

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL MEETING

SEPTEMBER 6, 2022

11:00 A.M.

AGENDA

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

- B. Minutes-August 16, 2022**

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

- D. Personnel**

- E. Unfinished Business**

F. NEW BUSINESS

1. **Adopt revisions to Policy 2.08, Childrearing Leave Without Pay, to expand the eligibility to part-time employees, change the name to Childrearing Leave, add definitions for Childrearing Leave, Foster Care System, full and part-time employees, remove the requirement to complete Wellness as part of medical benefits and add that employees on childrearing leave must pay the same contribution towards benefits as active employees and further clarification was added to the procedures section.**

2. **Approve the negotiation and execution of the Agreements and Amendments for the items listed in memos “a” through “j”:**
 - a. **Amendment to our agreement with General Dynamics Information Technology, Inc. (GDIT) to host, maintain, support, and provide help desk support for the Electronic Bidding System (EBS) for construction contracts; exercising the option to renew the agreement for an additional 5 years (July 2023 – June 2028); at cost of \$3,693,885.00;**
 - b. **Reimbursement Agreement with Verizon for reimbursement to the Commission for the construction costs and utility relocation necessary for the total reconstruction project from MP A53.00 to MP A57.00; at a total estimated reimbursement of \$84,000.00;**
 - c. **Amendment to our Interagency License Agreement with the Pennsylvania State Police (PSP) for use of various Commission owned towers; exercising the option to renew the agreement for an additional year (October 29, 2022 - October 29, 2023); PSP will pay the Commission \$171,763.22 for the use of the towers;**
 - d. **Right-of-Way Agreement with Somerset Township for a flowage easement over Commission owned property in Somerset Township which will allow Somerset Township to repair, operate and maintain existing drainage features along Menser Road;**
 - e. **Interagency Agreement with the U.S. Department of the Interior, acting through the National Park Service, for the cooperative protection and management of the Appalachian National Scenic Trail that crosses over the Turnpike near the Palmerton Tower site for a ten (10) year term;**
 - f. **License Agreement with Apple Enterprise Development for the Situational Traffic Awareness and Response (STAR) application;**
 - g. **Amendment to our Agreement with the University of Pittsburgh, Swanson School of Engineering, to renew our funding of the Center for Impactful Roadway Infrastructure Science and Engineering (IRISE); at an annual cost of \$50,000.00 per year with a term of five (5) fiscal years beginning in FY2023; and authorize the Chief Engineer or designee to negotiate and execute the agreement;**

F. NEW BUSINESS

- h. Reimbursement Agreement with PECO Energy Company (PECO) to reimburse PECO the cost for the engineering and utility relocation work necessary for the total reconstruction project at MP 312.00 to MP 316.00 (Bridge EB-726 at MP 314.95); at a total not-to-exceed cost of \$625,000.00;**
 - i. Agreement with Kapsch TrafficCom USA, Inc. (as approved vendor for the E-ZPass Interagency Group) for E-ZPass contract equipment including on-board units (OBUs) for a period of seven (7) years;**
 - j. Settlement Agreement and Release with Michael Shaw Sr. and approve payment in the settled amount.**
- 3. Approve the Right-of-Way requests for the items listed in memos “a” through “c”:**
- a. Acquisition of Right-of-Way #7080-A1 (General Machine Products (KT), LLC), a partial take parcel necessary for the I-95A, Ramp D reconstruction project by authorizing payment of \$37,200.00 representing fair market value to KT, LLC.; authorize the appropriate Commission officials to execute the Temporary Construction Easement 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 Temporary Construction Easement as approved by the Legal Department;**
 - b. Acquisition of Right-of-Way #17706-A (Marc A. & Ann M. Vickers), a partial take parcel necessary for the pre-entry ITS installation for the Western Gaps project by authorizing payment of \$507.50 payable to Marc A. & Ann M. Vickers representing fair market value and pro-rated taxes; also authorize payment of \$69.25 representing recording fees to Washington County Recorder of Deeds; 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;**
 - c. Acquisition of Right-of-Way #14S431 (Frank Veltri, John Miller, a/k/a FVJM Partners), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$503.75 representing fair market value and pro-rated taxes to FVJM Partners; 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. NEW BUSINESS

4. Approve advertising for the items listed in memos “a” and “b”:
 - a. Two (2) open-end construction inspection services contracts from MP 200.00 to the Delaware River Bridge and the Northeast Extension;
 - b. Open-end construction management and construction inspection services from MP 200.00 to the Delaware River Bridge and the Northeast Extension.

