## PENNSYLVANIA TURNPIKE COMMISSION

## HIGHSPIRE, PENNSYLVANIA

## **FORMAL MEETING**

**MARCH 20, 2018** 

10:00 A.M.

## **AGENDA**

- A. Roll Call
  Sunshine Announcement
  Public Participation
- B. Minutes-March 6, 2018
- C. Communications-Memo received from the Chief Counsel Memo received from the Director of Procurement & Logistics
- D. Personnel
- E. Unfinished Business

- 1. Adopt the revisions to the Policies listed in memos "a" and "b":
  - Policy 3.04, Smoking and Other Tobacco Products, to include other tobacco products, update non-usage of these products in Commission/rental vehicles and facilities, and to make the policy applicable to contractors and visitors;
  - b. Policy 5.05, Workplace Safety and Health, to update operational and procedural changes.
- 2. Approve the negotiation and execution of the Agreements and Amendments for the items listed in memos "a" through "h":
  - Amendment to our agreement with Milliman for attestation of Medicare Part D; exercising the option to renew the agreement for an additional year (October 1, 2018 – September 30, 2019); at an approximate cost of \$6,500.00;
  - Amendment to our agreement with Acrisure, LLC d/b/a North American Insurance
     Management for insurance consulting services; exercising the option to renew the agreement
     for an additional two (2) years (September 2, 2018 September 1, 2020); at an approximate
     cost of \$48,000.00;
  - c. Agreement with the University of Pittsburgh, Swanson School of Engineering, for research for the Center for Impactful Roadway Infrastructure Science and Engineering; at an annual cost of \$25,000.00 and a term of four (4) years; and authorize the Chief Engineer or designee to negotiate and execute the agreement as approved by the Legal Department;
  - d. Reimbursement Agreement and Sewer Connection Application with the Municipal Authority of South Fayette Township, to reimburse the Township the cost for the engineering, legal, utility tap in fees and inspection costs to extend the utility line due to construction of the Southern Beltway, US 22 to I-79; at a not-to-exceed amount of \$200,000.00;
  - e. Amendment to our agreement with Paramount Management Group for ATM services, to increase the ATM service fee from \$2.50 to \$3.50 for the ATMs located in the service plazas;
  - f. Amendment to our Lease Agreement with Range Resources-Appalachia, LLC to permit Range Resources-Appalachia to lease 3.313 acres of Right-of-Way and surplus property in Washington County for the purpose of exploring, developing and producing oil and gas down to the Utica Shale Formation;
  - g. Amendment to our agreement with TransCore for cashless tolling services on the Southern Beltway, to authorize the ETC Manager to approve Engineering Change Orders (ECO) at total not-to-exceed amount of \$900,000 over the 10-year base contract; the initial ECO will be to implement Optical Character Recognition (OCR)/Automatic License Plate Recognition (ALPR) at the Findlay Toll Plazas. This task was identified as an option in the original RFP and proposal for this contract;

- h. Settlement Agreement and all necessary documents in the bankruptcy matter involving the underlying case of PTC v. Ciber, et al.
- 3. Approve the Right-of-Way Requests for the items listed in memos "a" through "d":
  - a. Settlement of Right-of-Way #3191-R1 (Waggoners Gap Road, LLC), a partial take parcel necessary for the total reconstruction project from MP 220.00 to MP 227.00 by authorizing payment of \$21,000.00 to Waggoners Gap Road, LLC, which funds shall be used to make additional upgrades to the existing driveway and improve access; authorize the appropriate Commission officials to execute the Consent Order and any other documents that may be required for settlement;
  - b. Acquisition of Right-of-Way #1049-F (Somerset Motel Partners), a partial take parcel necessary for construction of the pre-entry ITS from MP 10.00 to MP 201.00 by authorizing payment of \$6,110.30 representing fair market value and pro-rated taxes to Somerset Motel Partners, LLC; 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 of easement as prepared by the Legal Department;
  - c. Acquisition of Right-of-Way #13024 (JLP-Cranberry LLC), a partial take parcel necessary for construction of the pre-entry ITS from MP 10.00 to MP 201.00 by authorizing payment of \$1,568.17 representing fair market value and pro-rated taxes to JLP-Cranberry, LLC; 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 of easement as prepared by the Legal Department;
  - d. Acquisition of Right-of-Way #14083-A1 (William & Ethel May Potochnik), a partial take parcel necessary for the total reconstruction project from MP 53.00 to MP 57.00 by authorizing payment of \$2,919.50 representing fair market value, pro-rated taxes, advanced payment for Section 710 legal and appraisal fees to William & Ethel May Potochnik, also authorize payment of \$2,367.92 representing Section 710 damages to Behrend & Ernsberger, P.C.; 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.

