

## MINUTES OF THE COMMISSION MEETING HELD JUNE 1, 2021

A formal telephone meeting of the Pennsylvania Turnpike Commission convened at 11:03 a.m. on Tuesday, June 1, 2021 at the Central Office located in Highspire, Pennsylvania. Available via telephone for the meeting were William K. Lieberman, Vice Chair; John Wozniak, Secretary Treasurer; Pasquale T. Deon, Sr., Commissioner; Wadud Ahmad, Commissioner and Acting Deputy Secretary of Transportation Mike Keiser.

Available for the meeting were Mark P. Compton, Chief Executive Officer (via phone); Craig R. Shuey, Chief Operating Officer; Bradley J. Heigel, P.E., Chief Engineer (via phone); Carl DeFebo, Jr., Director of Public Relations & Marketing (via telephone); Charles Duncan III, Esquire, Chief Compliance, Legis. & Cultural Affairs; Doreen McCall, Chief Counsel; Ray Morrow, Chief Compliance Officer; Rick Dreher, Chief Financial Officer; Renee Colborn, Public Information Manager-West (via phone); Robert Brady, Director of Operations/Projects-East (via telephone); Robert Taylor, Chief Technology Officer; and Ann Louise Edwards, Assistant Secretary Treasurer.

Others available via telephone were Tami Anderson, IT Quality Manager (in person); Don Klingensmith, Asst. Chief Fin. Officer for Financial Administration; Jeff Naugle, Manager of Treasury Operations; Jesse Ream, Communication Systems Program Manager (in person); Kelly Horvath, Executive Admin. Assistant; Shawn Laudenslager, End User Support Supervisor (in person); Steve Barber, Michael Baker (in person); Tom Porter, Michael Baker (in person); Camille Evans, Virtus, LLP; Cody Goss, McTish, Kunkel & Assoc.; Craig Beissel, Volkert; Dan Laird, Hill International; Dan O'Brien, RBC Capital Markets; Dante Johnson, Bancroft; David Lowdermilk, WSP; David Thomas, Hill Int'l.; Eric Madden, JMT; Ed Reese, GPD Group; Eric Epstein, Rock the Capital; George Settelmaier, KSE; Jared Hoffman; Jeff Hans, HDR; Jim Brady, STV; Jill Bolt, Marine Tiger Technologies; John Smith; Joseph DiFiore, Wallace Panther Group; Jock Rowe, Teamsters; Joe Romano, LDG; Matt Shinton, Kimley-Horn; Mike House, Modjeski & Masters; Patrick Kane, GPI; Patrick Kane, GPI; Paul McNamee, KCI; Osaze Romany, Bancroft; Robert Horr, Atkins; Roger Eaton, HDR; Sherry Hoffman; Steve Pacchioli, Computer Aid, Inc.



Vice Chair Lieberman 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. Mrs. Edwards welcomed the Commissioners, employees and guests on the WebEx and made the following statement:

Due to COVID-19, the Pennsylvania Turnpike Commission Administration Building remains closed to visitors. Accordingly, the Commission Meetings will be held via telephone (through June 2020 or until further notice). The Commission will continue to post call-in/WebEx information for those who wish to attend the meeting via telephone/WebEx. WebEx information should be posted at least 48 hours in advance of the meeting. The Commission will continue to closely monitor the CDC's and other government websites for up-to-date information regarding COVID-19, risk assessment and guidance to business. This meeting is being recorded and the Commission will post the recording on its website.



#### SUNSHINE ANNOUNCEMENT

The Commissioners met in Executive Session prior to today's Formal Agenda Session to consider matters of Personnel, which included a reclassification, department reorganization and new hires.

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 requested time to speak at least 48 hours in advance of this meeting.

Eric Epstein of Rock the Capital presented several questions and comments regarding the Supplemental Agreements with Jacobs Engineering and L.R. Kimball. Mr. Epstein entered a Right-to-Know request to answer the questions and asked the motions be tabled, more information be added and voted on at a future meeting. Mr. Epstein also has questions regarding the quality assurance work order services RFP agenda item and requested the Commission have discussions during the open meeting. A copy of Mr. Epstein's written statement is attached to these minutes.



#### MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held May 18, 2021 be approved and filed as submitted-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.



COMMUNICATION

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



PERSONNEL

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



UNFINISHED BUSINESS

No Unfinished Business to consider.



POLICY

Motion-That the Commission adopts revisions to Policy 1.01, Administration of PTC Policies, to update the responsibility for establishing, reviewing and the approval process of all PTC policies - was made by Commissioner Wozniak, seconded by Commissioner Deon and passed unanimously.



