

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL TELEPHONE MEETING

MARCH 4, 2014

10:00 A.M.

AGENDA

- A. Roll Call**
 - Sunshine Announcement**
 - Public Participation**

- B. Minutes-February 18, 2014**

- C. Communications-Memo received from the Chief Counsel**

- D. Personnel**

- E. Unfinished Business**

F. NEW BUSINESS

1. **Approve payment of the 2013 Notice of Assessment from the Bureau of Workers' Compensation at the Department of Labor and Industry, for the Workers' Compensation Administration Fund, in the amount of \$64,884.00.**

2. **Approve the negotiation and execution of the Agreements and an Amendment for the items listed in memos "a" through "j":**
 - a. **License Agreement with Geokinetics to conduct seismic testing on 484.28 acres of right-of-way and surplus property in Fayette County; Geokinetics will pay the Commission \$2,421.40 for the right to test this acreage;**

 - b. **Reimbursement Agreement with Middlesex Township Municipal Authority to reimburse the Authority the cost to perform the required facility relocation work necessary for the total reconstruction project from MP 220.00 to MP 227.00 (MP 225.90); at a not-to-exceed amount of \$37,887.50;**

 - c. **Amendment to our Agreement with Public Financial Management (PFM) for financial advisory services to specifically include financial advice related to possible Forward Delivery Agreements (FDA), such agreements (FDAs) would seek to capture additional financial benefits in our Debt Service Funds; for a not-to-exceed amount of \$99,000.00;**

 - d. **Reimbursement Agreement with Windstream for Windstream to reimburse the Commission the cost to relocate their existing communication line as part of the total reconstruction project from MP 242.00 to MP 245.00 (Bridge EB-207 at MP 242.29); at an approximate reimbursement of \$45,258.00;**

 - e. **Reimbursement Agreement with Comcast for Comcast to reimburse the Commission the cost to relocate their existing communication line as part of the total reconstruction project from MP 242.00 to MP 245.00 (Bridge EB-207 at MP 242.29); at an approximate reimbursement of \$45,258.00;**

 - f. **Reimbursement Agreement with Frontier for Frontier to reimburse the Commission the cost to relocate their existing communication line as part of the total reconstruction project from MP 242.00 to MP 245.00 (Bridge EB-207 at MP 242.29); at an approximate reimbursement of \$90,516.00;**

 - g. **Reimbursement Agreement with PA American Water (PAWC) for PAWC to reimburse the Commission the cost to relocate their existing water line as part of the total reconstruction project from MP 242.00 to MP 245.00 (Bridge EB-207 at MP 242.29); at an approximate reimbursement of \$33,165.00;**

 - h. **Reimbursement Agreement with PPL Electric Utility Corp. for PPL to reimburse the Commission the cost to relocate their existing electric line as part of the total**

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- reconstruction project from MP 242.00 to MP 245.00 (Bridge EB-207 at MP 242.29); at an approximate reimbursement of \$63,135.00;
- i. Reimbursement Agreement with UGI Gas for UGI to reimburse the Commission the cost to relocate their existing gas line as part of the total reconstruction project from MP 242.00 to MP 245.00 (Bridge EB-207 at MP 242.29); at an approximate reimbursement of \$38,805.00;
 - j. Reimbursement Agreement with Verizon for Verizon to reimburse the Commission the cost to relocate their existing communication line as part of the total reconstruction project from MP 242.00 to MP 245.00 (Bridge EB-207 at MP 242.29); at an approximate reimbursement of \$67,845.00.
3. Approve the Right-of-Way Requests for the items listed in memos "a" through "c":
- a. Acquisition of Right-of-Way #2101-A (*Hunter Real Estate, Inc.*), a total take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00, by authorizing payment of fair market value, pro-rated taxes and recording fees of \$28,068.58 to *David J. Puzak, Esquire*, escrow agent; authorize the appropriate Commission officials to execute the agreement of sale, and other documents as 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 prepared by the Legal Department;
 - b. Acquisition of Right-of-Way #2102-A (*Tisa L. Vincent*), a total take parcel necessary for the total reconstruction project from MP 149.00 to MP 155.00, by authorizing payment of fair market value, pro-rated taxes and recording fees of \$30,113.32 to *David J. Puzak, Esquire*, escrow agent; authorize the appropriate Commission officials to execute the agreement of sale, and other documents as 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 prepared by the Legal Department.;
 - c. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #11000-A (*Todd W. Booher/First National Bank of Pennsylvania*), a total take parcel necessary for construction of the Southern Beltway (US 22 to I-79), to clear the title to the property.
4. Authorize the Chief Financial Officer, with concurrence of the Legal Department, the ability to enter into Non-Disclosure Agreements (NDA's) with banking and financial service providers to remain up-to-date on the latest banking practices, services, products and trends.

