

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL MEETING

JUNE 21, 2011

9:00 A.M.

AGENDA

- A. Roll Call
Sunshine Announcement
Public Participation**

- B. Minutes-May 24, 2011**

- C. Communications-
Memo received from the Chief Counsel
Memo received from the Manager of Strategic Sourcing & Asset Management**

- D. Personnel**

- E. Unfinished Business**

F. NEW BUSINESS

- 1. Adopt the Resolution ratifying the investments, reinvestments and liquidations of securities with available cash, as described in the memo from the Assistant Chief Financial Officer dated June 10, 2011.**

- 2. Approve the negotiation and execution of the Agreements for the items listed in memos “a” through “g”:**
 - a. Approval to negotiate and execute a settlement agreement with Branding Rights as a result of contract termination of the Commission’s Branding/Sponsorship Program;**

 - b. Reimbursement Agreement with Buckeye Pipe Line Company, L.P., for the Commission to reimburse Buckeye for the design, materials and construction costs to relocate their pipe line, necessary for the replacement of Bridges WB-433 and WB-434; at a not-to-exceed amount of \$4,271,542.00;**

 - c. Reimbursement Agreement with PECO Energy Co., for the Commission to reimburse PECO for replacement of their underground line necessary for the total reconstruction project MP A20.00 to A30.00; at a not-to-exceed amount of \$36,166.00;**

 - d. Reimbursement Agreement with Verizon, for the Commission to reimburse Verizon for replacement of their underground line necessary for the total reconstruction project MP A20.00 to A30.00; at a not-to-exceed amount of \$42,947.00;**

 - e. Approval to negotiate and execute a Common Interest and Confidentiality Agreement to assist Inter-Agency Group member agencies in a patent infringement lawsuit for the next generation technology equipment system;**

 - f. Approval to negotiate and execute an agreement with Voicenet to establish terms and conditions for the development, ownership, and maintenance of TRIP TALK mobile phone application; at a not-to-exceed amount of \$100,000.00 annually;**

 - g. Assignment Agreement with dck North America, LLC to assign active contracts to Hill International Inc for construction inspection / project management of the Swatara Creek Bridge replacement;**

- 3. Approve the Right-of-Way Requests for the items listed in memos “a” through “q”:**
 - a. Authorize the acquisition of Right-of-Way #8995-R19, a partial take parcel, necessary for the Route 903 Slip Ramp project; by issuing payment in the amount of \$707.00, payable to Reidun Bobbe, representing fair market value and prorated taxes; authorize the payment of additional statutory damages**

F. NEW BUSINESS

as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;

- b. Authorize the acquisition of Right-of-Way #8995-R03, a partial take parcel, necessary for the Route 903 Slip Ramp project; by issuing payment in the amount of \$1,131.20, payable to Stelios and Konstantina Kapodistrias, representing fair market value and prorated taxes; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;**
- c. Authorize the settlement of Right-of-Way #1A036-A, a partial take parcel, necessary for the total reconstruction project from MP 67.00 to MP 75.00; by issuing settlement payment in the amount of \$54,157.59, representing general damages, delay damages and Section 710 Fees, payable to Hollinshead, Mendelson, Bresnahan & Nixon, P.C., Escrow Agent;**
- d. Adopt the proposed Property Acquisition Resolution for Right-of-Way #6420-C and #6420-D, partial take parcels, necessary for the total reconstruction project from MP A20.00 to MP A30.00; authorize payment of Estimated Just Compensation in the amount of \$290,000.00, payable to Buckley, Brion, McGuire, Morris & Sommer, LLP, Escrow Agent; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;**
- e. Authorize the acquisition of Right-of-Way #6437-A, a partial take parcel, necessary for the total reconstruction project from MP A20.00 to MP A30.00; by issuing payment in the amount of \$40,000.00, payable to PECO Energy Company, representing fair market value; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;**
- f. Authorize the acquisition of Right-of-Way #16451, a partial take parcel, necessary for construction of the Mon/Fayette Expressway; by issuing payment in the amount of \$1,500.00, payable to Daniel P. and Geri Lee Ternitsky, representing fair market value; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;**
- g. Authorize the acquisition of Right-of-Way #17907, a total take parcel, necessary for construction of the Southern Beltway; by issuing payment in**

