

**PENNSYLVANIA TURNPIKE COMMISSION**

**HIGHSPIRE, PENNSYLVANIA**

**FORMAL TELEPHONE MEETING**

**JUNE 4, 2013**

**10:00 A.M.**

**A G E N D A**

- A. Roll Call  
Sunshine Announcement  
Public Participation**
- B. Minutes-May 21, 2013**
- C. Communications-Memo received from the Chief Counsel**
- D. Personnel**
- E. Unfinished Business**

**F. NEW BUSINESS**

- 1. Adopt the revisions to Policy Letter 3.4, *Smoking Policy*, to update the guidelines for smoking on Commission property to comply with the United States Green Building Council and to include electronic cigarettes in the policy.**
  
- 2. Approve the negotiation and execution of the Agreements and Amendments for the items listed in memos “a” through “f”:**
  - a. Engineering Cooperative Education Program with the University of Pittsburgh to place two engineering students with the Commission (beginning in August 2013); at an approximate cost of \$75,648.00 over a two-year period;**
  
  - b. Amendment to our agreement with I.B. Abel, Inc. for infrastructure cabling, to increase the not-to-exceed amount from \$600,000.00 to \$900,000.00 through the contracted period (August 3, 2013), for installation, troubleshooting and repair services for all existing cabling infrastructure and temporary facilities;**
  
  - c. Amendment to our reimbursement letter agreement with Tredyffrin Township for stormwater reviews and inspection as part of the total reconstruction project from MP 320.00 to MP 326.00, to increase the reimbursable not-to-exceed amount from \$25,000.00 to \$60,000.00 for the stormwater management plans review and to obtain the required clearances necessary to continue our reconstruction project;**
  
  - d. Reimbursement Agreement with West Penn Power Company to reimburse West Penn Power for the costs associated with the engineering and aerial electrical facility relocation work necessary for the total reconstruction project from MP 40.00 to MP 48.00; at a not-to-exceed amount of \$36,746.84;**
  
  - e. Settlement in the case, *Conroy v. Pennsylvania Turnpike Commission, et al.*; and approve the settlement amount and all necessary documents;**
  
  - f. Settlement Agreement and release with Walsh Construction Company regarding work on section 51H of the Mon/Fayette Expressway.**
  
- 3. Approve the Right-of-Way Requests for the items listed in memos “a” through “t”:**
  - a. Acquisition of Right-of-Way #17651, a partial take parcel necessary for construction of the Southern Beltway, by authorizing the payment of fair market value, pro-rated taxes and recording fees of \$308,294.54 to Fayette Professional Services, Inc., 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 fair market value to the property owners is contingent upon its delivery of a deed as prepared by the Legal Department;**

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- b. Acquisition of Right-of-Way #17065, a partial take parcel necessary for construction of the Southern Beltway, by authorizing the payment of fair market value, pro-rated taxes and recording fees of \$290,600.76 to Karen Coon & Co., escrow agent; 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 prepared by the Legal Department;**
- c. Acquisition of Right-of-Way #3376-I, a partial take parcel necessary for the total reconstruction project from MP 242.00 to MP 245.00, by authorizing the payment of fair market value and pro-rated taxes of \$8,526.00 to Alfred C. and Janet Burnett; 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 owners is contingent upon its delivery of a deed as prepared by the Legal Department;**
- d. Acquisition of Right-of-Way #3385-B, a partial take parcel necessary for the total reconstruction project from MP 242.00 to MP 245.00, by authorizing the payment of fair market value and pro-rated taxes of \$2,030.00 to Roxanna M. and Carlus J. Covert; 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 owners is contingent upon its delivery of a deed as prepared by the Legal Department;**
- e. Acquisition of Parcel #35, a partial take parcel necessary for the total reconstruction project from MP 242.00 to MP 245.00, by authorizing the payment of fair market value of \$500.00 to Beatrice C. Scarangella; 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 temporary construction easement as prepared by the Legal Department;**
- f. Acquisition of Right-of-Way #6458-A, a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing the payment of fair market value, pro-rated taxes, recording fees and Section 710 damages of \$618,325.00 to City Line Abstract, 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 fair market value to the property owners is contingent upon its delivery of a deed as prepared by the Legal Department;**

