

MINUTES OF THE COMMISSION MEETING HELD NOVEMBER 1, 2016

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 10:33 a.m. on November 1, 2016 at the Central Office located in Highspire, Pennsylvania. Present for the meeting was Barry Drew, Commissioner. Available via telephone were Sean Logan, Chairman; William K. Lieberman, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer and Leslie Richards, Secretary of Transportation.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer, Michael Baker, Inc.; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Scott D. Fairholm, Chief Information Officer; Nikolaus Grieshaber, Chief Financial Officer; Bradley J. Heigel, P.E., Chief Engineer; Jeffrey L. Hess, Director of Fare Collection & Field Operations; Doreen A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Y. Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Esquire, Director of Policy & External Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Others present were Jack Christensen, Director of FEMO; Susan Carson-Casoni, Cash Manager; Richard S. DiPiero, Senior Fare Collection Operations Manager; Richard C. Dreher, Asst. CFO/Financial Management; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Wanda Metzger, Contracts Supervisor; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Theodore A. Rusenko, Accounting & Financial Reporting Manager; Timothy M. Scanlon, Director of Traffic Engineering & Operations; Cindy Smith, ETC Customer Service Operations Analyst; Lynn Stakem, Senior General Accountant; Mark Strause, Technician of PC/LAN Systems; Paul McNamee, KCI; John Smith, Parsons Brinckerhoff; Glenn Deppert, Arora; Eric Madden, ACEC/PA; tome Bice, Lochner; Greg Roussey, Dewberry; Robert Peda, Navarro & Wright; Dave Snively, AMT; Mike Gross, Wallace Montgomery; and tom Cushman, AECOM.



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 termination, promotions, reclassifications, new hires, vacancies and a request to reclass and fill a position in the Finance and Administration Department.

The Commissioners also discussed Docket Nos. PTC-2731463 and PTC-WC-4819, and 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 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 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 October 18, 2016 be approved and filed as submitted - were made by Commissioner Deon, seconded by Commissioner Drew, and passed unanimously.



COMMUNICATION

Motion-That the Commission approves the memo received from the Chief Counsel—was made by Commissioner Drew, seconded by Commissioner Richards, and passed unanimously.



PERSONNEL

Motion-That the Commission approves the Personnel as amended—was made by Commissioner Drew, seconded by Commissioner Richards, and passed unanimously.



UNFINISHED BUSINESS

No unfinished business to discuss.



NEW BUSINESS

INVOICE PAYMENT

Motion-That the Commission approves payment of the invoices to Travelers Insurance Company, through our broker Conner Strong & Buckelew, for a total amount of \$1,752,024.00 which represents the annual premium for property and inland marine insurance coverage (\$1,741,980.00) and boiler and machinery insurance coverage (\$10,044.00) for the period October 1, 2016 – September 30, 2017-was made by Commissioner Drew, seconded by Commissioner Richards, and passed unanimously.



AGREEMENTS

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

- a. Amendment to our agreement with DAC for compliance reporting and investor relations, exercising the option to renew the agreement for an additional year (thru June 16, 2018) at a not-to-exceed amount of \$20,000.00;
- b. Amendment to our agreement with Xerox State and Local Solutions for maintenance and support of the tolling solution on the Findlay Connector, exercising the option to renew the agreement for an additional year (2<sup>nd</sup> renewal of the 3-year agreement; the total 3-year agreement is at a not-to-exceed amount of \$1,392,472.87);
- c. Amendment to our agreement with The Gordian Group for operation of the Job Order Contracting (JOC) program, exercising the option to renew the agreement for an additional 2-years (April 9, 2017 – April 8, 2019); at a not-to-exceed amount of \$400,000.00;
- e. Amendment to our agreement with Brink’s U.S. for armored courier services, exercising the option to renew the agreement for an additional year (June 1, 2017 – May 31, 2018); at a cost of \$175,000.00, expanding services, and approval to advertise for armored courier services.

-was made by Commissioner Drew, seconded by Commissioner Richards, and passed unanimously.

Motion-That the Commission approves the negotiation and execution of the Amendment for the item listed in memo "d":

- d. Amendment to our agreements with US Bank, N.A., Wells Fargo Bank, N.A. and The Bank of New York Mellon, N.A. for Trustee and Bond services; to extend the agreements for 6 months with an option to extend the agreements for an additional six months, at an approximate cost of \$95,000.00;

-was made by Commissioner Drew, seconded by Commissioners Richards; Commissioner Lieberman abstained.

