

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL MEETING

SEPTEMBER 17, 2013

10:00 A.M.

AGENDA

- A. Roll Call**
 - Sunshine Announcement**
 - Public Participation**

- B. Minutes-August 19, 2013**

- C. Communications-**
 - Memo received from the Chief Counsel**
 - Memo received from the Manager of Strategic Sourcing and Asset Management**
 - Memo received from the Director of Fare Collection and Field Operations**

- D. Personnel**

- E. Unfinished Business**

F. NEW BUSINESS

- 1. Approve payment of the Employee Liability Self-Insurance Program (ELSIP) invoice from the PA Department of General Services, which represents the annual premium due for the period June 30, 2013 to July 1, 2014, in the amount of \$37,925.00.**

- 2. Approve the negotiation and execution of the Agreements, a Lease and Amendments for the items listed in memos “a” through “k”:**
 - a. Reimbursement Agreement with The Peoples Natural Gas Company (PNG) to reimburse PNG the engineering and gas line facility relocation costs necessary for the total reconstruction project at from MP 44.00 to MP 48.00; at a not-to-exceed amount of \$1,220,599.00;**

 - b. Agreement with White Haven Ambulance Association to provide EMS service from MP A86.20 to MP A105.30 on the Northeast Extension;**

 - c. Lease Agreement with Robindale Energy Services Inc. to permit Robindale to mine the Commission’s coal property located in the area of the Donegal Interchange; Robindale will pay royalties to the Commission for the coal mined and removed;**

 - d. Programmatic Agreement with the Pennsylvania Historical and Museum Commission (PHMC) to fund a cultural resource position for five years for compliance with the PA History Code for our Capital Plan projects; at a not-to-exceed amount of \$500,000.00;**

 - e. Amendment to our agreement with G. R. Sponaule for mechanical and electrical system maintenance at the Central Office Campus (CAB, CAB annex, TIP, TIP maintenance building and the Steelton warehouse), exercising our option to renew the agreement for an additional year, for \$616,684.00**

 - f. Settlement Agreement and Release for Claim #12-215 (Annalee & Roy Costello), and approve the settlement amount;**

 - g. Settlement Agreement and Release for Claim #09-167 (Kenneth J. and Denise M. Friedline), and approve the settlement amount;**

 - h. Settlement Agreement and Release for Claim #11-008 (Harry and Debra Ritchey), and approve the settlement amount;**

 - i. Settlement Agreement and Release for Claim #19-167A (Joseph and Heather Luteri), and approve the settlement amount;**

 - j. Amendment to our Collective Bargaining Agreement, in accordance with terms set forth in the Memorandum of Understanding, between the Commission and Teamsters Local 30P;**

 - k. Amendment to our agreement with Marsh USA, Inc. for audit of the Worker’s Compensation Function, to include consulting services to assist with the development and implementation of workers’ compensation leading practices; for \$60,000.00.**

F. NEW BUSINESS

3. Approve the Right-of-Way Requests for the items listed in memos “a” through “p”:

- a. Settlement of Right-of-Way #14216-B1 (*Rice Real Estate Holdings, LLC*), a partial take parcel necessary for the total reconstruction project from MP 40.00 to MP 48.00, by authorizing payment of estimated just compensation in the amount of \$9,026.00 to Rice Real Estate Holdings, LLC; authorize the appropriate Commission officials to execute the necessary settlement documents; payment of the settlement funds to the property owner is contingent upon its execution of a settlement agreement and full and final release as approved by the Legal Department;
- b. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #7166-D2 (*Unknown property owner*), a total take parcel necessary for construction of the I-95/I-276 Interchange; authorize payment of Estimated Just Compensation in the amount of \$500.00 to a law firm to be appointed at a later date; and authorize payment of additional statutory damages and calculated by the Legal Department and approved by the Chief Executive Officer;
- c. Acquisition of Right-of-Way #17721 (*Kathleen Berry, Michael Meehan, Mary Anne White and Susan Alrutz*), a partial take parcel necessary for construction of the Southern Beltway, by authorizing payment of fair market value, pro-rated taxes and recording fees in the amount of \$7,134.50 to Fayette Professional Services, escrow agent; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;
- d. Acquisition of Right-of-Way #17630 (*Daniel Kemp Estate*), a partial take parcel necessary for construction of the Southern Beltway, by authorizing payment of fair market value and pro-rated taxes in the amount of \$2,002.68 to Karen Coon and Company, escrow agent; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;
- e. Acquisition of Right-of-Way #6051-AR1 (*Emil R. and Elizabeth M. Capetola*), a partial take parcel necessary for construction of the Yellow Springs Road Bridge, by authorizing payment of fair market value and pro-rated taxes in the amount of \$6,168.50 to Emil R. and Elizabeth M. Capetola; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;
- f. Acquisition of Right-of-Way #7137-B (*Moreco, Inc. and 83 Corp., a PA Corporation*), a partial take parcel necessary for construction of the I-95/I-276 Interchange, by authorizing payment of fair market value and pro-rated taxes in the amount of \$4,770.50

F. NEW BUSINESS

- to Moreco, Inc.; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;
- g. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #6051-AR2 (*Charlestown Oaks Homeowners Association*), a partial take parcel necessary for the construction of the Yellow Springs Road Bridge; authorize payment of Estimated Just Compensation in the amount of \$1,000.00 to a law firm to be appointed at a later date; and authorize payment of additional statutory damages and calculated by the Legal Department and approved by the Chief Executive Officer;
- h. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #3192-C (*Barry L. Garman, Dennis E. Garman and Thomas L. Garman*), a partial take parcel necessary for the total reconstruction project from MP 220.00 to MP 227.00; approve the post condemnation settlement of the claim by authorizing payment in the amount of \$1,600.00 to *Cumberland County Agricultural Land Preservation Board*; authorize the appropriate Commission officials to execute the post condemnation Settlement Agreement and other documents as may be necessary as approved by the Legal Department; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;
- i. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #3205-R2 (*Wayne P. and Joan E. Keller*), a partial take parcel necessary for the total reconstruction project from MP 220.00 to MP 227.00; authorize payment of Estimated Just Compensation in the amount of \$3,000.00 to Steven & Lee, P.C., escrow agent; and authorize payment of additional statutory damages and calculated by the Legal Department and approved by the Chief Executive Officer;
- j. Acquisition of Right-of-Way #3374-B (*Comcast Cablevision of Southeast Pennsylvania, Inc.*), a partial take parcel necessary for the total reconstruction project from MP 242.00 to MP 245.00, by authorizing payment of fair market value and pro-rated taxes in the amount of \$65,945.06 to Comcast Cablevision of Southeast Pennsylvania, Inc.; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;
- k. Acquisition of Parcel #2 (*Marshall Ice Associates*), a partial take parcel necessary for replacement of Bridge WB-400, by authorizing payment of fair market value in the amount of \$700.00 to Marshall Ice Associates; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;

F. NEW BUSINESS

- l. Acquisition of Right-of-Way #7152-A (*Bristol Township Authority, now known as the Township of Bristol*), a partial take parcel necessary for construction of the I-95/I-276 Interchange, by authorizing payment of fair market value in the amount of \$500.00 to the Township of Bristol; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;**
- m. Acquisition of Right-of-Way #6483-RH (*SMG Kulpsville, LLC*), a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing payment of fair market value and pro-rated taxes in the amount of \$52,007.31 to *Diversified Settlement Services, Inc.*; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;**
- n. Acquisition of Right-of-Way #7144-B1 (*Wawa, Inc.*), a partial take parcel necessary for construction of the I-95/I-276 Interchange, by authorizing payment of fair market value and pro-rated taxes in the amount of \$960,000.00 to City Line Abstract Company, escrow agent; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;**
- o. Acquisition of Right-of-Way #6479-B (*Kulpsville Business Campus Condominium Association*), a partial take parcel necessary for the total reconstruction project from MP A26.00 to MP A30.00, by authorizing payment of fair market value and relocation costs in the amount of \$16,048.00 to Kulpsville Business Campus Condominium Association; authorize the appropriate Commission officials to execute the agreement of sale; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of damages to the property owner is contingent upon their delivery of a deed prepared by the Legal Department;**
- p. Settlement of Right-of-Way #1031-R03 (*Bowman Somerset, LLC*), a partial take parcel necessary for the Somerset Interchange Five Legged Intersection project, by authorizing payment of additional estimated just compensation in the amount of \$15,037.83 to Hollinshead, Mendelson, Bresnahan & Nixon, P.C., escrow agent; authorize the appropriate Commission officials to execute the necessary settlement documents; payment of the settlement funds to the property owner is contingent upon its execution of a settlement agreement and full and final release as approved by the Legal Department.**

F. NEW BUSINESS

- 4. Approve advertising for the items listed in memos “a” through “k”:**
 - a. Three (3) engineering or construction management firms to perform open-end construction inspection services between MP 247.00 and MP 358.00 and the Northeast Extension;**
 - b. Engineering firm to perform an in-depth inspection of the Tuscarora Tunnel;**
 - c. Contract #S-006.00X002-3-04 for roadway and bridge construction of the Southern Beltway, S.R. 576, Section 55A1-1 between MP S5.08 and MP S5.64;**
 - d. Long term ground lease of 4.133 acres of land at the northeast corner of the intersection of Route 30 and Route 66 in Westmoreland County;**
 - e. Two (2) engineering firms to perform preliminary and final design services associated with the All Electronic Tolling (AET) conversion;**
 - f. Authorized Service Provider for coverage from MP 266.50 to MP 292.50;**
 - g. Authorized Service Provider for coverage from MP 49.40 to MP 75.40;**
 - h. Emergency Spill Response for coverage from MP 75.30 to MP 179.40, the Amos K. Hutchinson Bypass, Route 66 from MP G3.00 to MP G13.40;**
 - i. Emergency Spill Response for coverage from MP 179.50 to MP 286.00;**
 - j. Consultant to develop and implement a Supervisory Leadership Academy training (level 2) program;**
 - k. Worker’s Compensation Third Party Administrator (TPA) for the Commission’s Self-Insured Worker’s Compensation program.**

- 5. Approve the Award of Bids and the Issuance of Purchase Orders for the items in memos “a” through “g”:**
 - a. Parts for the radio/intercom at Somerset Maintenance, to the lowest responsive and responsible bidder, Gai-Tronics Corporation; at a total award of \$119,472.11;**
 - b. Software license for Decision Support software and services for IT related projects, utilizing the Commonwealth’s contract with Decision Lens Inc.; at a total award of \$190,000.00;**
 - c. Single load cell Weigh-in-Motion (WIM) equipment for Route 903 Slip Ramps, to International Road Dynamics Corp.; at a total award of \$751,731.00;**

F. NEW BUSINESS

- d. Tires, exercising our option to renew the agreements, cancel agreements and assign replacement contracts:

RENEW

• Michelin North America	\$ 60,000.00	
• Valley Tire	10,000.00	District 1
• Berkely Tire c/o Highland's	10,000.00	District 2
• Wingfoot Commercial Tire	220,000.00	Districts 1, 2, 3, 4
• Service Tire Truck Center	50,000.00	District 5

CANCEL

- **McCarthy Tire-they are no longer a Michelin authorized dealer**

REPLACEMENT CONTRACTS

• Carlisle Tire & Truck	40,000.00	District 3, 4
• Jack Williams	<u>20,000.00</u>	District 5

RENEWAL AMOUNT: \$410,000.00

- e. Plow blades, hardware and accessories (October 1, 2013 – September 30, 2014), to the lowest responsive and responsible bidders:

Valk Manufacturing Co.	\$150,000.00
Kennametal Inc.	100,000.00
Winter Equipment Co., Inc.	500,000.00
Ironhawk Industrial Distribution	<u>100,000.00</u>
TOTAL AWARD:	\$850,000.00

- f. Facility contracts for capital replacements, upgrades and repair services, exercising our option to renew the agreements for an additional 2-years:

ELECTRICAL

Schultheis Electric	\$ 850,000.00	District 1
Clark Contractors	<u>1,020,000.00</u>	Districts 2, 3, 4 & 5
TOTAL ELECTRICAL	\$1,870,000.00	

GENERAL

Clark Contractors	\$1,676,000.00	Districts 1, 2, 3 & 5
Donald E. Reisinger	<u>200,000.00</u>	District 4
TOTAL GENERAL	\$1,876,000.00	

LANDSCAPING

The Brickman Group	\$ 300,000.00	Districts 2, 3 & 5 (rebidding D1 & D4)
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MECHANICAL

