves the award of service and authorizes the negotiation and execution of an agreement with the selected firms for the items listed in memos "a" through "c":

- a. Ref #3-249. Open-end architectural services, systemwide;
- L.R. Kimball - AWARDED
  - Crabtree Rohrbaugh & Associates, LLP
  - Beers & Hoffman, Ltd. Architects

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

- b. Ref #3-250. Two (2) open-end geotechnical engineering services, systemwide;
- Earth, Inc.- AWARDED
  - Gannett Fleming, Inc.- AWARDED
  - GeoStructures, Inc.
  - Rhea Engineers & Consultants, Inc.

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

- c. RFP #4533. Worker's Compensation Third-Party Claims Administrator (TPA) services;
- UPMC Benefit Management Services, d/b/a UPMC WorkPartners - AWARDED
  - TRISTAR Risk Enterprise Management
  - PMA Management Corp.



-was made by Commissioner Deon, seconded by Commissioner Schoch; Commissioner's Lieberman and Logan abstained.

CHAIRMAN LIEBERMAN: I ABSTAIN ON THIS ITEM BECAUSE I HAVE A RELATIONSHIP WITH UPMC BENEFIT MANAGEMENT SERVICES AND I AM A TRUSTEE AT THE UNIVERSITY OF PITTSBURGH.

COMMISSIONER LOGAN: I ABSTAIN BECAUSE I AM CHAIRMAN OF THE BOARD AT UPMC EAST AND A CONSULTANT FOR UPMC.

The motion passed.

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#### NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, January 21, 2014 beginning at 10:00 am.

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#### POST-FORMAL MEETING

Craig Shuey, COO introduced Brad Heigel, Chief Engineer; Brad discussed two recent ENR Best 2013 Projects (Mid-Atlantic section) awards that the Turnpike received. One of the awards was for the Lehigh River & Pohopoco Creek Bridges and the other award was for the SR 29 AET Interchange.

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#### ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned was made at 11:06 a.m. -made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.

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PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.  
Secretary Treasurer