

PENNSYLVANIA TURNPIKE COMMISSION

Highspire, Pennsylvania

SPECIAL MEETING

July 13, 2010

10:00 A.M.

AGENDA

- A. ROLL CALL
SUNSHINE ANNOUNCEMENT
PUBLIC COMMENT**

- B. MINUTES - June 15, 2010**

- C. COMMUNICATIONS-
Memo received from the Chief Counsel
Memo received from the Manager of Procurement and Materials Management**

- D. PERSONNEL**

- E. UNFINISHED BUSINESS**

F. NEW BUSINESS

- 1. Adopt the Resolution ratifying the reinvestments, liquidations and purchases of securities with available cash, as described in the memo from the Assistant Chief Financial Officer dated July 2, 2010.**
- 2. Approve the negotiation and execution of the Amendments and Agreements for the items listed in memos “a” through “d”:**
 - a. Amendment to our agreement with Giant Eagle, Inc. to provide for an extension of the agreement to market E-ZPass in their stores for an additional three (3) years, with an option for two 3-year renewal periods;**
 - b. Amendment to our agreement with Travel Boards, Inc. to broaden the scope of responsibility for advertising and sponsorship opportunities along the Turnpike;**
 - c. Amendment to our agreement with Orion Land Services, Inc., for right-of-way acquisition services for the Southern Beltway, US 22 to I-79 project, to extend the agreement for an additional year at no additional cost;**
 - d. Agreement with Center Square Fire Company and Whitpain Township Police Department to permit them to utilize Commission owned property, acquired as part of the total reconstruction project from MP A20.00 to MP A30.00, to conduct training exercises.**
- 3. Approve the Right-of-Way Requests for the items listed in memos “a” through “m”:**
 - a. Authorize the acquisition of Right-of-Way #1031-R01, a partial take parcel, necessary for the Somerset Interchange project, by issuing payment in the amount of \$22,483.00, representing fair market value, prorated taxes and recording fees, payable to Nathan J. Zarichnak & Associates, Escrow Agent; 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 owner is contingent upon the delivery of a deed prepared by the Legal Department;**
 - b. Authorize the acquisition of Right-of-Way #17749, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$105,255.06, representing fair market value, prorated taxes and recording fees, payable to Urban Settlement Company, Escrow Agent; 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 owner is contingent upon the delivery of a deed prepared by the Legal Department;**

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- c. **Authorize the acquisition of Right-of-Way #14125, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$140,545.09, representing fair market value, prorated taxes and recording fees, payable to Urban Settlement Company, Escrow Agent; 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;**
- d. **Authorize the settlement of Right-of-Way #1A047-A, partial take parcel, necessary for the total reconstruction project from MP 67.00 to MP 75.00, by issuing settlement payment in the total amount of \$32,225.25, payable to Hollinshead, Mendelson, Bresnahan & Nixon, P.C., Escrow Agent;**
- e. **Authorize the acquisition of Right-of-Way #6440-B, 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 \$11,500.00, representing fair market value, payable to SEPTA; 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 owner is contingent upon the delivery of a deed prepared by the Legal Department;**
- f. **Authorize the settlement of Right-of-Way #6433-A, #6424-A and #6425-A and transfer fee simple title of Parcel 89, partial take parcels, necessary for the total reconstruction project from MP A20.00 to MP A30.00, by issuing settlement payment in the total amount of \$100,000.00, payable to The Township of Whitpain; authorize the appropriate Commission officials to execute the settlement documents; authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer; authorize the appropriate Commission officials to execute a special warranty deed and payment of the settlement amount and transfer of title to Parcel 89 is contingent upon the delivery of a deed prepared by the Legal Department;**
- g. **Adopt the proposed Property Acquisition Resolution for Right-of-Way #6403-RE, a partial take parcel, necessary for the total reconstruction project from MP A20.00 to MP A30.00; authorize payment of Estimated Just Compensation in the amount of \$8,900.00, payable to Buckley, Brion, McGuire, Morris & Sommer, LLP, Escrow Agent; authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer and authorize the appropriate Commission officials to execute an agreement of sale, should the property owner return an executed agreement prior to filing of the Declaration of Taking; in the event of amicable settlement fair market value will be paid to the property owner upon its delivery of a deed prepared by the Legal Department;**

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- h. Authorize the acquisition of Right-of-Way #6451-C, 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 \$127,800.00, representing fair market value, payable to The Township of Worcester; 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 owner is contingent upon the delivery of a deed prepared by the Legal Department;**
- i. Adopt the proposed Property Acquisition Resolution for Right-of-Way #6408-A, a partial take parcel, necessary for the total reconstruction project from MP A20.00 to MP A30.00; authorize payment of Estimated Just Compensation in the amount of \$49,000.00, payable to Buckley, Brion, McGuire, Morris & Sommer, LLP, Escrow Agent; authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;**
- j. Authorize the transfer of 0.381 acre of required legal right-of-way in fee and 0.0219 acre temporary construction easement of Commission property, to the Upper Merion Transportation Authority, for fair market value of \$2,000.00 necessary for the Department of Transportation's "South Henderson Road Widening Project"; delegate the authority to execute the required agreement of sale, deed and any other documents that may be required to effectuate the transfer to the Chief Executive Officer, or his designee, in order to avoid any conflict of interest that the Chairman may have as the Secretary of Transportation. The deed, prepared by the Legal Department, will be delivered to the Department upon the Commission's receipt of fair market value;**
- k. Authorize the acquisition of Right-of-Way #17528, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$191,726.46, representing fair market value, prorated taxes, recording fees and Section 710 damages, payable to Urban Settlement Company, Escrow Agent; 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;**
- l. Authorize the acquisition of Right-of-Way #17918, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$330,129.71, representing fair market value, prorated taxes, recording fees, housing supplement and closing costs, payable to Urban Settlement Company, Escrow Agent; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional**

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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 #17906, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$221,729.19, representing fair market value, prorated taxes and recording fees, payable to Urban Settlement Company, Escrow Agent; 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.**
- 4. Approve advertising for the items listed in memos “a” through “d”:**
- a. Third Party Administrator (TPA) for the Commission’s Self-Insured Liability Claims;**
 - b. Engineering firm to perform environmental services systemwide;**
 - c. Safety consultant to assist the Commission in obtaining the necessary requirements to ensure our self-insurance status;**
 - d. Insurance consulting firm to review the feasibility of Owner Controlled Insurance Program (OCIP) and provide insurance consultation for future construction projects.**
- 5. Approve the Award of Bids and the Issuance of Purchase Orders for the items in memos “a” through “j”:**
- a. Fifteen (15) Mack tandem axle dump trucks, utilizing the Commonwealth’s contract with Mack Trucks, Inc.; at a total award of \$2,938,411.05;**
 - b. Four (4) Mack tandem axle dump trucks, utilizing the Commonwealth’s contract with Mack Trucks, Inc.; at a total award of \$783,576.28;**
 - c. Sixteen (16) Mack single axle dump trucks, utilizing the Commonwealth’s contract with Mack Trucks, Inc.; at a total award of \$2,506,303.68;**
 - d. Three (3) John Deere motor graders, utilizing the Commonwealth’s contract with Plasterer Equipment Co., Inc.; at a total award of \$645,685.98;**

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- e. **Asphalt crack sealant contract for one year, to the lowest responsive and responsible bidder, McAsphalt Industries, Ltd.; at a total award of \$297,000.00;**
 - f. **Four (4) 3-cubic yard Loaders, utilizing the Commonwealth's contract with Groff Tractor & Equipment, Inc.; at a total award of \$541,564.80;**
 - g. **Four (4) loader-mounted snow blowers, utilizing the Commonwealth's contract with Industrial Motor Supply Inc.; at a total award of \$489,272.00;**
 - h. **Network connectivity for SNMP equipment, utilizing the Commonwealth's contract with Eplus; at a total award of \$118,550.40;**
 - i. **Two (2) small bucket trucks, utilizing the Commonwealth's contract with Penske Buick GMC Trucks, Inc.; at a total award of \$160,064.66;**
 - j. **Seven (7) response vehicles, utilizing the Commonwealth's contract with Apple Chevrolet; at a total award of \$255,177.00.**
6. **Approve the Award of Contracts for the items listed in memos "a" and "b":**
- a. **Contract #EN-00088-03-10 for inlet repairs between MP 334.40 and MP 337.45, to the lowest responsive and responsible bidder, Road-Con, Inc.; at a total award of \$690,750.00; with a contingency amount of \$30,000.00;**
 - b. **Contract #T-357.32S001-3-02 for the rehabilitation of Bridge DB-248 at MP 357.32, to the lowest responsive and responsible bidder, Road-Con, Inc., at a total award of \$547,422.25, with a contingency amount of \$25,000.00.**
7. **Approve an increase to the E-ZPass annual transponder fee and the 2011 toll increase for the items listed in memos "a" and "b":**
- a. **Increase the Annual Service Fee for the Commission's private E-ZPass accounts from \$3.00 to \$6.00 per transponder effective January 2, 2011;**
 - b. **A 3% toll increase for E-ZPass customers and a 10% increase for cash customers effective January 2, 2011, with the exception of the Southern Beltway.**
8. **Approve the write-off of Property Damage Claim #DC-197 in the amount of \$11,384.62.**

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9. **Approval to participate in the PA Department of General Services (DGS) Renewable Energy Credit auction; at an approximate cost of \$2.00 per renewable energy credit.**
10. **Approval to offer expanded health care coverage for Commission employee dependents to age 26, retroactive to May 1, 2010, as will be mandated by the recent health care reform legislation that will be effective March 1, 2011.**

ITEMS ADDED TO THE FORMAL AGENDA

FINAL SELECTIONS

- F-11 Approve the consultant selection recommendations from the Technical Review Committee and authorize the negotiation and execution of a contract with the first firm listed for items in memos “a” and “b”:**
- a. **Retention of an engineering firm to provide preliminary and final design services for the full depth roadway reconstruction project from MP A31.00 to A37.50; at a not-to-exceed amount of \$18,000,000.00 or eight (8) years whichever occurs first:**
 - Reference #4-084**
 - Urban Engineers, Inc.**
 - SAI Consulting Engineers, Inc.**
 - Greenhorne & O’Mara, Inc.**
 - HAKS Engineers, Architects & Land Surveyors, P.C.**
 - b. **Retention of an engineering or construction management firm to provide construction inspection services from MP 247.00 through MP 358.00 and the Northeast Extension; at a not-to-exceed amount of \$850,000.00 or two (2) years whichever occurs first:**
 - Reference #5-072**
 - Carroll Engineering Corporation**
 - Pennoni Engineering**
 - CMC Engineering**
 - TRC Engineers**

CHANGE ORDERS

- F-12 Approve the Change Orders for the items listed in memos “a” through “h”:**
- a. **Change Order #2 for Contract #T-247.38F003-3-05 with Worth & Company, Inc. for HVAC for the TIP building renovations, for a 61 day time extension;**
 - b. **Change Order #3 for Contract #T-247.38F003-3-03 with S.P. McCarl and Company, Inc. for plumbing work for the TIP building renovations, for a 61 day time;**

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- c. Change Order #2 for Contract #T-282.00R001-3-02 with Kinsley Construction, Inc. for bituminous overlay between MP 282.00 and MP 292.00, for an increase of \$587,263.95; increasing the not-to-exceed amount from \$6,215,914.98 to \$6,803,178.93;**
- d. Change Order #1 for Contract #T-154.42F0003-3-02 with Clark Contractors, Inc. for construction of the fare collection warehouse/office building at the Everett Maintenance Facility, for a 21 day time extension;**
- e. Change Order #3 for Contract #04-023-RCLY with Hempt Brothers, Inc. for ramp reconstruction and replacement of EB-100B at the Carlisle Interchange, for a 73 day time extension;**
- f. Change Order #4 for Contract #T-247.38F003-3-02 with Wohlsen Construction Company for general construction for the TIP building renovations, for a 61 day time extension;**
- g. Change Order #4 for Contract #02-073-RC2H-3 with Wohlson Construction Company for Trevoise Maintenance facility relocation, for a 61 day time extension;**
- h. Change Order #5 for Contract #T-247.38F003-3-04 with Lighthouse Electric Company for electrical work for the TIP building renovations, for a 61 day time extension.**

CHANGE ORDERS AND FINAL PAYMENTS

F-13 Approve the Change Orders and Final Payments for the items listed in memos “a” through “e”:

- a. Change Order #3 and Final Payment for Contract #EN-00049-03-02 with New Enterprise Stone & Lime, Inc. for roadway and miscellaneous repairs between MP 75.39 and MP 179.44, for a decrease of \$340,125.03 necessary for normal quantity adjustments to balance items to actual work completed, making the final contract value \$2,259,874.97, and the final amount due of \$112,993.75;**
- b. Change Order #1 and Final Payment for Contract #EN-00084-03-03 with Cottles Asphalt Maintenance Inc. for roadway and miscellaneous repairs between MP 109.91 and MP 236.22, for a decrease of \$178,354.34 necessary for normal quantity adjustments to finalize items to actual work completed, making the final contract value \$221,645.66, and the final amount due of \$11,082.28;**
- c. Change Order #3 and Final Payment for Contract 05-105-RCRM with New Enterprise Stone and Lime Co. for replacement and elimination of various bridges in Cumberland County for a decrease of \$98,030.21 necessary for**

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normal quantity adjustment to finalize items to actual work completed, making the final contract value \$9,603,795.02 and the final amount due of \$148,417.27;

- d. Change Order #1 and Final Payment for Contract #EN-00049-03-08 with Windsor Service for shoulder repairs between MP A38.60 and MP A49.00 for a decrease of \$153,503.18 necessary for normal quantity adjustments to finalize items to actual work completed, making the final contract value \$979,364.74, and the final amount due of \$43,045.56;**
- e. Approve Change Order #3 and Final Payment for Contract #A-075.72S001-3-02 with Road-Con, Inc., for rehabilitation of Bridge NB-528 at MP A75.72, for an increase of \$8,288.92, making the final contract value \$1,860,916.09, and the final amount due of \$112,005.22.**

COMMERCIAL DISCOUNT RATE

F-14 Approve the modification of the commercial discount rates from 10/15/20% to 5/10/15%, effective January 1, 2011.