

MINUTES OF THE COMMISSION MEETING HELD JULY 1, 2014

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:04 a.m. July 1, 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 R. Scott Christie, P.E., Deputy Secretary for Highway Administration.

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; Scott D. Fairholm, Chief Information Officer; Todd S. Garrison, Director of Maintenance; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection and Field Operations; Doreen McCall, Chief Counsel; Ray Morrow, Acting Chief Compliance Officer; 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; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN Systems; Lynn Stakem, Senior General Accountant; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Max Inkrote, Larson Design Group; Peter Kuhne, Atkins; Ken McClain, URS; Paul McNamee, KCI Technologies; Eric Madden, ACEC/PA; William Sauers, C.S. Davidson, Inc.; Kevin Clark, Cosmos Technologies, Inc.; Richard Hilboky, Gibson-Thomas Engineering, Co., Inc. and Sean Henderson, Lochner.

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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 EQUITY

ADJUSTMENTS, PROMOTIONS, TERMINATIONS, RECLASSIFICATIONS, NEW HIRES, VACANCIES AND REQUESTS: TO RECLASS, POST AND FILL; TO CREATE AND FILL; TO POST AND FILL; TO ABOLISH; AND TO RECLASS AND FILL POSITIONS IN THE EASTERN REGIONAL OFFICE AND INFORMATION TECHNOLOGY, HUMAN RESOURCES, COMPLIANCE, AND FACILITIES AND ENERGY MANAGEMENT OPERATIONS DEPARTMENTS.

THE COMMISSIONERS ALSO DISCUSSED DOCKET NO. 2012-23634 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: MAX INKROTE, LARSON DESIGN GROUP; PETER KUHNE, ATKINS; KEN MCCLAIN, URS; PAUL MCNAMEE, KCI TECHNOLOGIES; ERIC MADDEN, ACEC/PA; WILLIAM SAUERS, C.S. DAVIDSON, INC.; KEVIN CLARK, COSMOS TECHNOLOGIES, INC.; RICHARD HILBOKY, GIBSON-THOMAS ENGINEERING, CO., INC. AND SEAN HENDERSON, LOCHNER.

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MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held June 17, 2014 be approved and filed as submitted-was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.

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COMMUNICATIONS

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

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NEW BUSINESS

CHANGE ORDERS AND FINAL PAYMENTS

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

- a. Change Order #1 and Final Payment for Contract #EN-00118-03-02 with New Enterprise Stone and Lime, Inc. for roadway and miscellaneous repairs between MP 75.39 and MP 179.44, for a decrease of \$437,594.47 to balance items to actual work completed; for a final contract value of \$1,562,405.53 and a final amount due to the contractor of \$78,120.28;
- b. Change Order #2 and Final Payment for Contract #T-197.50R001-3-02 with Hempt Bros., Inc. for bituminous overlay and shoulder sealing between MP 196.40 and MP 199.33, for a decrease of \$4,419.80 to balance items to actual work completed; for a final contract value of \$1,712,382.15 and a final amount due to the contractor of \$87,519.11;
- c. Change Order #4 and Final Payment for Contract #A-114.64S001-3-02 with H.R.I., Inc. for the replacement of Bridge NB-655 at MP A114.64, for a decrease of \$67,358.76 to balance items to actual work completed, additional changes for a temporary impact attenuator and repairs to the temporary impact attenuator, seeding and soil supplements and mulching; for a final contract value of \$5,418,063.47 and final amount due to the contractor of \$157,428.69;
- d. Change Order #1 and Final Payment for Contract #EN-00136-03-03 with Swank Construction Company, LLC for bridge repairs between MP 109.91 and MP 236.22, for a decrease of \$350,679.41 to balance items to actual work completed; for a final contract value of \$649,320.59 and final amount due to the contractor of \$32,466.03;
- e. Change Order #1 and Final Payment for Contract #A-040.00R002-3-02 with Blooming Glen Contractors, Inc. for shoulder and slope repairs between MP A38.78 and MP A51.59, for an additional \$70,867.03 to balance items to actual work completed, changes for geotextile, Class 1 and 1A excavation, bituminous curb, rock slope repairs, subbase, payment adjustment for asphalt materials, and erosion and sediment control; for a final contract value of \$1,588,279.29 and final amount due to the contractor of \$261,837.61;
- f. Change Order #2 and Final Payment for Contract #T-027.77S001-3-02 with Gulisek Construction, LLC for the rehabilitation of four bridges between MP 27.77 and MP 29.72, for decrease of \$7,095.78 to balance items to actual work completed, changes for concrete bridge deck repairs, rivet replacement, superstructure jacking, rebate for fiber wrap, material restocking fees, waterproofing, concrete, steel wire fabric, rebar, dowel holes, protective coating, excavation, S.N.A.P.'s, pavement markers, partial bridge removal, expansion dam system and superpave mix design; for a final contract value of \$1,560,367.27 and final amount due to the contractor of \$222,809.69;
- g. Change Order #6 and Final Payment for Contract #A-020.00T002-3-06 with Loftus Construction Inc. for the replacement of Bridge NB-142 at MP A30.06, for a decrease of \$483,941.18 to balance items to actual work completed, additional changes for final field measurements for

