

PENNSYLVANIA TURNPIKE COMMISSION

Highspire, Pennsylvania

FORMAL MEETING

February 2, 2010

10:00 A.M.

AGENDA

- A. ROLL CALL
SUNSHINE ANNOUNCEMENT**
- B. MINUTES-January 19, 2010**
- C. COMMUNICATIONS-Memo received from the Chief Counsel**
- D. PERSONNEL**
- E. UNFINISHED BUSINESS**

F. NEW BUSINESS

- 1. Adopt the Resolution ratifying the reinvestments, liquidations and purchases of securities with available cash, as described in the memo from the Investment Analyst dated January 21, 2010.**

- 2. Approve the negotiation and execution of the amendments and the agreement for the items listed in memos “a” through “c”:**
 - a. Amendment to our agreement with AAA East Central, for E-ZPass distribution in their branch offices; exercising our option to extend the agreement for an additional five (5) years, with an option for 2 five year renewals;**

 - b. Agreement with Enerwise Global Technologies for enrollment in their electricity curtailment services program;**

 - c. Amendment to our agreement with ACS State & Local Solutions Inc., for maintenance and support of the Findlay Connector Toll System; to extend the agreement for an additional two (2) year period, with a not-to-exceed amount of \$350,000.00 per year.**

- 3. Approve the Right-of-Way Requests for the items listed in memos “a” through “l”:**
 - a. Authorize the acquisition of Right-of-Way #17934, a total take parcel, necessary for construction of the Southern Beltway, by issuing a check in the amount of \$356,949.00, payable to Coon and Company, Escrow Agent; representing fair market value, prorated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;**

 - b. Authorize the acquisition of Right-of-Way #17901, a total take parcel, necessary for construction of the Southern Beltway, by issuing a check in the amount of \$180,643.56, payable to Coon and Company, Escrow Agent; representing fair market value, prorated taxes, recording fees and Section 710 damages; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;**

F. NEW BUSINESS

- c. Authorize the acquisition of Right-of-Way #17955, a total take parcel, necessary for construction of the Southern Beltway, by issuing a check in the amount of \$173,260.28, payable to Coon and Company, Escrow Agent; representing fair market value, prorated taxes, recording fees and Section 710 damages; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;**
- d. Authorize the acquisition of Right-of-Way #14137, a total take parcel, necessary for construction of the Southern Beltway, by issuing a check in the amount of \$285,236.31, payable to Coon and Company, Escrow Agent; representing fair market value, prorated taxes, recording fees and Section 710 damages; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;**
- e. Authorize the acquisition of Right-of-Way #17527, a total take parcel, necessary for construction of the Southern Beltway, by issuing a check in the amount of \$326,124.40, payable to Coon and Company, Escrow Agent; representing fair market value, prorated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;**
- f. Authorize the acquisition of Right-of-Way #17297, a total take parcel, necessary for construction of the Southern Beltway, by issuing a check in the amount of \$145,863.28, payable to Coon and Company, Escrow Agent; representing fair market value, prorated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owner is contingent upon her delivery of a deed prepared by the Legal Department;**

F. NEW BUSINESS

- g. Authorize the acquisition of Right-of-Way #14142, a total take parcel, necessary for construction of the Southern Beltway, by issuing a check in the amount of \$453,878.73, payable to Coon and Company, Escrow Agent; representing fair market value, prorated taxes, recording fees and Section 710 damages; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owner is contingent upon his delivery of a deed prepared by the Legal Department;**
- h. Adopt the proposed Property Acquisition Resolution for Right-of-Way #6441-A, a total take parcel, necessary for the total reconstruction project from MP A20.00 to MP A30.00; authorize payment of Estimated Just Compensation in the amount of \$280,000.00 payable to Stevens & Lee, P.C., Escrow Agent; and authorize payment of statutory damages and costs as calculated by the Legal Department and approved by the Chief Executive Officer;**
- i. Authorize the acquisition of Right-of-Way #3134-A, a partial take parcel, necessary for the total reconstruction project from MP 199.00 to MP 227.00, by issuing a check in the amount of \$3,958.50, payable to Darryl L. Souders; representing fair market value and prorated taxes; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owner is contingent upon his delivery of a deed prepared by the Legal Department;**
- j. Authorize the settlement of Right-of-Way #7159-A, a total take parcel, necessary for construction of the I-95 Interchange project, previously approved at the May 20, 2009 Commission Meeting (Item G-3e), by issuing a settlement check in the amount of \$50,000.00, payable to Buckley, Brion, McGuire, Morris & Sommer, LLP, Escrow Agent; authorize the appropriate Commission officials to execute the Settlement and Release Agreement, and payment of the settlement fund to the property owners is contingent upon their execution of the full and final Settlement and Release Agreement as approved by the Legal Department;**
- k. Authorize the acquisition of Right-of-Way #17666, a total take parcel, necessary for construction of the Southern Beltway, by issuing a check in the amount of \$348,241.94, payable to Coon and Company, Escrow Agent; representing fair market value, prorated taxes, recording fees and Section 710 damages; authorize the appropriate**

