

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL MEETING

MARCH 1, 2011

10:00 A.M.

A G E N D A

- A. Roll Call
Sunshine Announcement
Public Participation
Reorganization**
- B. Minutes-January 25, 2011**
- C. Communications-
Memo received from the Chief Counsel
Memo received from the Manager of Procurement and Materials Management**
- D. Personnel**
- E. Unfinished Business**

F. NEW BUSINESS

- 1. Adopt the Resolution ratifying the reinvestments, liquidations and purchases of securities with available cash, as described in the memo from the Assistant Chief Financial Officer dated February 16, 2011.**

- 2. Approve the negotiation and execution of the Supplemental Agreement, Amendments, Agreements and a Lease for the items listed in memos “a” through “f”:**
 - a. Supplemental Agreement with Dominion/Peoples Gas Co., for relocation of their underground facilities necessary for the reconstruction project from MP 31.00 to MP 38.00; for an additional \$58,881.25; increasing the not-to-exceed amount to \$114,818.25;**

 - b. Extend the term of our All-Risk and Builder’s Risk insurance policy with Traveler’s Insurance Company from 10/1/11 to 10/1/13; and grant permission to advertise an RFP for services associated with this policy;**

 - c. Reimbursement Agreement with Somerset Township to reimburse the Township for the elimination of Bridge B-411 at MP 108.01 (carrying Township Road T-448 over the Turnpike), as part of the total reconstruction project from MP 99.00 to MP 109.00; at a not-to-exceed amount of \$300,000.00;**

 - d. Amendments to our health care benefits:**
 - Exercising our option to renew the agreements with Highmark, Aetna and United Concordia through February 29, 2012;**
 - Extending our agreement with HM Benefit Administrators for COBRA through August 31, 2011;**
 - Amending our agreement with Sun Life exercising our option to renew the agreement for three-years with two additional one-year terms.**

 - e. Amendment to our agreement with Jackson Lewis LLP for Diversity Inclusion Assessment; exercising our option to extend the terms of the agreement for an additional six (6) months for a not-to-exceed amount of \$25,000.00;**

 - f. Lease Agreement with Willow Mill Development LLC to grant them permanent easement and execute a lease agreement for the Sonic Restaurant adjacent to the Willow Grove Interchange; Willow Mill will pay the Commission \$10,000.00 for the first year, with 2% increases every year after that; and reimburse the Commission for all expenses related to annual traffic lane striping and painting.**

F. NEW BUSINESS

3. **Approve the Right-of-Way Requests for the items listed in memos “a” through “g”:**
 - a. **Authorize the settlement of Right-of-Way #1A026-A, a partial take parcel, necessary for the total reconstruction project from MP 67.00 to MP 75.00, by issuing payment in the amount of \$37,500.00 payable to Hollinshead, Mendelson, Bresnahan & Nixon, P.C., Escrow Agent; representing the balance due and Section 710 damages;**
 - b. **Approve the plans entitled, “Drawings for Contract No. T-355.00P001-3-03 for Authorizing Acquisition of Right-of-Way for Replacement of Bridge DB-234 (S-27480) carrying S. R. 2023 (Galloway Rd.) over the PA Turnpike at MP 352.98 in Bucks County”; as prepared by the Engineering Department for the replacement of Bridge DB-234 at MP 352.98;**
 - c. **Approve the plans entitled, “Drawings for Contract No. T-355.00P001-3-03 for Authorizing Acquisition of Right-of-Way for Replacement of Bridge DB-247 (S-27481) carrying S. R. 2029 (Bristol-Oxford Valley Rd.) over the PA Turnpike at MP 357.10 in Bucks County”; as prepared by the Engineering Department for the replacement of Bridge DB-247 at MP 357.10;**
 - d. **Authorize the acquisition of Right-of-Way #1007-X, a total take parcel, necessary for the bridge replacement project at MP 103.47 and MP 108.17, by issuing payment in the amount of \$71,253.00 payable to Nathan Zarichnak, Escrow Agent; representing fair market value and prorated taxes; authorize the appropriate Commission officials to execute the agreement of sale; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Operating Officer; and payment of the fair market value to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;**
 - e. **Ratify the actions of the Chief Operating Officer for the claims submitted for Replacement Housing Supplements for the following Right-of-Way’s:**

Killian	R/W 17906
Ross	R/W 17917
Briselli	R/W 17944
Eiler	R/W 17528
Fillippo	R/W 6057-G
 - f. **Authorize the acquisition of Right-of-Way #8995-R22, a partial take parcel, necessary for the Rt. 903 Slip Ramp project, by issuing payment in the amount of \$5,050.00 payable to Gregory & Debra Fusillo; representing fair market value; authorize the appropriate Commission officials to execute the agreement of sale; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Operating Officer; and payment of the fair market value to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;**

F. NEW BUSINESS

- c. Herbicide contracts, from February 1, 2011 through March 31, 2012; utilizing the Commonwealth's contracts with the following vendors:**

Asplundh Tree Expert	\$ 75,000.00
Crop Production Services	\$ 10,000.00
CWC Chemical Inc.	\$ 20,000.00
Helena Chemical Co.	<u>\$ 20,000.00</u>
TOTAL AWARD:	\$125,000.00

