

PENNSYLVANIA STATE TRANSPORTATION COMMISSION
SUMMARY MINUTES
HARRISBURG, PENNSYLVANIA
FEBRUARY 14, 2013

CALL TO ORDER:

A quarterly business meeting of the Pennsylvania State Transportation Commission (STC) was convened by Chairman Barry J. Schoch, P.E., at 10:00 a.m. on Thursday, February 14, 2013, in Conference Room 8N1 of the Commonwealth Keystone Building, Harrisburg, PA.

ROLL CALL:

Commissioners Present:

Honorable Barry J. Schoch, P.E., Chairman
Honorable Frederic M. Wentz, Esq., Vice Chairman
Honorable Robert B. Pease, P.E., Secretary
Honorable Cristina G. Cavalieri
Honorable Edward J. Cernic, Sr.
Honorable Ronald J. Drnevich
Honorable Richard A. Geist
Honorable Dick L. Hess
Honorable George M. Khoury, III, P.E.
Honorable Sharon L. Knoll
Honorable Charles H. Martin
Honorable Michael P. McGeehan
Honorable Frank E. Paczewski
Ms. Cheryl Hicks, Alternate for Honorable John N. Wozniak

Commissioners Not Present:

Honorable John C. Rafferty, Jr.

MINUTES:

ON A MOTION by Commissioner Khoury, seconded by Commissioner Cernic, and unanimously approved, the minutes of the November 9, 2012, STC quarterly business meeting were accepted as presented.

SECRETARY'S OPENING REMARKS:

- Secretary Schoch welcomed Representative Dick Hess. Mr. Hess serves District 78 (including Bedford County, parts of Fulton and Huntingdon Counties), and is the new Majority Chairman of the House Transportation Committee.
- Secretary Schoch also welcomed new member, Ms. Cristina Cavalieri from Philadelphia County.

Election of Officers

Presented by Mr. Barry J. Schoch, P.E., Secretary

Secretary Schoch opened the floor for STC Officer Nominations and the following motions were carried.

ON A MOTION by Commissioner Knoll, seconded by Commissioner Pease, and unanimously approved, Mr. Fred Wentz was nominated as Vice Chairman for the STC.

ON A MOTION by Commissioner Khoury, seconded by Commissioner Wentz, and unanimously approved, Mr. Bob Pease was nominated as Secretary for the STC.

PRESENTATIONS:

Transportation Performance Report

Presented by Mr. Robert Taylor, P.E., Project Manager, Gannett Fleming, Inc.

Secretary Schoch recounted that the Department has been challenged over the past year to modernize the Twelve Year Program hearing process. The Commission is reevaluating its role and is evolving into a Board of Directors, with a heightened dynamic interface among the public, the Department, and the General Assembly. As a Board of Directors, the STC will provide an independent assessment regarding the status of transportation in the Commonwealth. All Department action towards improving the transportation system will be monitored and evaluated by Commissioners for adherence to performance standards.

Secretary Schoch introduced the final *Transportation Performance Report* to members of the Commission and indicated that Mr. George Khoury, III, P.E., was the STC Advisor of the report. Secretary Schoch expressed appreciation to Mr. Robert Taylor and Mr. Brian Funkhouser with Gannett Fleming, Mr. George Khoury, STC, and Ms. Jessica Clark, PennDOT, for their patience and diligence in structuring and finalizing the report. Mr. Khoury stated that key points within the report would be highlighted during Mr. Taylor's presentation. The Commission is encouraged to provide comments on the report and offer suggestions on release and distribution of the report. Mr. Khoury stated that the report would be produced biennially and will showcase the evolving trends for transportation and assess the Department's efforts in meeting requirements for the Commonwealth's transportation system.

Mr. Robert Taylor, P.E., Project Manager, Gannett Fleming, presented the final *Transportation Performance Report*. Starting in October 2012, the consultant team began examining other states that have conducted a similar report on overall transportation performance. The state of Utah develops a report every two years, approximately twenty pages in length and this served as a good example to help frame Pennsylvania's *Transportation Performance Report*.

