

**PENNSYLVANIA TURNPIKE COMMISSION**

**HIGHSPIRE, PENNSYLVANIA**

**FORMAL TELEPHONE MEETING**

**MAY 2, 2017**

**10:00 A.M.**

**AGENDA**

- A. Roll Call**
  - Sunshine Announcement**
  - Public Participation**
  
- B. Minutes-April 18, 2017**
  
- C. Communications-Memo received from the Chief Counsel**
  
- D. Personnel**
  
- E. Unfinished Business**

F. NEW BUSINESS

- 1. Approve the issuance of the Pennsylvania Turnpike Commission’s variable and/or fixed rate Turnpike Revenue Bonds in an aggregate principal amount not to exceed \$500,000,000 (based on par amount) in one or more series or subseries, taxable or tax-exempt, for the purpose of financing (1) the costs of various capital expenditures for the Pennsylvania Turnpike System set forth in the Commission’s current Ten Year Capital Plan, including any amendment thereto, or any prior Capital Plan including, but not limited to, the reconstruction of roadbed and roadway, the widening, replacing and redecking of certain bridges and/or the rehabilitation of certain interchanges and (2) the refunding of all or portion of certain outstanding Turnpike Revenue Bonds, in each case including funding necessary reserves, the cost of credit facilities and/or reserve fund credit facilities, and capitalized interest; authorizing the execution, delivery and distribution of the following: (1) one or more supplemental trust indentures for the bonds; (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 and/or reserve fund credit facilities and any related agreements; (6) one or more remarketing agreements; (7) one or more continuing disclosure agreements; (8) one or more interest rate swaps or other derivatives, or amendments to or terminations of existing interest rate swaps; (9) one or more escrow deposit agreements; and (10) any other necessary or appropriate documents or certificates; providing for the appointment of one or more co-bond counsel and disclosure counsel; appointing the co-financial advisors; providing for the appointment of one or more underwriters and/or other professionals; and making a declaration of official intent that the Commission 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.**
  
- 2. Approve the negotiation and execution of the Agreement and Amendments for the items listed in memos “a” through “d”:**

  - a. Settlement Agreement and Release in the case, Gibson v. PTC, and authorize payment of the settlement amount;**
  - b. Amendment to our agreement with Alliant for COBRA administration and insurance brokerage services, exercising the option to renew the agreement for an additional year (September 24, 2017 – September 23, 2018); at an approximate cost of \$10,000.00;**
  - c. Amendment to our Interagency Contribution Agreement with the Pennsylvania Department of Transportation (PennDOT) to execute an aerial easement (for the bridge structure) to enable PennDOT to receive federal reimbursement for its work (carrying SR 3020 over the Turnpike) necessary for the reconstruction of Bridge WB-308 at MP 28.01;**
  - d. Easement Agreement and a Temporary Construction Easement with the Towamencin Municipal Authority for the Authority to install a sewer line through Commission owned surplus property in Montgomery County; at a payment by the Authority of \$1,894.74.**

F. NEW BUSINESS

3. **Approve the Right-of-Way Requests for the items listed in memos “a” through “c”:**
  - a. **Settlement of Right-of-Way #14135 (Wayne E. Bisbey), a total take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$231,500.00 to David K. Derner, CPA, Executor of the Estate of Wayne E. Bisbey; authorize the appropriate Commission officials to execute the necessary settlement documents; and payment of the settlement funds to the property owner is contingent upon its execution of a Settlement Agreement and Full and Final Release as approved by the Legal Department;**
  - b. **Acquisition of Right-of-Way #7224-A (Larry G. & Mary L. Lederer), a total take parcel necessary for the total reconstruction project from MP A38.00 to MP A44.00 by authorizing payment of \$420,783.08 representing fair market value, pro-rated taxes, recording fees, housing supplement and closing costs to Fuller Brown Land Service, Escrow Agent; 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 damages to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;**
  - c. **Acquisition of Right-of-Way #17745 (Paul Joseph & Kathleen Lynn Demnyan, II), a partial take parcel necessary for construction of the Southern Beltway, US 22 to I-79, by authorizing payment of \$2,503.38 representing fair market value and pro-rated taxes to Paul Joseph & Kathleen Lynn Demnyan; 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department.**
  
4. **Approve the negotiation and execution of the Supplemental Agreements for the items listed in memos “a” through “e”:**
  - a. **Supplemental Agreement #1 for open-end geotechnical engineering services with Earth, Inc., for an additional \$200,000.00 to respond to geohazards like slope failures and sinkhole occurrences; for a revised not-to-exceed amount of \$1,100,000.00;**
  - b. **Supplemental Agreement #1 for open-end geotechnical engineering services with Gannett Fleming, Inc., for an additional \$200,000.00 to respond to geohazards like slope failures and sinkhole occurrences; for a revised not-to-exceed amount of \$1,100,000.00;**
  - c. **Supplemental Agreement #1 for open-end design services with Tri-State Design and Development, Inc., for an additional \$100,000.00 to complete the design and protection of traffic for pavement repairs between MP M29.33 and MP M36.05; for a revised not-to-exceed amount of \$1,000,000.00;**

F. NEW BUSINESS

- d. Supplemental Agreement #1 for final design of the Southern Beltway, US 22 to I-79 with ms consultants, inc., for an increase of \$4,200,000.00 to continue with final design, studies for widening, coordination with local municipalities, additional utility relocations and right-of-way acquisitions, specifications and plans, consultation during construction, and shop drawing review; for a revised not-to-exceed amount of \$15,700,000.00;
  - e. Supplemental Agreement #1 for transportation improvement study from MP 333.00 to MP 351.00 with Rummel, Klepper & Kahl, LLP, for an additional \$1,000,000.00 to complete the preparation of final study reports that will identify options to improve traffic flow and safety through the corridor and provide assistance with the development and implementation of the recommended improvements; for a revised not-to-exceed amount of \$3,000,000.00.
5. Approve the Change Order to the agreements for plow blades, hardware and accessories (November 2015 – June 30, 2017), to purchase additional equipment at a lower cost through Ironhawk:
- |                            |  |
|----------------------------|--|
| Winter Equipment Co., Inc. | (\$310,000.00)                               |
| Ironhawk Industrial        | <u>310,000.00</u>                            |
| TOTAL ADDITIONAL AWARD:    | \$ 0.00 Transferring funds between contracts |
6. Approve the Award of Contract #EN-00189-03-02 for sinkhole repairs between MP 199.26 and MP 312.03, to the lowest responsive and responsible bidder, Bi State Construction Co., Inc.; at a not-to-exceed amount of \$2,000,000.00.
7. Approve Change Order #4 for Contract #A-049.00R001-3-02 for bituminous overlay between MP A48.90 and MP A59.34 with New Enterprise Stone & Lime Co., Inc., for a 199-day time extension to complete additional bituminous patches required on the project.
8. Approve the award of services and authorize the negotiation and execution of an agreement with the selected firm for T00048, open-end environmental services systemwide;
- A.D. Marble & Company-AWARDED
  - Lotus Environmental Consulting, LLC
  - HDR Engineering, Inc.

ITEMS ADDED TO THE FORMAL AGENDA

9. Approve the negotiation and execution of Supplemental Agreement #1 for quality assurance inspection and laboratory testing and quality assurance audits for the I-95/I-276 Interchange project with Navarro & Wright Consulting Engineers, Inc., to also include quality assurance and laboratory testing for the entire Turnpike system.
10. Approve advertising for quality assurance laboratory testing services.