

MINUTES OF THE COMMISSION MEETING HELD MARCH 19, 2019

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:25 a.m. on Tuesday, March 19, 2019 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Leslie S. Richards, Chair; William K. Lieberman, Vice Chair; Pasquale T. Deon, Sr., Commissioner and John Wozniak, 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.; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; John DelRicci, Director of Maintenance; Charles L. Duncan III, Esquire, Director of Legislative Affairs; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; 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 Carl Brudin III, Engineer Project Manager 1; Richard S. DiPiero, Senior Fare Collection Operations Manager; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Neil Raup, Total Reconstruction Program Manager; Kevin Scheurich, Senior Engineer Project Manager; Mike Shaak, Asst. Chief Engineer-Construction; Jim Stump, Bridge Engineering Manager; Tom Talvacchia, Engineer Project Manager 3; Brad Updegrave, Bridge/Tunnel Maintenance Coordinator; Wally Wimer, Senior Engineer Project Manager; Steve Barber, Michael Baker Int'l; Jill Bolt, T.Y. Lin; David Lowdermilk, WSP; Joe Pegnetter, T.Y. Lin; Jeff Hans, HDR; Mike Houser, Markosky; Paul McNamee, KCI; Ray Lawson, Loop Capital; Dave Azzato, TPD; George Kevgas, Bergmann; Eric Madden, JMT; Allison DeFoor, The Temple Group; Mike Mogan, Bergmann; Mike Conallen, Pennoni; Francesco Russo, Michael Baker, Int'l; and Jeff McQuaid.



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 present.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a promotion, reorganization, new hires, vacancies, and a request to create, post and fill a position in the IT and Diversity Departments.

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 March 5, 2019 be approved and filed as submitted -was made by Commissioner Deon, seconded by Commissioner Wozniak, and passed unanimously.



COMMUNICATIONS

Motion-That the Commission approves the memos received from the Chief Counsel and the Director of Procurement & Logistics-was made by Commissioner Deon, seconded by Commissioner Wozniak, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

POLICY LETTERS

Motion-That the Commission approves revisions to Policy Letters and Rescind Policy Letters for the items listed in memos “a” and “b”:

- a. Adopt Policy 2.23, Fair Employment Practices Committee, to inform personnel of their duties and responsibilities regarding fair employment practices and to reaffirm policies and procedures set forth in Policy Letter 2.02, Equal Employment Opportunity and Policy Letter 3.03, Sexual Harassment and Sexual Discrimination; and rescind Policy 2.02 and Policy 3.03 as they are merged into Policy 2.23;
- b. Revise Policy Letter 2.01, Americans with Disabilities Amendment Act, to reflect operational changes, to be consistent with the Fair Employment Practices Committee policy and to comply with federal, state and local laws regarding disability related employment.

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



AGREEMENTS

Motion-That the Commission approves negotiation and execution of the Agreements, Amendments and a Supplemental Agreement for the items listed in memos “a” through “e”:

- a. Amendment to our agreement with PMA Companies for Third Party Administrator services for the Self-Insured General and Auto Liability programs, exercising the option to renew the agreement for an additional year (July 27, 2019 – July 26, 2020), at a cost of \$51,250.00; also authorize advertising for General and Auto Liability Third Party Claims Administrator (TPA) services;
- b. Supplemental Reimbursement Agreement with the Township of Falls Authority for the Township to provide inspection services for the facility relocation work necessary for the I-95/I-276 Interchange project; for an additional \$33,196.79;
- c. Amendment to our agreement with Trion for COBRA administration services, exercising the option to renew the agreement for an additional year (September 1, 2019 – August 31, 2020), at an approximate cost of \$3,600.00;
- d. Settlement Agreement and Release in the case, Toni A. Carran v PTC;
- e. Agreement with BestPass, Inc. for the payment of tolls by customers who purchase vehicles embedded with an Integrated Toll Module (ITM) device that is registered with the Commission.

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



RIGHT-OF-WAY REQUEST

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

- a. Acquisition of Right-of-Way #14003-A (Pennsylvania Department of Transportation), a partial take parcel necessary for the total reconstruction project from MP 28.00 to MP 31.00 by authorizing the appropriate commission officials to execute the required Interagency Agreement, as prepared and approved by the Legal Department; and authorize the execution of other documents that may be required to effectuate the property transfer;
- b. Acquisition of Right-of-Way #14S311 (Matthew C. Holden), a total take parcel necessary for construction of the Mon/Fayette Expressway by authorizing payment of \$105,203.55 representing fair market value and pro-rated taxes 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.

