

MINUTES OF THE COMMISSION MEETING HELD AUGUST 20, 2019

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:44 a.m. on Tuesday, August 20, 2019 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was John Wozniak, Commissioner; 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 Int'l.; Robert F. Brady, Director of Operations/Projects-East; Carl E. DeFebo, Jr., Director of Public Relations & Marketing; John DeRicci, 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; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Policy and Fare Collection; Stacia A. Ritter, Esquire, Director of Policy and Fare Collection; Robert Taylor, Chief Technology Officer and Ann Louise Edwards, Assistant Secretary Treasurer.

Others present were Wendy Callahan, Procurement Specialist; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Shawn Laudenslager, End User Support Technician; Wanda Metzger, Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Eric Madden, JMT; Mike Houser, Markosky; David Azzato, TPD; Mike Gross, Wallace Montgomery; Jill Bolt, T.Y. LIN; John Caperilla, CEG; and Harry Sigley, CMTS.



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.



SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a lateral, new hires, terminations, vacancies and postings for positions in the IT and Maintenance 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

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 August 6, 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 memos received from the Chief Counsel and the Director of Procurement & Logistics-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

CAPITAL PLAN ADDITION

Motion-That the Commission approves the addition of a new project to the FY2020 10-year Capital Plan for the replacement of Bridge DB-203 at MP 346.82 and approve advertising for an engineering firm to perform the preliminary and final design services for the replacement of Bridge DB-203 at MP 346.82-was made by Commissioner Wozniak, seconded by Commissioner Deon, and approved unanimously.



AGREEMENTS

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

- a. Amendment to our agreement with Travel Boards for the travel board and logo board programs, exercising the option to renew the agreement for an additional year;
- b. Amendment to our agreement with Information Logistics for web and smartphone app services; to extend the agreement for up to four (4) years to ensure uninterrupted services until transition to the awarded vendor; the estimated not-to-exceed cost is \$3,600,000.00 if the entire, four-year term is needed;
- c. Memorandum of Understanding with Marshall Township for the transfer of the required right-of-way for Mount Pleasant Road, construction and modification of new and existing Township stormwater management facilities, and the construction of a new sidewalk as part of the total reconstruction project from MP 28.00 to MP 31.00.

-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 “f”:

- a. Acquisition of Right-of-Way #14S310 (Donald B. Minchoff), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$84,942.31 representing fair market value, pro-rated taxes and recording fees to Arrow Land Solutions, 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;
- b. Acquisition of Right-of-Way #15023-A (RWS Land Company, Inc.), a partial take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$35,369.00 representing fair market value and pro-rated taxes to RWS Land Company, Inc.; 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 prepared by the Legal Department;

- c. Settlement of Right-of-Way #14198 (Gary A. & Roxanne M. Shute; Great Lakes Energy Partners, LLC), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$89,646.50 representing the balance of settlement funds and Section 710 damages to Babst, Calland, Clements and Zomnir, P.C., escrow agent; and authorize the appropriate Commission officials to execute the Settlement Agreement and Release, as reviewed and approved by the Legal Department; and payment of the settlement funds to the Condemnees is contingent upon the receipt of an executed Settlement Agreement and Release, as approved by the Legal Department;
- d. Acquisition of Right-of-Way #14S234 (Katrina Albright), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$82,054.88 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 the delivery of a deed as prepared by the Legal Department;
- e. Accept a donation from LPS Investment Partnership of its interest in unmined, undisturbed coal and support estate which is necessary for support of the surface and roadway for construction of the Southern Beltway, US 22 to I-79; authorize the appropriate Commission officials to execute the documents required to effectuate the donation of the support estate, including the authorization for the Chief Financial Officer to execute the necessary tax forms. Final acceptance of the coal interests at issue is contingent upon the Legal Department's review and approval of the necessary quit claim deed;
- f. Acquisition of Right-of-Way #7209-RA (Seth C. & Vick L. Naugler), a partial take parcel necessary for the total reconstruction project from MP A38.00 to MP A44.00, by authorizing payment of \$1,100.00 representing fair market value to Seth C. & Vicki L. Naugler; 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 to the property owners is contingent upon the delivery of the Temporary Construction Easement as prepared by the Legal Department.

