

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL MEETING

SEPTEMBER 20, 2011

10:00 A.M.

A G E N D A

- A. Roll Call
Sunshine Announcement
Public Participation**
- B. Minutes-August 16, 2011**
- C. Communications-
Memo received from the Chief Counsel
Memo received from the Director of Toll Revenue Audit
Memos received from the Director of Fare Collection**
- 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 September 1, 2011.**

- 2. Approve the negotiation and execution of the Agreements and Amendments and advertising for the items listed in memos “a” through “e”:**
 - a. Reimbursement Agreement with Bedford Rural Electric Cooperative, Inc. (BREC) to reimburse BREC for the necessary engineering and relocation work for the MP 149.00 to MP 155.00 total reconstruction project; for a not-to-exceed amount of \$69,485.00;**

 - b. Exercise the option to renew our agreement with Brinks U.S. for armored courier services, to extend the agreement for eight (8) additional months;**

 - c. Sponsorship Agreement with State Farm Insurance Company, brokered through Travelers Marketing, for State Farm to serve as sponsor of the mobile phone application (TRIP Talk) and other components of the Turnpike Roadway Information Program (TRIP);**

 - d. Reimbursement Agreement with Jenkins Township to reimburse the Township for the necessary engineering and relocation work for the elimination of Bridge NB-651 at MP A113.35; for a not-to-exceed amount of \$975,000.00;**

 - e. Exercise the option to renew our agreements for health care benefits with Highmark Blue Shield (medical and vision), Aetna (prescription) and United Concordia (dental), to extend our agreements through June 30, 2012; and authorize the issuance of RFP’s for these services.**

- 3. Approve the Right-of-Way Requests for the items listed in memos “a” through “f”:**
 - a. Authorize the acquisition of Right-of-Way #8995-R12, a partial take parcel, necessary for the Rt. 903 Slip Ramp project; by issuing payment in the amount of \$10,150.00 payable to Robert E. McCulley, representing fair market value and pro-rated taxes; 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 #2106-A, a total take parcel, necessary for the Hazelette Street Bridge elimination project; by issuing payment in the amount of \$109,630.00 payable to Puzak Law Offices, Escrow Agent, representing fair market value, pro-rated 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**

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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 acquisition of Right-of-Way #6047-E-R1, a partial take parcel, necessary for the Valley Hill Road Bridge replacement project at MP 316.58; by issuing payment in the amount of \$5,075.00 payable to James H. and Margaret A. Gallagher, representing fair market value and pro-rated taxes; 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 acquisition of Right-of-Way #14219-C, a partial take parcel, necessary for the total reconstruction project from MP 40.00 to MP 48.00; by issuing payment in the amount of \$31,311.00 payable to Nathan J. Zarichnak & Associates, LLC, Escrow Agent, representing fair market value and pro-rated taxes; 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;
- e. Authorize the acquisition of Right-of-Way #16452, a partial take parcel, necessary for construction of the Mon/Fayette Expressway; by issuing the following payments:
 - \$1,000.00 - payable to Don E. and Brenda J. Hatley;
 - \$ 500.00 - payable to Mark Randolph;representing fair market value; 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;
- f. Authorize the acquisition of Right-of-Way #8995-R16, a partial take parcel, necessary for the Rt. 903 Slip Ramp project; by issuing payment in the amount of \$1,522.50 payable to Anthony Gaudiuso and Domenico Balzano, representing fair market value and pro-rated taxes; 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.

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- 4. Approve advertising for the items listed in memos “a” through “f”:**
 - a. Engineering or materials firm for open-end construction materials inspection and testing services from MP 0.00 to MP 200.00 and the Western Expansion Projects;**
 - b. Engineering or materials firm for open-end construction materials inspection and testing services from MP 200.00 to MP 358.00 and the Northeast Extension;**
 - c. Two (2) engineering or construction management firms for open-end construction inspection services from MP 0.00 to MP 247.00 and the Western Expansion Projects;**
 - d. Two (2) engineering or construction management firms for open-end construction inspection services from MP 247.00 to MP 358.00 and the Northeast Extension;**
 - e. Full service open-end advertising/marketing/public relations services for marketing plan development;**
 - f. Stop loss insurance provider.**

