

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 17, 2014

A formal meeting of the Pennsylvania Turnpike Commission convened at 11:46 a.m., December 17, 2014 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were A. Michael Pratt, Esquire, Vice Chairman; Pasquale T. Deon, Sr., Secretary Treasurer; Sean Logan, Commissioner and Barry J. Schoch, P.E., Secretary of Transportation. Available via the telephone was William K. Lieberman, Chairman.

Others present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer for Michael Baker Jr., Inc.; Robert F. Brady, Director of Operations/Projects-East; William J. Capone, Chief of Communications & 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 A. McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Myneca Ojo, Director of Diversity and Inclusion; Stacia A. Ritter, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Jack Christensen, Director of FEMO; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Richard S. Dipiero, Senior Fare Collection Operations Manager; Richard C. Dreher, Assistant CFO/Financial Management; Donald S. Klingensmith, P.E., Director of Procurement and Logistics; Donna Lapano, Executive Office Assistant; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN Systems; Theodore A. Rusenko, Accounting & Financial Reporting Manager; Cindy Smith, General Accountant II; Alan Williamson, Senior Engineer Project Manager; Jon Livingston, Jacobs Engineering; David Lowdermilk, Parsons Brinckerhoff; David Snively, AMT; Matthew Natale, JMT; Keith Kuzio, Larson Design Group; Quentin Rissler, Larson Design Group; Troy Holloway, Century Engineer; Paul McNamee, KCI Technologies and Peter Kuhne, Atkins.



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, equity adjustment, promotions, new hires, vacancies and a request to fill positions in the Compliance Department.

The Commissioners also discussed Docket No. 862 MAL 2014 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; all visitors stood and introduced themselves.



MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held December 2, 2014 be approved and filed as submitted-was made by Commissioner Logan, 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 Logan, seconded by Commissioner Deon, and passed unanimously.



PERSONNEL

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



NEW BUSINESS

POLICY LETTER

Motion-That the Commission adopts the revisions to the Policy Letter 7.10, Business and Supplier Diversity and Contract Compliance, to reflect updated necessitated by Act 89 of 2013 which modified Section 303 of the Transportation Code (Title 74)-was approved by Commissioner Pratt, seconded by Commissioner Deon, and passed unanimously.



AGREEMENT

Motion-That the Commission approves the negotiation and execution of an agreement with IQMedia to gather news clips pertaining to the Pennsylvania Turnpike Commission from a variety of media sources; at a not-to-exceed amount of \$15,490.00 for one year-was made by Commissioner Logan, seconded by Commissioner Deon, and passed unanimously.



RIGHT-OF-WAY REQUESTS

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 #14206-F (Xiaodong and Yan Lin Zhang), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00 by authorizing payment of fair market value and pro-rated taxes of \$22,292.50 to Xiaodong and Yan Lin Zhang; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents as 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; payment of fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;

- b. Acquisition of Right-of-Way #1054-B (Doris S. Lambert), a partial take parcel necessary for the Somerset Maintenance Facility by authorizing payment of fair market value, pro-rated taxes and recording fees of \$40,867.00 to Coon & Company, escrow agent; authority 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 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. Right-of-Way #14207-A (Thomas K. Eichenlaub), a total take parcel that we approved at the November 18, 2014 Commission Meeting (Item F-3b), for a correct settlement of \$12,600 (not \$12,100 that was erroneously requested); authorize the issuance of a check in the additional amount of \$500.00 to Babst Calland, escrow agent; and authorize the execution of the settlement agreement;
- d. Acquisition of Right-of-Way #14129 (Jerry A. Mazza), a total take parcel necessary for construction of the Southern Beltway (US 22 to I-79) by authorizing payment of fair market value, pro-rated taxes and recording fees of \$528,854.40 to Coon & Company, escrow agent; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents as 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;
- e. Settlement of Right-of-Way #7135-T (2731 Bartram, LLC), a partial take parcel necessary for the I-95/I-276 Interchange project by authorizing post condemnation settlement of \$81,000.00; authorize the appropriate Commission officials to execute the post condemnation settlement agreement as approved by the Legal Department; and Counsel for the Commission, Wisler Pearlstine, LLC, will refund the overage previously approved and paid;
- f. Acquisition of Right-of-Way #6078-P (Glenhardie Condominium Association), a partial take parcel necessary for the total reconstruction project from MP 320.00 to MP 326.00 by authorizing payment of fair market value of \$150,000.00 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 is contingent upon the delivery of a deed as prepared by the Legal Department.

-were approved by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.



ADVERTISING

Motion-That the Commission approved advertising for an insurance consultant to review and report on all insurance policies in accordance with the Amended and Restated Trust Indenture and to review insurance certificates for contract work -was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.

AWARD OF BIDS, CHANGE ORDERS AND ISSUANCE OF PURCHASE ORDERS

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

- a. Mower parts, exercising our option to renew the agreements for an additional year (January 1, 2015 – December 31, 2015):

Montage Enterprises	\$50,000.00
Cherry Valley Tractor	30,000.00
Lacal Equipment	<u>7,500.00</u>
RENEWAL VALUE:	\$87,500.00

- b. Stop loss insurance provider, exercising our option to renew the agreement for an additional year (January 1, 2015 – December 31, 2015), with Avalon Insurance Company; at a cost of \$512,297.00;

- c. Change Order for IT staff augmentation to extend two (2) Technical Specialist 3-Emerging TS3 resources through February 28, 2015, utilizing the Commonwealth's contract with Computer Aid, Inc.; at a cost of \$67,000.00;

- d. Automotive storage batteries, exercising our option to renew the agreements for an additional year (December 1, 2014 – November 30, 2015):

Sunbury Motors	\$40,000.00
Napa Auto Parts	<u>20,000.00</u>
RENEWAL VALUE:	\$60,000.00

- e. IT staff augmentation for four (4) Technical Specialist 3-Emerging TS3 resources (December 2014 – August 2015), utilizing the Commonwealth's contract with Computer Aid, Inc.; at a total award of \$620,000.01;

- f. Compuspread parts (December 1, 2014 – November 30, 2015), to the lowest responsive and responsible bidder, Modern Group LTD; at a total award of \$150,000.00;

- g. Advisory Services annual subscription (January 1, 2015 – December 31, 2015), utilizing the Commonwealth's contract with Gartner, Inc.; at a total award of \$144,600.01.