VICE CHAIRMAN LIEBERMAN: I abstain on this item because of my association with The Bank of New York Mellon.



#### RIGHT-OF-WAY REQUESTS

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

- a. Acquisition of Right-of-Way #15001-B (Richard L. & Gloria J. Kline), a partial take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$17,213.00 representing fair market value and pro-rated taxes to Richard L. & Gloria J. Kline; 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 prepared by the Legal Department;
- b. Acquisition of Right-of-Way #15002-B (David W. Eckert), a total take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$30,081.43 representing fair market value and pro-rated taxes to David W. Eckert; 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 prepared by the Legal Department;
- c. Acquisition of Right-of-Way #14103 (William C. & Anna M. Bond, Trustees of the William C. Bond Revocable Living Trust and Arthur R. Bond), a partial take parcel necessary for construction of the Southern Beltway by authorizing payment of \$43,245.54 representing fair market value and pro-rated taxes to William C. & Anna M. Bond, and authorizing payment of \$43,245.54 representing fair market value and pro-rated taxes to Arthur R. Bond; 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 is contingent upon the delivery of a deed as approved by the Legal Department;

- d. Transfer of Commission property at the Donegal Interchange to the PA Department of Transportation to improve traffic flow from the Donegal Interchange of the Turnpike to SR0031; authorize the execution of an Interagency Agreement, Quit Claim Deed and a temporary construction easement as reviewed and approved by the Legal Department;
- e. Acquisition of Right-of-Way #17971-6 (Fairfield Southpointe, L.P., MBM Enterprises, LLC d/b/a Power Train Sports Institute Southpointe, LLC), a partial take parcel necessary for construction of the Southern Beltway by authorizing payment of \$60,000.00 representing business dislocation damages to MBM Enterprises, LLC d/b/a Power Train Sports Institute Southpointe, LLC; authorize the appropriate Commission officials to execute the settlement agreement 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 is contingent upon the delivery of a deed as approved by the Legal Department;
- f. Acquisition of Right-of-Way #1500-E1 (Albert A. Raspotnik) and #15000-E1-01 (Appel Construction, LLC), a partial take parcel necessary for the replacement of Bridge WB-500 at MP 59.58 by authorizing payment of \$93,171.00 representing business dislocation damages, personal property loss and search costs to Appel Construction, LLC; authorize the appropriate Commission officials to execute the settlement agreement and other documents that may be required for closing; and authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel;
- g. Acquisition of Right-of-Way #1500-E1 (Albert A. Raspotnik) and #15000-E1-04 (Choice Pools & Hardscapes, Inc.), a partial take parcel necessary for the replacement of Bridge WB-500 at MP 59.58 by authorizing payment of \$60,000.00 representing business dislocation damages to Choice Pools & Hardscapes, Inc.; authorize the appropriate Commission officials to execute the settlement agreement and other documents that may be required for closing; and authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel;
- h. Acquisition of Right-of-Way #1500-E1 (Albert A. Raspotnik), a partial take parcel necessary for the replacement of Bridge WB-500 at MP 59.58 by authorizing payment of \$471,650.50 representing fair market value, pro-rated taxes and recording fees to TRG Closing Services, escrow agent, and authorizing payment of \$51,135.50 representing business dislocation damages to Albert A. Raspotnik; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that may be required for closing; and authorize the payment of additional statutory damages as calculated by the Right-of-Way Administer and approved by the Chief Counsel;
- i. Settlement of Right-of-Way #17397 (Andrew & Tracy L. Zottola), a total take parcel necessary for construction of the Southern Beltway by authorizing payment of \$237,491.27 representing the balance of the settlement funds due after appropriate and agreed upon deductions for taxes and other items to Babst Calland, escrow agent; authorize the appropriate Commission officials to execute the settlement agreement and other documents that may be necessary; and delivery of the settlement funds to the property owners is contingent upon their execution of the Settlement Agreement and General Release as reviewed and approved by the Legal Department.

-was made by Commissioner Drew, seconded by Commissioner Richards, and passed unanimously.



ADVERTISING

Motion-That the Commission approves advertising for traffic incident management and emergency management services, open-end-was made by Commissioner Drew, seconded by Commissioner Richards, and passed unanimously.



