

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL MEETING

SEPTEMBER 20, 2012

9:00 A.M.

A G E N D A

- A. Roll Call
Sunshine Announcement
Public Participation**
- B. Minutes-September 4, 2012**
- C. Communications-
Memo received from the Chief Counsel
Memo received from the Manager of Strategic Sourcing and Asset Management**
- D. Personnel**
- E. Unfinished Business**

F. NEW BUSINESS

- 1. Approve the appointment of the Commission's Chairman, William K. Lieberman, to the Commission's Retiree Medical Trust Board.**

- 2. Approve the negotiation and execution of the Agreements, a Supplement and an Amendment for the items listed in memos "a" through "d":**
 - a. Supplemental Agreement with Norfolk Southern Railway Company for the Railway to provide the necessary protective services and temporary grade crossing construction and removal for the replacement of the Lehigh-Pohopoco Bridge; for an additional cost of \$62,271.00 for the railroad protective services being needed for a longer time period and increased labor costs;**

 - b. Amendment to our agreement with Valley Forge Asset Management for investment management services, to exercise our final option to renew the agreement for an additional year;**

 - c. Reimbursement Agreement with PPL Electric Utilities Company to reimburse PPL the costs for the engineering and facility relocation work necessary for the replacement of Bridge EB-210 (Old York Road) at MP 243.24; at a not-to-exceed amount of \$98,353.44;**

 - d. Reimbursement Agreement with Duquesne Light Company to reimburse Duquesne the costs for the engineering and facility relocation work necessary for the replacement of Bridge WB-228 (Wallace City Road) at MP 22.60; at a not-to-exceed amount of \$62,969.00.**

- 3. Approve the Right-of-Way Requests for the items listed in memos "a" through "e":**
 - a. Acquisition of Right-of-Way #12026-A, a total take parcel, necessary for the Beaver River Bridge replacement project, by authorizing payment of fair market value, pro-rated taxes and recording fees of \$91,694.50 to McClain, Young & Patterson, Escrow Agent; authorize the appropriate Commission officials to execute the agreement of sale and other documents as may be required for closing, authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;**

 - b. Acquisition of Right-of-Way #12067-RE1, a total take parcel, necessary for replacement of Bridge WB-228 at MP 22.60, by authorizing payment of fair market value, pro-rated taxes and recording fees of \$195,935.82 to TRG Closing Services, Escrow Agent; authorize the appropriate Commission officials to execute the agreement of sale and other documents as may be required for closing, authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value/statutory damages to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;**

F. NEW BUSINESS

- c. **Acquisition of Right-of-Way #12067-RD1, a partial take parcel, necessary for replacement of Bridge WB-228 at MP 22.60, by authorizing the payment of fair market value and pro-rated taxes of \$2,003.34 to Stephen & Linda Hurbanek; authorize the appropriate Commission officials to execute the agreement of sale and other documents as may be required for closing, authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value/statutory damages to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;**
 - d. **Acquisition of Right-of-Way #6072-74-D, a partial take parcel, necessary for the roadway and bridge reconstruction project from MP 320.00 to MP 326.00, by authorizing payment of fair market value and pro-rated taxes of \$8,251.00 to Laurice A. Albed; authorize the appropriate Commission officials to execute the agreement of sale and other documents as may be required for closing, authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value/statutory damages to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;**
 - e. **Acquisition of Right-of-Way #6066-D, a partial take parcel, necessary for roadway and bridge reconstruction project from MP 320.00 to MP 326.00, by authorizing payment of fair market value and pro-rated taxes of \$17,419.60 to John J. & William B. Carr; authorize the appropriate Commission officials to execute the agreement of sale and other documents as may be required for closing, authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value/statutory damages to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department.**
4. **Authorize payment of the 2012 Notice of Assessment from the Bureau of Workers' Compensation at the Department of Labor and Industry, for the Uninsured Employers Guaranty Fund, in the amount of \$2,412.00.**
 5. **Approve the Award of Bids and the Issuance of Purchase Orders for the items listed in memos "a" and "b":**
 - a. **Pest control services, exercising our option to renew the contract for an additional 2-years with Lethal Pest Solutions; at an additional cost of \$78,000.00;**
 - b. **Card access system upgrade, to Hirsch Identive; at a total award of \$199,550.00.**
 6. **Approve the Rejection and Re-advertising of a Contract and the Award of Contracts for the items listed in memos "a" through "e":**
 - a. **Reject all bids, as they failed to comply with MBE/WBE requirements, and approve re-advertising for public sewer connection at the New Cumberland Maintenance Facility;**