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



ADVERTISING

Motion-That the Commission approves advertising for Contract #T-355.00P002-3-06 for the replacement of Bridge DB-242 (S-36013) at MP 355.62-was made by Commissioner Deon, seconded by Commissioner Wozniak, and passed unanimously.



PURCHASE ORDERS

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

- a. Environmental Systems Research Institute GIS software maintenance and support (March 24, 2019 – March 23, 2020), utilizing the Commonwealth’s contract with Environmental Systems Research Institute; at a total award of \$250,210.21;

- b. Job Order Contracts (JOC), exercising the option to renew the agreements for an additional two-years (April 2, 2019 – April 8, 2021):

GENERAL

Clark Contractors, Inc.	\$3,200,000.00	District 1
Clark Contractors, Inc.	\$1,200,000.00	District 2
Clark Contractors, Inc.	\$1,700,000.00	District 3
Clark Contractors, Inc.	\$ 750,000.00	District 4
Clark Contractors, Inc.	<u>\$1,800,000.00</u>	District 5
TOTAL RENEWAL-GENERAL	\$8,650,000.00	

ELECTRICAL

TSB Inc d/b/a Schultheis	\$1,000,000.00	District 1
TSB Inc d/b/a Schultheis	\$1,000,000.00	District 2
I.B. Abel, Inc.	\$ 250,000.00	District 3
Clark Contractors, Inc.	\$ 250,000.00	District 4
I.B. Abel, Inc.	<u>\$ 250,000.00</u>	District 5
TOTAL RENEWAL-ELECTRICAL	\$2,750,000.00	

PLUMBING

Clark Contractors, Inc.	\$ 600,000.00	District 1
Clark Contractors, Inc.	\$ 250,000.00	District 2
Lobar Associates	\$ 250,000.00	District 3
Clark Contractors, Inc.	\$ 250,000.00	District 4
Lobar Associates	<u>\$ 250,000.00</u>	District 5
TOTAL RENEWAL-PLUMBING	\$1,600,000.00	

HVAC

MARC-Service, Inc.	\$1,000,000.00	District 1
MARC-Service, Inc.	\$ 250,000.00	District 2
Blanski Energy Management	\$ 250,000.00	District 3
Blanski Energy Management	\$ 250,000.00	District 4
Blanski Energy Management	<u>\$ 250,000.00</u>	District 5
TOTAL RENEWAL-HVAC	\$2,000,000.00	

TOTAL JOC RENEWAL: \$15,000,000.00

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



AWARD OF CONTRACTS

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

- a. Contract #S-006.00X002-3-13 for installation of signs along the Southern Beltway SR 576, Section 55S between MP S0.00 and MP S19.53, to the lowest responsive and responsible bidder, Power

Contracting Company; at a not-to-exceed amount of \$11,827,818.48 and a contingency of \$550,000.00;

- c. Contract #T-252.39S001-3-02 for painting and fencing replacement at various bridge locations between MP 252.39 and MP 261.47, to the lowest responsive and responsible bidder, Amari Painting & Lining LLC; at a total award of \$1,423,440.00 and a contingency of \$50,000.00.

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

Motion-That the Commission approves the Award of a Contract for the item listed in memo "b":

- b. Contract #T-009.00R001-3-02 for bituminous resurfacing between MP 9.26 and MP 19.47, to the lowest responsive and responsible bidder, Lindy Paving, Inc.; at a not-to-exceed amount of \$37,225,617.28 and a contingency of \$1,500,000.00;

-was made by Commissioner Deon, seconded by Commissioner Wozniak; Commissioner Lieberman abstained.

VICE CHAIR LIEBERMAN: I abstain on this item because the vendor is a client of my firm.



#### CHANGE ORDERS/FINAL PAYMENTS

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

- a. Change Order #1 and Final Payment for Contract #EN-00184-03-05 for bridge repairs between MP A20.00 and MP A130.64 with J.P.S. Construction Co., Inc., for a decrease of \$338,666.44 to reflect the cost of the completed work authorizations and a 170-day time extension due to delays with the execution of agreements with the adjacent railroad; for a final contract amount of \$2,161,333.56 and final amount due to the contractor of \$108,066.68;
- b. Change Order #6 for Contract T-355.00P001-3-14 for widening and reconstruction of S.R. 0095, Section D20, with James D. Morrissey, Inc. for an increase of \$1,074,811.61 to balance items to actual work completed, changes for drainage, guiderail connectors, tree removal, excavation, superpave mixes, concrete curb, pavement markings, guiderail, geotextile, temporary impact attenuators, erosion control, R-4 and R-5 rock, galvanized structural steel and binder mix; for a revised not-to-exceed amount of \$123,200,045.74;
- c. Change Order #1 and Final Payment for Contract #A-115.00R001-3-02 for bituminous resurfacing between MP A115.00 and MP A120.40 with Pennsy Supply, Inc. for a decrease of \$271,035.66 to balance items to actual work completed, changes for bridge deck repairs, concrete patching, payment adjustments for asphalt materials, concrete barrier, impact attenuator, E-Zpass and Toll By Plate fees, a 19-day time extension due to weather; for a final contract value of \$8,696,505.29 and final amount due to the contractor of \$423,800.33;

