PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL MEETING

FEBRUARY 15, 2022

11:00 A.M.

AGENDA

- A. Roll Call
 Sunshine Announcement
 Public Participation
- B. Minutes-February 1, 2022
- C. Communication-Memo received from the Chief Counsel Memo received from the Asst. CFO-Financial Administration
- D. Personnel
- E. Unfinished Business

- 1. Approve Direct Placement Floating-Rate Notes (FRNs) transaction with PNC Bank to refinance the existing 2017 Subordinate FRNs which mature June 1, 2022; adopt the Resolution approving the transaction and approve the legal (Bond Counsel: Clark Hill PLC, Virtus, LLP) and finance teams (Co-financial Advisors: Phoenix Capital Partners, LLP, Public Resources Advisory Group, Inc.; Swap Advisor: Mohanty Gargiulo LLC); PNC provided the best and lowest cost financing offer through an RFP issued by our Co-Financial Advisors.
- 2. Approve the negotiation and execution of the Agreements for the items listed in memos "a" through "e":
 - a. Settlement Agreement and Release for the Estate of Cynthia Vance; and authorize payment of the settled amount;
 - Consent Agreement with West Penn Power to permit the Commission to construct an emergency turnaround (under its utility line) on the Southern Beltway at MP S17.10;
 - c. Reimbursement Agreement with Wheeling Lake Erie Railway (railroad) for the Commission to reimburse the railroad the cost for flagging and protective services during construction of structures MF-400 and MF-401 on the Mon/Fayette Expressway; at a not-to-exceed amount of \$219,780.00;
 - d. Reimbursement Agreement with Pennsylvania American Water Company (PAWC) for PAWC to reimburse the Commission partial cost for the engineering and utility relocation work for the Mon/Fayette Expressway, Section 53-A1, near S.R. 885; at an approximate reimbursement of \$324,651.00;
 - e. Reimbursement Agreement with Pennsylvania American Water Company (PAWC) to reimburse PAWC partial cost for the engineering and utility relocation work necessary for construction of the Mon/Fayette Expressway, Section 53-A1, near Rt. 51; at a not-to-exceed amount of \$117,500.00.
- 3. Approve the Right-of-Way Requests for the items listed in memos "a" through "g":
 - a. Acquisition of Right-of-Way #6047-D2 (John D. & Jennifer E. Stewart), a partial take parcel necessary for the total reconstruction project from MP 312.00 to MP 316.00 by authorizing payment of \$175,581.85 representing fair market value and pro-rated taxes to Dick Coon Real Estate Services, escrow agent; 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 the fair market value to the property owners is contingent upon the delivery of a deed as prepared by the Legal Department;

- b. Acquisition of Right-of-Way #17994-D (Washington County; McDonald Area Redevelopment Assoc.), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$4,100.00 representing fair market value to the County of Washington; also authorize payment of \$2,500.00 representing personal property loss damages to McDonald Area Redevelopment Assoc.; 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 the above damages to the property owners is contingent upon the delivery of deed prepared by the Legal Department;
- c. Acquisition of Right-of-Way #14S300 (Jane & Brian Dittman), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$6,066.00 representing fair market value and pro-rated taxes to Jane and Brian Dittman; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents 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 #8315-B (Adams Outdoor Advertising), a partial take parcel necessary for the total reconstruction project from MP A53.00 to MP A57.00 by authorizing payment of \$4,200.00 representing fair market value to Adams Outdoor Advertising Limited Partnership, d/b/a Adams Outdoor Advertising; 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 to the property owner is contingent upon its delivery of a deed as approved by the Legal Department;
- e. Acquisition of Right-of-Way #8315-RC (Commerce Park, LP), a partial take parcel necessary for the total reconstruction project from MP A53.00 to MP A57.00 by authorizing payment of \$19,232.50 representing fair market value and pro-rated taxes to Commerce Park, LP; 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 its delivery of a deed as approved by the Legal Department;
- f. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #14S606 (National Retail Properties, Inc.), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$158,200.00 representing estimated just compensation 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 #8318-RB (Khan Partnership), a partial take parcel necessary for the total reconstruction project from MP A53.00 to MP A57.00 by authorizing payment of \$5,100.00 representing fair market value to Khan Partnership; authorize the appropriate Commission officials to execute the Temporary Construction Easement 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 its delivery of a Temporary Construction Easement as approved by the Legal Department.
- 4. Approve advertising for the items listed in memos "a" through "d":
 - a. Three (3) open-end geotechnical engineering services contracts;
 - b. Early Action construction contract for the installation of three (3) Dynamic Message Signs on the Mon/Fayette Expressway;
 - c. Four (4) open-end design engineering services contracts;
 - d. Construction services for the S.R. 980 drainage improvements project.
- 5. Approve Issuance of a Purchase Order for a Safety Management System implementation, licensing and integration (February 2022 February 2025), utilizing the Commonwealth's contract with Cority/Cority Software, Inc.; at a cost of \$996,065.00.
- 6. Approve the Award of Contracts for the items listed in memos "a" and "b":
 - a. Contract #EN-00151-03-05 for durable pavement markings between MP 0.00 and MP 201.58, Toll I-376, Turnpike 66, Turnpike 43 and Turnpike 576, to the lowest responsive and responsible bidder, Parking Lot Painting Company; at a not-to-exceed amount of \$7,250,000.00;
 - b. Contract #EN-00151-03-06 for durable pavement markings between MP 201.58 and MP 299.98, to the lowest responsive and responsible bidder, Parking Lot Painting Company; at a not-to-exceed amount of \$4,750,000.00.
- 7. Approve the Change Orders and Final Payments for the items listed in memos "a" through "c":
 - a. Change Order #8 and Final Payment for Contract #T-282.00R002-3-02 for bituminous resurfacing between MP 282.02 and MP 292.02 with Allan Myers, L.P., for a decrease of \$520,745.88 for normal quantity adjustments and Toll-by-Plate reimbursements; for a final contract value of \$18,557,627.38 and final amount due to the contractor of \$11,713.64;

- b. Change Order #3 and Final Payment for Contract #EN-00233-03-06 for roadway and miscellaneous repairs between MP 299.98 and MP 356.42, MP H40.83 and MP H42.54, and MP A20.00 and MP A57.22 with New Enterprise Stone & Lime Co., Inc., for an increase of \$10,000.00 to rework the cross slope; for a final contract value of \$8,509,595.27 and final amount due to the contractor of \$10,000.00;
- c. Change Order #4 and Final Payment for Contract #EN-00165-03-03 for installation of signs between MP 245.75 and MP 359.00, and MP A20.00 and MP A131.00 with Allison Park Contractors, Inc., for a decrease of \$50,702.35 to reflect the actual cost of the completed work authorizations; for a final contract value of \$2,799,297.65 and final amount due to the contractor of \$55,985.95.
- 8. Approve payment of the E-ZPass Interagency Group's (IAG) invoice for expenses incurred in supporting the backup virtual private network (VPN), from November 2020 November 2021, in the amount of \$8,083.54.
- 9. Approve the award of services and authorize the negotiations and execution of an agreement/agreements with the selected firm/firms for RFP #6353, project management and business analysis work order services:
 - Deloitte Consulting, LLP-AWARDED
 - Info-Matrix Corp.-AWARDED
 - Domino Technologies, Inc.-AWARDED
 - Momentum, Inc.
 - The North Highland Company, LLC