- 4. Approve advertising for the items listed in memos "a" and "b":
  - a. Toll System Integrator services to design, furnish, install and maintain tolling system components and supporting software to support cashless tolling;
  - Engineering or Construction Management firm to perform open-end construction management and construction inspection services between MP 247.00 and MP 359.00 and the Northeast Extension.
- 5. Approve the Award of a Bids, Change Order and the Issuance of Purchase Orders for the items listed in memos "a" through "f":
  - a. Light fixtures for the Lehigh Tunnel, utilizing the Commonwealth's contract with Schaedler Yesco Distribution, Inc.; at a total award of \$2,100,707.32;
  - b. Five (5) 2018 Chevrolet Silverado trucks for the safety advisors, utilizing the Commonwealth's contract with Apple Chevrolet/Westgate Chevrolet, Inc.; at a total award of \$149,155.00;
  - c. Thirty-one (31) single & tandem axle dump trucks, to the lowest responsive and responsible bidder, Legacy Truck Centers, Inc.; at a total award of \$6,566,351.00;
  - d. Change Order for Automatic External Defibrillator (AED) training and service agreement (February 17, 2017 February 16, 2019) with Cardia Science Corp., to purchase/upgrade the AED units; at a cost of \$97,174.00;
  - e. Fire alarm repairs and upgrades at the Blue Mountain and Kittatinny Tunnels, utilizing the Commonwealth's contract with Siemens Industry Inc.; at a total award of \$1,998,053.61;
  - f. Fire alarm repairs and upgrades at the Allegheny Tunnel, utilizing the Commonwealth's contract with Siemens Industry Inc.; at a total award of \$1,380,745.22.
- 6. Approve the Award of Contract #S-006.00X002-3-12 for construction of the Southern Beltway, Section 55C1-2 between MP S16.04 and MP S17.97, to the lowest responsive and responsible bidder, Trumbull Corp.; at a not-to-exceed amount of \$37,777,777.77 and a contingency of \$1,800,000.00.
- 7. Approve the Change Orders and Final Payments for the items listed in memos "a" and "b":
  - a. Change Order #4 and Final Payment for Contract #T-109.00R002-3-02 for bituminous resurfacing between MP 108.95 and MP 121.82 with New Enterprise Stone & Lime Co., Inc. for an increase of \$29,875.30 to balance items to actual work completed and bridge approach repairs at the Somerset Interchange; for a final contract value of \$13,450,305.38 and final amount due to the contractor of \$781,559.78;

- b. Change Order #2 and Final Payment for Contract #T-355.00P001-3-10 for HVAC work for mainline toll facility and Delaware River Bridge ORT from MP 351.43 to MP 354.18 and MP 357.96 to MP 358.32 with Guy M. Cooper, Inc., for an increase of \$9,545.98 for installation of a drip pan above the panelboard and installation of additional HVAC sensors and wiring; for a final contract value of \$953,709.16 and final amount due to the contractor of \$93,218.16.
- 8. Approve signing authority for the Chief Engineer to approve and execute, on behalf of the Commission, any settlement agreement, release, and/or other similar documentation, as prepared by the Legal Department, to settle design error/omission issues in engineering contracts for an amount payable to the Commission up to \$250,000.00.
- 9. Approve authorizing the Bond Resolutions for the items listed in memos "a" and "b":
  - a. Authorizing the issuance of the Pennsylvania Turnpike Commission's revenue refunding bonds or notes, including bond anticipation notes, in one or more series or sub-series, fixed rate or floating rate, taxable or tax-exempt, in an aggregate initial principal amount not to exceed \$250,000,000, to finance or refinance the costs of (a) refunding all or a portion of certain outstanding Turnpike 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, (c) issuance of such bonds, and (d) the cost of credit facilities and/or reserve fund credit facilities. Authorizing the execution, delivery and distribution of the following: (1) one or more supplemental trust indentures for the bonds; (2) one or more preliminary official statements or preliminary private placement memoranda, or equivalent; (3) one or more official statement or private placement agreements, or equivalent; (4) one or more purchase contracts or private placement agreements, or equivalent; (5) one or more interest rate swaps or other derivatives, or amendments to or terminations of existing interest rate swaps; (6) one or more escrow deposit agreements; and (7) any other necessary or appropriate documents or certificates; providing for the appointment of bond counsel; appointing the co-financial advisors and providing for the appointment of one or more underwriters and/or other professionals; authorizing the taking of further action; repealing inconsistent resolutions; and declaring that this resolution shall be liberally construed;
  - b. Authorizing the issuance of the Pennsylvania Turnpike Commission's Oil Franchise Tax Bonds in one or more series or sub-series, fixed rate, taxable or tax-exempt, in an aggregate principal amount not to exceed \$450,000,000 (based on par amount), to finance the costs of (a) various capital expenditures for the Pennsylvania Turnpike System set for in the Commission's current or any prior Independently Funding Capital Plan, including but not limited to, the funding of capital expenditures related to the Southern Beltway or the Mon-Fayette Expressway; (b) funding necessary reserves or similar funds, (c) obtaining credit facilities related to such bonds, and (d) issuance of such bonds; authorizing the execution, delivery and distribution of the bonds.