

**PENNSYLVANIA TURNPIKE COMMISSION**

**HIGHSPIRE, PENNSYLVANIA**

**FORMAL MEETING**

**AUGUST 6, 2024**

**11:00 A.M.**

**AGENDA**

- A. Roll Call**
  - Sunshine Announcement**
  - Public Participation**
  
- B. Minutes - July 16, 2024**
  
- C. Communication - Memo received from the Chief Counsel**
  
- D. Personnel**
  
- E. Unfinished Business**

F. NEW BUSINESS

1. **Approve the Bond Resolutions for the items listed in memos “a” through “c”:**
  - a. **Approve the issuance of the Pennsylvania Turnpike Commission’s (i) Senior Indenture Turnpike Revenue Bonds or Notes, and (ii) Subordinate Indenture Turnpike Revenue Bonds or Notes, including Special Revenue Bonds, each in one or more series or sub-series, variable rate, fixed rate or multi-modal, taxable or tax-exempt, in an aggregate principal amount not to exceed \$650,000,000, for the purpose of financing (1) the refunding of all or a portion of certain outstanding Senior Indenture Turnpike Revenue Bonds and/or Subordinate Indenture Turnpike Revenue Bonds, including Special Revenue Bonds, designated by the Commission, including the modification and/or termination of related swap agreements and any payments due upon such modification and/or termination; (2) the funding of necessary reserves; and (3) the costs of issuance of such bonds; authorizing the issuance of any such bonds on a forward delivery basis; authorizing the execution, delivery and distribution of the following: (1) one or more supplemental trust indentures under each related indenture for the bonds; (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 placement agreements, direct purchase or placement agreements, continuing covenant agreements or similar agreements; (5) one or more agreements for the provision of letters of credit, standby bond purchase agreements, other credit facilities or similar forms of credit enhancement and/or reserve fund credit facilities and any related reimbursement and other agreements; (6) one or more remarketing agreements; (7) one or more continuing disclosure agreements; (8) one or more interest rate swaps or other derivatives, or amendments to or terminations of existing interest rate swaps; (9) one or more escrow deposit agreements and other refunding documents; (10) documents related to the pledge of motor license fund monies for special revenue refunding bonds; and (11) any other necessary or appropriate documents or certificates; confirming, among other things, certain officials of the Pennsylvania Turnpike Commission as “authorized officers” for purposes of this bond resolution and authorizing the taking of further action; repealing inconsistent resolutions; and declaring that this resolution shall be liberally construed;**
  - b. **Providing for the appointment of co-bond counsel (Cozen O’Connor and Eckert Seamans Cherin & Mellott, LLC), the appointment of certain advisors (co-financial advisors-Public Resources Advisory Group and Phoenix Capital Partners, LLP), and the authorization of actions by certain authorized officers of the Pennsylvania Turnpike Commission for purposes of this resolution relating to the issuance of certain of the Pennsylvania Turnpike Commission’s Senior Indenture Turnpike Revenue Bonds and/or Subordinate Indenture Turnpike Revenue Bonds, including special revenue bonds, approved by resolution of the Pennsylvania Turnpike Commission adopted August 6, 2024, which resolution provides for the issuance from time to time of Senior Indenture Turnpike Revenue Bonds and/or Subordinate Indenture Turnpike Revenue Bonds, including Special Revenue Bonds, in an aggregate principal amount not to exceed \$650,000,000 to finance the refunding of certain outstanding Senior Indenture Turnpike Revenue Bonds and/or Subordinate Indenture Turnpike Revenue Bonds, including special revenue bonds;**



F. NEW BUSINESS

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

- b. **Adopt the proposed Property Acquisition Resolution for Right-of-Way #1A056-A1 (RSP, LP; CC Realty Advisors, Inc.; Richard Erenberg; Doug Engel), a partial take parcel necessary for the Western Regional Office Microgrid project by authorizing payment of \$26,200.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;**
- c. **Adopt the proposed Property Acquisition Resolution for Right-of-Way #1A060-A (BT-NEWYO, LLC), a partial take parcel necessary for the Western Regional Office Microgrid project by authorizing payment of \$1,200.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel.**

**4. Approve the Change Orders and Final Payments for the items listed in memos "a" through "c":**

- a. **Change Order #8 and Final Payment for Contract #T-334.00R002-3-02 for bituminous resurfacing between MP 333.99 and MP 340.05 and median barrier replacement between MP 337.37 and MP 340.03 with Allan Myers, L.P., for a decrease of \$447,039.74 for normal quantity adjustments, guiderail, excavation, binder and wearing courses and subbase adjustments, for a final contract value of \$15,666,490.12 and final amount due to the contractor of \$54,324.69;**
- b. **Change Order #3 and Final Payment for Contract #EN-00286-03-07 for roadway and miscellaneous repairs between MP A31.34 and MP A130.64 with J.D. Eckman, Inc., for a decrease of \$46,143.73 to reflect the actual cost of the completed work authorizations, for a final contract value of \$5,953,856.27 and final amount due to the contractor of \$119,077.13;**
- c. **Change Order #6 for Contract #A-037.50T001-3-02 for roadway and bridge reconstruction from MP A37.39 to MP A43.33 with Trumbull Corporation for an increase of \$1,297,413.27 for normal quantity adjustments, erosions and sedimentation controls, footer removal, pavement patching, unforeseen rock relating to the Basin 5 outlet pipe run, drainage issues, temporary shoring issues, embankment stabilization, stormwater basin plantings, arborvitae trees, sewer work, hauling unsuitable embankment material, construction of a haul road, revisions to the deck grade and dewatering the borrow pit, for a revised not-to-exceed amount of \$203,257,253.57.**

F. NEW BUSINESS

5. Approve the Award of Bids and the Issuance of Purchase Orders for the items listed in memos “a” through “g”:

- a. Window cleaning for the CAB and TIP buildings, exercising the option to renew the agreement for an additional year (September 2024 - August 2025) with Point Exteriors LLC; at a cost of \$65,000.00;
- b. Open-end drilling contract from MP 247.30 to the Delaware River Bridge and the Northeast Extension, to the lowest responsive and responsible bidder, NexTerra Subterranean, Inc.; at a not-to exceed amount of \$900,000.00 or a term of three (3) years, whichever occurs first;
- c. Compu-Spread parts contract (August 8, 2024 - July 31, 2025), to the lowest responsive and responsible bidder, Modern Handling Equipment Co., at a cost of \$225,000.00;

- d. Plow blades, parts, hardware and accessories (August 8, 2024 - July 31, 2025), to the lowest responsive and responsible bidders; and permit staff to move funds between service contracts as needed during the contract term:

Nordik	\$334,000.00
Winter Equipment Co., Inc.	\$ 39,000.00
Trius, Inc.	\$203,000.00
Valk Manufacturing Co., LLC	\$ 80,000.00
Wear Parts & Equipment	\$ 5,000.00
CONTINGENCY	<u>\$100,000.00</u>
TOTAL AWARD	\$761,000.00

- e. Veracode software maintenance and support subscription (September 18, 2024 – September 17, 2025), utilizing the Omnia Partners cooperative purchasing agreement with Insight Public Sector, Inc.; at a cost of \$120,530.00;
- f. Pathway product solution (to allow the counties to interface with the new BeOn IP based radio system), utilizing the Commonwealth’s contract with L3Harris Technologies, Inc.; at a cost of \$211,839.00;
- g. Zenitel IP devices (to allow VHF radios at the maintenance locations to interface with the new BeOn IP based radio system), utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a cost of \$168,747.75.

6. Approve the Award of Contract #EN-00335-03-02 for sinkhole repairs between MP 187.00 and MP 312.03, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a not-to-exceed amount of \$2,000,000.00.