

MINUTES OF THE COMMISSION MEETING HELD FEBRUARY 5, 2019

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 2:30 p.m. on Tuesday, February 5, 2019 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was John Wozniak, Commissioner; and available via telephone were Leslie S. Richards, Chair; William K. Lieberman, Vice Chair; Barry Drew, Secretary Treasurer and Pasquale T. Deon, Sr., Commissioner.

Also in attendance for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Michael Baker, Inc.; Robert F. Brady, Director of Operations/Projects-East; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Gary Graham, Asst. Chief Engineer/Design; Nikolaus Grieshaber, Chief Financial Officer; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity & Inclusion; Stacia A. Ritter, Esquire, Director of Policy and Fare Collection; Robert Taylor, Chief Technology Officer and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Kelly Horvath, Executive Administrative Assistant; Ken Juengling, GeoAnalytics Information Officer; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Wanda Metzger, Contracts Supervisor; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Lynn Stakem, Senior General Accountant; David Ward, GeoAnalytics Operations Manager; Paul McNamee, KCI; Harry Sigley, CMTS; David Lowdermilk, WSP, Inc.; Mike Gross, Wallace Montgomery; Robert Peda, Navarro & Wright and Bob Pliszka, JMT.



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



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



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a reclassification, terminations, promotion, labor, new hires, and vacancies.

The Commissioners also engaged in non-deliberative, informational discussions regarding various actions and matters, which have been approved at previous public meetings.



PUBLIC COMMENT

Ms. Edmunds: 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 signed in a requested time to speak. If you have not done so, you are invited to do so at this time.

There were no requests to address the Commission.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held January 18, 2019 be approved and filed as submitted - was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATIONS

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

CHANGE ORDERS & FINAL PAYMENT

Motion-That the Commission approves the Change Orders and Final Payment for the items listed in memos "a" and "b":

- a. Change Order #15 for Contract #T-355.00P001-3-07 for construction for the I-95/I-276 Interchange, Section B, with Road-Con, Inc., for an additional \$273.29 to balance items to actual work completed, changes for utility conflicts, caisson work, fuel tank rental, drainage, milling and paving items, joint sealing, call boxes, fencing, access gates, MPT items, electrical items, pavement markings, plantings, price adjustments for steel, diesel and asphalt, excavation, contractor toll reimbursement, patching, slope work, guiderail, barrier, special inspections, shoring, toll facility items, handicap parking, demolition work, signage, and undercutting and back filling; for a revised not-to-exceed amount of \$65,331,899.59;
- b. Change Order #2 and Final Payment for Contract #T-319.00R001-3-02 for bituminous resurfacing between MP 319.32 and MP 326.41 with Reading Site Contractors, for a decrease of \$34,178.91 to balance items to actual work completed, and changes for MPT, installation of fiber optic cable and mobilization; for a final contract value of \$8,542,362.27 and final amount due to the contractor of \$197,784.34.

-was made by Commissioner Wozniak, seconded by Commissioner Deon, and approved unanimously.



AGREEMENTS

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

- a. Lease Agreement with Montgomery County to permit the County to operate and maintain communications equipment for its county-wide emergency management system on the Commission's new Willow Grove tower; for payment of annual rent, the County has agreed to reimburse the Commission one-half of the total cost of the design and construction of the new Willow Grove Tower, and the removal and disposal of the existing tower, underground vaults and related equipment shelters, for an initial term of 10 years with three, 5-year mutual extension options;
- b. License Agreement with Upper Moreland Township to permit the Township to operate and maintain communications equipment on the Commission's new Willow Grove Tower; in lieu of rent, the Township shall (at its cost and expense) continue general upkeep and maintenance of the property and premises;
- c. Reimbursement Agreement with Monroeville Municipal Authority to reimburse the Authority the cost for the engineering and utility relocation work necessary for the total reconstruction project from MP 53.00 to MP 57.00 (Bridge WB-456 at MP 54.95); at a not-to-exceed amount of \$88,987.71;

- d. Agreement with Hexagon Safety & Infrastructure for Computer Aided Dispatch System (CADS) software maintenance, for a term of 5 years at a not-to-exceed amount of \$973,451.45;
- e. Memorandum of Understanding (MOU) with the Borough of Big Beaver to transfer ownership and maintenance responsibilities of the new highway lighting and a traffic signal installed along S.R. 18, to the Borough, upon completion of the Beaver River Bridge project;
- f. Supplemental Agreement with Harmelin Media for media planning services for an additional \$850,000.00 to increase awareness of roadway projects including ABC Bridge projects and Cashless Tolling pilots; also exercise the option to renew the agreement for an additional two-years for an additional \$2,500,000.00; for a not-to-exceed amount of \$6,350,000.00;
- g. Agreement with the Pennsylvania State University-Harrisburg to assist in the design and delivery of an executive leadership development program; at a not-to-exceed amount of \$23,000.00.

