

PENNSYLVANIA TURNPIKE COMMISSION

Highspire, Pennsylvania

FORMAL MEETING

April 6, 2010

10:00 A.M.

AGENDA

- A. ROLL CALL
SUNSHINE ANNOUNCEMENT**
- B. MINUTES-March 16, 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 Assistant Chief Financial Officer dated March 26, 2010.**
- 2. Approve the negotiation and execution of the Agreements, Work Orders and an Amendment for the items listed in memos “a” through “d”:**
 - a. Reimbursement Agreement with Norfolk Southern Railroad to reimburse Norfolk Southern the costs associated with the replacement of Bridge NB-327 at MP A51.36; at a not-to-exceed amount of \$250,000.00;**
 - b. Work Order #19 with TransCore for the equipment and project management for the replacement of all AMM Receipt Printers at all tolling locations on the Mon/Fayette Expressway; at a not-to-exceed amount of \$129,575.00;**
 - c. Amendment to Work Order #7 with TransCore for labor, equipment and project management to provide MPT, raised pavement markers and line striping for the Express Lanes at M52 on the Mon/Fayette Expressway; for an additional \$69,915.00, increasing the not-to-exceed amount to \$6,482,869.00;**
 - d. Settlement Agreement with Commonwealth Strategic Solutions, Inc. (CSC) for communications consulting and/or strategic planning services; and the issuance of a check, payable to CSC, in the amount of \$52,500.00.**
- 3. Approve the Right-of-Way Requests for the items listed in memos “a” through “d”:**
 - a. Authorize the acquisition of Right-of-Way #6497-A, a partial take parcel, necessary for the total reconstruction project from MP A30.91 to A31.13, by issuing payment in the amount of \$537,500.00, payable to City Line Abstract 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;**
 - b. Authorize the acquisition of Right-of-Way #14123, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$269,250.35, payable to Urban Settlement**

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Company, Escrow Agent; representing fair market value, prorated taxes, recording fees, housing supplement and closing costs; 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;

- c. Authorize the acquisition of Right-of-Way #17917, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$261,293.99, payable to Urban Settlement 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;**
- d. Authorize the acquisition of Right-of-Way #17967, a total take parcel, necessary for construction of the Southern Beltway, by issuing payment in the amount of \$261,044.19, payable to Urban Settlement 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 advertising for the items listed in memos “a” through ‘c”:

- a. Engineering or construction management firm to perform open-end construction inspection services between MP 247.00 and MP 358.00 and the Northeast Extension;**
- b. Construction contracts for the Uniontown to Brownsville Maintenance Facility, MP M18.00:**

<u>Contract Number</u>	
M-015.30X001-3-02	General Construction
M-015.30X001-3-03	Plumbing work
M-015.30X001-3-04	Electrical work
M-015.30X001-3-05	HVAC work

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- c. Engineering firm or corporation to serve as the Commission’s consulting engineering firm to perform the services described in the Amended and Restated Trust Indenture and other services as requested by the Chief Engineer.**

- 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. Twenty (20) trailer mounted message boards; utilizing the Commonwealth’s contract with Trafcon Industries, Inc.; at a total award of \$294,180.00;**
 - b. Mobile sweeper rental, to the lowest responsive and responsible bidder, Jack Doheny Rentals, Inc.; at a total award of \$110,000.00;**
 - c. Change Order for contract 44-2102 with TSB Inc. d/b/a Schultheis Electric for Mon/Fayette highway lighting, for an increase of \$60,000.00, increasing the not-to-exceed amount from \$60,000.00 to \$120,000.00; and exercising the option to renew the agreement for an additional year;**
 - d. Joint sealant kettles, utilizing the Commonwealth’s contract with Crafcoc Inc.; at a not-to-exceed amount of \$331,899.60;**
 - 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 \$1,650,620.00. This pricing reflects the seven-year pricing structure agreed upon with Mark IV, IVHS, Inc.**

- 6. Approve the Award of Contract #T-273.97S001-3-03 for the rehabilitation for six bridges from MP 279.31 to MP 292.17, to the lowest responsive and responsible bidder, Kinsley Construction, Inc., at a total award of \$764,546.00; with a contingency amount of \$75,000.00.**