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- g. Acquisition of Right-of-Way #6457-A, a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing the payment of fair market value and pro-rated taxes of \$5,176.50 to Sean P. and Carolyn S. Fahey; 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 owners is contingent upon its delivery of a deed as prepared by the Legal Department;**
- h. Acquisition of Right-of-Way #6482-C, a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing the payment of fair market value and pro-rated taxes of \$3,033.00 to Nancy L Gillotti; 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 prepared by the Legal Department;**
- i. Acquisition of Right-of-Way #6472-A, a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing the payment of fair market value of \$1,300.00 to The Township of Towamencin; 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 prepared by the Legal Department;**
- j. Acquisition of Right-of-Way #6474-D, a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing the payment of fair market value of \$21,600.00 to The Township of Towamencin; 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 prepared by the Legal Department;**
- k. Acquisition of Right-of-Way #6479-D, a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing the payment of fair market value of \$23,700.00 to The Township of Towamencin; 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 prepared by the Legal Department;**

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- l. Acquisition of Right-of-Way #6480-A, a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing the payment of fair market value of \$2,000.00 to The Township of Towamencin; 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 prepared by the Legal Department;**
- m. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #8968-A, a partial take parcel, necessary for the reconstruction of Bridge NB-531 and NB-534 at MP A76.09 and MP A76.18; authorize payment of Estimated Just Compensation in the amount of \$52,200.00, payable to Stevens & Lee, escrow agent; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;**
- n. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #12035-K-1, a total take parcel, necessary for the Beaver River Bridge reconstruction; authorize payment of Estimated Just Compensation in the amount of \$2,500.00, payable to Babst Calland, escrow agent; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;**
- o. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #1003-X, a partial take parcel, necessary for the total reconstruction project from MP 99.00 to MP 109.00; authorize payment of Estimated Just Compensation in the amount of \$31,400.00, payable to counsel to be assigned at a later date; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;**
- p. Acquisition of Right-of-Way #17239, a partial take parcel necessary for construction of the Southern Beltway, by authorizing the payment of fair market value, pro-rated taxes and recording fees of \$6,980.50 to Matera Family Revocable Living Trust; 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 owners is contingent upon its delivery of a deed as prepared by the Legal Department;**
- q. Acquisition of Right-of-Way #3376-G, a partial take parcel necessary for the total reconstruction project from MP 242.00 to MP 245.00, by authorizing the payment of fair market value and pro-rated taxes of \$4,161.50 to Rosann Coviello and Diane M. Lance; 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 owners is contingent upon its delivery of a deed as prepared by the Legal Department;**

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- r. **Acquisition of Right-of-Way #3189-A-1, a partial take parcel necessary for the total reconstruction project from MP 220.00 to MP 227.00, by authorizing the payment of fair market value and pro-rated taxes of \$5,582.50 to Kathryn N. Miller; 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 prepared by the Legal Department;**
  - s. **Adopt the Proposed Property Acquisition Resolution for Right-of-Way #1102-A, a total take parcel, necessary for the total reconstruction project at MP 129.00; authorize payment of Estimated Just Compensation in the amount of \$22,500.00, payable to counsel to be assigned at a later date; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;**
  - t. **Acquisition of Right-of-Way #3205-R2, a partial take parcel necessary for the total reconstruction project from MP 220.00 to MP 227.00, by authorizing the payment of fair market value and pro-rated taxes of \$3,045.00 to Wayne P. and Joan E. Keller; 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 owners is contingent upon its delivery of a deed as prepared by the Legal Department.**
- 4. Approve advertising for the items listed in memos “a” through “d”:**
- a. **Architectural and engineering design firm to provide design renovations for the Turnpike Industrial Park building (TIP) to accommodate the E-ZPass Customer Service Center (CSC) and Violations Processing Center (VPC);**
  - b. **Long-term commercial ground lease of 1.903 acres of land located at the north side of the intersection of North Gulph Road and North Warner Road in Upper Merion Township, Montgomery County;**
  - c. **Pre-employment screening services;**
  - d. **Architectural firm to perform facility design and construction services through an open-end agreement.**

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- 5. Approve the Award of Bids, a Change Order and the Issuance of Purchase Orders for the items listed in memos “a” through “d”:**
  - a. Thirty-seven (37) dump trucks (various specifications), utilizing the Commonwealth’s contract with WW Engine Supply Inc.; at a total award of \$7,211,939.00;**
  - b. Five (5) tow plows, utilizing the Commonwealth’s contract with Lancaster Truck Bodies; at a total award of \$590,310.00;**
  - c. Change Order for plow blades and hardware with Ironhawk Industrial LLC dba Equipment Express, for an additional \$350,000.00 for blades and repair parts for new and current plows for the 2013-2014 winter season; increasing the contract from \$585,000.00 to \$935,000.00;**
  - d. Sixteen (16) first responder vehicles (2013 Chevrolet crew cab pickups), utilizing the Commonwealth’s contract with Apple Automotive Group; at a total award of \$493,280.00.**
  
