

MINUTES OF THE COMMISSION MEETING HELD DECEMBER 20, 2016

A formal meeting of the Pennsylvania Turnpike Commission convened at 10:49 a.m. on December 20, 2016 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Sean Logan, Chairman; Pasquale T. Deon, Sr., Secretary Treasurer; Barry Drew, Commissioner and Leslie Richards, Secretary of Transportation. Available via telephone was William K. Lieberman, Vice Chairman.

Present for the meeting were Mark P. Compton, Chief Executive Officer; Craig R. Shuey, Chief Operating Officer; Larry Bankert, Chief Engineer, Michael Baker, Inc.; Robert F. Brady, Director of Operations/Projects-East; Carl E. Defebo, Jr., Director of Public Relations & Marketing; Charles L. Duncan III, Esquire, Director of Legislative Affairs; 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; 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 Samantha Abbott, Executive Administrative Assistant; Jack Christensen, Director of FEMO; Richard S. DiPiero, Senior Fare Collection Operations Manager; Kelly Horvath, Executive Administrative Assistant; Donald S. Klingensmith, P.E., Director of Procurement & Logistics; Anthony Q. Maun, Asst. CFO/Accounting & Budgeting; Wanda Metzger, Contracts Supervisor; Gina M. Murray, Engineering Contracts Supervisor; Jeffrey A. Naugle, Manager of Treasury Operations; Sheri Norris, Director of Human Resources; Mark Strause, Technician of PC/LAN Systems; Alan Williamson, Senior Engineer Project Manager; Paul McNamee, KCI; John Smith, Parsons Brinckerhoff; Glenn Deppert, Arora; Scott Shimko, Borton Lawson; Doug Rickards, LNA; Eric Madden, ACEC/PA; Tom Bice, Lochner; Bob Ball, TransCore; Kristi Reichard, Raudenbush; Blair Stocker, RVE; Mark Karolski, Buchart Horn; Mike Gross, Wallace Montgomery; Chris Messner, GPI; James Haddon, Ramirez & Co.; Linda Vanderperre, Ramirez & Co.; Ron DeNadai, KSE; Nolan Ritchie, PA Senate and Joe Zarriello, KSE.

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 an annuitant, terminations, new hires and vacancies.

The Commissioners also discussed Docket No. PTC-WC-1973 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 December 6, 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 memos received from the Chief Counsel and the Director of Procurement & Logistics-was made by Commissioner Deon, seconded by Commissioner Drew, and passed unanimously.



PERSONNEL

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



UNFINISHED BUSINESS

No unfinished business to discuss.



NEW BUSINESS

RIGHT OF ENTRY AGREEMENTS

Motion-That the Commission authorizes the Chief Engineer or designee to execute Right of Entry Agreements with Security Consulting Solutions for the installation of a license plate recognition system on the Allegheny Valley Interchange ramp - was made by Commissioner Deon, seconded by Commissioner Drew, and passed unanimously.



AGREEMENTS

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

- a. Amendment to our Lease Agreement with EQT Production Company for the purpose of exploring, developing and producing oil and gas not only from the Marcellus Shale Formation but also the Utica Shale Formation in Washington County;
- b. Settlement Agreement and Release in the case, Davis v. PTC, and authorize payment of the settlement amount;
- c. Amendment to our Lease Agreement with New Cingular Wireless for ground and tower space on the Commission's tower in Irwin; to replace the existing lease with the predecessor in interest, Pittsburgh Cellular Telephone Company; New Cingular Wireless will pay the Commission \$41,043.48 for the first year, with 3% increases every year after, for an initial term of 10-years with three (3) 5-year options to renew;
- d. Settlement Agreement and Release in the case with Green Coast Logistics;
- e. Enter into negotiations with Hampton Township School District to permit Poff Elementary School to utilize the Gibsonia Maintenance facility as an emergency evacuation location in the event the school cannot shelter in place