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



#### ADVERTISING

Motion-That the Commission approves advertising for the items listed in memos "a" and "b":

- a. Two (2) engineering or construction management firms to perform open-end construction inspection services from MP 247.00 to the Delaware River Bridge, and on the Northeast Extension;

- b. Three (3) engineering or construction management firms to perform open-end construction management and construction inspection services from MP 247.00 to the Delaware River Bridge, and on the Northeast Extension.

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



PURCHASE ORDERS

Motion-That the Commission the Award of Bids, Change Orders and Issue Purchase Orders for the items listed in memos “a” through “i”:

- a. Anti-skid material, to the lowest responsive and responsible bidders:

New Enterprise Stone & Lime	\$127,740.50
Glacial Sand & Gravel Co.	41,537.50
Hempt Bros., Inc.	<u>16,352.50</u>
TOTAL AWARD:	\$185,630.50

- b. Change order for Varonis software maintenance with ePlus Technology, Inc., to purchase additional licenses and co-terming services with previous OneDrive and Azure modules; at a cost of \$109,185.95;

- c. Unleaded gasoline, exercising the option to extend the contracts for an additional two months (from 9/1/19 to 10/31/19) to permit time for re-bidding;

Petroleum Traders	\$ 65,000.00	Homewood, Jeff Hills, Harr City, Pocono, Wyoming Valley
Glassmere Fuel	40,000.00	Gibsonia, Donegal, Greensburg
Bedford Valley Petroleum	50,000.00	Searights, Kegg, Everett, Burnt Cabins
Talley Petroleum	55,000.00	New Cumberland, Mt. Gretna, Bowmansville, Slatington
PAPCO, Inc.	5,000.00	Newville
Riggins, Inc.	<u>45,000.00</u>	Devault, Trevoise, Quakertown
TOTAL EXTENSION:	\$260,000.00	

- d. Change order for the Lehigh Tunnel controls preventative maintenance contract (through May 2023) with Honeywell International, Inc., to add funding for the replacement of the fire alarm panels; at a cost of \$63,274.49;
- e. Asphalt sealant, exercising the option to renew the contract for an additional year (October 1, 2019 – September 30, 2020) with Crafcoc, Inc.; at a cost of \$125,000.00;
- f. Change order for Eagles radio sponsorship, to add funds for the 2019 season with CBS Radio, Inc. of Philadelphia; at a cost of \$78,000.00;
- g. Replacement lights for the Tuscarora Tunnel, utilizing the Commonwealth’s contract with Schaedler Yesco Distribution, Inc.; at a cost of \$629,837.60;
- h. Catch basin cleaner chassis, utilizing the Commonwealth’s contract with Legacy Truck Centers, Inc.; at a total award of \$127,717.00;

- i. Catch basin clean body, utilizing the Commonwealth's contract with GapVax, Inc.; at a total award of \$322,235.00.

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



#### AWARD OF CONTRACT

Motion-That the Commission approves the Award of Contract #T-129.30R001-3-02 for slope repairs between MP 129.35 and MP 130.10, to the lowest responsive and responsible bidder, Clearwater Construction, Inc.; at a not-to-exceed amount of \$1,750,000.00 and a contingency of \$75,000.00-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



#### CHANGE ORDER

Motion-That the Commission approves Change Order #19 for Contract #T-040.00T001-3-09 for roadway and bridge reconstruction from MP 39.62 to MP 44.04 and bituminous resurfacing from MP 47.07 to MP 47.78 with Trumbull Corporation, for an additional \$1,255,082.72 for class 1 excavation, subbase, overexcavation and backfill, adjustments to Hartwood Acres Wetland drain cells and payment adjustments for asphalt materials; for a revised not-to-exceed amount of \$95,350,330.58-was made by Commissioner Wozniak, seconded by Commissioner Deon; Commissioner Lieberman abstained.