AGREEMENTS

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

- a. Reimbursement Agreement with Pennsylvania American Water Company (PAWC), for PAWC to reimburse the Commission the cost for the utility relocation work necessary for construction of the Mon/Fayette Expressway (Section 53-C2); at an approximate amount of \$159,662.50;
- b. Reimbursement Agreement with Peoples Natural Gas (PNG), to reimburse PNG the cost for the engineering and utility relocation work necessary for construction of the Mon/Fayette Expressway, Section 53-C2; at a not-to-exceed amount of \$533,806.29;
- c. Reimbursement Agreement with West Mifflin Sanitary Sewer Municipal Authority (Authority), for the Authority to reimburse the Commission the cost for the utility relocation work necessary for construction of the Mon/Fayette Expressway (Section 3-C2); at an approximate amount of \$35,343.00;
- d. Reimbursement Agreement with Penn Township, for payment to the Township for the elimination of Bridge WB-504 at MP 61.68, by authorizing payment not-to-exceed \$1,700,000.00 to the Township for the costs of necessary improvements to Township roads due to impacts resulting from the Commission's removal of Bridge WB-504 which requires re-routing of traffic onto portions of Township roads;

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

Motion-That the Commission approves the negotiation and execution of the Agreement for the item listed in memo "e"

- e. Agreement with Trion (through our broker, Alliant, Inc.) for COBRA Administration, for two (2) years; from September 2020 –August 2021; at an estimated cost of \$3,500.00 annually.

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

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

The motion passed.



#### RIGHT-OF-WAY REQUESTS

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

- a. Acquisition of Right-of-Way 7225-C (O & B Builders, Boris Tatunchak), a total take parcel necessary for the total reconstruction and widening project from MP A38.00 to MP A44.00 by authorizing payment of \$94,157.32 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, 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 as prepared by the Legal Department;
- b. Acquisition of Right-of-Way #14099-A (Cochran R.E., L.P), a partial take parcel necessary for the shoulder and slope project at MP 53.00 by authorizing payment of \$71,975.00 representing fair market value and pro-rated taxes to Cochran R.E., L.P.; authorize the appropriate Commission officials to execute the agreement of sale and other documents that may be required for closing; authorize 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;
- c. Acquisition of Right-of-Way #6051-AR4 (Roopchand Chourasia & Leena Chaurasiya), a partial take parcel necessary for the Devault maintenance facility by authorizing payment of \$16,517.55 representing fair market value and pro-rated taxes to Roopchand Chourasia & Leena Chaurasiya; 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 the delivery of a deed as prepared by the Legal Department;
- d. Acquisition of Right-of-Way #6545-A (The Estate of Frederick Schirk), a partial take parcel necessary for the total reconstruction and widening project from MP A38.00 to MP A44.00 by authorizing payment of \$38,367.00 representing fair market value and pro-rated taxes to The Estate of Frederick Schirk; 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. Acquisition of Right-of-Way #8233-RA (Douglas W. Johnson), a partial take parcel necessary for the total reconstruction project from MP A48.00 to MP A53.00 by authorizing payment of \$8,082.50 to Douglas W. Johnson; and authorize 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;
- f. Adopt the proposed Property Acquisition Resolution for Right-of-Way #6547-B (John M. Phillips, II & Debora L. Phillips), a partial take parcel necessary for the total reconstruction and widening project from MP A38.00 to MP A44.00 by authorizing payment of \$500.00 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;
- g. Acquisition of Right-of-Way #8213-B (Larry R. Crouthamel & Mary J. Crouthamel, Trustees of the Larry R. Crouthamel & Mary J. Crouthamel Revocable Living Trust), a partial take parcel necessary for the total reconstruction and widening project from MP A44.00 to A48.00 by authorizing payment of \$3,036.00 representing fair market and pro-rated taxes to Larry R. Crouthamel & Mary J. Crouthamel; 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;
- h. Acquisition of Right-of-Way #2002-E (Tyler E. Fochtman), a total take parcel necessary to resolve Property Damage Claim #20-007/102994 by authorizing payment of \$226,236.68 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 Settlement and Release 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 to the property owner is contingent upon the delivery of an executed the Settlement and Release Agreement and Deed as drafted 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. Three (3) open-end design engineering services contracts;
- b. Construction of the MP 324.00 to MP 326.00 total reconstruction project

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



PURCHASE ORDERS

Motion-That the Commission approves the Award of a Bid and the Issuance of Purchase Orders for the items listed in memos "a" through "e":

- a. Microsoft Office licenses, utilizing the Commonwealth's contract with CDW Government LLC/CDW LLC; at a cost of \$215,852.00;
- b. Seven (7) Case loaders with attachments, utilizing the Commonwealth's contract with Groff Tractor & Equipment LLC/Groff Tractor Holdings LLC; at a cost of \$1,409,499.00;
- c. Tenable Security maintenance software support; exercising the option to renew the agreement with SHI International Corporation through June 14, 2022; at a cost of \$63,855.59;
- d. High speed fiber optic network equipment, to the lowest responsive and responsible bidder, World Wide Technology; at a cost of \$7,914,729.01;
- e. Info-Tech membership, exercising the option to renew the agreement for an additional year (through June 20, 2022) with Info-Tech Research Group, Inc.; at a cost of \$71,214.12.