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



RIGHT-OF-WAY REQUESTS

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

- a. Acquisition of Right-of-Way #17989 (Sally Diehl Trageser), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 & I-79 by authorizing payment of \$7,083.25 representing fair market value and pro-rated taxes to Sally Diehl Trageser; 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 damages to the property owner is contingent upon her delivery of a deed prepared by the Legal Department;
- b. Acquisition of Right-of-Way #2075-F (Estate of Ethel M. Ford), a partial take parcel necessary for the total reconstruction project from MP 149.50 to MP 155.50 by authorizing payment of \$28,657.11 representing fair market value and pro-rated taxes to the Estate of Ethel M. Ford; 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 damages to the property owner is contingent upon its delivery of a deed prepared by the Legal Department;
- c. Acquisition of Right-of-Way #15000-RA1 (Edward J. & Lisa M. Kravetz), a total take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$291,357.31 representing fair market value, pro-rated taxes, recording fees and mortgage satisfaction to TRG Closing Services, 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 prepared by the Legal Department;
- d. Acquisition of Right-of-Way #17754 (Mildred Gilbert), a total take parcel necessary for construction of the Southern Beltway, Rt. 22 & I-79 by authorizing payment of \$264,490.15 representing fair market value, pro-rated taxes and recording fees to Coon & Company, 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 damages to the property owner is contingent upon her delivery of a deed prepared by the Legal Department;
- e. Settlement of Right-of-Way #1020-B (David C. Stahl), a partial take parcel necessary for the total reconstruction project from MP 99.00 to MP 109.00 by authorizing payment of \$12,271.00 representing full and final settlement payable to Clark Hill, PLC, escrow agent; authorize the appropriate Commission officials to execute the Settlement Agreement as reviewed and approved by the Legal Department; and payment of settlement funds is contingent upon the delivery of an executed Settlement Agreement as approved by the Legal Department;

- f. Acquisition of Right-of-Way #1500-E1 (Albert A. Raspotnik, Owner and Dulemba Landscaping, LLC), a partial take parcel necessary for the replacement of Bridge WB-500 at MP 59.58 by authorizing payment of \$37,590.00 representing personal property loss, non-residential move costs and search costs to Dulemba Landscaping, 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 Administrator and approved by the Chief Counsel;
- g. Acquisition of Right-of-Way #1500-E1-02 (Albert A. Raspotnik, Owner and Tony Reed d/b/a Reed Home Improvement), a partial take parcel necessary for the replacement of Bridge WB-500 at MP 59.58 by authorizing payment of \$21,033.50 representing business dislocation damages to Anthony Reed d/b/a Reed Home Improvement; 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 Administrator and approved by the Chief Counsel;
- h. Settlement of Right-of-Way #17985 (Shirley Clark), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 & I-79 by authorizing payment of \$3,000.00 representing the balance of the settlement funds to the Law Office of Robert J. Wratcher, 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 damages to the property owner is contingent upon her delivery of a deed prepared by the Legal Department;
- i. Settlement of Right-of-Way #1025-B (William E. Baughman), a partial take parcel necessary for the total reconstruction project from MP 99.00 to MP 109.00 by authorizing payment of \$1,500.00 representing balance of settlement funds to McDonald Snyder, P.C., escrow agent; authorize the appropriate Commission officials to execute the Settlement Agreement as reviewed and approved by the Legal Department; and payment of settlement funds to the property owner is contingent upon the delivery of an executed Settlement Agreement as approved by the Legal Department;
- j. Transfer 0.414 acres of Commission property in Penn Township, Westmoreland County to the PA Department of Transportation for their highway improvement project on SR 130; authorize the execution of an Interagency Agreement, Quit Claim Deed and a temporary construction easement as reviewed and approved by the Legal Department;
- k. Acquisition of Right-of-Way #2033-C (Donnaleigh Siko), a total take parcel necessary for the Diehl Road bridge elimination project by authorizing payment of \$220,955.98 representing fair market value, pro-rated taxes and recording fees to Fee Simple Settlement, 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 damages to the property owner is contingent upon her delivery of a deed prepared by the Legal Department;