- 5. Approve the Award of Bids, a Change Order and Issuance of Purchase Orders for the items listed in memos “a” through “i”:**
 - a. Seven (7) crew cab stake body trucks, utilizing the Commonwealth’s contract with New Holland Auto Group; at a total award of \$541,286.62;**
 - b. Change Order for Purchase Order 440002770 with Apex Advertising, Inc. for uniform shirts and jackets, and for public-outreach items including; customer safety, E-ZPass and other promotions, for an additional \$37,500.00; increasing the purchase order to \$77,500.00;**
 - c. Eleven (11) extended length trade vans, utilizing the Commonwealth’s contract with Apple Automotive Group; at a total award of \$328,075.00;**
 - d. Six (6) cargo teller vans, utilizing the Commonwealth’s contract with Apple Automotive Group; at a total award of \$167,874.00;**
 - e. Eight (8) 2012 Chevrolet 2500 HD crew cab pickup trucks, utilizing the Commonwealth’s contract with Apple Automotive Group; at a total award of \$285,768.00;**
 - f. Three (3) JLG telescoping boom lifts, utilizing the Commonwealth’s contract with Equipment Depot; at a total award of \$189,785.10;**

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- g. Twenty-six (26) 4x4 extended cab pickup trucks, utilizing the Commonwealth’s contract with Apple Automotive Group; at a total award of \$702,144.00;**
- h. Seventeen (17) vehicle mounted message boards, utilizing the Commonwealth’s contract with Trafcon Industries, Inc.; at a total award of \$120,768.00;**
- i. Facility contracts for capital replacement, upgrade and repair services (October 1, 2011-September 30, 2013) based upon estimates listed below for a not-to-exceed total amount of \$6,000,000.00; and authorize staff to adjust as necessary during the term of the contracts:**

	District 1	District 2	District 3	District 4	District 5	TOTAL
Electrical	Schultheis Electric Contractors \$515,000	Clark Contractors \$365,000	Clark Contractors \$140,000	Clark Contractors \$265,000	Clark Contractors \$265,000	<i>\$1,550,000</i>
General	Clark Contractors \$740,000	Clark Contractors \$165,000	Clark Contractors \$165,000	Clark Contractors \$165,000	Clark Contractors \$165,000	<i>\$1,400,000</i>
Landscaping	The Brickman Group \$100,000	The Brickman Group \$100,000	The Brickman Group \$100,000	The Brickman Group \$100,000	The Brickman Group \$100,000	<i>\$500,000</i>
Mechanical	McKamish Inc. \$165,000	MARC- Service \$165,000	eciService, Inc. \$165,000	Blanski Inc. \$190,000	Blanski Inc. \$190,000	<i>\$875,000</i>
Plumbing	Clark Contractors \$365,000	Clark Contractors \$165,000	Clark Contractors \$165,000	Clark Contractors \$140,000	Clark Contractors \$140,000	<i>\$975,000</i>
Roofing	Burns & Scalo Roofing \$140,000	Burns & Scalo Roofing \$140,000	Spotts Brothers Inc. \$140,000	Spotts Brothers Inc. \$140,000	Spotts Brothers Inc. \$140,000	<i>\$700,000</i>
TOTAL:						\$6,000,000

- 6. Approve the consultant selection recommendation from the Professional Services Procurement Committee (PSPC) and authorize the negotiation and execution agreements for the items listed in memos “a” through “c”:**
 - a. Engineering design services for the full depth roadway reconstruction project from MP 57.00 to MP 67.00 to SAI Consulting Engineers, Inc.; at a not-to-exceed amount of \$21,000,000.00;**
 - b. Construction management and inspection services for the roadway and bridge reconstruction from MP 202.00 to MP 210.00 to TCMS-Maguire Partnership; at a not-to-exceed amount of \$12,500,000.00;**
 - c. Engineering design services for the replacement of the Hawk Falls Bridge NB-610, at MP A88.59 to Modjeski and Masters, Inc.; at a not-to-exceed amount of \$9,000,000.00.**

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- 7. Approve the negotiation and preparation of the Supplemental Agreements as listed in memos “a” through “c”:**
 - a. Supplemental Agreement #3 with Legion Design/Campbell & Associates for replacement of Bridge DB-155 at MP 342.75, for an additional \$60,000.00, for additional design work necessary to obtain the required permits/clearances from the reviewing state and local agencies;**
 - b. Supplemental Agreement #2 with Vitetta for architectural and engineering services for the Somerset Maintenance Facility reconstruction project, for an additional \$1,600,000.00, for extensive redesign for the new Somerset Maintenance Facility and construction administration services;**
 - c. Supplemental Agreement #1 with Brinjac Engineering for vehicle wash wastewater recycling/treatment systems, for an additional \$75,000.00, for additional design and construction services to comply with DEP regulations.**

- 8. Approve the Change Orders for the items listed in memos “a” through “c”:**
 - a. Change Order #4 for Contract #T-048.00R001-3-02 with Lindy Paving, Inc. for bituminous resurfacing between MP 49.33 and MP 56.68; for an increase of \$795,260.98;**
 - b. Change Order #1 for Contract #EN-00097-03-07 with Road-Con, Inc. for roadway and miscellaneous repairs between MP 298.33 and MP 358.11; for an increase of \$2,425,476.97;**
 - c. Change Order #1 for Contract #EN-00097-03-04 with Road-Con, Inc. for roadway and miscellaneous repairs between MP A20.00 and MP A130.30; for an increase of \$208,792.17.**

