

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL TELEPHONE MEETING

OCTOBER 6, 2015

10:00 A.M.

AGENDA

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

- B. Minutes-September 15, 2015**

- C. Communications-**
 - Memo received from the Chief Counsel**
 - Memo received from the Director of Procurement & Logistics**

- D. Personnel**

- E. Unfinished Business**

F. NEW BUSINESS

1. **Approve amending the pool of qualified underwriters for bond and underwriter services, to remove Edward Jones as a co-underwriter based on the SEC's recent enforcement case against the firm.**
2. **Approve the negotiation and execution of the Agreements, a Supplement and a Memorandum of Understanding for the items listed in memos "a" through "e":**
 - a. **Reimbursement Agreement with West Penn Power Company (WPPC) to reimburse WPPC for the engineering and facility relocation work necessary for construction of the Southern Beltway, Section 55-A1; at a not-to-exceed amount of \$1,328,087.33;**
 - b. **Supplemental Agreement with Middlesex Township Municipal Authority to reimburse the Authority for the engineering and facility relocation work necessary for the total reconstruction project from MP 220.00 to MP 227.00, for an additional \$16,062.83 due to increased material and labor costs; increasing the not-to-exceed amount to \$103,812.83;**
 - c. **Reimbursement Agreement with PECO Energy Company to reimburse PECO for the engineering and facility relocation work necessary for the roadway widening project from MP A26.00 to MP A31.00 (MP A29.24); at a not-to-exceed amount of \$250,000.00;**
 - d. **Agreement with First Pennsylvania Resources, LLC (FPR) for FPR to supply the necessary stream mitigation on the Southern Beltway, US 22 to I-79, including obtaining property rights, design and construction for the mitigation measures and conducting post-construction monitoring and maintenance; at a not-to-exceed amount of \$13,500,000.00;**
 - e. **Memorandum of Understanding with Allan A. Myers, LP for Allan A. Myers, LP to implement and remove an interim traffic control stage required by the roadway and bridge reconstruction project from MP A25.67 to MP A31.34, to address project impacts due to alleged differing site conditions; at a not-to-exceed amount of \$6,550,000.00.**
3. **Approve the Right-of-Way Requests for the items listed in memos "a" through "o":**
 - a. **Settlement of Right-of-Way #14202-A (William P. & Sarah F. Getty), a partial take parcel necessary for the total reconstruction from MP 40.00 to MP 48.00 by authorizing payment of \$35,664.71 representing fair market value and pro-rated taxes, payable to William P. & Sarah F. Getty; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;**

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- b. Acquisition of Right-of-Way #2106-B (Melinda S. Rose n/k/a Melinda S. Bryson and Ronald L. Bryson), a partial take parcel necessary for the total reconstruction from MP 149.50 to MP 155.50 by authorizing payment of \$913.50 representing fair market value and pro-rated taxes to Melinda S & Ronald L. Bryson; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that 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 owners is contingent upon their delivery of deed prepared by the Legal Department;
- c. Acquisition of Right-of-Way #1016-B (Anne M. Polakoski), a partial take parcel necessary for the total reconstruction project from MP 99.00 to MP 109.00 by authorizing payment of \$5,379.50 representing fair market value and pro-rated taxes to Anne M. Polakoski; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that 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 damages to the property owner is contingent upon her delivery of a deed prepared by the Legal Department;
- d. Acquisition of Right-of-Way #12024-B (James H. Gasser, Jr.), a total take parcel necessary for the Beaver River Bridge reconstruction project by authorizing payment of \$95,813.89 representing fair market value, pro-rated taxes and recording fees to McClain, Young & Patterson, escrow agent; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;
- e. Acquisition of Right-of-Way #6525-A (Ray W. & Barbara L. Moyer), a total take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00 by authorizing payment of \$496,585.89 representing fair market value, pro-rated taxes, recording fees, replacement housing supplement and closing costs to Diversified Settlement Services, Inc., escrow agent; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;
- f. Acquisition of Right-of-Way #1016-A (Maxine E. Stahl), a partial take parcel necessary for the total reconstruction project from MP 99.00 to MP 109.00 by authorizing payment of \$22,025.50 representing fair market value and pro-rated taxes to Maxine E. Stahl; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that 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