5. Approve the Change Order and the Issuance of Purchase Orders for the items listed in memos “a” through “h”:
 - a. Single axle and tandem axle dump trucks; exercising the option to renew the agreement with M & K Truck Center of Harrisburg, LLC. through September to cover dump truck orders for fiscal year 2024; at an estimated cost of \$10,000,000.00 (final quotes for individual truck configurations are still pending);
 - b. Five (5) Ford F-150 hybrid trucks, utilizing the Commonwealth’s contract with Apple Ford of Red Lion/Apple Automotive Group, Inc.; at a cost of \$243,055.00;
 - c. Five (5) Ford Ranger pickup trucks, utilizing the Commonwealth’s contract with Apple Ford of Red Lion/Apple Automotive Group, Inc.; at a cost of \$161,320.00;
 - d. Palo Alto Network Firewall and IoT subscription with ePlus Technology, Inc., to obtain a safety communications system for security firewalls and for additional devices to be used when PennDOT interfaces their CCTVs to the PTC TOC; at a cost of \$110,140.00;
 - e. Veracode software subscription and support (September 18, 2022 - September 17, 2023), utilizing the Commonwealth’s contract with Carahsoft Technology Corporation; at a cost of \$109,662.65;
 - f. Assignment Agreement with Affinity Empowering, Inc. for drug and alcohol testing, to assign its contract to WorkforceQA, LLC due to WorkforceQA, LLC’s acquisition of Affinity Empowering, Inc.;
 - g. Installation of mobile cameras on the MUW vehicles, utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a cost of \$183,076.88;
 - h. Motor oil, grease and lube, exercising the option to renew the agreement for an additional year (November 2022 – October 2023) with PPC Lubricants, Inc.; at a cost of \$150,000.00.

F. NEW BUSINESS

6. Approve the Award of Contracts for the items listed in memos "a" and "b":
 - a. Contract #T-067.05S001-3-02 for rehabilitation of Bridges WB-512 at MP 67.06 and B-458 at MP 67.05, to the lowest responsive and responsible bidder, Gulisek Construction, LLC; at a not-to-exceed amount of \$2,602,329.83 and a contingency of \$125,000.00;
 - b. Contract #EN-00115-03-20 for construction of tolling facilities between MP A87.10 and MP A123.51, to the lowest responsive and responsible bidder, Road-Con, Inc.; at a not-to-exceed amount of \$3,908,718.43 and a contingency of \$160,000.00.

7. Approve Change Orders and Final Payments for the items listed in memos "a" and "b":
 - a. Change Order #1 and Final Payment for Contract #EN-00277-03-05 for roadway and miscellaneous repairs between MP 201.58 and MP 299.98 with J.D. Eckman, Inc. for a decrease of \$638,479.07 to reflect the actual cost of the completed work authorizations; for a final contract value of \$2,361,520.93 and final amount due to the contractor of \$118,076.05;
 - b. Change Order #1 and Final Payment for Contract #EN-00272-03-03 for bridge repairs between MP 109.91 and MP 236.22 with Bill Anskis Company, Inc. for a decrease of \$671,939.18 to reflect the actual cost of the completed work authorizations; for a final contract value of \$1,828,060.82 and final amount due to the contractor of \$91,403.04.

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" and "b"; and approve the award of services and authorize the negotiation of an agreement for the item listed in memo "c":
 - a. T00208, construction management services for the reconstruction between MP 149.50 to MP 155.50:
 - SAI Consulting Engineering Consultants, Geologists & Land Surveyors, D.P.C.-AWARDED
 - CDR Maguire, Inc.
 - Erdman Anthony Associates, Inc.