- 6. Approve the Award of Contracts for the items listed in memos “a” through “c”:**
  - a. Contract #EN-00139-03-02 for sign structure replacement between MP 309.59 and MP 345.07, to the lowest responsive and responsible bidder, Road-Con, Inc.; at a not-to-exceed amount of \$5,612,131.61 and a contingency of \$250,000.00;**
  - b. Contract #EN-00026-03-03 for slope remediation between MP A88.98 and MP A92.66, to the lowest responsive and responsible bidder, New Enterprise Stone and Lime Co., Inc.; at a not-to-exceed amount of \$5,916,917.28 and a contingency of \$250,000.00;**
  - c. Contract #T-197.50R001-3-02 for bituminous overlay and shoulder sealing between MP 196.40 and MP 199.33, to the lowest responsive and responsible bidder, Hempt Bros., Inc.; at a not-to-exceed amount of \$1,653,753.61 and a contingency of \$75,000.00.**
  
- 7. Approve Supplemental Agreement #1 with Carroll Engineering Corporation for open-end construction inspection services-East, for an additional \$500,000.00 to continue the construction inspection on eight projects until the new open-end construction inspection services-East agreement can be executed.**
  
- 8. Approve the Change Order and Change Orders and Final Payments for the items listed in memos “a” through “d”:**
  - a. Change Order #4 and Final Payment for Contract #T-199.00T005-3-01 with the Beaver Excavating Co. for grading and drainage for curve alignment improvements from MP 199.47 to MP 200.38, for a decrease of \$322,232.53 to balance items to the actual work**

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- completed; for a final contract value of \$8,932,554.39 and final amount due to the contractor of \$209,397.11;
- b. **Change Order #2 for Contract #T-345.75R001-3-02 with Glasgow, Inc. for bituminous overlay between MP 345.75 and MP 351.79, for a 75-day time extension for additional deck repairs and temperature sensitive work;**
  - c. **Change Order #1 and Final Payment for Contract #EN-00116-03-03 with JPS Construction Co., Inc. for bridge repairs between MP 109.91 and MP 236.22, for a decrease of \$31,131.90 to balance items to the actual work completed; for a final contract value of \$568,868.10 and final amount due to the contractor of \$28,443.41;**
  - d. **Change Order #1 and Final Payment for Contract #EN-00105-03-02 with New Enterprise Stone and Lime, Inc. for roadway and miscellaneous repairs between MP 75.39 and MP 179.44, for a decrease of \$235,303.68 to balance items to the actual work completed; for a final contract value of \$1,764,696.32 and final amount due to the contractor of \$43,702.72.**
9. **Approve increasing the transfer from the Operating Account to the Pennsylvania Turnpike Commission Retire Medical Trust from \$2,400,000.00 to \$3,000,000.00 per month for Fiscal Year 2014.**
  10. **Approve the award of service and authorize the negotiation and execution of an agreement with the selected firm(s) for the items in memos “a” and “b”:**

    - a. **RFP #4050. Systemwide dynamic message sign systems;**

      - **Daktronics, Inc.-AWARDED**
    - b. **Ref #5-088. Two (2) open-end construction inspection services-East;**

      - **CMC Engineering-AWARDED**
      - **The Temple Group, Inc.-AWARDED**
      - **Johnson, Mirmiran & Thompson, Inc.**
      - **KCI Technologies, Inc.**
  11. **Authorize the approval of 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 the (a) current refunding of its outstanding Turnpike Multi-modal Revenue Refunding Bonds, Series A-1 and A-2 of 2010, (b) 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, 2013, and (c) costs of various capital expenditures for the Pennsylvania Turnpike system set forth in the Commission’s proposed Ten Year Capital Plan, including, but not limited to, the reconstruction of roadbed and roadway, the widening, replacing and**



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**redecking of certain bridges and/or rehabilitation of certain interchanges, and (d) 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; 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.**

**ITEM ADDED TO THE FORMAL AGENDA**

- 12. Approve removing the eligibility restriction, for direct descendants of current Commission employees, for summer employment with the Commission.**