- l. Adopt the proposed Property Acquisition Resolution for Right-of-Way #15000-RC1 (Nancy C. Becker), a partial take parcel necessary for replacement of Bridge WB-500 at MP 59.58; authorize payment of Estimated Just Compensation of \$1,600.00 to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- m. Adopt the proposed Property Acquisition Resolution for Right-of-Way #15000-RA3 (Paul R. Becker), a partial take parcel necessary for replacement of Bridge WB-500 at MP 59.58; authorize payment of Estimated Just Compensation of \$1,400.00 to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- n. Acquisition of Right-of-Way #15000-B1 (Lyons Run Estates Homeowners' Association), a partial take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$9,338.00 representing fair market value and pro-rated taxes to Lyons Run Estates Homeowners' Association; 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 their delivery of a deed prepared by the Legal Department;
- o. Acquisition of Right-of-Way #15000-RD (Glenn R. & Terri L. Massung), a partial take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$9,470.50 representing fair market value and pro-rated taxes to Lyons Run Estates Homeowners' Association; 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;
- p. Acquisition of Right-of-Way #1010-B (Anthony Klejka, Sr.), a partial take parcel necessary for the total reconstruction project from MP 99.00 to MP 109.00 by authorizing payment of \$12,000.00 representing fair market value to Anthony Klejka, Sr.; 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 their delivery of a deed prepared by the Legal Department;
- q. Adopt to the proposed Property Acquisition Resolution for Right-of-Way #14150 (Cuddy Partners, LP), a partial take parcel necessary for construction of the Southern Beltway, Rt. 22 to I-79; authorize the execution of necessary documents by the appropriate Commission officials; and 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 Drew, and passed unanimously.



ADVERTISING

Motion-That the Commission approves advertising for the items listed in memos “a” through “c”:

- a. Two (2) firms to provide geotechnical engineering services to advance the delivery of the Capital Plan;
- b. Open-end material inspection and testing services from MP 200.00 to MP 358.00 and the Northeast Extension;
- c. Quality assurance inspection and laboratory testing services.

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



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. Diesel motor fuel and heating/emergency generator fuel (January 1, 2017 – December 31, 2017), to the lowest responsive and responsible bidders:

Petroleum Traders	\$1,552,000.00
Naughton Energy Corp.	280,000.00
Glassmere Fuel Service	248,000.00
Talley Petroleum	141,000.00
Mansfield Energy	75,000.00
Great Lakes Petroleum	13,000.00
Riggins Inc.	<u>13,000.00</u>
TOTAL AWARDS:	\$2,322,000.00 plus contingency of \$580,000.00
- b. One (1) trailer-mounted catch basin cleaner, to the lowest responsive and responsible bidder, ITI Trailers & Truck Bodies, Inc.; at a total award of \$135,000.00;
- c. Maintenance of gas detection systems (January 1, 2017 – December 31, 2018), to the lowest responsive and responsible bidder, SL Technologies, Inc., for a total award of \$97,940.32 (to test, calibrate and inspect systems) and a contingency of \$77,059.68 (to include parts, repairs, modifications and replacements);
- d. Traffic line paint (January 1, 2017 – November 30, 2017), utilizing the Commonwealth’s contract with Ennis-Flint/Ennis Paint, Inc.; at a total award of \$625,000.00;
- e. Stop loss insurance provider, exercising the option to renew the agreement for an additional year (January 1, 2017 – December 31, 2017) with Avalon Insurance Co., at a cost of \$630,909.00;

- f. Change order for office supplies with Office Basics, Inc., for an additional not-to-exceed amount of \$75,000.00 to stock additional office supplies to accommodate need;
- g. Roadway lighting replacements for the AKH Bypass, utilizing the Commonwealth's contract with Schaedler Yesco Distribution, Inc.; at a total award of \$218,815.00.

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



AWARD OF CONTRACTS

Motion-That the Commission approves the Award of Contracts for the items listed in memos "a" through "e":

- a. Contract #A-037.50T001-3-05 for the replacement of Bridge NB-205 (MP A40.88) and Bridge NB-218 (MP A44.40), to the lowest responsive and responsible bidder, Reading Site Contractors, div. of H & K Group, Inc.; at a not-to-exceed amount of \$7,358,294.24 and a contingency of \$350,000.00;
- b. Contract #T-248.00R001-3-02 for bituminous resurfacing between MP 246.78 and MP 254.87, to the lowest responsive and responsible bidder, Pennsy Supply, Inc.; at a not-to-exceed amount of \$9,864,882.59 and a contingency of \$450,000.00;
- c. Contract #T-192.00R001-3-02 for bituminous resurfacing between MP 191.50 and MP 197.49, to the lowest responsive and responsible bidder, Pennsy Supply, Inc.; at a not-to-exceed amount of \$7,723,893.00 and a contingency of \$350,000.00;
- d. Contract #T-319.00R001-3-02 for bituminous resurfacing between MP 319.32 and MP 326.41, to the lowest responsive and responsible bidder, Reading Site Contractors, div. of H & K Group, Inc.; at a not-to-exceed amount of \$8,906,337.99 and a contingency of \$445,000.00;
- e. Contract #T-286.00M001-3-02 for the installation of pre-entry Intelligent Transportation Systems (ITS) between MP 286.00 and MP 343.00, to the lowest responsive and responsible bidder, Bruce & Merrilees Electric Co.; at a not-to-exceed amount of \$2,618,405.45 and a contingency of \$100,000.00.

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



CHANGE ORDERS/FINAL PAYMENT

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

- a. Change Order #2 and Final Payment for Contract #T-275.00R001-3-02 for bituminous overlay between MP 275.00 and MP 282.04 with Hempt Bros., Inc., for an additional \$47,550.91 to balance items to actual work completed and settlement; for a final contract value of \$12,417,494.62 and final amount due to the contractor of \$184,331.51;
- b. Change Order #4 and Final Payment for Contract #A-040.00R001-3-02 for bituminous overlay between MP A40.20 and MP A48.90 with Glasgow, Inc., for a decrease of \$159,186.53 to balance items to actual work completed and repairs to the 10th mile markers damaged during Winter Storm Jonas; for a final contract value of \$12,137,101.14 and final amount due to the contractor of \$115,054.65;
- c. Change Order #5 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 Co., Inc., for an increase of \$136,182.53 for slope erosion, pothole and guiderail repair, inlet repair, drainage, relocation of Type "A" signs, Grange Road paving, bituminous curb and milling of rumble strips; for a revised not-to-exceed amount of \$22,062,727.34;
- d. Change Order #1 and Final Payment for Contract #T-140.38S001-3-02 for bridge painting and fencing replacement at MP 140.38 with Mosites Construction Company, for a decrease of \$67,834.80 to balance items to actual work complete, changes for superpave wearing course, tack coat, milling, pavement markings and expansion dams; for a final contract value of \$1,049,942.20 and final amount due to the contractor of \$52,497.11.

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



PAYMENT

Motion-That the Commission approves payment of the PA Department of Labor and Industry invoice for the 2016 Notice of Assessment for the Bureau of Workers' Compensation, in the amount of \$115,497.00 for the Workers' Compensation Administration Fund-was made by Commissioner Deon, seconded by Commissioner Drew, 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. T00033, open-end surveying services systemwide:
 - Sucevic, Piccolomini & Kuchar Engineering, Inc.-AWARDED
 - American Engineers Group, LLC
 - Rummel, Klepper & Kahl, LLP

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

b. RFP #7252, cashless tolling system implementation and maintenance:

- TransCore, LP-AWARDED
- Kapsch TrafficCom IVHS, Inc.

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

c. T00047, open-end material inspection and testing services for the Southern Beltway, Rt. 22 to I-79:

- ACA Engineering, Inc.-AWARDED
- Pennoni Associates, Inc.

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



NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be a telephone meeting on Tuesday, January 3, 2016 beginning at 10:00 a.m.



ADJOURNMENT

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



PREPARED BY:

APPROVED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

Pasquale T. Deon, Sr.
Secretary Treasurer