

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL MEETING

MAY 15, 2012

10:00 A.M.

AGENDA

- A. Roll Call
Sunshine Announcement
Public Participation**
- B. Minutes-May 1, 2012**
- C. Communications-
Memo received from the Chief Counsel
Memo received from the Director of Operations Review**
- 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 \$250,000,000 (based on issuance value) in one or more series or subseries, taxable or tax-exempt, for the purpose of financing the costs of various capital expenditures for the Pennsylvania Turnpike system set forth in the Commission's current Ten-Year 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 including funding necessary reserves and capitalized interest; authorizing the execution, delivery and distribution of the following: (1) Supplemental Trust Indentures to the Restated Indenture; (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 and continuing disclosure agreements; and (7) any other necessary or appropriate documents or certificates; authorizing swap agreements; authorizing appointment of co-bond counsel, and one or more underwriters, financial advisors 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 Agreements, Supplemental Agreements and an Amendment for the items listed in memos "a" through "f":**
 - a. Reimbursement Agreement with Menallen Township Sewer Authority to reimburse the Authority the costs associated with the facility relocation work necessary for the construction of Section 51B of the Mon/Fayette Expressway; at a not-to-exceed amount of \$86,500.00;**

 - b. Supplemental Agreement with Pennsylvania Electric Co. (Penelec) to relocate the electrical facilities necessary for the replacement of overhead Bridge B-504 at MP 108.33, for an additional \$47,103.99 for traffic control, contractor mobilization and additional labor;**

 - c. Reimbursement Agreement with PECO Energy to reimburse PECO the costs associated with the required engineering and facility relocation work necessary for the replacement of Bridge DB-155 at MP 342.75; at a not-to-exceed amount of \$375,000.00;**

 - d. Supplemental Agreement with the PA Fish & Boat Commission for stream mitigation for the total reconstruction project from MP 199.00 to MP 202.00, for an additional \$50,000.00 for additional habitat enhancement to satisfy stream mitigation regulatory requirements;**

 - e. Amendment to our agreement with Integrated Transportation Finance Group, LLC (ITF) for electronic toll interoperability; utilizing our option to renew the agreement for an additional six-months (June 1-November 30, 2012);**

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- f. Amendment to our agreement with Public Financial Management (Investment Advisor), to evaluate a proposed Escrow Restructuring associated with the Commissioners Series A and B of 1998 Oil Franchise Tax Senior and Subordinate Revenue Bonds.**
- 3. Approve the Right-of-Way Requests for the items listed in memos “a” and “b”:**
- a. Authorize an easement on Right-of-Way #17518, a total take parcel that was necessary for construction of the Southern Beltway, to accommodate a lateral sewer connection from a neighboring property to the existing sewer main; approve a fair market value of \$500.00 and the Commission will deliver the executed easement agreement upon receipt of fair market value;**
 - b. Authorize the acquisition of Right-of-Way #7090-C-1, a partial take parcel, necessary for the I-95 Interchange Project, by authorizing payment of fair market value in the amount of \$2,200.00 payable to The Villas at Chancellor’s Glen Community Association; authorize the appropriate Commission officials to execute the agreement of sale and other documents as may be required for closing; payment of additional statutory damages as calculated by the Right-of-Way Acquisition Unit and approved by the Chief Counsel; and payment of the fair market value to the property owner is contingent upon its delivery of a deed as prepared by the Legal Department.**
- 4. Adopt the Commission’s Annual Operating Expense Budget for FY 2012-2013 and approve the proposed FY2013 Ten Year Capital Plan as listed in memos “a” and “b”:**
- a. Adopt the Resolution approving The Pennsylvania Turnpike Commission’s Annual Operating Expense Budget for the 2012-2013 fiscal year in the amount of \$326,679,000.00;**
 - b. Approve the proposed FY2013 Ten Year Capital plan and grant approval for staff to advertise for the use of consultants, contractors and other necessary professional services for all phases of projects within the first two years of the adopted plan.**
- 5. Approve the Award of Bids and the Issuance of Purchase Orders for the items listed in memos “a” through “e”:**
- a. Unleaded gasoline and ethanol, exercising our option to renew the agreements for an additional year (June 1, 2012-May 31, 2013):**

<u>Vendor</u>	<u>Renewal Amount</u>
Petroleum Traders	\$2,838,000.00
Mansfield Oil Co.	730,000.00
Export Fuel	277,000.00
Talley Petroleum	140,000.00
Bedford Valley Petroleum	190,000.00
TOTAL RENEWAL:	\$4,175,000.00

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- b. Bituminous material, to the lowest responsive and responsible bidders who bid pick-up pricing:

<u>Vendor:</u>	<u>Award Amount</u>
HEI-WAY, LLC	\$ 16,000.00
Lindy Paving	22,000.00
Lane Construction	2,000.00
Hanson Aggregates	12,000.00
New Enterprise Stone & Lime	65,000.00
Hempt Bros., Inc.	10,000.00
Pennsy Supply-Harrisburg	3,000.00
Valley Quarries	27,000.00
Reading Materials/Lebanon Materials	2,000.00
Handwerk Materials	3,000.00
Silver Hill Quarry	8,000.00
Reading Materials/Sanatoga Quarry	15,000.00
H&K Materials	2,000.00
Reading Materials/South Reading Blacktop	2,000.00
Locust Ridge Quarry	5,000.00
Dunmore Materials	2,000.00
Reading Materials/Eckley Asphalt	2,000.00
Coopersburg Asphalt	2,000.00
Pennsy Supply dba Slusser Brothers	2,000.00
Wilkes-Barre Materials	30,000.00
Eastern Industries, Inc.	16,000.00
Pikes Creek Asphalt & Crushed Stone	4,000.00
Highway Materials	2,000.00
Glasgow	17,000.00
Seaboard Asphalt	25,000.00
Martins Limestone-Blue Ball	4,000.00
TOTAL AWARD:	\$300,000.00