- 9. Approve the Change Orders and Final Payments for the items listed in memos “a” through “c”:**
 - a. Change Order #4 and Final Payment for Contract #T-282.00R001-3-02 with Kinsley Construction Co., Inc. for bituminous overlay between MP 282.00 and MP 292.00; for a decrease of \$436,923.20; making the final contract value \$6,860,130.83 and the final amount due of \$208,836.60;**
 - b. Change Order #4 and Final Payment for Contract #A-020.00T002-3-03 with J.F. Shea Construction, Inc. for the replacement of Bridge NB-129 at MP A27.20; for an increase of \$95,393.05; making the final contract value \$8,994,725.92 and the final amount due of \$734,136.10;**

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in municipal bond and municipal financing for inclusion in the new pools as listed in memos “a” and “b”:

- a. Bond and Underwriter’s Counsel Pools;**
- b. Underwriting Pools.**

15 AUTHORIZE THE ISSUANCE OF THE PENNSYLVANIA TURNPIKE COMMISSION’S TURNPIKE REVENUE BONDS, SUBORDINATE REVENUE BONDS AND SPECIAL REVENUE BONDS, INCLUDING BOND ANTICIPATION NOTES, COMMERCIAL PAPER, A LINE OF CREDIT, OR OTHER SHORT-TERM INDEBTEDNESS, IN ONE OR MORE SERIES OR SUB-SERIES, FIXED RATE OR VARIABLE RATE, TAXABLE OR TAX-EXEMPT, IN A SINGLE ISSUANCE OR FROM TIME TO TIME, SUBJECT TO CERTAIN LIMITATIONS ON PRINCIPAL AMOUNT SET FORTH HEREIN (THE AGGREGATE PRINCIPAL AMOUNT OF ANY SHORT-TERM BONDS, AS DEFINED HEREIN, THAT ARE ISSUED AND OUTSTANDING AT ANY ONE TIME SHALL NOT EXCEED \$250,000,000, AND THE AGGREGATE INITIAL PRINCIPAL AMOUNT OF ANY BONDS THAT ARE NOT SHORT-TERM BONDS SHALL NOT EXCEED \$400,000,000), TO FINANCE OR REFINANCE THE COSTS OF (A) MAKING LEASE, GRANT OR OTHER PAYMENTS TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH ACT 44, (B) REIMBURSING THE PENNSYLVANIA TURNPIKE COMMISSION FOR PAYMENTS PREVIOUSLY MADE TO THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION IN ACCORDANCE WITH ACT 44, (C) REFUNDING THE PENNSYLVANIA TURNPIKE COMMISSION’S VARIABLE RATE TURNPIKE REVENUE BONDS, SERIES C OF 2009, MATURING ON DECEMBER 1, 2011, (D) ANY DEBT SERVICE RESERVE OR SIMILAR FUNDS, CREDIT FACILITY COSTS OR CAPITALIZED INTEREST RELATED TO SUCH BONDS, (E) REFUNDING ANY BOND ANTICIPATION NOTES, COMMERCIAL PAPER OR OTHER SHORT-TERM INDEBTEDNESS ISSUED BY THE PENNSYLVANIA TURNPIKE COMMISSION FOR ANY OF THE FOREGOING PURPOSES, AND (F) ISSUANCE OF SUCH BONDS; AUTHORIZING THE EXECUTION, DELIVERY AND DISTRIBUTION OF THE FOLLOWING: (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) ONE OR MORE REMARKETING AGREEMENTS, (6) ONE OR MORE CONTINUING DISCLOSURE AGREEMENTS, (7) ONE OR MORE ESCROW DEPOSIT AGREEMENTS, (8) DOCUMENTS RELATED TO THE PLEDGE OF MOTOR LICENSE FUND MONIES FOR SPECIAL REVENUE BONDS AND (9) ANY OTHER NECESSARY OR APPROPRIATE DOCUMENTS OR CERTIFICATES; AUTHORIZING THE ACQUISITION OF ONE OR MORE CREDIT FACILITIES AND THE EXECUTION AND DELIVERY OF ANY RELATED AGREEMENTS; AUTHORIZING THE TAKING OF FURTHER ACTION; REPEALING

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INCONSISTENT RESOLUTIONS; APPOINTING CO-BOND COUNSEL AND PROVIDING FOR THE APPOINTMENT OF ONE OR MORE UNDERWRITERS AND REMARKETING AGENTS; 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; AND DECLARING THAT THIS RESOLUTION SHALL BE LIBERALLY CONSTRUED