

MINUTES OF THE COMMISSION MEETING HELD MARCH 18, 2014

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:00 a.m. March 18, 2014 at the Central Office located in Highspire, Pennsylvania. Present 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.

Others 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.; Robert F. Brady, Director of Operations/Projects-East; William J. Capone, Chief of Communications and Public Relations; Scott D. Fairholm, Chief Information Officer; David Gentile, Chief Compliance Officer; Nikolaus Grieshaber, Chief Financial Officer; Jeffrey L. Hess, Director of Fare Collection and Field Operations; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others in attendance were Susan Carson-Casoni, Cash Manager; John Christensen, Director of FEMO; Renee Colborn, Manager of Media and Public Relations; Richard C. Dreher, Assistant CFO; Gary L. Graham, Assistant Chief Engineer/Design; Diane Jordan, Methods & Procedures Analyst, Roadway Maintenance Program; Donald S. Klingensmith, P.E., Director of Contracts Administration; Donna Lapano, Executive Office Assistant; Wanda Metzger, Contracts Supervisor; Ray Morrow, Inspector General; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Jr., Technician of PC/LAN Systems; Kristine Shuller, Executive Assistant, Information Technology; Lynn Stakem, Senior General Accountant; Timothy M. Scanlon, Director of Traffic Engineering & Operations; Paul McNamee, KCI; Scott Shimko, Borton-Lawson; Mark Boris, Borton-Lawson; John Kurgan, KCI Technologies; Jon Livingston, Jacobs; Quentin Rissler, Larson Design Group; Glenn Deppert, Arora and Associates; Peter Kuhne, Atkins; Steve Moore, Parsons Brinckerhoff; Randall Leaman, Paramount Management Group; Dan Gardner, Jr., Paramount Management Group; David Russell, IPS; Dave Williams, Michael Baker Jr., Inc.; Gary Madey, Michael Baker Jr., Inc. and Steve Barber, Michael Baker, Jr., Inc.

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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, EQUITY ADJUSTMENT, PROMOTIONS, NEW HIRES AND VACANCIES.

THE COMMISSIONERS ALSO DISCUSSED DOCKET NOS. 3871854 AND 4501126258 AND 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 VISTORS TO THE MEETING: PAUL MCNAMEE, KCI; SCOTT SHIMKO, BORTON-LAWSON; MARK BORIS, BORTON-LAWSON; JOHN KURGAN, KCI TECHNOLOGIES; JON LIVINGSTON, JACOBS; QUENTIN RISSLER, LARSON DESIGN GROUP; GLENN DEPERT, ARORA AND ASSOCIATES; PETER KUHNE, ATKINS; STEVE MOORE, PARSONS BRINCKERHOFF; RANDALL LEAMAN, PARAMOUNT MANAGEMENT GROUP; DAN GARDNER, JR., PARAMOUNT MANAGEMENT GROUP; DAVID RUSSELL, IPS; DAVE WILLIAMS, MICHAEL BAKER JR., INC.; GARY MADEY, MICHAEL BAKER JR., INC. AND STEVE BARBER, MICHAEL BAKER, JR., INC.

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MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held March 4, 2014 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.

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COMMUNICATIONS

Motion-That the Commission accepts and files the memos received from the Chief Counsel, the Manager of Strategic Sourcing and Asset Management, and the Director of Fare Collection and Field Operations -was made by Commissioner Deon, seconded by Commissioner Schoch, 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

POLICY LETTER

Motion-That the Commission adopts Policy Letter 4.4, Professional License, Registration or Certifications and Memberships in Associations, Organization or Societies, to compensate employees for professional credential fees and to encourage employees to participate in professional associations-was made by Commissioner Deon, seconded by Commissioner Pratt, and passed unanimously.