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5. **Approve the Award of a Bid and the Issuance of a Purchase Order for network equipment (switches & routers) to replace end of life equipment at the maintenance sheds, utilizing the Commonwealth's contract with ePlus; at a total award of \$463,805.05.**

6. **Approve the Award of Contracts for the items listed in memos "a" through "e":**
 - a. **Contract #T-129.00T001-3-05 for the replacement of Bridge B-500 at MP 129.01, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$3,744,183.17 and a contingency of \$150,000.00;**

 - b. **Contract #T-099.00T002-3-04 for roadway reconstruction from MP 99.05 to MP 101.79, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$31,958,272.53 and a contingency of \$1,500,000.00;**

 - c. **Contract #A-069.00R001-3-02 for bituminous resurfacing between MP A69.00 and MP A73.61, to the lowest responsive and responsible bidder, Pikes Creek Site Contractors; at a not-to-exceed amount of \$7,921,038.98 and a contingency of \$350,000.00;**

 - d. **Contract #A-020.00T002-3-07 for roadway and bridge reconstruction from MP A25.67 to MP A31.34, to the lowest responsive and responsible bidder, Allan A. Myers, LP; at a not-to-exceed amount of \$197,977,777.00 and a contingency of \$8,000,000.00;**

 - e. **Contracts for open-end drilling, to the lowest responsive and responsible bidders; at a not-to-exceed amount of \$900,000.00 each or three (3) years, whichever occurs first:**
 - **TRC Engineers, Inc.-MP 0.00 to MP 247.30, Greensburg Bypass, Beaver Valley Expressway, Mon/Fayette Expressway and the Southern Beltway;**
 - **TRC Engineers, Inc.-MP 247.30 to MP 359.00 and the Northeast Extension.**

7. **Approve the issuance of the Pennsylvania Turnpike Commission's variable and/or fixed rate Turnpike Revenue Bonds, in one or more series or sub-series, in an aggregate principal amount not to exceed \$550,000,000, to finance (a) the current refunding of its turnpike multi-modal revenue bonds, Series B-1 of 2008 and Series C of 2008, (b) the optional redemption and current refunding of its variable rate Turnpike Revenue bonds, Series C of 2009 and Series D of 2011, which mature on December 1, 2014, (c) the current refunding of its Turnpike Multi-modal Revenue Bonds, Series C-1 of 2011 and Series C-2 of 2011, (d) the funding of necessary reserves or similar funds, (e) capitalized interest related to such bonds, if any, and (f) costs of issuance of such bonds; authorizing the execution, delivery and distribution of the following for the bonds: (1) one or more supplemental trust indentures, (2) one or more preliminary official statements or preliminary private placement memoranda, (3) one or more official statements or private placement memoranda, (4) one or more purchase contracts or private placement agreements, (5) agreements for the provision of one or more credit facilities or related agreements, (6) one or more remarketing agreements, (7) one or more continuing disclosure agreements, and (8) any other necessary or appropriate documents or certificates;**

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appointing co-bond counsel, financial advisors and other professionals, and providing for the appointment of one or more underwriters; declaring the Pennsylvania Turnpike Commission's official intent that it be reimbursed from bond proceeds for certain expenditures paid prior to the issuance of such bonds; authorizing the taking of further action; repealing inconsistent resolutions; and declaring that this resolution shall be liberally construed.

8. Approve the Change Orders/Final Payments for the items listed in memos "a" and "b":

- a. Change Order #10 and Final Payment for Contract #M-015.30X001-3-02 with Mosites Construction Company for construction of the Uniontown to Brownsville Maintenance Facility at MP M18.00, for an additional \$144,676.00 for undercuts to the subgrade for stabilization, landscaping changes, a credit for tree replacement, a 158-day time extension for the permitted Fall planting and growing season, changes are based upon a settlement agreement previously approved; for a final contract value of \$10,072,900.11 and a final amount due to the contractor of \$269,676.00;
- b. Change order #2 and Final Payment for Contract #EN-00091-03-02 with Swank Construction Company, LLC for concrete pavement rehabilitation and joint repairs between MP B15.39 and B31.12, for an additional \$310,976.07 to balance items to actual work completed, additional changes for drainage, installation of new anchor bolts, repair lighting electric line, sawing and sealing, pavement patching, joint repairs and placement, milling and paving and removal and replacing curbing; for a final contract value of \$4,203,490.06 and a final amount due to the contractor of \$575,876.69.

9. **REMOVED FROM THE AGENDA.**

Approve the award of service and authorize the negotiation and execution of an agreement with the selected firm for Ref #3-251, traffic and revenue services systemwide; the highly recommended firms in alphabetical order:

- CDM Smith, Inc.
- Jacobs Engineering Group, Inc.