 - b. T00204, T00205, T00206 and T00207, open-end engineering design services:
 - Arora and Associates, P.C.-AWARDED
 - H.W. Lochner, Inc.-AWARDED
 - Sucevic, Piccolomini, & Kuchar Engineering, Inc.-AWARDED
 - Susquehanna Civil, Inc.-AWARDED
 - Reilly Associates
 - Whitney, Bailey, Cox & Magnani, LLC

F. NEW BUSINESS

- c. **RFP 5876, Unified Back-Office System implementation and maintenance:**
 - **Accenture, LLP-AWARDED**
 - **TollPlus, LLC**
9. **Amendments to the Bond Resolutions approved May 3, 2022 for Senior Indenture bonds or Notes or Subordinate Indenture bonds or Notes to refinance as interest rates are rising, for the memos listed in memos “a” through “c”:**
- a. **Amending a Resolution adopted by the Pennsylvania Turnpike Commission on May 3, 2022 authorizing the issuance of the Pennsylvania Turnpike Commission’s (i) senior indenture bonds or notes, including bond anticipation notes, and (ii) subordinate indenture bonds or notes, including subordinate revenue bonds, bond anticipation notes and special revenue bonds, each in one or more series or sub-series, fixed rate, multi-modal or variable rate, taxable and/or tax-exempt, in an aggregate initial principal amount not to exceed \$1,500,000,000 (based on par amount), to finance the costs of (a) currently or advance refunding all or a portion of any bond anticipation notes, other short-term indebtedness, senior indenture bonds or subordinate indenture bonds, including special revenue bonds, previously issued by the Pennsylvania Turnpike Commission, (b) any debt service reserve or similar funds or credit facility costs related to such bonds, and (c) issuance of such bonds; authorizing the issuance of senior indenture bonds or notes, including bond anticipation notes, to finance the costs of various capital expenditures for the Pennsylvania Turnpike system set forth in the Commission’s current Ten Year Capital Plan, including any amendment thereto, or in any prior capital plan, including, but not limited to, the reconstruction of roadbed and roadway, the widening, replacing and redecking of certain bridges and/or the rehabilitation of certain interchanges and the funding of interest on certain bonds; authorizing the defeasance of a portion of any prior bonds issued by the Pennsylvania Turnpike Commission with not to exceed \$300,000,000 in available moneys of the Pennsylvania Turnpike Commission and appointment of certain professionals and authorizing documents with respect thereto; correcting the names of the senior trustee (U.S. Bank Trust Company, National Association), subordinate trustee and escrow agents (Computershare Trust Company, N.A.); authorizing the taking of further action and declaring that this resolution shall be liberally construed;**
 - b. **Amending a Resolution adopted by the Pennsylvania Turnpike Commission on May 3, 2022 providing for the appointment of co-bond counsel (Squire Patton Boggs, LLP; Powell Law, P.C.) and disclosure counsel (Virtus, LLP) relating to the issuance of the Pennsylvania Turnpike Commission's senior indenture bonds or notes, including bond anticipation notes, and subordinate indenture bonds or notes, including subordinate revenue bonds, bond anticipation notes and special revenue bonds, each in one or more series or sub-series, fixed rate, multi-modal or variable rate, taxable or tax-exempt, in an aggregate initial principal amount not to exceed \$1,500,000,000;**

F. NEW BUSINESS

- c. **Amending a Resolution adopted by the Pennsylvania Turnpike Commission on May 3, 2022 providing for the appointment of one or more underwriters (BofA Securities, Inc.; Loop Capital Markets, LLC; Ramirez & Co., Inc.; Rice Financial Products Company; Blaylock Van, LLC; Drexel Hamilton, LLC; Quoin Capital, LLC; Robert W. Baird & Co., Inc.) relating to the issuance of the Pennsylvania Turnpike Commission's senior indenture bonds or notes, including bond anticipation notes, and subordinate indenture bonds or notes, including subordinate revenue bonds, bond anticipation notes and special revenue bonds, each in one or more series or sub-series, fixed rate, multi-modal or variable rate, taxable or tax-exempt, in an aggregate initial principal amount not to exceed \$1,500,000,000.**