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



RIGHT-OF-WAY REQUEST

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos “a” through “q”:

- a. Approve the plans entitled, “Drawings for Authorizing Acquisition of Right-of-Way, Contract #T-110.12S001-4, Replacement of Bridge B-502 at MP 110.12, SR 0601 (North Center Avenue), Station 33+50.00 to Station 39+28.55 in Somerset Borough and Somerset Township, Somerset County”, as prepared and approved by the Engineering Department;
- b. Approve the plans entitled, “Drawings for Acquisition of Right-of-Way for Contract #T-053.00T001-4, Roadway and Bridge Reconstruction in Allegheny County, SR 0400 Section A44 R/W (Saltsburg Road), from STA 10+25.00 to STA 27+50.00=1725.00 Feet= 0.327 Mile and Davidson Road from STA 0+52.00 to STA 1+50.00=98.00 Feet=0.019 Mile”, as prepared and approved by the Engineering Department;
- c. Settlement of Right-of-Way #1031-R16 (Somerset Trust Company, Sole Surviving Trustee under Will of Lewis A. Miller), a partial take parcel necessary for the Somerset 5-legged Interchange project by authorizing payment of \$292,111.51 representing settlement funds to Somerset Trust Company, Sole Surviving Trustee under Will of Lewis A. Miller; and payment of settlement funds is contingent upon the property owner’s execution of a Stipulation of Settlement as approved by the Legal Department and the docket being marked settled and discontinued as to the property owner;

- d. Acquisition of Right-of-Way #17991 (ULC Oil & Gas Field Services LLC), a total take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$11,156.31 representing fair market value, pro-rated taxes and recording fees to Tri-State Paralegal Service, 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;
- e. Acquisition of Right-of-Way #17987 (Marianne Guglielmetti), a total take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$30,179.75 representing fair market value, pro-rated taxes and recording fees to Tri-State Paralegal Service, 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 prepared by the Legal Department;
- f. Acquisition of Right-of-Way #14230-RA (Joseph A. & Julie Rae Bucci), a partial take parcel necessary for the total reconstruction project from MP 49.00 to MP 53.00 (WB-446A) by authorizing payment of \$7,800.00 representing fair market value to Joseph A. & Julie Rae Bucci; also authorize payment of \$1,961.25 representing Section 710 damages to John P. Donovan & Associates, LLC; authorize the appropriate Commission officials to execute the Temporary Construction Easement 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 Temporary Construction Easement as prepared by the Legal Department;
- g. Acquisition of Right-of-Way #14S239 (Benjamin L. & Rebecca I. Flood f/k/a Rebecca I. Schmitt), a total take parcel necessary for construction of the Mon/Fayette Expressway by authorizing payment of \$79,378.57 representing fair market value, pro-rated taxes and recording fees to Universal Settlement Services of PA, LLC, escrow agent; also authorize payment of \$27,586.00 representing replacement housing supplement and closing costs to Benjamin L. & Rebecca I. Flood; 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;

- h. Acquisition of Right-of-Way #14079-RD (Nancy Macherosky n/k/a Nancy Vucho), a partial take parcel necessary for the total reconstruction project from MP 49.00 to MP 53.00 by authorizing payment of \$33,770.76 representing fair market value and pro-rated taxes to Nancy Vucho; 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;
- i. Settlement of Right-of-Way #14119 (Louis D. Quattro, Jr., Melissa A. Quattro), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79 by authorizing payment of \$122,693.75 representing balance due just compensation and delay damages to Goldberg, Kamin and Garvin, LLP, escrow agent; authorize the appropriate Commission officials to execute the Settlement Agreement and Release, as reviewed and approved by the Legal Department; authorize the execution of other documents that may be required for settlement; and payment of the settlement funds is contingent upon the delivery of an executed Settlement Agreement and Release by Condemnees;
- j. Settlement of Right-of-Way #14007-A1 (Allegheny Land Trust), a partial take parcel necessary for the total reconstruction project from MP 28.00 to MP 31.00 by authorizing payment of \$18,800.00 representing balance due just compensation and Section 710 damages to Goldberg, Kamin and Garvin, LLP, escrow agent; authorize the appropriate Commission officials to execute the Settlement Agreement and Release, as reviewed and approved by the Legal Department; authorize the execution of other documents that may be required for settlement; and payment of the settlement funds is contingent upon the delivery of an executed Settlement Agreement and Release by Condemnee;
- k. Acquisition of Right-of-Way #14S238 (Debora A. Hill and William Scarpaci), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$87,556.29 representing fair market value, pro-rated taxes and recording fees to Universal Settlement Services of PA, 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 is contingent upon the delivery of a deed as prepared by the Legal Department;
- l. Settlement of Right-of-Way #1020-B (David Stahl), a partial take parcel necessary for the total reconstruction project from MP 99.00 to MP 109.00 by authorizing payment of \$83,500.00 representing balance due just compensation, timber value and Section 710 damages to Clark Hill, PLC, escrow agent; authorize the appropriate Commission officials to execute the Settlement Agreement and Release, as reviewed and approved by the Legal Department; authorize the execution of other documents that may be required for settlement; and payment of the settlement funds is contingent upon the delivery of an executed Settlement Agreement and Release by Condemnee;