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payment of fair market value to the property owner is contingent upon the delivery of a deed as prepared by the Legal Department;

- g. Acquisition of Right-of-Way #6071-D (Chesterbrook Parcel 19 Master Association), a partial take parcel necessary for the total reconstruction project from MP 320.00 to MP 326.00 by authorizing payment of \$5,300.00 representing fair market value to Chesterbrook Parcel 19 master Association; authorize the appropriate Commission officials to execute the Agreement of Sale, Conservation Easement, and other documents as may be required for closing; approve the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of statutory damages is contingent upon the delivery of a Conservation Easement as prepared by the Legal Department;**
- h. Acquisition of Right-of-Way #2128-L (Randy Clark), a partial take necessary for the total reconstruction project from MP 149.50 to MP 155.50 by authorizing payment of \$114,492.62 representing fair market value, pro-rated taxes and recording fees to David J. Puzak, Attorney at Law, escrow agent; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that 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 his delivery of deed prepared by the Legal Department;**
- i. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #6514-A (Michael S. & Clare Harris), a total take parcel necessary for the total reconstruction project from MP A31.00 to MP A38.00 by authorizing payment of \$500,000.00 representing Estimated Just Compensation to Stevens and Lee, escrow agent; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the chief Counsel;**
- j. Adopt the Proposed Property Acquisition Resolution for Right-of-Way #6035-A (Downtown Area School District and Hankin Eagleview East, L.P., as its interest may appear), a partial take parcel necessary for the total reconstruction project from MP 312.00 to MP 319.00 by authorizing payment of \$354,300.00 representing Estimated Just Compensation; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;**
- k. Acquisition of Right-of-Way #2134-E (Eric F. & Nathalie A. Imler), a partial take parcel necessary for the total reconstruction project from MP 149.50 to MP 155.50 by authorizing payment of \$4,146.50 representing fair market value and pro-rated taxes to Eric F. & Nathalie A. Imler; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that 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 owners is contingent upon their delivery of a deed prepared by the Legal Department;**

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- c. **Change Order #1 and Final Payment for Contract #EN-00027-03-04 for installation of signs between MP 0.00 and MP 245.75, Toll I-376, Turnpike 66, Turnpike 43 and Turnpike 576 with Power Contracting Company for a decrease of \$953,984.48 to reflect actual cost of completed work authorizations; for a final not-to-exceed amount of \$46,015.52 and final amount due to the contractor of \$2,300.78;**
- d. **Change Order #2 for Contract #T-355.00P002-3-02 for the replacement of Bridge DB-239 at MP 355.08 with Neshaminy Constructors, Inc. for an additional \$195,755.30 for repairs requested by the PTC Design Unit; for a revised not-to-exceed amount of \$5,893,702.81;**
- e. **Change Order #2 and Final Payment for Contract #T-145.50R001-3-02 for Bedford Interchange slope stabilization at MP 145.50 and rock cut slope remediation from MP 145.81 to MP 146.58 with New Enterprise Stone & Lime Co., Inc., for an increase of \$2,722.10 to balance items to actual work completed; for a final contract value of \$2,216,102.55 and final amount due to the contractor of \$118,443.20;**
- f. **Change Order #3 and Final Payment for Contract #T-142.00R001-3-02 for bituminous resurfacing between MP 142.00 and MP 149.23 with New Enterprise Stone & Lime, Inc., for a decrease of \$59,149.22 to balance items to actual work completed and renegotiated patching price; for a final contract value of \$7,158,140.11 and final amount due to the contractor of \$405,407.01.**