-were approved by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.



AWARD OF CONTRACTS

Motion-That the Commission approves Award of a Contract and a correction to the value of a previously awarded contract for the items listed in memos "a" and "b":

- a. Contract #A-105.00R002-3-02 for bituminous resurfacing between MP A105.00 and MP A115.02, to the lowest responsive and responsible bidder, Pikes Creek Site Contractors; at a not-to-exceed amount of \$13,668,426.43 and a contingency of \$650,000.00;
- b. Correction to the previously approved contract value for Contract T-056.35S001-3-02 to BECDIR Construction Company for the rehabilitation of Bridge WB-459 at MP 56.35 that was awarded at the December 2, 2014 Commission Meeting (item F-6); the contract amount submitted for award of \$412,000.00 was in error, the correct not-to-exceed amount is \$412,743.60 with a contingency of \$20,000.00.

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



CHANGE ORDERS AND 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 for Contract #A-129.70S001-3-02 with Nyleve Bridge Corporation for the redecking of Bridge NB-750 at MP A129.70, for an increase of \$29,790.30 for unseen steel repairs to correct deficiencies and section loss, repairs to an expansion dam required by the PTC at Bridge NB-751 and removal of SNAPS to accommodate traffic during construction; for a revised not-to-exceed amount of \$16,216,516.47;
- b. Change Order #1 for Contract T-201.00M001-3-02 with Carr & Duff, Inc. for the installation of Roadway Weather Information Systems (RWIS) from MP 201.00 to MP 293.00, for an increase of \$9,670.02 to use a fiber optic system rather than the wireless system bid on the contract at the request of the PTC Traffic Engineering unit and a 54-day time extension to complete this change; for a revised not-to-exceed amount of \$491,900.02;
- c. Change Order #2 and Final Payment for Contract #EN-00029-03-04 with Joseph B. Fay Co. for median barrier replacement and retaining wall construction between MP 166.04 and MP 171.46, for a decrease of \$16,814.12 to balance items to actual work completed and additional emergency deck repairs were necessary on Bridge B-521 at MP 172.80 EB; for a final contract value of \$6,731,421.74 and final amount due to the contractor of \$139,847.03;
- d. Change Order #8 and Final Payment for Contract #T-199.00T005-3-04 with H.R.I., Inc. for roadway and bridge reconstruction from MP 199.34 to MP 201.74, for a decrease of \$307,655.27 to balance

items to actual work complete, changes for repairs to unreported accident sites and charging the contractor liquidated damages for not having the project substantially completed by the completion date; for a final contract value of \$32,261,247.28 and final amount due to the contractor of \$125,709.03.

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



SUPPLEMENT

Motion-That the Commission approves the negotiation and execution of Supplemental Agreement #1 with CDR Maguire, Inc. for design of the Beaver River Bridge replacement project, for an additional \$3,500,000.00 to complete the final design of the project; for a revised not-to-exceed amount of \$17,500,000.00-was made by Commissioner Pratt, seconded by Commissioner Deon, and passed unanimously.



PSPC AWARDS

Motion-That the Commission approves t award of services and authorize the negotiation and execution of an agreement with the selected firm for Ref #4-093, open-end construction inspection services for the I-95/I-276 Interchange project, Stage 2:

1. The Temple Group, Inc.-AWARDED
2. TRC Engineers
3. Trumbull Construction Management Services

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

CHAIRMAN LIEBERMAN: I abstain on this item because Trumbull Construction Management Services is a client of my firm.

COMMISSIONER LOGAN: I abstain on this item because Parsons Brinckerhoff, Inc. (a highly recommended firm) because my wife's uncle is employed by Parsons Brinckerhoff, Inc.



ITEMS ADDED TO THE FORMAL AGENDA

PURCHASE ORDER

Motion-That the Commission approves the change orders for diesel motor fuel and heating/emergency generator fuel with Mansfield Oil Company for \$60,000.00 and Bedford Valley

Petroleum for \$15,000.00, to ensure adequate fuel supply through December 31, 2014-was made by Commissioner Pratt, seconded by Commissioner Deon, and passed unanimously.



AMENDMENT

Motion-That the Commission approves the amendment to the value of our agreement with the University of Indiana (IUP) Research Institute for research, evaluation, training, strategic and policy planning and analysis, organizational and program planning, for an additional \$131,528.00 to complete electronic, self-paced training material for maintenance work activities; and approve the execution of the Work Orders-was made by Commissioner Deon, seconded by Commissioner Logan, and passed unanimously.



NEXT COMMISSION MEETING

Ms. Edmunds: The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting held on Tuesday, January 6, 2015 beginning at 9:00 am.



ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:57 a.m.- was made by Commissioner Lieberman, seconded by Commissioner Schoch, and passed unanimously.



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer