

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL MEETING

APRIL 4, 2023

11:00 A.M.

AGENDA

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

- B. Minutes-March 21, 2023**

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

- D. Personnel**

- E. Unfinished Business**

F. NEW BUSINESS

1. **Adopt the revisions to Policy Letters for the items listed in memos “a” through “d”:**
 - a. **Revisions to Policy 7.08, Retiree Medical Trustee Funding, to consider the following factors when establishing the OPEB contribution amount included in the annual operating budget: funded status of the Trust, estimated actuarially determined contribution, estimated service cost, current market conditions, OPEB expense projections, projected cash balances and other pertinent factors;**
 - b. **Revisions to Policy 4.01, Tuition Reimbursement, to change Policy Letter name to Educational Assistance Program; to establish and define general policy and procedures for new Student Loan Debt Reimbursement Program; introduce a cap for reimbursement per employee for the entirety of their employment; added coverage for “course related fees” under the Tuition Reimbursement Program; update the Tuition Reimbursement amount from 90% to 100% of tuition, registration, course related fees and books; remove the option for a 50% advance of the employee’s tuition reimbursement; add definitions for CARES Act, Educational Assistance Program, Post-Secondary Education Programs, Public Service Loan Forgiveness, Qualified Education Loan, Student Loan Debt Reimbursement and Tuition Reimbursement; and general clarifications;**
 - c. **Revisions to Policy 2.14, Public Employee Pension Forfeiture Act. No. 1978-140, to expand the list of forfeitable offenses; add definitions for Public Official or Public Employee, retirement benefits, retirement code, SERS member and remove SERS definition; and general clarification and modifications;**
 - d. **Revisions to Policy 4.05, Compensatory Time for Exempt Employees, to change policy name to include Management employees; change the earning period from July-June to calendar year; change the month that the leave exhausts from September to March (based on the new earning period); add definitions and general clarifications.**
2. **Approve the negotiation and execution of an Ownership Agreement with Pennsylvania Department of Transportation (PennDOT), for the Mon/Fayette Expressway, Section 53A1; to turn over maintenance and ownership of various items, including S.R. 0885 Bridge, to PennDOT upon completion of construction.**
3. **Approve the Right-of-Way requests for the items listed in memos “a” through “e”:**
 - a. **Acquisition of Right-of-Way #6347 (227 Diamond Avenue Land Trust), a total take parcel necessary for construction of the Lafayette Street Interchange, by authorizing payment of \$17,514.75 representing fair market value, pro-rated taxes and recording fees to Diversified Settlement Services, Inc., as 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**

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- 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 #14S446 (Billy A. and Lynn A. Eichler), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$1,400.00 representing fair market value to Billy A. and Lynn A. Eichler; authorize the appropriate Commission officials to execute the Temporary Construction Easement and other documents that may be required; 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 Temporary Construction Easement as prepared by the Legal Department;
 - c. Approve payment of damages awarded by the Montgomery County Board of Viewers for the Rt. 202 Bridge Replacement project, by authorizing payment of \$61,984.99 representing payment of the Board of View award and statutory delay damages to 202 Rent-All, Inc.; upon payment of the award, the case will be closed;
 - d. Approve the Quit Claim deed for Right-of-Way #14529 (Donald L. Spray), necessary for reservation of oil and gas rights to the successor, Divot Acquisitions, LLC; and reimbursement of the Commission's costs for the title review and document preparation is contingent upon the execution of the Quit Claim deed prepared by the Legal Department and approved by the Chief Counsel;
 - e. Acquisition of Right-of-Way #14083-E (Gail Ann Hurley), a total take parcel necessary for the total reconstruction project from MP 53.00 to MP 57.00, by authorizing payment of \$23,055.16 representing fair market value, pro-rated taxes and recording fees to Universal Settlement Services of Pennsylvania, LLC, as 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 the delivery of a deed as prepared by the Legal Department.
4. Approve the negotiation and execution of Supplemental Agreement #3 for Contract #M-052.50X002 for design services for the Mon/Fayette Expressway, Rt. 51 to I-376, Section 53C with the EADS Group, Inc. for an increase of \$2,200,000.00 to complete final design and for additional work that has developed through the course of design; for a revised not-to-exceed amount of \$22,100,000.00.

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5. **Approve the Change Order, Issuance of a Purchase Order and Purchasing Agreements for the items listed in memos “a” through “c”:**
 - a. **Sponsorship Agreement with Hershey Park/Hershey Entertainment & Resorts for advertising and promotional rights for three (3) years; at a cost of \$270,000.00;**
 - b. **Approve the use of Omnia Partners cooperative purchase agreement to procure software titles, hardware and other products with OMNIA Partners, Public Sector (former US Communities) Cooperative that may not be available through existing contracts;**
 - c. **Enterprise Fleet Management services with Enterprise Fleet Management Inc. to provide flexibility to convert vehicle purchases to lease agreements in the future and to close purchase orders and open new ones as they expire, or to procure new vehicles (through March 2027); at a cost of \$354,035.00.**

6. **Approve the Award of Contracts for the items listed in memos “a” through “d”:**
 - a. **Contract #G-006.82S001-3-02 for bridge rehabilitation between MP G06.46 and MP G06.96, to the lowest responsive and responsible bidder, Swank Construction Company, LLC; at a not-to-exceed amount of \$709,101.30 and a contingency of \$35,000.00;**
 - b. **Contract #A-094.26S001-3-02 for bridge rehabilitation and asphalt resurfacing between MP A90.80 and MP A95.17, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$29,791,926.85 and a contingency of \$2,085,000.00;**
 - c. **Contract #T-312.00T003-3-03 for roadway and bridge reconstruction between MP 311.60 and MP 316.19, to the lowest responsive and responsible bidder, Allan Myers, L.P.; at a not-to-exceed amount of \$214,177,555.00 and a contingency of \$11,000,000.00;**
 - d. **Contract #T-298.00T001-3-04 for the replacement of Bridge EB-701 at MP 301.03, to the lowest responsive and responsible bidder, Road-Con, Inc.; at a not-to-exceed amount of \$9,450,922.65 and a contingency of \$500,000.00.**

7. **Approve the Change Orders for the items listed in memos “a” and “b”:**
 - a. **Change Order #3 for Contract #T-316.89F001-3-05 for the construction of the Devault Maintenance Facility with Boro Developers, Inc. for an increase of \$102,374.73 for well casing, exhaust fan changes and radiant flooring changes; for a revised not-to-exceed amount of \$2,286,790.96;**

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- b. **Change Order #15 for Contract #T-186.20S004-3-02 for rehabilitation of the Tuscarora Tunnel and Bridges B-561 and B-562 between MP 185.89 and MP 187.49 with Mosites Construction Company for an increase of \$1,085,752.72 for tile test and removal, east portal façade repairs, ceiling repairs, undercutting, leak repairs, drainage, delineation, post base upgrades, SCADA reprogramming, UPS replacement, DMS sign support structure and price adjustments; for a revised not-to-exceed amount of \$117,183,103.13.**

8. Approve the award of services and authorize the negotiations and execution of an agreement/agreements with the selected firm/firms for the items listed in memos “a” through “c”:

- a. **T00223-T00224, Open-end Construction Management and Inspection-East:**
 - **CDR Maguire, Inc.-AWARDED**
 - **STV Incorporated-AWARDED**
 - **AECOM Technical Services, Inc.**
 - **TRC Engineers, Inc.**
- b. **T00227/T00228, Open-End Construction Inspection Services for I-95 Interchange Stage 2 Construction:**
 - **Quality Engineering Solutions, Inc.-AWARDED**
 - **TRC Engineers, Inc.-AWARDED**
 - **AECOM Technical Services, Inc.**
 - **Urban Engineers, Inc.**
- c. **T00230, Open-end Communication Tower Engineering Services:**
 - **Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.-AWARDED**