Key interviews and discussions were held with stakeholders capturing information that was integrated into the body of the report. The consultant team utilized past highway performance, transit performance, and safety reports as a vital part of their research. The customer service area

was merged with accountability after discussion among TAC members at their December 6, 2012, business meeting.

In the next edition of the *Transportation Performance Report*, data enveloping all modes will become available, including statistics from an accountability standpoint. The report was built to be modular to accommodate additional datasets for future inclusion. A focus on performance will measure business operations and combine the impending requirements related to the federal authorization, “Moving Ahead for Progress in the 21st Century” (MAP-21).

The basic premise of the report is supported by four performance themes outlined in the following paragraphs.

Safety has been trending in a positive direction albeit slow, and the report indicates that one fatality is too many. Work zone data trends have fluctuated and in the future, emerging technology and opportunities will mitigate the safety issue, particularly with proactive changes in enforcement and legislation. Connective vehicle technology is also being researched to help make significant improvements in highway safety.

Mobility has been losing ground on capacity and bottleneck issues; however, the Department has made these networks more efficient. The Department has been working hard to provide better traveler information, improved incident management, and increased performance with transit facilities. Mobility impacts quality of life and economic vitality; efficiency is being maximized through technology to improve mobility for residents and businesses. Mechanisms such as PennDOT’s Advanced Traffic Management System (ATMS) will be utilized to enhance traffic capacity in the future, and includes using shoulders during peak hours to move buses and/or applying adaptive signal control to busy intersections.

Preservation and Renewal concerns related to structurally deficient (SD) bridges and an update on the number of completed bridges are included in the finalized version of the report. As resources are dwindling, the bridge program will begin leveling out and the number of SD bridges will accelerate in a negative direction. The Department has been falling behind on pavement maintenance through the recent focus on bridges. As resources become available, a preemptive approach will be necessary to maintain good conditions on both bridges and pavements. Looking into the future, smart infrastructure could be used to report on bridge and highway maintenance needs as they occur, and taking advantage of opportunities to bundle projects will help achieve economies of scale.

Accountability is being realized through PennDOT’s Next Generation and Modernization initiatives to count and use every dollar to its full potential. Transit performance reviews maximize the financial resources available and increases accountability to the public and business partners throughout the state. Advances made in electronic permitting exemplify the Department’s efforts to become a better business partner, with the permitting process reduced from 45 days to 10 days.

Secretary Schoch asked STC Commissioners for their input on circulating a press release for the first biennial *Transportation Performance Report*. Commissioners agreed a press release would

be timely given the current dialogue on transportation finance following the Governor's Budget Address. The report will be distributed to members of the General Assembly with the Transportation Committee members receiving their copies first, along with a link to the report through the Department website. Immediately following the distribution of the report to the legislature, the Department will prepare a press release signed by Secretary Schoch, on behalf of STC, publicly announcing the *Transportation Performance Report*.

ON A MOTION by Commissioner Cernic, seconded by Commissioner Pease, and unanimously approved, the *Transportation Performance Report* was accepted as presented.

Commissioner Pease expressed a concern related to a growing population in Pennsylvania that does not drive. He believes this item should be addressed in subsequent reports. Commissioner Khoury added that a challenge in this report was obtaining good information on the non-highway modes. In the future, the Commission will examine ways to gather more information from the other modes of transportation, including pedestrians. Deputy Secretary James Ritzman, P.E., mentioned that the Aviation Advisory Committee (AAC), the Rail Freight Advisory Committee (RFAC), and the Pedalcycle and Pedestrian Advisory Committee (PPAC) could be a useful resource to populate future reports with data from non-highway modes.

A copy of the *Transportation Performance Report* was mailed to Members of the Commission prior to their business meeting.

