

MINUTES OF THE COMMISSION MEETING HELD JULY 13, 2010

A special meeting of the Pennsylvania Turnpike Commission convened at 12:20 p.m. July 13, 2010 at the Central Office located in Highspire, Pennsylvania. Present for the meeting were Allen Biehler, P.E., Chairman/Secretary of Transportation; J. William Lincoln, Secretary Treasurer, Pasquale T. Deon, Sr., Commissioner; A. Michael Pratt, Commissioner and William K. Lieberman, Commissioner.

Others present for the meeting were George M. Hatalowich, Chief Operating Officer; Robert F. Brady, Director of Operations/Projects-East; Jeffrey L. Garrett, Chief Engineer, Michael Baker Jr., Inc.; Nikolaus Grieshaber, Chief Financial Officer; Michael P. Haney, Director of Maintenance; Jeffrey L. Hess, Director of Operations/Projects-West; Doreen McCall, Chief Counsel; Valerie J. Payne, Director of Administration; Craig Shuey, Director of Government Affairs and Ann Louise Edmunds, Assistant Secretary Treasurer.

Also in attendance were Michael D. Begler, Director of Operations Review; William J. Capone, Director of Communications/Public Relations; Carl E. DeFebo, Jr., Manager of Public Information-East; Michael W. Flack, Assistant Chief Engineer/Construction; Derek S. Hansel, Assistant Chief Financial Officer; Donald S. Klingensmith, P.E., Manager of Contracts Administration; Donna Lapano, Executive Assistant; Jeffrey A. Naugle, Manager of Treasury Operations; Robert H. Rosell, Technician of PC/LAN; Patricia F. Schlegel, Director of Human Resources; Brenda Szeles-Bratina, Director of Toll Revenue Audit; Kathy Thomas, Administrative Secretary; Lauren LeHew, Summer Intern; Ralph Jones, US Bank and Lynn Hines, US Bank.

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Ms. Edmunds led the Commissioners and staff in the Pledge of Allegiance.

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MR. HATALOWICH: AT THIS TIME I WISH TO WELCOME AND INTRODUCE OUR NEW COMMISSIONER, WILLIAM K. LIEBERMAN.

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The Assistant Secretary Treasurer, Ann Louise Edmunds, called the roll and declared a quorum present.

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SUNSHINE ANNOUNCEMENT

MS. EDMUNDS: THE COMMISSIONERS MET IN EXECUTIVE SESSION PRIOR TO TODAY'S FORMAL AGENDA SESSION TO CONSIDER MATTERS OF PERSONNEL,

WHICH INCLUDED TERMINATIONS, NEW HIRES, VACANIES, AND REQUESTS TO ABOLISH AND CREATE, TO POST AND FILL, TO RE-POST AND FILL, AND TO FILL POSITIONS IN THE ENGINEERING, OPERATIONS REVIEW, MAINTENANCE AND FINANCE AND ADMINISTRATION DEPARTMENTS.

THE COMMISSIONERS ALSO DISCUSSED the Lightman Drum Company Superfund Site AND ENGAGED IN NON-DELIBERATIVE INFORMATIONAL DISCUSSIONS REGARDING VARIOUS ACTIONS AND MATTERS, WHICH HAVE BEEN APPROVED AT PREVIOUS PUBLIC MEETINGS.

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PUBLIC COMMENT

MS. EDMUNDS: THE PUBLIC IS WELCOME AT THIS TIME TO ADDRESS THE COMMISSION REGARDING ITEMS LISTED ON THE AGENDA OR OTHER ITEMS NOT LISTED ON THE AGENDA THAT ARE WITHIN THE COMMISSION'S AUTHORITY OR CONTROL.

IN ORDER TO CONDUCT AN ORDERLY, EFFICIENT, EFFECTIVE AND DIGNIFIED MEETING, ALL PERSONS WISHING TO ADDRESS THE COMMISSION SHOULD HAVE SIGNED IN AND REQUESTED TIME TO SPEAK. IF YOU HAVE NOT DONE SO, YOU ARE INVITED TO DO SO.

AT THIS TIME WE REQUEST ALL VISITORS TO STAND AND INTRODUCE YOURSELF AND YOUR ORGANIZATION.

RALPH JONES, US BANK

LYNN HINES, US BANK

THIS CONCLUDES THE PUBLIC COMMENT SECTION OF THE MEETING.

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NOMINATION OF OFFICERS

MS. EDMUNDS: THE FIRST ITEM OF BUSINESS ON THE AGENDA IS THE ELECTION OF OFFICERS. WE WILL BEGIN WITH THE ELECTION OF A TEMPORARY CHAIRMAN; THE DUTIES OF THE TEMPORARY CHAIRMAN WILL BE TO ACCEPT NOMINATIONS FOR CHAIRMAN. DO I HAVE A NOMINATION FOR A TEMPORARY CHAIRMAN?

COMMISSIONER PRATT: I NOMINATE PAT DEON FOR TEMPORARY CHAIRMAN.

MS. EDMUNDS: ARE THERE ANY OTHER NOMINATIONS?

MS. EDMUNDS: HEARING NONE, MAY I HAVE A MOTION TO CLOSE THE NOMINATIONS?

COMMISSIONER LINCOLN: I MOVE TO CLOSE THE NOMINATIONS.

MS. EDMUNDS: MAY I HAVE A SECOND?

COMMISSION LIEBERMAN: I SECOND THE MOTION.

MS. EDMUNDS: ALL THOSE IN FAVOR OF CLOSING THE NOMINATIONS SAY "I".

COMMISSIONERS BIEHLER, LINCOLN, PRATT AND LIEBERMAN: I

MS. EDMUNDS OPPOSED?

MS. EDMUNDS: MOTION CARRIES. WE WILL NOW VOTE FOR TEMPORARY CHAIRMAN. ALL THOSE IN FAVOR OF COMMISSIONER DEON FOR TEMPORARY CHAIRMAN SAY "I".

COMMISSIONERS BIEHLER, LINCOLN, PRATT AND LIEBERMAN: I

MS. EDMUNDS: OPPOSED? MOTION CARRIES. TEMPORARY CHAIRMAN DEON WILL NOW ACCEPT NOMINATIONS FOR CHAIRMAN.

COMMISSIONER DEON: MAY I HAVE A NOMINATION FOR CHAIRMAN?

COMMISSIONER PRATT: I NOMINATE AL BIEHLER FOR CHAIRMAN?

COMMISSIONER DEON: ARE THERE ANY OTHER NOMINATIONS?

COMMISSIONER DEON: HEARING NONE, MAY I HAVE A MOTION TO CLOSE THE NOMINATIONS?

COMMISSIONER LINCOLN: I MOVE TO CLOSE THE NOMINATION.

COMMISSIONER LIEBERMAN: I SECOND THE NOMINATION.

COMMISSIONER DEON: ANY DISCUSSIONS? HEARING NONE, I CALL FOR THE VOTE.

MS. EDMUNDS: WE WILL NOW HAVE A ROLL CALL VOTE FOR THE ELECTION OF CHAIRMAN.

COMMISSIONERS BIEHLER, DEON, LIEBERMAN, LINCOLN AND PRATT: YEA

MS. EDMUNDS: THE VOTE IS UNANIMOUS; COMMISSIONER BIEHLER HAS BEEN ELECTED CHAIRMAN. THE NEWLY ELECTED CHAIRMAN WILL NOW ACCEPT NOMINATIONS FOR THE FOLLOWING OFFICES: VICE CHAIRMAN, SECRETARY TREASURER AND TWO (2) ASSISTANT SECRETARY TREASURER'S.

CHAIRMAN BIEHLER: MAY I HAVE NOMINATIONS FOR VICE CHAIRMAN AND SECRETARY TREASURER?

COMMISSIONER DEON: I NOMINATE BILL LIEBERMAN FOR VICE CHAIRMAN.

COMMISSIONER PRATT: I NOMINATE BILL LINCOLN FOR SECRETARY TREASURER.

CHAIRMAN BIEHLER: ARE THERE ANY OTHER NOMINATIONS FOR VICE CHAIRMAN OR SECRETARY TREASURER? HEARING NONE, MAY I HAVE NOMINATIONS FOR TWO ASSISTANT SECRETARY TREASURER'S?

COMMISSIONER PRATT: I NOMINATE ANN LOUISE EDMUNDS AND JEFF NAUGLE FOR ASSISTANT SECRETARY TREASURER.

CHAIRMAN BIEHLER: ARE THERE ANY OTHER NOMINATIONS FOR ASSISTANT SECRETARY TREASURER? HEARING NONE, MAY I HAVE MOTION TO CLOSE THE NOMINATIONS?

COMMISSIONER LEIBERMAN: I MOVE TO CLOSE THE NOMINATIONS.

COMMISSIONER DEON: I SECOND THE MOTION.

CHAIRMAN BIEHLER: ANY DISCUSSIONS? HEARING NONE, I CALL FOR THE VOTE. ALL THOSE IN FAVOR OF CLOSING THE NOMINATIONS SAY I.

COMMISSIONERS LEIBERMAN, LINCOLN, DEON AND PRATT: YEA

CHAIRMANMAN BIEHLER: OPPOSED? HEARING NONE, THE MOTION CARRIES.

MS. EDMUNDS: WE WILL NOW HAVE A ROLL CALL VOTE FOR THE ELECTION OF THE NOMINATED SLATE OF OFFICERS.

COMMISSIONERS BIEHLER, LIEBERMAN, LINCOLN, DEON AND PRATT: I

MS. EDMUNDS: THE VOTE IS UNANIMOUS. THE COMMISSION REORGANIZATION IS COMPLETE.

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MINUTES OF THE MEETING

Motion-That the Minutes of the meeting held June 15, 2010 be approved and filed-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

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COMMUNICATIONS

Motion-That the Commission accepts and files the memos received from the Chief Counsel and the Manger of Procurement and Materials Management-was made by Commissioner Lincoln, seconded by Commissioner Pratt; and passed unanimously.

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PERSONNEL

Motion-That the Commission approves the Personnel as submitted-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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NEW BUSINESS

Reinvestments, Liquidations and Purchase of Securities

Upon the motion by Commissioner Lincoln, seconded by Commissioner Deon, the following Resolution was presented for adoption:

RESOLUTION

BE IT RESOLVED that The Pennsylvania Turnpike Commission hereby ratifies the action of the Assistance Chief Financial Officer, with the approval of the Chief Executive Officer and the Consulting Engineer, in directing the Trustee to make the foregoing reinvestments, liquidations and purchases; and

BE IT FURTHER RESOLVED that copies of the Resolution certified by the Assistant Secretary Treasurer shall be forwarded to the Trustee as required in Article VI, Section 602 of the 2001 Amended and Restated Trust Indenture.

The following members voted yea: Commissioners Biehler, Lieberman, Lincoln, Deon and Pratt. The motion passed unanimously.

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AGREEMENTS

Motion-That the Commission approves 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.

-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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RIGHT-OF-WAY REQUESTS

Motion-That the Commission approves the Right-of-Way Requests for the items listed in memos "a-d, f-i and k-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;
- 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;

- 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;
- 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;

- 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 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.

-was made by Commissioner Lincoln and seconded by Commissioner Pratt.

Motion-That the Commission approves the Right-of-Way Requests for the item listed in memo "e":

- 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;
-was made by Commissioner Lincoln, seconded by Commissioner Pratt; Commissioner Deon abstained.

COMMISSIONER DEON: I ABSTAIN ON THIS VOTE BECAUSE I HAVE DIRECT INVOLVEMENT WITH COMPANY IN THIS ITEM.

Motion-That the Commission approves the Right-of-Way Requests for the item listed in memo "j":

- 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;

-was made by Commissioner Lincoln, seconded by Commissioner Deon; Chairman Biehler abstained.

CHAIRMAN BIEHLER: I ABSTAIN ON THE BASIS THAT AS AN EX-OFFICIO MEMBER OF THE COMMISSION AND SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, I WOULD BE VOTING ON AN AGREEMENT BETWEEN TWO PARTIES, BOTH OF WHICH I HAVE A RELATIONSHIP WITH.