 - d. Rental of mobile sweepers and vactor units; to the lowest responsive and responsible bidder, Jack Doheny Rentals, Inc.; at a total award of \$227,500.00.**
- 6. Approve the Award of Contracts for the items listed in memos "a" through "e":**
- a. Contract #T-180.00R001-3-02 for bituminous overlay between MP 179.93 and MP 187.33; to the lowest responsive and responsible bidder, New Enterprise Stone & Lime, Co., Inc; at a not-to-exceed amount of \$5,960,157.45, with a \$200,000.00 contingency;**
 - b. Contract #T-199.00T005-3-04 for roadway and bridge reconstruction from MP 199.34 to MP 201.74; to the lowest responsive and responsible bidder, HRI, Inc.; at a not-to-exceed amount of \$32,399,965.59, with a \$3,000,000.00 contingency;**
 - c. Contract #M-030-00R001-3-02 for roadway reconstruction and resurfacing from MP M29.96-M34.63 and MP M39.82-M44.70; to the lowest responsive and responsible bidder, Golden Eagle Construction; at a not-to-exceed amount of \$7,412,912.18, with a \$350,000.00 contingency;**
 - d. Contract #T-099.00R001-3-02 for bituminous overlay between MP 99.08 and MP 101.70 and shoulder and median rehabilitation between MP 93.98 and MP 99.20; to the lowest responsive and responsible bidder, New Enterprise Stone and Lime, Co., Inc.; at a not-to-exceed amount of \$4,810,902.91, with a \$200,000.00 contingency;**
 - e. Contract #T-129.00R001-3-02 for bituminous resurfacing between MP 128.88 and MP 138.19; to the lowest responsive and responsible bidder, New Enterprise Stone and Lime Co., Inc.; at a not-to-exceed amount of \$11,387,000.00, with a \$500,000.00 contingency.**
- 7. Approve the write-off of Property Damage Claim #DC-1486 in the amount of \$17,248.29.**

F. NEW BUSINESS

8. **Approve the consultant selection recommendation from the Audit Committee and authorize the negotiation and execution of a contract for annual independent audit services to Zelenkofske Axelrod, LLC; at a not-to-exceed amount of \$441,825.00 for a three-year period.**

9. **Approve the fare schedule for M22 Ramp Plaza, that is due to open this Spring, to the schedule consistent with other ramp tolls on PA Turnpike 43.**

10. **Authorize the responsibility of approving statutory damages for Right-of-Way claims to the Chief Operating Officer until such time as a CEO is named and qualified.**

ITEMS ADDED TO THE FORMAL AGENDA

CHANGE ORDER

- F-11 Approve Change Order #32 for Contract #01-017-RCFX with Allan A. Myers for the roadway and bridge reconstruction project from MP 326.00 to MP 331.30, for an increase of \$427,621.51; increasing the not-to-exceed amount to \$173,163,415.54.**

CHANGE ORDERS AND FINAL PAYMENTS

- F-12 Approve the Change Orders and Final Payments for the items listed in memos “a” through “e”:**
- a. **Change Order #1 and Final Payment for Contract #T-075.94R001-3-02 with Tresco Paving Corporation for bituminous resurfacing between MP 75.94 and MP 85.00; for a decrease of \$424,872.19, making the final contract value \$2,742,251.12, and the final amount due of \$143,709.97;**

 - b. **Change Order #1 and Final Payment for Contract #T-273.97S001-3-03 with Kinsley Construction Co., Inc. for rehabilitation of six bridges between MP 279.31 and MP 292.17; for a decrease of \$10,912.33, making the final contract value \$753,633.67, and the final amount due of \$123,141.85;**

 - c. **Change Order #4 and Final Payment for Contract #T-247.38F003-3-03 with S.P. McCarl & Company, Inc. for plumbing renovations at the TIP Building; for a decrease of \$15,164.82, making the final contract value \$1,030,746.37, and the final amount due of \$50,872.32;**

 - d. **Change Order #1 and Final Payment for Contract #EN-00088-03-03 with Hempt Bros., Inc. for roadway and miscellaneous repairs between MP 241.87 and MP 298.33, for a decrease of \$673,030.27; making the final contract value \$326,969.73, and the final amount due of \$16,348.49;**

F. NEW BUSINESS

- e. **Change Order #1 and Final Payment for Contract #A-086.28S001-3-02 with Nyleve Bridge Corp. for ramp resurfacing and rehabilitation of Bridge NB-603 at MP A86.28, for a decrease of \$74,791.04; making the final contract value \$1,054,065.34, and the final amount due of \$71,282.00.**

APPROVAL AUTHORIZATION

- F-13 Authorize the responsibility of approving Legal settlements/taxable court costs, recording fees, real estate taxes, municipal and municipal authority assessments, professional services including attorney, expert witness and appraisal fees and all unappealed verdicts and viewers awards with interest accrued ranging in the amounts from \$50,001 to \$100,000, to the Chief Operating Officer until such time as a CEO is named and qualified.**