the removal of an existing footer and emergency deck patching; for a final contract value of \$12,333,509.65 and final amount due to the contractor of \$250,402.68.

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

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AGREEMENTS

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

- a. Agreement with Travel Boards of PA Inc. to continue the travel boards and logo program for 5-years with the two 2-year extensions;
- b. Reimbursement Agreement with Norfolk Southern Railroad to reimburse the Railroad the costs for the required engineering and protective services necessary for the replacement of Bridge EB-731 at MP 319.19; at a not-to-exceed amount of \$25,000.00;
- c. Agreement with the Township of Charlestown to permit the Township to install lighting fixtures and conduit along the face of the east abutment of Bridge EB-722 (SR 29) to provide lighting for the pedestrian sidewalk along SR 29, in accordance with the plans reviewed and approved by the Engineering Department;
- d. Agreement with Indiana University of Pennsylvania (IUP) Research Institute to provide research, evaluation, training, strategic and policy planning and analysis, organizational and program planning, and administrative services necessary to assess and maximize Commission program efforts;
- e. Memorandum of Understanding (MOU) with Teamsters Local Union No. 77 and 250 to provide survivor benefits to the spouse and eligible dependents of an employee who dies as a result of a work related accident.

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

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RIGHT-OF-WAY REQUESTS

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

- a. Aerial easement across property owned by Dennis R. and Nancy C. Hauenstein, a partial take parcel necessary for the RWIS deployment project from MP 201.00 to MP 293.00 by authorizing payment of fair market value of \$500.00 to Dennis R. and Nancy C. Hauenstein; 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 of easement as prepared by the Legal Department;

- b. Acquisition of Right-of-Way #6525-B (Lorraine Ciamaichela), a total take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00 by authorizing payment of fair market value, pro-rated taxes and recording fees of \$331,650.32 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 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 #3121-C (Walter B. and Ruth A. Nolt), a partial take parcel necessary for the total reconstruction project from MP 202.00 to MP 206.00 by authorizing payment of fair market value and pro-rated taxes of \$9,135.00 to Walter B. and Ruth A. Nolt; 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;
- d. Acquisition of Right-of-Way #3123-C (Harry L. and Nancy L. Elder, Jr.), a partial take parcel necessary for the total reconstruction project from MP 202.00 to MP 206.00 by authorizing payment of fair market value and pro-rated taxes of \$9,742.50 to Harry L. and Nancy L. Elder, Jr.; 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;
- e. Amendment to the Agreement of Sale for Right-of-Way #6458-A (John Kibblehouse, Sr., Lee Detwiler and Joyce Detwiler), a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing additional moving expenses for the relocation of Turnpike material located on their property; at a not-to-exceed amount of \$200,000.00;
- f. Acquisition of Right-of-Way #8996-A (Dolores Sywensky and Joyce Jackson), a total take parcel necessary for the replacement of Hawk Falls Bridge at MP A88.59 by authorizing payment of fair market value, pro-rated taxes and recording fees of \$197,331.81 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 owners is contingent upon their delivery of a deed as prepared by the Legal Department;
- g. Acquisition of Right-of-Way #6051-G (Holy Ascension Antiochian Orthodox Church), a total take parcel necessary for the total reconstruction project from MP 311.00 to MP 319.00 by authorizing payment of fair market value, pro-rated taxes and recording fees of \$478,703.90 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.