- d. Change Order #2 and Final Payment for Contract #T-122.16F001-3-02 for western training facility renovations at MP 122.16 EB with JC Orr & Son, Inc., for a decrease of \$5,354.50 to balance items to actual work completed; for a final contract value of \$1,836,205.12 and final amount due to the contractor of \$36,724.10.

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



### SUPPLEMENTS

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

- a. Supplemental Agreement #2 for design services for the Southern Beltway, US 22 to I-79, Section 55A-2 with AECOM Technical Services, Inc., for an increase of \$750,000.00 for additional consultation during construction, AMD monitoring, field support and shop drawing reviews; for a revised not-to-exceed amount of \$11,450,000.00;
- b. Supplemental Agreement #11 for environmental services for the I-95/I-276 Interchange project with KCI Technologies, Inc., for an increase of \$469,120.74 for preliminary environmental and engineering analysis associated with the Delaware River Bridge replacement alternatives analysis; for a revised not-to-exceed amount of \$17,139,098.95;
- c. Supplemental Agreement #2 for Fiber Optic Broadband Network project support with Gannett Fleming, Inc. to assist in development of an RFP and the selection process of a firm that can provide the needed operation and maintenance services for the new Network.

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



### BOND ISSUE

Motion-That the Commission authorizes the issuance of the Pennsylvania Turnpike Commission’s variable rate Turnpike Revenue Refunding Bonds in an aggregate principal amount not to exceed \$200,000,000 (based on par amount) in one or more series or sub-series, taxable or tax-exempt, for the purpose of financing the refunding of all or a portion of certain outstanding Turnpike Revenue Bonds, including the funding of necessary reserves; authorizing the execution, delivery and distribution of the following: (1) one or more supplemental trust indentures for the bonds; (2) one or more preliminary official statements or preliminary private placement memoranda; (3) one or more official statements or private placement memoranda; (4) one or more purchase contracts or private placement agreements; (5) agreements for the provision of one or more credit facilities and/or reserve fund credit facilities and any related agreements (TD Bank, N.A.); (6) one or more remarketing agreements (TD Securities); (7) one or more continuing disclosure agreements; (8) one or more interest rate swaps or other derivatives, or amendments to or terminations of existing interest rate

swaps; (9) one or more escrow deposit agreements; and (10) any other necessary or appropriate documents or certificates; providing for the appointment of bond counsel and other counsels (McNees Wallace & Nurick), and providing for the appointment of one or more underwriters (TD Securities) and/or other professionals (PFM and G-Entry Principle); authorizing the taking of further action; repealing inconsistent resolutions; and declaring that this resolution shall be liberally construed-was made by Commissioner Deon, seconded by Commissioner Wozniak, and passed unanimously.



#### PSPC AWARDS

Motion-That the Commission approves the award of services and authorize the negotiation and execution of an agreement with the selected firm for T00105, in-depth inspection of the Allegheny, Tuscarora, Kittatinny, Blue Mountain and Lehigh Tunnels:

- HDR Engineering, Inc.-AWARDED
- Stahl Sheaffer Engineering, LLC
- TranSystems Corporation Consultants

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



#### NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, April 2, 2019 beginning at 10:00 a.m.



#### POST-FORMAL MEETING

Brad Heigel presented the Commissioner's with numerous awards that were received by the Commission at ACEC/PA. The Diamond Awards were for the Accelerated Bridge construction at MP A57.00, the wetland and stream mitigation associated with the total reconstruction from MP 242.00 to MP 245.00, and the permanent sheet pile wall at MP 40.84. The Commission also received the Grand Conceptor Award for the Delaware River Bridge Emergency repairs. The Commission also received recognition for the Regional Transportation project with the opening of the I-95 Interchange. Brad concluded by acknowledging the hard work of the PTC staff and the collaboration with our professional service consultants.

#### ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:36 a.m. -was made by Commissioner Deon, seconded by Commissioner Wozniak, and passed unanimously.

