

MINUTES OF THE COMMISSION MEETING HELD MAY 5, 2020

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:11 a.m. on Tuesday, May 5, 2020 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were Yassmin Gramian, P.E., Chair; William K. Lieberman, Vice Chair; John Wozniak, Secretary Treasurer and Pasquale T. Deon Sr., Commissioner.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Michael Baker Int'l. (via telephone); Robert F. Brady, Director of Operations/Projects-East (via telephone); Carl E. DeFebo, Jr., Director of Public Relations & Marketing (via telephone); Charles L. Duncan III, Esquire (via telephone); Nikolaus Grieshaber, Chief Financial Officer (via telephone); Bradley J. Heigel, P.E., Chief Engineer; Doreen McCall, Chief Counsel; Myneca Y. Ojo, Director of Diversity and Inclusion (via telephone); Stacia Ritter, Director of Policy and Fare Collection (via telephone); Robert Taylor, Chief Technology Officer (via telephone) and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via phone were Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Supervisor (in person); Jeff Naugle, Manager of Treasury Operations; Jesse Ream, Communication Systems Program Manager (in person); Paul McNamee, KCI; Eric Madden, JMT; Karen Gabel, Erdman Anthony; J.T. Lincoln, GAI.; Jeff Hans, HDR; Joe Romano, LDG; Jon Livingston, Jacobs; Mark Karoloski, Buchart Horn; Roger Eaton, HDR; Ed Blazina, Pittsburgh Post-Gazette; Crystalann Deardorff, Susquehanna Civil; Tom Owad, Rock the Capital; Ed Reese, GPD and Anthony Castellone, Pennoni.



Mrs. Edwards led the Commissioners, staff and visitors in the Pledge of Allegiance.



The Assistant Secretary Treasurer, Ann Louise Edwards, called the roll and declared a quorum available. Mrs. Edwards welcomed the Commissioners, employees and guests on the WebEx and made the following statement:

In response to COVID-19, the Pennsylvania Turnpike Commission Administration Building is closed to visitors. Accordingly, the Commission Meetings will be held via telephone (through May 2020 or until further notice). The Commission will post call-in/WebEx information for those who wish to attend the

meeting via telephone/WebEx. We invite vendors, visitors and contractors to utilize the WebEx number for the meeting; that information should be posted at least 48 hours in advance of the meeting. The Commission will continue to closely monitor the CDC's and other government websites for up-to-date information regarding COVID-19, risk assessment and guidance to business. In addition, this meeting is being recorded.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of personnel, which included modifications to benefits.

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



PUBLIC COMMENT

Mrs. Edwards: 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 April 22, 2020 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 memo received from the Chief -was made by Commissioner Deon, seconded by Commissioner Wozniak, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



NEW BUSINESS

POLICY LETTER

Motion-That the Commission approves an exemption to Policy Letter 6.01, Construction Contract Change Order Approval, to permit the processing of all contract adjustments, including time extensions, potential acceleration and other costs determined to be outside the original scope, resulting from COVID-19 as Category 1 change orders subject to the approval of the Assistant Chief Engineer-Construction (exceptions are change orders resulting from a claim or settlement and change orders exceeding the available contingency)-was made by Commissioner Deon, seconded by Commissioner Wozniak, and approved unanimously.



AGREEMENT

Motion-That the Commission approves the negotiation and execution of the Supplemental Agreement with SmartDocs to implement the Optical Character Reader (OCR) technology through the SmartDocs SmartPayables module; at a cost of \$400,000.00-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” through “d”:

- a. Acquisition of Right-of-Way #8996-C (Pennsylvania Dept. of Conservation and Natural Resources), a partial take parcel necessary for the Hawk Falls Bridge replacement project by authorizing the fee simple transfer of property to the PA Dept. of Conservation and Natural Resources; authorize the Commission officials to execute all documents required for the transfer, including a deed as drafted by the Legal Department (property formerly of Dolores Sywensky and Joyce Jackson);
- b. Acquisition of Right-of-Way #2041-B1 (Ruth S. Koontz), a partial take parcel necessary to construct the MP 144.85 Country Road bridge project by authorizing payment of \$1,409.90 representing fair market value and pro-rated taxes; 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 the fair market value to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;
- c. Acquisition of Right-of-Way #4121-F (John Gregory Stech), a total take parcel necessary for the Bridge EB-311 (Union Street Bridge) reconstruction project by authorizing payment of \$207,881.76 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, Inc., 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 approved by the Legal Department;

- d. Transfer of 0.258 acres (of the former Sheana Evangeline Berkley property, Right-of-Way #14S293-ADV) to Pennsylvania American Water, Inc. in consideration of fair market value in the amount of \$9,215.00; authorize the appropriate Commission officials to execute the Agreement of Sale and all other documents required for closing, including a deed as approved by the Legal Department; and transfer of title to the property is contingent upon the receipt of fair market value.