F. NEW BUSINESS

- the amount of \$360,939.72, payable to Nathan Zarichnak & Associates, LLC, Escrow Agent, representing fair market value, prorated taxes and recording fees; 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 Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;**
- h. Authorize the acquisition of Right-of-Way #17963, a total take parcel, necessary for construction of the Southern Beltway; by issuing payment in the amount of \$1,346,303.21, payable to Nathan Zarichnak & Associates, LLC, Escrow Agent, representing fair market value, prorated taxes and recording fees; 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 Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department; the claim also involves payment of \$62,500.00 to Weld Tooling Corp for the relocation of Right-of-Way #17963-01 a tenant occupying the building;**
- i. Authorize the acquisition of Right-of-Way #3384-A, a partial take parcel, necessary for the total reconstruction project from MP 242 to MP 245; by issuing payment in the amount of \$507.50, payable to Guy E. Shelley, Jr., Post 974 American Legion, representing fair market value; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;**
- j. Authorize the acquisition of Right-of-Way #3384-B, a total take parcel, necessary for the total reconstruction project from MP 242 to MP 245; by issuing payment in the amount of \$221,793.00, payable to Coon & Company, Escrow Agent, representing fair market value, prorated taxes and recording fees; 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 Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;**
- k. Authorize the acquisition of Right-of-Way #8995-R20, a partial take parcel, necessary for the Rt. 903 Slip Ramp construction project; by issuing payment in the amount of \$2,030.00, payable to Neil R. Goldman and Barbara A. Goldman, representing fair market value; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;**

F. NEW BUSINESS

- l. Authorize the acquisition of a total take parcel, necessary to eliminate the Hazette Street Bridge, Structure #B-518; by issuing payment in the amount of \$48,600.00, payable to Puzak Law Offices, Escrow Agent, representing fair market value, prorated taxes and recording fees; 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 Executive Officer; and payment of the fair market value to the property owners is contingent upon the delivery of a deed prepared by the Legal Department;**
- m. Authorize the acquisition of Right-of-Way #1023-A, a partial take parcel, necessary for the total reconstruction project from MP 99 to MP 109; by issuing payment in the amount of \$4,916.50, payable to Valerie M. Moy, representing fair market value; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; and payment of the fair market value to the property owner is contingent upon the delivery of a deed prepared by the Legal Department;**
- n. Authorize the proposed Property Acquisition Resolution for Right-of-Way #14208-A and #14070-D, total take parcels, necessary for the total reconstruction project from MP 40 to 48; authorize payment of Estimated Just Compensation in the amount of \$4,900.00 payable to Hollinshead, Mendelson, Bresnahan and Nixon, P.C., Escrow Agent; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;**
- o. Authorize the additional payment of \$15,000 payable to George A. Worthington and Lillian K. Worthington for Right-of-Way #7135-L and #7135-M, total take parcels, which were approved by the Commission on January 8, 2007. The Condemnees filed with the Court an Appeal/Exceptions to the Award of the Board of View. The Legal Department has reviewed the file and believes the settlement to be in the best interest of the Commission. Payment to the Condemnees is contingent upon their execution of the settlement agreement as approved by the Legal Department;**
- p. Authorize the disposition of property for an occasional flowage easement for the total reconstruction project between MP 199 and MP 227, to Carl M. Hoover and Tammy J. Hoover, a partial take, where the property owners have requested the Commission transfer ownership of a small triangle of property in lieu of a monetary payment for the occasional flowage easement;**
- q. Authorize the proposed Property Acquisition Resolution for Right-of-Way #3384-E, a total take parcel, necessary for the total reconstruction project from MP 242 to 245; authorize payment of Estimated Just Compensation in**

F. NEW BUSINESS

the amount of \$50,000.00 payable to Stevens & Lee, P.C., Escrow Agent; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;

4. **Approve advertising for the items listed in memos “a” and “b”:**
 - a. **Engineering Firm to perform open-end material inspection and testing services for the I-95/I-276 connection project;**
 - b. **Compensation consultant to perform an organizational and salary study.**