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AGREEMENTS

Motion-That the Commission approves Agreements, Supplements and Amendments for the items listed in memos "a-e" and "h-n":

- a. Reimbursement Agreement with Columbia Gas of PA, Inc. to reimburse Columbia Gas the costs to perform the facility relocation work necessary for the total reconstruction from MP 28.00 to MP 31.00 (Bridge WB-400, MP 28.90), at a not-to-exceed amount of \$228,589.00;
- b. Supplemental Agreement with G.R. Sponaugle & Sons, Inc. for heating, ventilation and air condition repair services for the Central Office and TIP Buildings, for an additional \$9,753.91 to repair critical problems with the fire alarm system and for other work completed during the 2013 contract year; for a revised not-to-exceed amount of \$517,921.91;
- c. Agreement with Frank J. Kempf, Jr., P.E., as a consultant to the Commission for Mon/Fayette and Southern Beltway projects;
- d. Settlement Agreement with John Maimone and authorize the issuance of the settlement payment;
- e. Supplemental Agreement with Verizon for facility relocation work necessary for the Beaver River Bridge replacement project (Bridges WB-207 & WB-208 at MP 12.70), for an additional \$36,387.97 due to administration, overhead and supervision costs and an agreement with Norfolk Southern Railroad that was not part of the original estimate; for a revised not-to-exceed amount of \$76,864.97;

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

Motion-That the Commission approves the Agreements for the item listed in memos "f" and "g":

- f. Supplemental Agreement with PECO Energy Company for facility relocation work necessary for the I-95/I-276 Interchange project (S-32388 Ford Road Bridge replacement), for an additional \$14,730.01 due to the increase in material and labor costs since the original estimate; for a revised not-to-exceed amount of \$580,358.01;
- g. Reimbursement Agreement with PECO Energy Company to reimburse PECO the costs to perform the facility relocation work necessary for the total reconstruction project from MP 320.00 to MP 326.00 (Bridge EB-744 at MP 326.01); at a not-to-exceed amount of \$42,613.49;

-was made by Commissioner Deon, seconded by Commissioner Schoch; Commissioner Pratt abstained.

VICE CHAIRMAN PRATT: MR. CHAIRMAN, I ABSTAIN ON THE BASIS THAT THE COMPANY SET FORTH IN THESE AGENDA ITEMS IS A CLIENT OF THE FIRM OF WHICH I AM A PARTNER. I ASK THAT THE SECRETARY PLEASE HAVE THE MINUTES OF THE MEETING REFLECT MY ABSTENTION ON THIS VOTE.

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RIGHT-OF-WAY REQUEST

Motion-That the Commission approves the acquisition of Right-of-Way #1031-R22 (*John P. & Diane N. Niebauer*), a total take parcel necessary for the bridge replacement project at MP 110.12 (Bridge B-502), by authorizing payment of fair market value, pro-rated taxes and recording fees of \$2,009,029.64 to David J. Puzak, Esquire escrow agent; authorize the appropriate Commission officials to execute the agreement of sale and other documents as 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

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

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ADVERTISING

Motion-That the Commission approves advertising for short term disability services

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

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AWARD OF BIDS AND ISSUANCE OF PURCHASE ORDERS

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

- a. Computer storage upgrade (NETAPP FAS8040), utilizing the Commonwealth's contract with ePlus; at a total award of \$306,307.79;

- b. Carbon monoxide and gas detection equipment, service and maintenance agreement, exercising our option to renew the agreement (April 1, 2014 – March 31, 2015) with SL Technologies; at cost of \$70,590.00;
- c. Maintenance for uninterruptible power sources and batteries for systems manufactured A2014 – April 30, 2015):
 - Emerson Network Power/Liebert Services, Inc. (APC/MGE) \$ 49,000.00
 - United Power & Battery (Eaton) 100,000.00
 - United Power & Battery (Emerson) 150,000.00
 - RENEWAL VALUE: \$299,000.00
- d. Six (6) stakebody trucks, utilizing the Commonwealth’s contract with Apple Automotive Group; at a total award of \$266,979.00;
- e. Office supplies, exercising our option to renew the agreement (May 1, 2014 – April 30, 2015) with Office Basics; at a cost of \$82,000.00;
- f. Servers and network equipment, utilizing the Commonwealth’s contract with ePlus; at a total award of \$253,369.08;
- g. IT staff augmentation for six (6) technical SAP resources (March 31, 2014 – June 30, 2014) utilizing the Commonwealth’s contract with Computer Aid; at a total award of \$266,000.01;
- h. Toll collector uniforms (April 1, 2014 – March 31, 2019), to the lowest responsive and responsible bidder, Unitec Distribution Systems; at a total award of \$490,000.00.