The motions passed.

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ADVERTISING

Motion-That the Commission approves 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.
-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

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AWARD OF BIDS AND ISSUANCE OF PURCHASE ORDERS

Motion-That the Commission approves the Award of Bids and the Issuance of Purchase Orders for the items in memos "a" through "c":

- 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;
-was made by Commissioner Deon, seconded by Commissioner Lincoln; Commissioner Pratt abstained.

COMMISSIONER PRATT: MR. CHAIRMAN I ABSTAIN ON THE BASIS THAT THE COMPANY SET FORTH IN THIS AGENDA ITEM IS A CLIENT OF THE FIRM OF WHICH I AM A PARTNER. I ASK THAT THE SECRETARY PLEASE HAVE THE MINUTES OF THE MEETING REFLECT MY ABSTENTION ON THIS VOTE.

Motion-That the Commission approves the Award of Bids and the Issuance of Purchase Orders for the items in memos "d" through "j":

- 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;
- 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.

-was made by Commissioner Lincoln and seconded by Commissioner Deon.

The motions passed.

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AWARD OF CONTRACTS

Motion-That the Commission approves 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.

-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

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E-ZPASS ANNUAL TRANSPONDER FEE AND 2011 TOLL INCREASE

Motion-That the Commission approves 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.

-was made by Commissioner Lincoln, seconded by Commissioner Pratt; and passed unanimously.

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PROPERTY DAMAGE WRITE-OFF

Motion-That the Commission approves the write-off of Property Damage Claim #DC-197 in the amount of \$11,384.62-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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RENEWABLE ENERGY CREDITS

Motion-That the Commission approves the Commission's participation in the PA Department of General Services (DGS) Renewable Energy Credit auction; at an approximate cost of

\$2.00 per renewable energy credit-was made by Commissioner Lincoln, seconded by Commissioner Deon; and passed unanimously.

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HEALTH CARE COVERAGE FOR DEPENDENTS

Motion-That the Commission approves offering 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-was made by Commissioner Pratt, seconded by Commissioner Lieberman; and passed unanimously.

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FINAL SELECTIONS

Motion-That the Commission approves the consultant selection recommendations from the Technical Review Committee and authorizes 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

-was made by Commissioner Lincoln, seconded by Commissioner Pratt; and passed unanimously.

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CHANGE ORDERS

Motion-That the Commission approves 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;
 - 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.
- was made by Commissioner Pratt, seconded by Commissioner Deon; and passed unanimously.

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CHANGE ORDERS AND FINAL PAYMENTS

Motion-That the Commission approves 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 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.
-was made by Commissioner Deon, seconded by Commissioner Pratt; and passed unanimously.

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COMMERCIAL DISCOUNT RATE

Motion-That the Commission approves the modification of the commercial discount rates from 10/15/20% to 5/10/15%, effective January 1, 2011-was made by Commissioner Deon, seconded by Commissioner Lincoln; and passed unanimously.

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NEXT MEETING

MS. EDMUNDS: THE NEXT COMMISSION MEETING WILL BE HELD TUESDAY, AUGUST 10, 2010.

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ADJOURNMENT

MS. EDMUNDS: COMMISSIONERS, I HAVE NO OTHER ITEMS FOR CONSIDERATION, IF YOU HAVE NOTHING FUTHER, I REQUEST A MOTION FOR ADJOURNMENT.

Motion-That this meeting of The Pennsylvania Turnpike Commission be adjourned at 12:30 p.m.-was made by Commissioner Lincoln, seconded by Commissioner Pratt; and passed unanimously.

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PREPARED BY:

Ann Louise Edmunds
Assistant Secretary Treasurer

07-13-10

APPROVED BY:

J. William Lincoln
Secretary Treasurer

ATTACHMENT NUMBER 1

COMMUNICATIONS: MEMO RECEIVED FROM THE CHIEF COUNSEL AND
THE MANAGER OF PROCUREMENT AND MATERIALS MANAGEMENT