- c. Sodium Chloride, exercising our option to renew the agreements for an additional year (September 1, 2012-May 31, 2013):

<u>Vendors:</u>	<u>Renewal Amount</u>
Cargill Inc.-Deicing Tech	\$4,200,000.00
American Rock Salt Co.	\$ 650,000.00
TOTAL RENEWAL:	\$4,850,000.00

- d. Aggregates (stone, slag & gravel), to the lowest responsive and responsible bidders:

<u>Vendors:</u>	<u>Award Amount</u>
Hansen Aggregates	\$62,000.00
Three Rivers Aggregate	18,500.00
New Enterprise Stone & Lime	41,000.00
Valley Quarries	5,000.00
Handwerk Materials	14,000.00
Hempt Bros.	7,500.00
Pennsy Supply-Harrisburg	6,000.00
Martin Limestone	10,000.00

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Silver Hill Quarry	6,500.00
Glasgow	6,500.00
Hanson Aggregates-Allentown	6,800.00
Highway Materials	12,000.00
Eureka Stone Quarry	2,500.00
Miller Materials/Naceville	7,000.00
Naceville Materials	2,500.00
Martin Stone Quarries	10,000.00
Eastern Industries	10,000.00
Tarheel Quarry	18,000.00
Locust Ridge (H&K)	3,000.00
Wilkes-Barre Materials	2,000.00
Penny Supply-Slusser Bros.	8,000.00
TOTAL AWARD:	\$258,800.00

- e. Herbicides, exercising our option to renew the agreements for an additional year (April 1, 2012-March 31, 2013):

<u>Vendor:</u>	<u>Renewal Amount</u>
Arborchem Products Co	\$135,000.00
Crop Production Svcs.	39,500.00
CWC Chemical Inc.	37,000.00
Helena Chemical Co.	30,000.00
TOTAL RENEWAL:	\$241,500.00

6. Approve the Award of Contracts for the items listed in memos "a" and "b":

- a. Contract #EN-00124-03-02 for sinkhole repairs between MP 312.03 and MP 358.11 and MP A20.00 to MP A70.07, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$1,500,000.00;
- b. Contract #T-311.93R001-3-02 for bituminous overlay at the Downingtown Interchange Ramps, to the lowest responsive and responsible bidder, Highway Materials, Inc.; at a not-to-exceed amount of \$1,447,033.86 and a contingency of \$75,000.00.

7. Approve the Change Orders and the Change Orders/Final Payments for the items listed in memos "a" through "c":

- a. Change Order #1 for Contract #EN-00027-03-03 with William Orr and Sons, Inc. for sign installation between MP 245.75 and MP 359.00 and MP A20.00 to MP A131.00, for an additional 337-day time extension necessary for fabrication of signing materials needed to complete work authorizations 7 and 8;
- b. Change Order #1 and Final Payment for Contract #M-034.50R001-3-02 with Matcon Diamond, Inc. for concrete pavement rehabilitation and joint repairs between MP M34.49 and M35.79 and slide repair buttress at MP M39.00, for an additional \$49,868.98, necessary for normal quantity adjustments to balance items to actual work

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- completed, costs associates with Class 1 excavation, concrete pavement repairs, drainage, flowable backfill, concrete mix design changes, guide rail and stream restoration; for a final contract value of \$1,093,900.76 and a final amount due to the contractor of \$181,548.34;
- c. **Change Order #14 for Contract #M-015.30X001-3 with Trumbull Corporation for construction of Section 51J (MP M26.98-M31.14) and signing and pavement markings between MP M21.47 and MP M23.31 on the Mon/Fayette Expressway, for an additional \$627,030.75 to settle a claim filed by Trumbull for additional excavation costs; and approve the execution of the settlement agreement in *Trumbull Corp v PTC, Board of Claims Docket #3997* to resolve this matter.**
8. **Approve the award of services and authorize the negotiation and execution of an agreement with the selected firm(s) for the items listed in Resolutions “a” through “f”:**
- a. **Open-end material inspection and testing services from MP 0.00 to MP 200.00, the James E Ross Highway, Amos K. Hutchinson Bypass and the Mon/Fayette Expressway; at a not-to-exceed amount of \$950,000.00, to Jeff Zell Consultants;**
- b. **Open-end material inspection and testing services from MP 200.00 to MP 358.11 and MP A20.00 to MP A130.11; at a not-to-exceed amount of \$950,000.00, to Solar Testing of PA, LLC;**
- c. **Open-end environmental engineering services for the storage tank program; at a not-to-exceed amount of \$1,500,000.00, to GAI Consultants, Inc.;**
- d. **Open-end coating consultant services systemwide; at a not-to-exceed amount of \$950,000.00, to KTA-Tator, Inc.;**
- e. **Open-end quality assurance testing laboratory services systemwide; at a not-to-exceed amount of \$950,000.00, to Professional Service Industries, Inc.;**
- f. **Construction inspection/project management services for the Beaver River Bridge replacement project and roadway and bridge reconstruction from MP 12.00 to MP 14.00; at a not-to-exceed amount of \$20,000,000.00, to ALCM, LLC.**

Item added to the Formal Agenda

9. **Approve ratification of the executed Amendment to our Lease Agreement with Synergy Development Hempfield, LLC, to extend the contingency period until June 19, 2012.**