MINUTES OF THE COMMISSION MEETING HELD JANUARY 21, 2014

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:30 a.m. January 21, 2014 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were William K. Lieberman, Chairman; A. Michael Pratt, Esquire, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer, Sean Logan, Commissioner and Barry J. Schoch, P.E., Secretary of Transportation.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer Michael Baker Jr., Inc.; William J. Capone, Chief of Communications and Public Relations; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others in attendance were Richard C. Dreher, Assistant CFO; Donald S. Klingensmith, P.E., Director of Contracts Administration; Donna Lapano, Executive Office Assistant; Wanda Metzger, Contracts Supervisor; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Jr., Technician of PC/LAN Systems; Joe Rispoli, Manager of Customer and Employee Safety; Timothy M. Scanlon, Acting Director of Operations, Safety & Incident Response and Brenda Szeles-Bratina, Director of Toll Revenue Audit.

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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 available.

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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 T TERMINATION, RE-ORGANIZATION, APPOINTMENT, NEW HIRES, PROMOTIONS, VACANCIES AND REQUESTS TO POST AND FILL POSITIONS IN THE ENGINEERING, COMMUNICATIONS AND PUBLIC RELATIONS AND OPERATIONS, SAFETY & INCIDENT RESPONSE 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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RIGHT-OF-WAY REQUEST

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

a. Acquisition of Parcel 32 (*Lori S. and David D. Miller*), a total take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00, by authorizing payment of $352,863.57 to *Diversified Settlement Services, Inc.,* escrow agent, representing fair market value, pro-rated taxes, recording fees and mortgage satisfaction; authorize the appropriate Commission officials to execute the agreement of sale; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;

b. Acquisition of Right-of-Way #7144-C (*County of Bucks*), a partial take parcel necessary for the I-95/I-276 Interchange, Section D, project, by authorizing payment of $15,100.00 to the County of Bucks, representing fair market value; authorize the appropriate Commission officials to execute the agreement of sale; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon its delivery of a deed prepared by the Legal Department;

c. Acquisition of Right-of-Way #7151-A (*County of Bucks*), a partial take parcel necessary for the I-95/I-276 Interchange, Section D, project, by authorizing payment of $500.00 to the County of Bucks, representing fair market value; authorize the appropriate Commission officials to execute the agreement of sale; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon its delivery of a deed prepared by the Legal Department;

d. Acquisition of Right-of-Way #3366-A (*Hempt Bros., Inc.*), a partial take parcel necessary for the total reconstruction from MP 242.00 to MP 245.00, by authorizing payment of $128,367.00 to Hempt Bros., Inc., representing fair market value and pro-rated taxes; authorize the appropriate Commission officials to execute the agreement of sale, and other documents as may be required for closing, including the required conservation easement; 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 conservation easement as drafted by the Legal Department;

e. Acquisition of Right-of-Way #3366-B (*Hempt Bros., Inc.*), a partial take parcel necessary for the total reconstruction from MP 242.00 to MP 245.00, by authorizing payment of $197,167.00 to Hempt Bros., Inc., representing fair market value and pro-rated taxes; authorize the appropriate Commission officials to execute the agreement of sale, and other documents as may be required for closing, including the required conservation easement; 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 conservation easement as drafted by the Legal Department;

f. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #7152-C (*Joseph and Mary Ponczek)*, a partial take parcel necessary for the I-95/I-276 Interchange project; authorize payment of estimated just compensation in the amount of $500.00 to *Stevens & Lee, PC, escrow agent*; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;

g. Execute the required Declarations of Restrictive Covenants, for portions of Right-of-Way #14205-A (*Peluso*) and Right-of-Way #14070-D (*Red Raven*) previously acquired for the total reconstruction project from MP 40.00 to MP 48.00, to construct wetland and stream mitigation sites; and authorize the preparation of the documents by the Legal Department;

h. Execute the deed, for the previously acquired Right-of-Way #7085-A (*Keystone Turf Club, Inc. and Bensalem Racing Assoc., Inc.*) for the I-95/I-276 Interchange project, to transfer the portion of the former *Tarlini property* (upon which the Turf Club's private sewer line is located) to the Turf Club; and authorize the preparation of the documents by the Legal Department;

i. Acquisition of Right-of-Way #1031-R23 (*Turnpike Creamery Partners, LLC*), a total take parcel necessary for the replacement of the SR 601 bridge at MP 110.12, by authorizing payment of $835,094.00 to *David J. Puzak, Esquire, escrow agent,* representing fair market value, recording fees and mortgage satisfaction; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon its delivery of a deed prepared by the Legal Department;

j. Grant of a drainage easement to *TB-BDN Plymouth Apartments, L.P (Plymouth).* adjacent to the Mid-County Interchange, Ramp H, as required by Plymouth's environmental permitting and land development plan; and authorize the appropriate Commission officials to execute the drainage easement as drafted by the Legal Department.