- m. Acquisition of Right-of-Way #14S061 (City of Clairton), a total take parcel necessary for construction of the Mon/Fayette Expressway by authorizing payment of \$600.00 representing fair market value to the City of Clairton; 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;
- n. Settlement of Right-of-Way #17905 (Palmer J. Restaneo, Jr.), a total take parcel necessary for construction of the Southern Beltway by authorizing payment of \$193,794.97 representing balance due just compensation and delay damages to Goldberg, Kamin and Garvin, LLP, escrow agent; authorize the payment of additional statutory delay damages as calculated by counsel and approved by the Chief Counsel; upon the Commission's payment of the above funds, the case will be concluded;
- o. Acquisition of Right-of-Way #14S401 (Robert C. & Carol L. Arnfield), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$128,530.27 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement Service, 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 owners is contingent upon their delivery of a deed as prepared by the Legal Department;
- p. Acquisition of Right-of-Way #14S296 (Stephen Karas), a total take parcel necessary for construction of the Mon/Fayette Expressway by authorizing payment of \$14,820.37 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 his delivery of a deed as prepared by the Legal Department;
- q. Acquisition of Right-of-Way #14S237 (Kisasonak Realty Services, LLC), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$55,488.79 representing fair market value, pro-rated taxes and recording fees to Universal Settlement Services of PA 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 its delivery of a deed as prepared by the Legal Department.

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



SUPPLEMENTS

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

- a. Supplemental Agreement #4 for construction consultation of the Southern Beltway, US 22 to I-79, Section 55B, with Stantec Consulting Services, Inc., for an increase of \$425,000.00 to complete additional drainage work along S.R. 980 and to continue consultation through construction; for a revised not-to-exceed amount of \$7,825,000.00;
- b. Supplemental Agreement #3 for construction consultation of the Southern Beltway, US 22 to I-79, Section 55C1, with WSP USA, Inc. for an increase of \$500,000.00 to continue consultation through construction, including several RFIs that were not anticipated, and shop drawing review for the remaining 17 months of construction; for a revised not-to-exceed amount of \$15,000,000.00.

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



PURCHASE ORDERS

Motion-That the Commission approves Award of a Bid and Issue Purchase Orders for the items listed in memos “a” and “b”:

- a. Systemwide maintenance for Uninterruptible Power Sources (UPS) and batteries for systems manufactured by APC/MGE, exercising the option to renew the agreement UPS for an additional year (May 1, 2019 – April 30, 2020); at a cost of \$75,000.00;
- b. Construction of the Big Boulder Tower at MP A90.10, to the lowest responsive and responsible bidder, eciWireless LLC; at a cost of \$885,161.00.

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



AWARD OF CONTRACTS

Motion-That the Commission approves the Award of Contracts for the items listed in memos “a” through “f”:

- a. Contract #EN-00233-03-02 for roadway and miscellaneous repairs along Toll I-376, Turnpike 43, Turnpike 576 and Turnpike 66, to the lowest responsive and responsible bidder, Gulisek Construction, LLC; at a not-to-exceed amount of \$4,000,000.00;

- b. Contract #EN-00233-03-04 for roadway and miscellaneous repairs between MP 122.18 and MP 201.58, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$4,000,000.00;
- c. Contract #EN-00233-03-06 for roadway and miscellaneous repairs between MP 299.98 and MP 356.42, between MP H40.83 and MP H42.54, and between MP A20.00 and MP A57.22, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$5,000,000.00;
- d. Contract #EN-00233-03-03 for roadway and miscellaneous repairs between MP 0.00 and MP 122.18, to the lowest responsive and responsible bidder, Eurovia Atlantic Coast LLC; at a not-to-exceed amount of \$5,000,000.00;
- e. Contract #EN-00233-03-05 for roadway and miscellaneous repairs between MP 201.58 and MP 299.98, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$4,000,000.00;
- f. Contract #EN-00233-03-07 for roadway and miscellaneous repairs between MP A57.22 and MP A130.64, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$4,500,000.00.

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



PSPC ITEM

Motion-That the Commission approves the award of services and authorize the negotiation and execution of an agreement with the selected firm(s) for the items listed in memos "a" and "b":

- a. #T00107, quality assurance inspection, auditing, and laboratory testing services systemwide:
 - Navarro & Wright Consulting Engineers, Inc.-AWARDED

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

- b. RFP #8381, GeoAnalytics work order services:
 - Transcend Spatial Solutions, LLC-AWARDED
 - KPMG LLP-AWARDED
 - KCI Technologies, Inc.-AWARDED
 - Johnson, Mirmiran & Thompson, Inc.-AWARDED

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



POLICY

Motion-That the Commission adopts revisions to Policy 7.1, Investment Policy & Guidelines, to make it consistent with the Commission's Trust Indenture and to clarify acceptable rating categories for Investment Agreement providers-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, February 19, 2019 beginning at 2:00 p.m.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 2:39 p.m. -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Barry Drew
Secretary Treasurer