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



AWARD OF CONTRACTS

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

- a. Contract #T-060.43S001-3-02 for bridge painting and repairs between MP 60.43 and MP 61.22, to the lowest responsive and responsible bidder, Spartan Contracting, LLC; at a not-to-exceed amount of \$515,000.00 and a contingency of \$25,000.00;
- b. Contract #EN-00115-05-03-06 for E-ZPass Customer Service Center site improvements, to the lowest responsive and responsible bidder, Landis C. Deck & Sons Site Contractors, div. H & K Group, Inc.; at a not-to-exceed amount of \$971,999.00 and a contingency of \$48,000.00;

- c. Contract #T-285.27S001-3-02 for painting and rehabilitation of four bridges between MP 285.27 and MP 295.75, to the lowest responsive and responsible bidder, Road-Con, Inc.; at a not-to-exceed amount of \$2,422,089.00 and a contingency of \$100,000.00.

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



#### CHANGE ORDERS

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

- a. Change Order #1 and Final Payment for Contract #EN-00245-03-02 for bridge repairs between MP 0.00 and MP 109.91, Toll I-376, Turnpike 576, 43 and 66 with J.P.S. Construction Co., Inc., for a decrease of \$612,483.97 to reflect the actual cost of the completed work authorizations; for a final contract value of \$887,516.03 and final amount due to the contractor of \$44,375.80;
- b. Change Order #4 for Contract #T-241.96S001-3-02 for redecking of Bridge EB-203 at MP 241.96 with Deblin, Inc., for an increase of \$34,935.03 to balance items to actual work completed, changes for shoulder repair, traffic controls and neoprene strip seal dam; for a revised not-to-exceed amount of \$2,831,791.10;
- c. Change Order #3 and Final Payment for Contract #T-174.00R002-3-02 for shoulder and slope rehabilitation, ramp resurfacing and bridge painting between MP 173.23 and MP 179.95 with New Enterprise Stone & Lime Co., Inc., for a decrease of \$184,526.29 to balance items to actual work completed, changes for drainage, liquidated damages, and asphalt adjustments; for a final contract value of \$11,956,222.59 and final amount due to the contractor of \$341,326.80;
- d. Change Order #4 and Final Payment for Contract #T-047.00T001-3-02 for bituminous resurfacing of the Allegheny Valley Interchange ramps with Eurovia Atlantic Coast, LLC, for a decrease of \$49,717.03 to balance items to actual work completed, changes for concrete removal and disposal of contaminated soil; for a final contract value of \$3,425,706.54 and a final amount due to the contractor of \$95,787.14.

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



#### SUPPLEMENTAL AGREEMENTS

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

- a. Supplemental Agreement #2 with Century Engineering, Inc. for design services for Cashless Tolling ORT Zones (Century completed design of four (4) Cashless Tolling ORT zones as originally scoped); for an increase of \$600,000.00 to design a fifth Cashless Tolling ORT Zone between the S.R. 29 Interchange and the Valley Forge Interchange which was not included in its original Scope of Work, for a revised not-to-exceed amount of \$3,350,000.00;

- b. Supplemental Agreement #6 with Jacobs Engineering Group for design management of the I-95/I-276 Interchange project; for an increase of \$7,000,000.00 to continue design management services for Stage 2 of the I-95/I-276 Interchange project including ongoing coordination with PennDOT, FHWA and other agencies, and Stage 3 for the initiation of design management tasks for the Alternatives Analysis and preliminary engineering for the replacement of the Delaware River Bridge; for a revised not-to-exceed amount of \$28,200,000.00;
  
- c. Supplemental Agreement #3 with L. R. Kimball, div. CDI Engineering Solutions (Kimball) for design services for the Mon/Fayette Expressway, Section 53A, Rt. 51 to I-376, for an increase of \$5,500,000.00 to complete Final Design and to prepare three (3) individual PS&E packages for bidding consisting of Section 53A1, Section 53A2, and an early action DMS contract; Kimball was also directed to prepare construction drawings for the reconstruction of S.R. 0043 south of S.R. 0051, reconstruction of Jefferson Boulevard, reconstruction of two (2) interchange ramps, perform modifications to ramp Bridges MF341/MF342, and to reconstruct seven (7) side roads, which required additional roadway, geotechnical and environmental design efforts; Kimball was further directed to perform coal valuation and ITS Design for the entire MFE Southern Corridor, the addition of the Section 53A2 construction package required Kimball to prepare an additional NPDES Permit and Joint 404/105 Permit, as well as prepare additional plans and reports for stormwater management and erosion and sedimentation control; for a revised not-to-exceed amount of \$23,500,000.00.

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



#### PSPC ITEMS

**REMOVED FROM THE AGENDA.** Approve the award of services and authorize the negotiation and execution of an agreement with the selected firms for RFP #5800, quality assurance work order services.



#### NEXT COMMISSION MEETING

The next meeting of the Pennsylvania Turnpike Commission will be held virtually on Tuesday, June 15, 2021 beginning at 10:00 a.m.



#### ADJOURNMENT

Motion-That this meeting of the Pennsylvania Turnpike Commission be adjourned at 11:16 a.m.-was made by Commissioner Wozniak, seconded by Commissioner Deon, and passed unanimously.