Transportation Plan

Presented by Mr. Barry J. Schoch, P.E., Secretary

Secretary Schoch briefly addressed the Transportation Finance Plan, originating from the Governor's Budget Address. He thanked the four chairs, Representative Hess, Representative McGeehan, Senator Rafferty, and Senator Wozniak of the House and Senate Transportation Committees, for scheduling hearings to work with the Committees. The Governor has made a proposal for transportation funding that amounts to a five-year gradual finance plan that yields approximately \$1.8 billion in Year 5. The plan spans across all modes, and would allocate:

- \$1.2 billion for highways and bridges
- \$250 million for public transportation
- \$200 million for local government
- \$85 million for continued investment in the Pennsylvania Turnpike Commission's Act 61 projects (Mon-Fayette Southern Beltway in western Pennsylvania)
- \$80 million for a Multi-Modal Fund (MMF)

Secretary Schoch explained that he would be travelling across the state in the next few months to deliver briefings on the transportation plan. He encouraged Commissioners to represent STC through attending media events in their respective areas and to weigh in with elected officials to stress the urgency for investing in the transportation system.

TWELVE YEAR TRANSPORTATION PROGRAM:

2013 Highway and Bridge Program Adjustments/Major Project Adjustments Presented by Deputy Secretary for Planning James D. Ritzman, P.E.

Deputy Secretary Ritzman presented the 2013 Highway and Bridge Twelve Year Program (TYP) adjustments for consideration. There were 870 adjustments from October 20, 2012 through January 18, 2013, with an approximate \$132 million change to the program.

Deputy Secretary Ritzman walked through the process of how projects are adjusted on the program for the benefit of new members. Mr. Ritzman highlighted a few programming actions that were considered key changes in the Major Project Adjustments Report:

- The Wilkes-Barre/Scranton Metropolitan Planning Organization (MPO) had \$17.3 million in adjustments in the highway and bridge category. The major program adjustment occurred with three bridges in Luzerne County; these bridges were bundled to reduce construction costs.
- A State Highway Reserve item adjustment for \$31 million is part of the \$50 million reserved by the Secretary for design. In the event of a revenue increase, many pavement projects could be completed quickly with the design work finalized.
- A State Bridge Reserve item adjustment for \$13 million advances the bridge bundling initiative being coordinated with local government (Blair, Luzerne and Westmoreland Counties).
- The Lake Gordon Bridge project in Bedford County had an adjustment of \$735,000 that was funded by a regional line item to move the project forward for a construction letting in December 2012. Work for the project will commence in March 2013.

ON A MOTION by Commissioner Cernic, seconded by Commissioner Khoury, and unanimously approved, the 2013 Highway and Bridge TYP Adjustments/Major Project Adjustments were accepted as presented.

Copies of the single line listing of projects by phase and programmed cost changes were distributed to Members of the Commission.

Aviation Four-Year Plan

Presented by Ms. Edie Letherby, Transportation Planning Manager, PennDOT

Ms. Edie Letherby presented the 2013 Four Year Plan for consideration as follows:

- Two-hundred and twenty-one planned projects are being proposed for State Fiscal Years 2013-2014 through 2016-2017. These projects would be funded through \$50.4 million from the Federal Airport Improvement Program (AIP) and \$24 million from the State Airport Development Program (ADP).
- The recent Federal Aviation Administration (FAA) Reauthorization has reduced federal eligibility from 95 percent to 90 percent of the project cost. As a result, an increase in state and local matching funds will be required.

- The Bureau of Aviation (BOA) has the ability to utilize federal AIP funds up to four years after it is received from the FAA as part of the State Block Grant Program. Since funds are not granted until bids are received, projects are shifted forward and out as necessary to efficiently utilize available funding.
- Large phased projects are often added to the plan in anticipation that they will meet environmental, benefit cost analysis, and other prerequisites. When there is a possibility that they will not, additional projects may be added to fill the void.

ON A MOTION by Commissioner Cernic, seconded by Commissioner Cavalieri, and unanimously approved, the 2013 Aviation Four-Year Plan was accepted as presented.

Copies of the Aviation Four-Year Plan were distributed to Members of the Commission.

**Aviation Capital Budget/Transportation Assistance Program (TAP)
Presented by Ms. Edie Letherby, Transportation Planning Manager, PennDOT**

Ms. Edie Letherby presented the Aviation Capital Budget/TAP for consideration as follows:

- Ten airports across Pennsylvania are recommended to receive safety upgrades and improve facilities with the aid of a \$10 million state investment.
- The grants are made available through the Capital Budget/TAP, which is funded through state capital bond dollars in the General Fund budget. The grants will leverage more than \$11 million in matching funds and PennDOT’s Bureau of Aviation will administer the grants.