-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: and “b”:

- a. Contract #A-031.00R001-3-03 for bituminous resurfacing between MP A31.86 and MP A40.20, to the lowest responsive and responsible bidder, Blooming Glen Contractors, Inc.; at a not-to-exceed amount of \$7,399,027.48 and a contingency of \$350,000.00;
- b. Contract #A-070.26F001-3-03 for heat detector installation at the northbound Lehigh Tunnel between MP A70.26 and MP A71.15, to the lowest responsive and responsible bidder, Carr & Duff, Inc.; at a not-to-exceed amount of \$1,700,400.00 and a contingency of \$75,000.00.

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

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CHANGE ORDERS/FINAL PAYMENT

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

- a. Change Order #3 and Final Payment for Contract #T-345.75R001-3-02 with Glasgow, Inc. for bituminous overlay between MP 345.75 and MP 351.79, for a decrease of \$135,856.76 to balance items to actual work completed, emergency joint repairs, Hurricane Sandy costs, stand-by time costs for delays incurred by emergency repairs on other projects and a traffic accident at MP 350.30 EB that caused delays in setting up the traffic pattern, Class 1 excavation, restocking fees, new seal, asphaltic plug repairs, drainage issues, inspector's field office changes, deteriorated glare screen replacement and line striping removal; for a final contract value of \$12,437,207.31, and a final amount due to the contractor of \$837,344.86;
- b. Change Order #3 for Contract #T-149.50T002-3-03 with New Enterprise Stone and Lime Company, Inc. for the replacement of Bridge B-552 at MP 153.06, for an additional \$261,598.78 due to actual costs to the Value Engineering proposal which was based on preliminary plans; for a revised not-to-exceed amount of \$4,432,829.18.

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

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PSPC AWARDS

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

- a. **REMOVED FROM THE AGENDA.** Ref #3-257. Design management services for the total reconstruction projects from MP 155.00-160.00, MP 160.00-162.00, MP A44.00-A48.00; MP A48.00-A53.00 and MP A53.00-A57.00;
- b. RFP #4200. Diversity awareness training for employees;
 - Deborah Vereen, LLC-AWARDED
 - Rizzo & Associates, LLC
 - Hargrove Associates, LLC

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

- c. RFP #4556. Emergency spill and response provider coverage from MP 179.50 to MP 286.00 (including the Reading Interchange); the highly recommended firms in alphabetical order:
 - Environmental Products & Services of Vermont, Inc.-AWARDED

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

d. Ref #3-251. Traffic and revenue services systemwide; the highly recommended firms in alphabetical order:

- CDM Smith, Inc.-AWARDED
- Jacobs Engineering Group Inc.

-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 to be held on Tuesday, April 1, 2014 beginning at 10:00 am.

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POST-FORMAL MEETING

Larry Bankert, Michael Baker, Jr., Inc. presented to the Commission the Design Operations Manual (DOM) and the Construction Operations Manual (COM). Mark Compton, Chief Executive Officer, provided an update on the SECA participation. Chairman Lieberman noted the resignation of David Gentile, Chief Compliance Officer and David Gentile commented on the honor and privilege it's been to work at the Commission.

ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned in honor of David Gentile was made at 11:29 a.m. -made by Commissioner Lieberman, seconded by Commissioner Deon, and passed unanimously.

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PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer