

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL TELEPHONE MEETING

DECEMBER 4, 2018

10:00 A.M.

AGENDA

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

- B. Minutes-November 20, 2018**

- C. Communications-Memo received from the Chief Counsel**

- D. Personnel**

- E. Unfinished Business**

F. NEW BUSINESS

1. **Approve payment of the PA Department of Labor and Industry invoice for the 2018 Notice of Assessment from the Bureau of Workers' Compensation, in the amount of \$60,542.00, for the Workers' Compensation Administration Fund.**

2. **Approve the negotiation and execution of the Agreements for the items listed in memos "a" through "c":**
 - a. **Reimbursement Agreement with Metropolitan Edison Company (Met-Ed), to reimburse Met-Ed the cost for the engineering and utility relocation work necessary for the auxiliary truck parking project at the Lawn Service Plaza; at a not-to-exceed amount of \$35,454.81;**

 - b. **Settlement Agreement and Release for Docket No 2:15-CV-6501, and approve the settled amount;**

 - c. **Agreements for open-end drilling contracts to the lowest responsive and responsible bidders, at a not-to-exceed amount of \$900,000.00 each or a term of 3-years, whichever occurs first:**
 - **Terracon Consultants, Inc. – MP 0.00 to MP 247.30, the Amos K. Hutchison Bypass, Beaver Valley Expressway, Mon/Fayette Expressway and the Southern Beltway;**
 - **Navarro & Wright Consulting Engineers, Inc.-MP 247.30 through the Delaware River Bridge and the Northeast Extension.**

3. **Approve the Right-of-Way Requests for the items listed in memos "a" through "f":**
 - a. **Settlement of Right-of-Way #6514-A (Michael S. & Clare Harris), a total take parcel necessary for the total reconstruction from MP A31.00 to MP A38.00 by authorizing payment of \$75,000.00 representing balance due of the Board of View Award to Michael S. & Clare Harris; and authorize payment of statutory delay damages as calculated by counsel and approved by the Chief Counsel;**

 - b. **Acquisition of Right-of-Way #14S228-1 (Joseph Ioli, Inc.; Lori Johnston), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$19,320.00 representing down payment supplement to Lori Johnston; authorize the appropriate Commission officials to execute all required documents; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of the down payment supplement is contingent upon the receipt of the executed Agreement of Sale for the replacement dwelling;**

F. NEW BUSINESS

- c. Acquisition of Right-of-Way #14S056 (Christine Koett), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$69,972.02 representing fair market value, pro-rated taxes, recording fees, housing supplement and closing costs to ARROW Land Solutions LLC, 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 her delivery of a deed as prepared by the Legal Department;
 - d. Acquisition of Right-of-Way #14S015 (Pamela R. Amicarella, f/k/a Pamela L. Roudenbush), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$131,785.47 representing fair market value, pro-rated taxes, and recording fees to Fee Simple Settlement LLC, 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 her delivery of a deed as prepared by the Legal Department;
 - e. Acquisition of Right-of-Way #14S406-1 (Joseph Ioli, Inc., Matthew & Carol Vellky), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$12,978.00 representing down payment supplement; authorize the appropriate Commission officials to execute all required documents; authorize the payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of the down payment supplement is contingent upon the receipt of the executed Agreement of Sale for the replacement dwelling;
 - f. Acquisition of Right-of-Way #7247 (Univest Corp. of PA), a partial take parcel necessary for the ITS DMS installation from MP A20.00 to MP A131.00 by authorizing payment of \$3,211.10 representing fair market value and pro-rated taxes to Univest Corporation of Pennsylvania; 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 a calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of fair market value is contingent upon the delivery of a deed as prepared by the Legal Department.
4. Approve advertising for the services listed in memos "a" and "b":
 - a. Three (3) engineering firms to perform engineering design related services;
 - b. Two (2) open-end sinkhole repair contracts.

F. NEW BUSINESS

5. **Approve authorizing the conversion of the Pennsylvania Turnpike Commission's Registration Fee Revenue Refunding Bonds, Series B of 2005, Series C of 2005 and Series D of 2005 from a Libor based calculation to a SIFMA based calculation while such bonds are in an index rate mode, and upon such conversion, the remarketing of the Registration Fee Revenue Refunding Bonds, Series B of 2005, Series C of 2005 and Series D of 2005 to the direct purchaser; authorizing the execution, delivery and distribution of the following for the Registration Fee Revenue Refunding Bonds, Series B of 2005, Series C of 2005 and Series D of 2005: (1) an amendment to the existing trust indenture, (2) a bond purchase agreement, (3) an amendment to the existing continuing disclosure agreement, (4) amendments to the existing interest rate swaps and/or entering into new interest rate swaps and (5) any other necessary or appropriate documents or certificates; appointing and providing for the appointment of bond counsel, financial advisor, swap advisor and other professionals; and the taking of any and all such other action as may be required or as may be deemed appropriate to carry out and consummate the transaction as contemplated by this Resolution or the supplemental trust indenture; and a declaration that this Resolution shall be liberally construed.**

6. **Approve the Award of Contracts for the items listed in memos "a" and "b":**
 - a. **Contract #T-102.00R002-3-02 for bituminous resurfacing between MP 101.70 and MP 108.95, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$10,899,867.59 and a contingency of \$500,000.00;**
 - b. **Contract #T-053.00T001-3-03 for the replacement of Bridge WB-454 at MP 53.66, to the lowest responsive and responsible bidder, Mosites Construction Company; at a not-to-exceed amount of \$7,224,422.00 and a contingency of \$300,000.00.**

7. **Approve the Change Orders and Final Payment for the items listed in memos "a" through "c":**
 - a. **Change Order #1 for Contract #T-210.00R001-3-02 for bituminous resurfacing between MP 210.92 and MP 215.14 with New Enterprise Stone & Lime Co., Inc., for a 13-day time extension to complete the stone matrix asphalt paving due to abnormally wet weather;**
 - b. **Change Order #12 for Contract #S-006.00X002-3-08 for construction of the Southern Beltway, Section 55B from MP S11.17 to MP S14.31 with Joseph B. Fay Co., for an increase of \$389,115.40 for base course, trench and backfill, excavation, drainage items, guiderail, concrete barrier, trenching, electrical items and concrete paving; for a revised not-to-exceed amount of \$96,994,056.15;**

F. NEW BUSINESS

- c. **Change Order #8 and Final Payment for Contract #A-068.53S002-3-02 for design/build for the replacement of Bridge NB-391 at MP A68.53 with Trumbull Corporation, for a decrease of \$598,041.79 to balance items to actual work completed, changes for crack sealing, asphalt mix credit, pot hole repair, paving joints, line painting, 1/10 mile marker signs, guiderail repair, swale repair and rebates for asphalt, diesel fuel and steel price adjustments; for a final contract value of \$34,376,708.70.**

8. **Approve increases to the rates for E-ZPass Class 1 and 2 vehicles, effective January 6, 2019, as follows:**
 - **V-toll rate to \$10.00 (from \$5.00);**
 - **Orphan exit toll rates to \$10.00 (from \$5.00); and**
 - **Unauthorized U-turn toll rate to \$10.00 (from \$5.00).**