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



#### RECORDS RETENTION

Motion-That the Commission approves the proposed Records Retention Schedule; the revision incorporates electronic records and updates to business processes and operations to ensure the Commission consistently retains records in accordance with legal and operational requirements-was made by Commissioner Deon, seconded by Commissioner Wozniak, and passed unanimously.



#### PURCHASE ORDER

Motion-That the Commission approves the Issuance of a Purchase Order for Security Incident Event Monitoring (Splunk Enterprise), exercising the option to renew the agreement for an additional year (July 1, 2020 – June 30, 2021) with CDW Government LLC; at a cost of \$82,208.99-was made by Commissioner Deon, seconded by Commissioner Wozniak, and passed unanimously.



#### AWARD OF CONTRACT

Motion-That the Commission approves the Award of Contract #T-302.00T001-3-05 for the elimination of Bridge EB-705 at MP 303.39, to the lowest responsive and responsible bidder, J.D. Eckman, Inc.; at a not-to-exceed amount of \$1,247,879.00 and a contingency of \$50,000.00-was made by Commissioner Deon, seconded by Commissioner Wozniak, and passed unanimously.



#### CHANGE ORDERS/FINAL PAYMENTS

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

- a. Change Order #2 and Final Payment for Contract #EN-00189-03-03 for sinkhole repair between MP 312.03 and MP 358.11 and between MP A20.00 and MP A70.07 with Bi-State Construction Co., Inc., for a decrease of \$960,829.68 to reflect the actual cost of the completed work authorizations and a 28-day time extension due to weather events and holiday traffic restrictions; for a final contract value of \$2,039,170.32 and final payment due to the contractor of \$101,958.52;
- b. Change Order #1 and Final Payment for Contract #EN-00224-03-06 for roadway and miscellaneous repairs between MP 299.98 and MP 358.11 and between MP A20.00 and MP A57.22 with New Enterprise Stone & Lime Co., Inc., for a decrease of \$2,887,160.35 to reflect the actual cost of the

completed work authorizations; for a final contract value of \$2,112,839.65 and final payment due to the contractor of \$18,509.41;

- c. Change Order #19 for Contract #S-006.00X002-3-08 for construction of the Southern Beltway, SR 576, Section 55B, between MP S11.17 and MP S14.31 with Joseph B. Fay Co., for an increase of \$919,162.03 for normal quantity adjustments, excavation, drainage, guiderail, pond work, purchase and storage of plants, subsurface utility excavation, and embankment work; for a revised not-to-exceed amount of \$101,523,573.71;
- d. Change Order #10 for Contract #T-355.00P001-3-13 for construction of the I-95/I-276 Interchange project, SR 95, Section D10, with PKF-Mark III, Inc., for a decrease of \$3,439.09 for normal quantity adjustments, changes for bridge deck verification, guide rail posts, demolition bridge shielding, stone removal, inlet work, impact attenuators, barrier, plantings, basin revisions, lighting and signage; for a revised not-to-exceed amount of \$143,710,014.80;
- e. Change Order #1 and Final Payment for Contract #A-076.00R001-3-02 for bituminous resurfacing between MP A76.65 and MP A88.52 with Pikes Creek Site Contractors, for a decrease of \$780,707.01 for normal quantity adjustments, changes for rock, mix designs, milling, asphalt adjustments, concrete patching, polyurethane, deck repairs, drainage, mobilization, median barrier replacement, MPT and pavement marking removal; for a final contract value of \$16,673,292.99 and final payment to the contractor of \$954,304.93;
- f. Change Order #3 for Contract #T-326.00R001-3-02 for bituminous resurfacing between MP 326.34 and MP 334.08 with Allan Myers, L.P., for a decrease of \$199,378.89 for normal quantity adjustments, asphalt mix designs, milling, drainage, MPT; lane rental fees and an 87-day time extension for sinkhole repairs and holiday restrictions; for a revised not-to-exceed amount of \$9,097,148.80.

-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, May 19, 2020 beginning at 9:00 a.m.



#### ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:20 a.m. -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.