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

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ADVERTISING

Motion-That the Commission approves advertising for the items listed in memos "a" and "b":

a. Medical Benefit plan (non-Medicare eligible employees/retirees) for western Pennsylvania area;

b. Creation of a pool of qualified Real Estate Agents/Brokers to assist with the purchase, sale or lease of Commission owned residential, commercial or industrial property.

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

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AWARD OF BIDS, A CHANGE ORDER AND ISSUANCE OF PURCHASE ORDERS

Motion-That the Commission approves Award of Bids, a Change Order and the Issuance of Purchase Orders for the items listed in memos "a" through "d":

a. IT Product Specialist 5 (February 10, 2014 – June 30, 2014), utilizing the Commonwealth's contract with Computer Aid, Inc.; at a total award of $203,000.00;

b. Traffic line paint with Ennis Paint, Inc., exercising our option to renew the contract through November 30, 2015 (Commonwealth contract); for an additional $1,000,000.00; increasing the purchase order to $3,625,000.00;

c. Glass beads, exercising our option to renew the contract through November 30, 2014 (Commonwealth contract):

Greenstar Allentown	$200,000.00	PO #4600014262
Potter's Industries, Inc.	100,000.00	PO #4600015067
ADDITIONAL FUNDS	$300,000.00	
Previously approved funds	674,530.00	
TOTAL PURCHASE ORDERS	$974,530.00	

d. Change Order to our contract for sodium chloride with American Rock Salt, Co., to cover additional needs for the 2014 winter season; for an additional $975,000.00; increasing the purchase order to $5,125,000.00.

-was made by Commissioner Pratt, seconded by Commissioner Deon, 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 "c":

a. Contract #EN-00138-03-02 for roadway and miscellaneous repairs between MP 75.39 and MP 179.44, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of $2,000,000.00;

b. Contract #EN-00138-03-03 for roadway and miscellaneous repairs between MP 241.87 and MP 298.33, to the lowest responsive and responsible bidder, Road-Con, Inc.; at a not-to-exceed amount of $1,500,000.00;

c. Contract #EN-00138-03-04 for roadway and miscellaneous repairs between MP A20.00 and MP A130.30, to the lowest responsive and responsible bidder, Road-Con, Inc.; at a not-to-exceed amount of $3,000,000.00.

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

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CHANGE ORDERS/FINAL PAYMENTS

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

a. Change Order #3 and Final Payment for Contract #EN-00116-03-02 with J.P.S. Construction Co., Inc., for bridge repairs between MP 0.00 and MP 109.91, Toll I-376, Turnpike 576 and Turnpike 66, for a decrease of $145,870.11 to balance items to actual work completed; for a final contract value of $654,129.89 and final amount due to the contractor of $32,706.49;

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

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

b. Change Order #1 and Final Payment for Contract #A-066.54S001-3-02 with Mosites Construction Company for painting and fencing replacements at various bridge locations between MP A66.54 and MP A83.88, for a decrease of $98,714.46 to balance items to actual work completed, additional changes for Hurricane Sandy MPT costs, sandblasting, fencing and liquidated damages due to work not completed on time; for a final contract value of $1,689,505.54 and final amount due to the contractor of $9,489.73.

-was made by Commissioner Pratt, seconded by Commissioner Deon, 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 firm for the items listed in memos "a" through "e":

a. Ref #2-096. In-depth inspection of the Tuscarora Tunnel;
    - Hatch Mott MacDonald, LLC- AWARDED
    - C.S. Davidson, Inc.
    - TranSystems Corporation Consultants

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

b. RFP #4482. Authorized Service Provider coverage from MP 49.40 to MP 75.40;
    - Magill's Auto Service, Inc.- AWARDED

-was made by Commissioner Pratt, seconded by Commissioner Deon, Commissioner Logan abstained.
COMMISSION LOGAN: I ABSTAIN ON THIS ITEM BECAUSE MAGILL'S AUTO SERVICE, INC. IS A CLOSE FAMILY FRIEND.
The motion passed.

c. RFP #4483. Authorized Service Provider coverage from MP 266.50 to MP 292.50;

- Bressler's Inc.- AWARDED

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

d. RFP #4443. Emergency Spill Responsive Provider coverage from MP 0.00 to MP 75.20, the Beaver Valley Expressway, Mon-Fayette Expressway and the Southern Beltway;

- McCutcheon Enterprises, Inc.-AWARDED

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

e. RFP #4480. Emergency Spill Response Provider coverage from MP 75.30 to MP 179.40, and the Amos K. Hutchinson Bypass (Route 66) from MP 0.00 to MP 13.20;

- McCutcheon Enterprises, Inc.-AWARDED

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

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NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, February 4, 2014 beginning at 9:00 am.

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ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned was made at 10:41 a.m. -made by Commissioner Pratt, seconded by Commissioner Deon, and passed unanimously.

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PREPARED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

APPROVED BY:

Pasquale T. Deon, Sr.
Secretary Treasurer

ATTACHMENT

COMMUNICATIONS: MEMO RECEIVED FROM THE CHIEF COUNSEL AND THE MANAGER OF STRATEGIC SOURCING AND ASSET MANAGEMENT.