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



#### SUPPLEMENTS

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

- a. Supplemental Agreement #1 for open-end geotechnical engineering services with Earth, Inc., for an additional \$400,000.00 to continue geotechnical engineering services until new contracts are executed; for a revised not-to-exceed amount of \$1,300,000.00;
- b. Supplemental Agreement #1 for open-end construction inspection services for the Southern Beltway, S.R. 22 to I-79 (Sections 55-C2-1, 55-M, 55-T), with Larson Design Group, Inc. for an additional \$2,900,000.00 due to delayed construction, increased construction inspection rates; and continued consistent construction inspection services through the completion of construction; for a revised not-to-exceed amount of \$9,400,000.00; and extend the completion date to December 31, 2022;
- c. Supplemental Agreement #1 for open-end construction inspection services for the Southern Beltway, S.R. 22 to I-79 (Sections 55-A2, 55 C2-1, 55-S), with L. R. Kimball for an additional \$2,900,000.00 due to delayed construction, increased construction inspection rates; and continued consistent construction inspection services through the completion of construction; for a revised not-to-exceed amount of \$9,400,000.00; and extend the completion date to December 31, 2022;

- d. Supplemental Agreement #1 for open-end construction inspection services for the Southern Beltway, S.R. 22 to I-79 (Section 55 A2), with Greenman-Pedersen, Inc. for an additional \$1,400,000.00 due to delayed construction, increased construction inspection rates; and continued consistent construction inspection services through the completion of construction; for a revised not-to-exceed amount of \$7,900,000.00; and extend the completion date to December 31, 2022;
- e. Supplemental Agreement #1 for open-end construction inspection services for the Southern Beltway, S.R. 22 to I-79 (Sections 55 C2-1, 55-M), with Management Engineering Corporation for an additional \$2,900,000.00 due to delayed construction, increased construction inspection rates; and continued consistent construction inspection services through the completion of construction; for a revised not-to-exceed amount of \$9,400,000.00; and extend the completion date to December 31, 2022.

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



#### POLICY

Motion-That the Commission adopts Policy 8.13, Electronic Signatures, to establish procedures for the use and validity of electronic signatures-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



#### PSPC ITEMS

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

- a. RFP 8576, towing and road services from MP 0.00 to MP 24.90:

- Tow-Tegrity, Inc.-AWARDED

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

- b. RFP 8547, insurance broker for employee insurance and benefit services:

- Alliant Insurance Services, Inc.-AWARDED

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

VICE CHAIR LIEBERMAN: I abstain on this item because Alliant Insurance Services, Inc. is a client of my firm.



#### INVOICE PAYMENT

Motion-That the Commission approves payment of the invoice to ACE, through our OCIP broker AON (who retains a 15% commission), for a total amount of \$122,305.00 which represents the Builder's Risk premium for Section 55C2-1 of the Southern Beltway (US 22 to I-79) -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



DELEGATION OF AUTHORITY

Motion-That the Commission grants delegation of authority to the Chief Engineer, with approval of the Chief Executive Officer, to reject and readvertise Construction Engineering bids, upon recommendation of Engineering staff, when it is determined to be in the best interest of the Commission-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 a telephone meeting held on Tuesday, September 3, 2019 beginning at 10:00 a.m.



POST-FORMAL

Mark Compton presented to the Commission, employees and honored guest, the most recent Commission award, The Several Seals Award. The prestigious Seven Seals Award is presented in recognition of significant organizational achievement, initiative or support that promotes and supports the Employer Support of The Guard and Reserve (ESGR) mission. The Commission was nominated for this award by Charles Duncan.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 10:58 a.m. -was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edwards  
Assistant Secretary Treasurer

Barry Drew  
Secretary Treasurer