ON A MOTION by Commissioner Cavalieri, seconded by Commissioner Khoury, and unanimously approved, the Aviation Capital Budget/TAP was accepted as presented.

Copies of the Aviation Capital Budget/TAP were distributed to Members of the Commission.

PUBLIC INVOLVEMENT PROCESS:

**STC Bylaws Amendment/Modernization Plan
Presented by Mr. Frederic M. Wentz, Esq., STC Vice Chairman**

Commissioner Wentz relayed to STC members that he volunteered to assist in reviewing the STC Bylaws for item number five in the STC Action Plan. As STC Advisor, Commissioner Wentz drew up a “black line copy” of the bylaws with Mr. Robert Shea, Chief Council, PennDOT, and Ms. Jessica Clark, Program Manager, PennDOT. The amendments being proposed for the bylaws intend to accomplish modernization of the Commission’s role. The original bylaws required hearings to be held across the Commonwealth; in the past, these hearings were active and attendance included many public citizens; today the hearing attendance consists mainly of consultants and transportation professionals.

One suggested amendment to the bylaws read, “The Commission or designated members may hold hearings, attend hearings of other public bodies, or utilize any means of communication as the Commission considers effective, to gain input from interested parties, as well as the public at

large.” Mr. Wentz indicated this amendment would no longer limit the Commission to hearings. It will allow for other means of communication, which may include teleconferencing, or video chat, to provide information important to developing a public input plan. Mr. Wentz added, the proposed amendment is simple and modernizes the current hearing process without radically changing the bylaws.

The second suggested amendment to the bylaws read, “It is the intent that the Commission utilizes any appropriate means so that the members may gain firsthand knowledge of the local priorities, local conditions, and other local factors affecting transportation facilities and services.” Mr. Wentz indicated this amendment would allow the core requirements and responsibilities to exist for the Commission, while encouraging new methodology as technology advances. Additionally, Commissioner Ronald Drnevich requested that the bylaws be amended to reflect gender-neutral language.

Commissioner Sharon Knoll expressed concern about canceling public hearings without a solid public input plan for the future. Deputy Secretary James Ritzman replied that the Department has the capability of utilizing an existing contract with McCormick Taylor to establish a work order for the Public Input Plan. Mr. Ritzman introduced Ms. Leanne Doran, McCormick Taylor. Commissioner Ed Cernic is the STC Advisor for this item; he will work with the team to solidify a public input strategy. They will be developing additional techniques to collect feedback. This will be discussed at the next STC business meeting in Scranton, Pennsylvania on Thursday, May 23, 2013.

ON A MOTION by Commissioner Knoll, seconded by Commissioner Pease, and unanimously approved, the amendments to the STC Bylaws were accepted as presented.

REPORTS:

Transportation Advisory Committee (TAC)

TAC Chairman Lou Schultz thanked STC members for their acceptance of the *Transportation Performance Report*, which was developed with the resources of TAC. TAC studies usually have a TAC member as chairman of the task force; Secretary Schoch was the chairman of the task force for the *Transportation Performance Report*, with his expectations driving the course of the study.

Chairman Schultz noted that thirteen months remain on the existing TAC open end agreement and a balance of approximately \$196,000 is left on the contract. Chairman Schultz proposed dedicating the remaining funds in support of data collection efforts for the second edition of the *Transportation Performance Report*. He encouraged STC members to offer their suggestions on future TAC study topics.

Commissioner Pease emphasized the importance of pedestrian safety and designing walkable communities as future study topics. Mr. Bryan Kendro, Policy Office, PennDOT, mentioned that the Department is working with the Federal Highway Administration (FHWA) to develop a peer group to review clearance times for Traffic Incident Management in Pennsylvania. The

Commonwealth lags behind other states in the implementation of Safe, Quick Clearance (SQC) legislation. This study topic provides the impetus for a tangible report with findings and recommendations for the Department to consider.