F. NEW BUSINESS

Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owners is contingent upon their delivery of a deed prepared by the Legal Department;

- I. Authorize the acquisition of Right-of-Way #17925, a total take parcel, necessary for construction of the Southern Beltway, by issuing a check in the amount of \$50,331.78, payable to Coon and Company, Escrow Agent; representing fair market value, prorated taxes and recording fees; authorize the appropriate Commission officials to execute the agreement of sale, authorize the payment of additional statutory damages as calculated by the Legal Department and approved by the Chief Executive Officer, and payment of the fair market value to the property owners is contingent upon their delivery of a deed prepared by the Legal Department.**
- 4. Approve the Award of Contracts for the items listed in memos “a” through “c”:**
 - a. Contract #EN-00088-03-05, for roadway and miscellaneous repairs between MP 0.00 and MP 75.39, Turnpike 60, 66 and 43, to the lowest responsive and responsible bidder, Lindy Paving, Inc., at a total award of \$750,000.00;**
 - b. Contract #EN-00088-03-06, for roadway and miscellaneous repairs between MP 179.44 and MP 241.87, to the lowest responsive and responsible bidder, Valley Quarries, Inc., at a total award of \$1,000,000.00;**
 - c. Contract #EN-00088-03-07, for roadway and miscellaneous repairs between MP 298.33 and MP 358.11, to the lowest responsive and responsible bidder, Glasgow, Inc., at a total award of \$2,500,000.00.**
 - 5. Approve the Award of Bids, a Change Order and the Issuance of Purchase Orders for the items listed in memos “a” through “e”:**
 - a. HP blade servers for the data center upgrade project, utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a total award of \$227,324.00;**
 - b. Stop Loss Insurance, exercising our option to renew for an additional year, with Buckingham Insurance Services, Inc.; at an award of \$450,000.00;**

F. NEW BUSINESS

- c. **Eight (8) Falcon asphalt hot patchers, utilizing the Commonwealth's contract with Falcon Road Maintenance Equipment; at a total award of \$128,475.00;**
- d. **Change Order #2 with PPC Lubricants for motor oil/lubricant, to fund the remaining nine (9) months of the contract, for an increase of \$91,000.00, increasing the total to \$311,000.00;**
- e. **E-ZPass equipment (FPT interior and exterior tags), to Mark IV IVHS, Inc., of Ontario, Canada, the vendor selected by the Interagency Group (IAG), for a total award of \$2,006,770.00. This pricing reflects the seven-year pricing structure agreed upon with Mark IV, IVHS, Inc.**

ITEMS ADDED TO THE FORMAL AGENDA

FINAL SELECTION

- F-6 Approve the consultant selection recommendation from the Technical Review Committee and authorize the negotiation and execution of a contract with the first firm listed for retention of an engineering or construction management firm for an open-end contract basis to provide construction inspection services systemwide; at a not-to-exceed amount of \$850,000.00 or two (2) years whichever occurs first:**

Reference #3-207

The Temple Group, Inc.

Construction Methods and Coordination, Inc.

Solar Testing of PA, LLC

KCI Technologies, Inc.

SUPPLEMENTS

- F-7 Approve the preparation and execution of the Supplemental Agreements as listed in memos "a" through "e":**
- a. **Supplemental Agreement #1 with Century Engineer, Inc., for open-end design services for the I-80 toll Conversion and Capital Plan projects, for an increase of \$3,000,000.00; increasing the not-to-exceed amount from \$1,000,000.00 to \$4,000,000.00;**
 - b. **Supplemental Agreement #1 with Clough Harbour & Associates, LLP, for open-end design services for the I-80 toll Conversion and Capital Plan projects, for an increase of \$3,000,000.00; increasing the not-to-exceed amount from \$1,000,000.00 to \$4,000,000.00;**

F. NEW BUSINESS

- c. Supplemental Agreement #1 with MS Consultants, for open-end design services for the I-80 toll Conversion and Capital Plan projects, for an increase of \$3,000,000.00; increasing the not-to-exceed amount from \$1,000,000.00 to \$4,000,000.00;**
- d. Supplemental Agreement #1 with PB Americas, Inc., for open-end design services for the I-80 toll Conversion and Capital Plan projects, for an increase of \$3,000,000.00; increasing the not-to-exceed amount from \$1,000,000.00 to \$4,000,000.00;**
- e. Supplemental Agreement #2 with QBS International, Inc., for the replacement of Bridge No. NB-391 at MP A68.53, for an increase of \$300,000.00; increasing the not-to-exceed amount from \$2,600,000.00 to \$2,900,000.00.**

CHANGE ORDER AND FINAL PAYMENT

- F-8 Approve Change Order #1 and Final Payment for Contract #07-020-RCNW with Road-Con, Inc. for roadway and miscellaneous repairs between MP 241.87 and MP 298.33; for a decrease of \$676,056.48, making the final contract value \$323,943.52, and the final amount due of \$17,265.93.**

AGREEMENT

- F-9 Approve the preparation and execution of agreements with NW Financial Group, LLC and Phoenix Capital Partners, L.P., for financial advisory services.**