F. NEW BUSINESS

- b. Contract #EN-00136-03-02 for bridge repairs between MP 0.00 and MP 109.91, Toll I-376, Turnpike 576, Turnpike 43 and Turnpike 66; to the lowest responsive and responsible bidder, Gregori Construction & Engineering, Inc.; at a not-to-exceed amount of \$1,000,000.00;**
 - c. Contract #EN-00136-03-04 for bridge repairs between MP 236.22 and MP 358.11; to the lowest responsive and responsible bidder, J.P.S. Construction Co., Inc.; at a not-to-exceed amount of \$1,500,000.00;**
 - d. Contract #EN-00136-03-03 for bridge repairs between MP 109.91 and MP 236.22; to the lowest responsive and responsible bidder, Swank Construction Company, LLC; at a not-to-exceed amount of \$1,000,000.00;**
 - e. Contract #EN-00136-03-05 for bridge repairs between MP A20.00 and MP A130.64; to the lowest responsive and responsible bidder, J.P.S. Construction Co., Inc.; at a not-to-exceed amount of \$1,500,000.00.**
- 7. Approve the implementation of the 2012 toll schedule, developed by CDM Smith, for the Route 29 AET Interchange scheduled to open December 2012.**
- 8. Approve the Change Order, Change Orders/Final Payments and Final Payment for the items listed in memos "a" through "e":**
 - a. Final Payment for Contract #M-015.30X001-3-05 with McKamish, Inc. for HVAC work at the Uniontown-Brownsville Maintenance Facility at MP M18.00, for a final contract value of \$1,044,929.99 and the final amount due to the contractor of \$52,246.50;**
 - b. Change Order #1 for Contract #EN-00105-03-09 with Russell Standard Corporation for shoulder sealing from MP 75.94 to MP 93.98 and MP 108.95 to MP 121.83, for a 28-day time extension due to excessive wet weather during allowable single-lane hours;**
 - c. Change Order #12 and Final Payment for Contract #M-015.30X001 with Mashuda Corporation for construction of Section 51G on the Mon/Fayette Expressway, for an additional \$83,059.38 for normal quantity adjustments to finalize actual work completed, additional electrical changes, extra depth junction boxes, linseed oil, toll lane signs, charges for changing the location of a highway light pole and foundation due to a conflict with overhead wires; for a final contract value of \$58,263,011.01 and the final amount due to the contractor of \$725,732.72;**
 - d. Change Order #15 and Final Payment for Contract #M-015.30X001-3 with Trumbull Corporation for revised construction of Section 51J and signing and pavement markings between MP M21.47 and MP M23.31 on the Mon/Fayette Expressway, for decrease of \$102,926.90 for audit adjustment of previous final payment submission, normal quantity adjustments to balance contract items to the actual work completed,**

F. NEW BUSINESS

- settlement costs for pavement replacement and guide rail relocation; for a final contract value of \$80,613,476.19 and the final amount due to the contractor of \$272,788.66 (this item replaces previously approved item F-8g from the August 14, 2012 Commission Meeting);
- e. **Change Order #3 and Final Payment for Contract #M-015.30X001-3-03 with McKamish, Inc. for plumbing work at the Uniontown-Brownsville Maintenance Facility at MP M18.00, for an additional \$35,503.34 for changes to the salt brine system piping, changes to the waste oil tank, wash bay piping, relocation of shower heads and controls and retesting fire pump; for a final contract value of \$1,008,473.22 and the final amount due to the contractor of \$84,151.83.**
9. **Adopt Policy Letter 2.17, *Years of Service & Retiree Appreciation Program*, to acknowledge employee milestone years of service.**
10. **Authorize the approval of the issuance of the Pennsylvania Turnpike Commission's Subordinate Revenue Bonds, including Bond Anticipation Notes and Special Revenue Bonds, in one or more series or sub-series, fixed rate or variable rate, taxable or tax-exempt, in an aggregate initial principal amount not to exceed \$300,000,000, 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) refunding any bond anticipation notes or other short-term indebtedness previously issued by the Pennsylvania Turnpike Commission for the foregoing purposes, (c) reimbursing the Pennsylvania Turnpike Commission for payments previously made to the Pennsylvania Department of Transportation in accordance with Act 44, (d) any debt service reserve or similar funds, credit facility costs or capitalized interest related to such bonds, and (e) 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 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.**

F. NEW BUSINESS

- 11. Approve the award of services and authorize the negotiation and execution of an agreement with the selected firm(s) listed for the items in memos “a” through “j”:**
 - a. Ref #3-226. Construction inspection/project management services for the roadway and bridge reconstruction project from MP 242.00 to MP 245.00;**
 - b. Ref #3-231. Open-end communication tower analyses and engineering services, systemwide;**
 - c. Ref #3-234. Two (2) open-end surveying services, systemwide;**
 - d. Ref #3-230. Two (2) open-end engineering design services, systemwide;**
 - e. RFP #3499. Compliance reporting and investor relations;**
 - f. RFP #3667. Financial advisory services;**
 - g. RFP #3395. Medical benefits plan;**
 - h. RFP #3395. Prescription benefits plan;**
 - i. RFP #3395. Dental benefits plan;**
 - j. RFP #3395. Vision benefits plan.**