Commissioner Cernic advocated for a future study on the feasibility of international trade zones in Pennsylvania. Chairman Schultz replied that the Commonwealth Freight Movement Plan is a potential agenda item for the next TAC business meeting on Thursday, April 11, 2013. He offered to assess if international trade is identified in the Commonwealth Freight Movement Plan. Commissioner Knoll commented that PennPORTS, a program now operated by the Department, could be a valuable resource for studying modality in the *Transportation Performance Report* update. Commissioner Khoury expressed concern regarding the safety of trailers being hauled from Pennsylvania's ports; many are not inspected and are in poor condition when they are driven across the highways.

Copies of the 2012 TAC Annual Report were distributed to Members of the Commission.

Administrative/Budget

Acting Deputy Secretary Phil Tomassini reminded STC members that on Tuesday, February 19, 2013, Mr. Brad Mallory would formally serve as Deputy Secretary for Administration. He provided a brief update on information technology and the Department's efforts to evolve into a mobile organization. Mr. Tomassini indicated that 75 percent of the workforce at the Department spends their time on the roadways, bridges, administering driver exams, and performing audits. The Department has researched and deployed a Virtual Private Network (VPN) to allow employees to obtain access into the backend network for PennDOT. By using Apple products, employees have the capability to enter information instantaneously through iPhones and iPads, instead of returning to a district office or drivers' licensing center for data submission.

The Department launched its first mobile application for the use of posting, bonding, and inspecting roads. Since the application went live in January 2013, over 1,600 surveys have been produced in the field through mobile devices. Future development will enable bridge and construction inspections, in addition to time management, through Systems, Applications and Products (SAP) with an iPad. An application is being developed for driver's test administrators to map out a route, record and post results, while sitting in a vehicle. Transit compliance reviews and field audits will be performed on site with a similar application. The driver's exam application will be available by July 2013, and the transit application will be available in August 2013.

PennDOT has developed a Memorandum of Understanding (MOU) for a service level agreement with the Department of Conservation and Natural Resources (DCNR). PennDOT will operate DCNR's registration process for All-Terrain Vehicles (ATV) and snowmobiles beginning in April 2013. Currently, DCNR operates a manual process producing less than 100,000 registrations per year. PennDOT's high speed processing equipment can complete this workload in a few hours, allowing DCNR to redeploy employees and resources to other areas. DCNR will reimburse PennDOT for any costs associated with this adjustment through the Motor

License Fund (MLF). A similar agreement with the Pennsylvania Fish and Boat Commission is anticipated in the near future for boat license renewals.

Safety Administration

Deputy Secretary Kurt Myers updated STC members on REAL ID, a federal law under the Department of Homeland Security (DHS) mandating changes to state standards, procedures, and requirements for the issuance of driver's licenses and identification cards. Currently, there is a state law that does not allow Pennsylvania to seek certification with REAL ID. Any actions on behalf of DHS have been deferred until the fall of 2013. Thirteen states are now in compliance with the DHS requirements for REAL ID. Pennsylvania has sophisticated processes that far exceed the required checks and verifications of the TSA, compared to other states. The state of Pennsylvania is no less secure with its products than states that have made their product compliant with REAL ID.

Recent legislation signed by the Governor related to veterans is taking effect and includes three new changes. A veteran's license plate is available for anyone interested in supporting veterans. The cost of the license plate is \$35 and \$15 from this amount will be placed in the Veterans Trust Fund. The license plate is also available to non-veterans interested in supporting the Veterans Trust Fund. Proceeds from the sale of these license plates will benefit both PennDOT and veterans. A year from now software changes will be in place and allow individuals to donate \$3.00 to the Veteran's Trust Fund, similar to the Organ and Tissue Donation Awareness Trust Fund. Additionally, driver's licenses will be clearly marked to show the veteran designation by early 2014.

Highway and Bridge Program

On behalf of Deputy Secretary R. Scott Christie, P.E., Mr. Brian Weidman, Acting Director, Bureau of Project Delivery, PennDOT, reported on project delivery performance. The Department continues to track performance measures; 88 percent of design projects were let on-time with a goal of 90 percent. The bid results were broken out by quarter for 2012; an estimate for the work is predetermined and apparent low bidder estimates are delineated in the report. The Department continues to provide consistent estimates compared to contractor estimates; 764 contracts have been secured for 2012.