McKamish Inc.	\$ 200,000.00	District 1
Marc Service Inc.	150,000.00	District 2
ECI Service	150,000.00	District 3
3B Services, Inc.	<u>300,000.00</u>	Districts 4 & 5
TOTAL MECHANICAL	\$ 800,000.00	

PLUMBING

Clark Contracts	\$1,265,000.00	Districts 1, 2, 3, 4 & 5
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F. NEW BUSINESS

- services on existing and future projects; increasing the not-to-exceed amount to \$500,000.00;
- c. **Supplemental Agreement #3 with Pennoni Associates for design services for the replacement of Bridges NB-150 and NB-152 at MP A30.90 and MP A31.13, respectively, for an additional \$33,138.79 to complete the necessary changes with contract documents as a result of combining two projects into one set of documents; increasing the not-to-exceed amount to \$2,033,138.79;**
 - d. **Supplemental Agreement #4 with Buchart Horn, Inc. for design for the total reconstruction from MP 214.00 to MP 227.00, for an additional \$1,000,000.00 to complete the final design of the remaining construction section from MP 220.00 to MP 227.00; increasing the not-to-exceed amount to \$21,000,000.00;**
 - e. **Supplemental Agreement #1 with HAKS for design services for the replacement of the Swatara Creek Bridge, for an additional \$164,295.53 for revisions to contract documents due to environmental permitting agencies changes to the wetland mitigation design and stream relocation; increasing the not-to-exceed amount to \$2,664,295.53.**
8. **Approve the Change Orders and Change Order/Final Payment for the items listed in memos “a” through “d”:**
- a. **Change Order #2 and Final Payment for Contract #T-020.47S001-3-02 with The Lane Construction Corporation for rehabilitation of six bridges between MP 21.16 and MP 27.60, for an additional \$33,286.91 to balance items to the work completed; for a final contract value of \$2,506,938.62 and a final amount due to the contractor of \$192,529.95;**
 - b. **Change Order #1 for Contract #EN-00091-03-02 with Swank Construction Company, LLC for concrete pavement rehabilitation and joint repairs between MP B15.39 and MP B31.12, for an additional \$174,448.15 for additional work for milling, paving, drainage, concrete pavement patching, crack cleaning and sealing, credit for concrete class change, a change in guide rail end transitions and a 28-day time extension due to the excessive overrun of concrete patching;**
 - c. **Change Order #1 for Contract #T-154.42F004-3-02 with eciConstruction, LLC for construction of the PA State Police barracks at the Everett Maintenance Facility, for an additional \$64,561.16 for startup delays, electrical items for lighting, circuit breaker and wiring, plumbing items for water line revisions and water heater changes, and a 53-day time extension;**
 - d. **Change Order #1 for Contract #A-095.00R002-3-02 with Pikes Creek Site Contractors for bituminous resurfacing between MP A95.17 and MP A105.01, for an additional \$344,066.19 to balance items to actual work completed to date, changes for concrete and rebar for deteriorated parapet, drainage, joint repairs, removal of SNAPS for bridge work, emergency pothole repair; and a 28-day time extension for the extra work.**

F. NEW BUSINESS

- 9. Exercise our option to extend the term of the Commission's existing pools of Underwriters and the existing pools of Bond, Special, Underwriter's and Disclosure Counsel for an additional year.**

- 10. Approve and adopt the eliminations and revisions to the Policy Letters and Policies for the items listed in memos "a" through "c":**
 - a. Elimination of policy letters that are not general policy letters and are not applicable to general Commission staff; these are policies specific to the IT department and should be considered to be IT standards documents, rather than general policy letters:**
 - Policy 8.2-Wireless Policy**
 - Policy 8.3-Firewall Policy**
 - Policy 8.4-Information Systems Access Control Policy**
 - Policy 8.9-Transmission Security Policy**

 - b. Revision to Policy 8.6, Records Management Policy, to update the policy to include individual responsibilities and electronic records;**

 - c. Revisions to Policy Letter 3.10, Code of Conduct, to expand the policy to create a more comprehensive Code of Conduct for Commission employees.**

- 11. Approve the award of service and authorize the negotiation and execution of an agreement with the selected firm for the items listed in memos "a" and "b":**
 - a. RFP #4118. Procurement of real time traffic flow data;**

 - b. RFP #4112. Medicare Advantage Plans.**