5. **Approve the Award of Bids, Change Orders and the Issuance of Purchase Orders for the items listed in memos “a” through “j”:**
 - a. **Toner/printer supplies (June 1, 2011 through May 31, 2012), to the lowest responsive and responsible bidder, CNI Office Supplies; at a total award of \$160,000.00;**
 - b. **Rental of mobile sweepers and vactor units with Jack Doheny Rentals Inc, to exercise the option to renew the contract for an additional month for Districts 1, 4 and 5; at an additional cost of \$68,250.00; increasing the purchase order amount from \$227,500.00 to \$295,750.00;**
 - c. **Purchase of EZ-Pass transponders from Kapsch TrafficCom IVHS (formerly, Mark IV IVHS, Inc.) the vendor selected by the Interagency Group (IAG) (operating as the EZ-Pass Group); for a total award \$1,961,270.00. This pricing reflects the seven-year pricing structure agreed to with Mark IV, IVHS, Inc., now operating as Kapsch;**
 - d. **Exercise our option to renew the agreement for oil/water separator services with Environmental Products & Services, Inc. for an additional year; at an additional annual cost of \$100,000.00;**
 - e. **Safe hit flexible delineation roadway markers, utilizing the Commonwealth’s contract with PIBH; for a total award of \$275,000.00;**
 - f. **Agreement for tires; with increasing the purchase order to \$248,500.00:**

Goodyear Tires and Rubber	\$40,000.00
Michelin North America Inc.	<u>\$25,000.00</u>
Total Change Order:	\$65,000.00
 - g. **Exercise our option to renew the agreement for bottled water for an additional year; at an additional cost of:**

F. NEW BUSINESS

DS Waters of American/Crystal Springs	\$20,000.00
Roaring Spring Water	<u>\$ 8,000.00</u>
Renewal Amount:	\$28,000.00

- h. Exercise our option to renew the agreement for asphalt sealant with McAsphalt Industries Ltd. for an additional year; at an additional annual cost of \$300,000.00;**
 - i. Thirty-eight (38) Tandem axle dump trucks, utilizing the Commonwealth's contract with Mack Trucks, Inc.; at a total award of \$7,792,133.88;**
 - j. Four (4) tow plows, utilizing the Commonwealth's contract with Lancasater Truck Bodies; at a total award of \$424,064.00.**
- 6. Approve the Award of Contract #T-085.00R002-3-02 for micro surfacing and shoulder repairs between MP 85.00 and MP 94.13; to the lowest responsive and responsible bidder, Strawser Construction, Inc.; at a total award of \$2,230,554.54 with a contingency amount of \$75,000.00.**
- 7. Approve the execution of the Supplemental Agreement and Work Authorization as listed in memos "a" through "d":**
- a. Supplemental Agreement #2 with McCormick Taylor, Inc. for final design of the total reconstruction and widening project from MP 40.00 to MP 48.00; for an increase of \$6,000,000.00, necessary for changes in construction and regulatory requirements;**
 - b. Work Authorization to reimburse J.P.S. Construction Co., Inc. for the cost of parapet and protective fence repair work required at MP 333.83 for damage caused by a tractor trailer; at a not-to-exceed amount of \$400,000.00;**
 - c. Write off of \$88,117.62 for Property Damage Claim #DC-1981;**
 - d. Amendment to the lease agreement with Verizon Wireless in connection with the rebuilding of the communications tower at the Trevoise Maintenance Facility.**
- 8. Approve Change Orders for the items listed in memos "a" and "b":**
- a. Change Order #1 for Contract M-030.00R001-3-02 with Golden Eagle Construction, for roadway construction and resurfacing from MP M29.96 to MP M34.63; necessary to change a contract interim milestone date for paving;**

F. NEW BUSINESS

Stahl Sheaffer Engineering, LLC

Trumbull Corporation

Erdman Anthony

CMC Engineering

- b. Approve the selection recommendation from the Technical Review Committee and authorize the negotiation and execution of a contract with the first firm listed to provide Preliminary and Final Design Services for roadway total reconstruction MP A-37.5 to A-44.5; for a not-to-exceed amount of \$18,000,000.00:**

Reference #4-086

Pennoni Associates, Inc.

Greenhorne & O'Mara, Inc.

SAI Consultants Engineers, Inc.

- c. Approve the selection recommendation from the Procurement Technical Review Committee to approve the selection and authorize the negotiation of a contract with Trion, a Marsh & McLennan Agency, LLC Company;**
- d. Approve the selection recommendation from the Procurement Technical Review Committee to approve the selection and authorize the negotiation of a contract with Compliance Management International.**