The letting schedule is also broken out by quarter and the Department distributes the schedule evenly to avoid a large number of jobs occurring simultaneously. In the past quarter, the Department completed 41 percent of design projects on budget. On time project delivery performance for design was 69 percent for calendar year (CY) 2012. The Department completed 89 percent of construction projects on time for the current reporting period and over 80 percent of projects have been on budget for construction.

The Accelerated Bridge Program (ABP) has exceeded the two year (2011-2012) goal for rebuilding 617 structurally deficient (SD) bridges; 633 SD bridges were bid by the end of CY 2012. Expenditures for consultant agreements in the design and construction community were on the rise from 2006 through 2011, with an average annual payout to consultants of \$333

million and stabilized by 2012 with approximately \$394 million in consultant payouts. The asphalt price trend for crude oil price per barrel has not fluctuated much, although the gasoline price per gallon and asphalt dollars per ton have experienced increases that the Department is closely monitoring.

Local and Area Transportation, Aviation and Rail Freight

On behalf of Deputy Secretary Toby Fauver, Mr. Bryan Kendro, Policy Office, PennDOT announced a Multi-Modal PennDOT Deputate and Multi-Modal Fund (MMF) have been proposed under the Governor's Transportation Plan. Rail, air, ports, and transit are combined into this deputate and a PennDOT Deputy Secretary position was eliminated. The Office of PennPORTS has been transferred from the Department of Community and Economic Development (DCED) to PennDOT. The plan also creates an annual, dedicated funding source for non-highway modes including bike and pedestrian.

Planning

Deputy Secretary James D. Ritzman, P.E., informed STC members that the Department fully obligated \$29,456,739 on December 19, 2012. These funds were associated with the 2003-2006 redirected appropriations earmarks. The President issued an order in August 2012, redirecting old, unused earmarked funds to eligible surface transportation projects selected by the states.

Mr. Frank Desendi, Bureau of Planning and Research, PennDOT and Ms. Sandra Tosca, P.E., District 3-0, PennDOT, are helping to lead the Geographic Information Systems (GIS) component of PennDOT Next Generation. Through their efforts, the Department will focus on enhancing data collection and analysis through GIS.

The Bureau of Municipal Services (BMS) has been allocating funds from Act 13, which requires owners of certain Marcellus Shale natural gas wells to pay a fee based on the average price of natural gas during the calendar year. Set amounts of these fees are earmarked for specific purposes and the remaining funds are deposited into the Marcellus Legacy Fund. These funds are then assigned to the Highway Bridge Improvement Restricted Account in the Motor License Fund. BMS is in the process of allocating and distributing \$414 million of this local money to counties and municipalities by August 2012.

Public-Private Transportation Partnership (P3) Board

Mr. Bryan Kendro, Policy Director, PennDOT, informed STC members that Commissioner Ronald Drnevich is one of the P3 Board Members. He added that the P3 Board approved the Implementation Manual and Guidelines for Public-Private Transportation Partnerships on January 9, 2013. The P3 Board also approved the 511 Traveler Information and Traffic Management Systems as a P3 solicited project.

The Department has many different approaches available for collaborating with the private sector in delivering services to the public. Free services such as Bing and Google Maps could be

leveraged for utilization and the Department will further engage with the private sector to stay ahead of changes in technology. Any additional revenue generated from P3 proposals will be set aside for availability payments towards the Accelerated Bridge Program (ABP); this effort remains consistent with the strides outlined in the Governor's Transportation Funding Plan.

The Department is analyzing the possibility of grouping numerous bridge projects together as a solicited project and having the private sector submit proposals to address and finance those bridges. This capability would allow the Department to complete bridges in the first five years. In May 2013, the first open window for unsolicited projects will be open for the private sector to come to PennDOT with their ideas.

NEXT MEETING:

The next STC quarterly business meeting is scheduled on Thursday, May 23, 2013, in Scranton, PA.

ADJOURNMENT:

ON A MOTION by Commissioner Knoll, seconded by Commissioner Pease, and unanimously approved, the STC quarterly business meeting was adjourned at 12:30 p.m.