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

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ADVERTISE

Motion-That the Commission approves advertising for appraisal services to obtain a comprehensive, professional appraisal of our current facilities-was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.

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AWARD OF BIDS AND ISSUANCE OF PURCHASE ORDERS

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

- a. Change Order to the agreements with Computer Aid, Inc. utilizing the Commonwealth's contract, to extend the contract for an additional year (to June 30, 2015) and to add additional funds:

	<u>Original Value</u>	<u>Change Value</u>
SAP FRICE Business SME	\$225,012.01	\$170,000.00
Technical Specialist 2	89,503.00	170,000.00
SAP Security SME	98,000.00	<u>180,000.00</u>
CHANGE ORDER:		\$520,000.00

- b. Twelve (12) snow plows, utilizing the Commonwealth's contract with Valk Manufacturing Co.; at a total award of \$109,800.00;
- c. Sodium Chloride (September 1, 2014 – June 30, 2015), to the lowest responsive and responsible bidders:

	<u>Award Value</u>	<u>Contingency Value</u>
Cargill Deicing Technology, Inc.	\$13,800,000.00	\$2,900,000.00
Oceanport LLC	<u>1,700,000.00</u>	<u>400,000.00</u>
TOTAL AWARD & CONTINGENCY	\$15,500,000.00	\$3,300,000.00

- d. Sludge and residual waste water removal contract, exercising the option to renew the agreement for an additional year (thru June 30, 2015) with Environmental Products & Services; at a cost of \$300,000.00;
 - e. Maintenance, replacement, testing, certifications and repairs to fuel pumps, dispensers, fuel storage tank systems and hydraulic lifts, exercising the option to renew the agreements for an additional year (July 1, 2014 – June 30, 2015):
- | | |
|-----------------------------|------------------|
| Clark Contractors, Inc. | \$130,000.00 |
| Miniscalco Construction LLC | <u>60,000.00</u> |
| RENEWAL VALUE: | \$190,000.00 |

- f. Janitorial supplies (July 1, 2014 – June 30, 2015), to the lowest responsive and responsible bidders:

XPEDX	\$138,000.00
Grainger	29,000.00
Unique Source	4,000.00
Central Poly Corp	<u>51,000.00</u>
TOTAL AWARD:	\$222,000.00

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

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AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract#EN-00126-03-02 for installation of the Intelligent Transportation Systems between MP 6.80 and MP 175.90, to the lowest responsive and responsible bidder, Wellington Power Corporation; at a not-to-exceed amount of \$2,313,673.30 and a contingency of \$100,000.00-was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.

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SUPPLEMENTAL AGREEMENT

Motion-That the Commission approves the negotiation and execution of Supplement Agreement #2 for Contract #4400003282 with Borton-Lawson Engineering, Inc. for open-end design services, for an additional \$500,000.00 for additional design services in support of the Capital Plan-was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.

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PSPC ITEM

Motion-That the Commission approves the award of services and authorizes the negotiation and execution of an agreement with the selected firms for Ref #3-256 for two (2) open-end engineering design services:

1. Larson Design Group-AWARDED
2. Trans Associates-AWARDED
3. Dawood
4. Wilson

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

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ITEM ADDED TO THE FORMAL AGENDA

AGREEMENT

Motion-That the Commission approves the negotiation and execution of a Reimbursement Agreement with PECO Energy Co. to reimburse PECO for the costs to perform the required engineering and facility relocation work necessary for construction of the I-95/I-276 Interchange; at a not-to-exceed amount of \$156,925.00-was made by Commissioner Deon, seconded by Commissioner Logan; Commissioner Pratt abstained.

VICE CHAIRMAN PRATT: MR. CHAIRMAN: I ABSTAIN ON THE BASIS THAT THE COMPANY SET FORTH IN THIS AGENDA ITEM 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. The motion passed.

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NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, August 5, 2014 beginning at 10:00 a.m.

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ADJOURNMENT

Chairman Lieberman recognized Nick Grieshaber who spoke about our SWAP's and how the Commission proactively manages the SWAP portfolio.

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:13 a.m. - made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.

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PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer

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ATTACHMENT

COMMUNICATIONS: MEMO RECEIVED FROM THE CHIEF COUNSEL