PURCHASE ORDERS

Motion-That the Commission approves the Issuance of Purchase Orders for septic cleaning, exercising the option to renew the agreements for an additional year (November 1, 2016 – October 31, 2017):

Mr. John of Pittsburgh	\$	0.00
Rural Wastewater Mgt.		0.00
Dalton Sanitary Srv.		10,000.00
Associated Products		0.00
Dillsburg Excavating & Septic		4,000.00
Burns Septic Srv.		45,000.00
A Septic Srv.		13,000.00
McGovern Environmental		<u>0.00</u>
TOTAL RENEWAL:		\$72,000.00

-was made by Commissioner Drew, seconded by Commissioner Richards, and passed unanimously.



AWARD OF A CONTRACT

Motion-That the Commission approves the Award of Contract #T-020.47S002-3-02 for superstructure replacement of Bridge WB-224B at MP 20.47, to the lowest responsive and responsible bidder, Brayman Construction Corporation; at a not-to-exceed amount of \$5,487,866.20 and a contingency of \$250,000.00-was made by Commissioner Drew, seconded by Commissioner Richards, and passed unanimously.



CHANGE ORDERS/FINAL PAYMENTS

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

- a. Change Order #1 and Final Payment for Contract #EN-00149-03-02 for roadway and miscellaneous repairs between MP 75.39 and MP 179.44 with New Enterprise Stone & Lime Company, Inc., for a decrease of \$464,485.26 to balance items to actual work completed; for a final contract value of \$1,035,514.74 and final amount due to the contractor of \$51,775.74;

- b. Change Order #4 for Contract #A-076.09S001-3-02 for the replacement of Bridge NB-531 at MP A76.09 and Bridge NB-534 at MP A76.18 with New Enterprise Stone & Lime Company, Inc., for a 27-day time extension due to extra milling and paving of SNAPS to facilitate traffic switch, extra work paving in barrier trench and installation of tenth mile marker signs; contract value remains at a not-to-exceed of \$21,926,544.81;
- c. Change Order #2 and Final Payment for Contract #A-105.00R002-3-02 for bituminous resurfacing between MP A105.00 and MP A115.02 with Pikes Creek Site Contractors, for a decrease of \$1,668,220.90 to balance items to actual work completed, changes for drainage, curb armor, subbase, MPT and installation of tenth mile markers; for a final contract value of \$12,121,735.53 and final amount due to the contractor of \$120,959.59.

-was made by Commissioner Drew, seconded by Commissioner Richards, and passed unanimously.



#### SUPPLEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #2 for Contract #4400003225 for open-end wastewater/environmental engineering services with Rettew Associates, for an additional \$20,000.00 to complete site inspections and contract management for the Everett Maintenance oil/water separator and Homewood Maintenance municipal connection projects; for a revised not-to-exceed amount of \$1,220,000.00-was made by Commissioner Drew, seconded by Commissioner Richards, and passed unanimously.



#### PSPC AWARDS

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

- a. RFP#7488, safety consultant for accident and illness prevention program:

- Compliance Management International, Inc.-AWARDED

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

- b. T00044, open-end construction inspection from MP 247.00 to MP 359.00 and from MP A20.00 to MP A131.00:

- PRIME AE Group-AWARDED
- Erdman, Anthony
- Stantec Consulting

-was made by Commissioner Deon, seconded by Commissioner Drew; Commissioners Lieberman and Richards abstained.

VICE CHAIRMAN LIEBERMAN: I abstain on this item because a sub consultant, Monaloh Basin, is a client of my firm.

SECRETARY RICHARDS: I abstain on this item because Urban and AECOM were former political donors.

c. T00043, construction management for the roadway and bridge reconstruction project from MP A31.00 to MP A44.00:

- Hill International, Inc.-AWARDED
- GAI Consultants, Inc.

-was made by Commissioner Drew, seconded by Commissioner Deon; Commissioners Logan and Lieberman abstained.

CHAIRMAN LOGAN: I abstain on this item because GAI Consultants, Inc. is a member of the Monroeville Area Chamber of Commerce, which I serve as President.

VICE CHAIRMAN LIEBERMAN: I abstain on this item because a sub consultant, Monaloh Basin, is a client of my firm.



#### NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held on Tuesday, November 15, 2016 beginning at 10:00 a.m.



#### ADJOURNMENT

Motion-Chairman Logan adjourned the meeting in memory of Senator J. Barry Stoudt at 10:45 a.m. - was made by Commissioner Lieberman, seconded by Commissioner Drew, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds  
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.  
Secretary Treasurer