- 7. Approve the recommendations from the Procurement Technical Review Committee and authorize the negotiation and execution of contracts for the items listed in memos “a” and “b”:**

 - a. Authorized Service Provider to provide service from MP 312.10 to MP 333.20, to EVB Towing;**
 - b. Insurance consulting services to North American Insurance Management Corporation.**

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8. **Approve the issuance of payments for the items listed in memos “a” and “b”:**
 - a. **Reimbursement to Hempfield Township in the amount of \$1,245.00 for engineering review costs for the New Stanton Service Plaza auxiliary truck parking facility;**
 - b. **IAG Special Assessment fee in the amount of \$55,000.00 to the E-ZPass IAG for Validation Testing of the electronic toll collection system.**

ITEMS ADDED TO THE FORMAL AGENDA

CHANGE ORDER

- F-9 Approve Change Order #2 for Contract #A-075.72S001-3-02 with Road-Con, Inc., for rehabilitation of Bridge NB-528 at MP 75.72, for a decrease of \$82,589.39; decreasing the not-to-exceed amount from \$1,935,216.56 to \$1,852,627.17.**

CHANGE ORDER AND FINAL PAYMENT

- F-10 Approve Change Order #4 and Final Payment for Contract #A-089.00R003-3-02 with Locust Ridge Contractors for bituminous resurfacing from MP A88.66 to MP A95.17, for a decrease of \$13,329.72, making the final contract value \$5,248,365.81, and the final amount due of \$101,704.19.**

POLICY LETTERS

- F-11 Approve the revision to one policy letter and the approval of a new policy letter as noted in memos “a” and “b”:**
- a. **Revise Policy Letter 5.3, Facility Security Policy, to establish controls to limit access at Commission facilities to authorized individuals;**
 - b. **Adopt Policy Letter 8.10, Security Camera Policy, to regulate the use of security cameras in accordance with all applicable federal and state statues.**

RESOLUTIONS

- F-12 APPROVE AMENDING AND RESTATING THE RESOLUTION OF MARCH 16, 2010, AUTHORIZING THE APPROVAL OF THE ISSUANCE OF THE PENNSYLVANIA TURNPIKE COMMISSION’S FIXED RATE, VARIABLE RATE AND/OR MULTI-MODAL RATE TURNPIKE REVENUE BONDS IN ONE OR MORE SERIES OR SUBSERIES, TAXABLE OR TAX-EXEMPT, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$275,000,000 (NET OF ORIGINAL ISSUE DISCOUNT), TO REFUND ALL OR A PORTION OF THE**

F. NEW BUSINESS

PENNSYLVANIA TURNPIKE COMMISSION'S TURNPIKE MULTI-MODAL REVENUE REFUNDING BONDS, SERIES A-1, A-2 OR A-3 OF 2008, CURRENTLY OUTSTANDING IN THE AGGREGATE PRINCIPAL AMOUNT OF \$208,615,000 (COLLECTIVELY THE "SERIES 2008 BONDS"); AUTHORIZING THE EXECUTION, DELIVERY AND DISTRIBUTION OF THE FOLLOWING: (1) ONE OR MORE SUPPLEMENTAL TRUST INDENTURES TO THE RESTATED INDENTURE (HEREINAFTER DEFINED); (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 PRIVATE PLACEMENT AGREEMENTS; (5) ONE OR MORE CREDIT FACILITIES (AND RELATED AGREEMENTS); (6) ONE OR MORE REMARKETING AGREEMENTS; (7) ONE OR MORE INTEREST RATE SWAPS OR OTHER DERIVATIVES, OR AMENDMENTS TO OR TERMINATIONS OF EXISTING INTEREST RATE SWAPS; (8) ONE OR MORE CONTINUING DISCLOSURE AGREEMENTS; AND (9) ANY OTHER NECESSARY OR APPROPRIATE DOCUMENTS OR CERTIFICATES; AUTHORIZING APPOINTMENT OF BOND COUNSEL AND ONE OR MORE UNDERWRITERS, FINANCIAL ADVISORS AND OTHER PROFESSIONALS; AUTHORIZING CERTAIN INTERIM LOANS; AUTHORIZING THE TAKING OF FURTHER ACTION; AUTHORIZING THE REMOVAL OF AND APPOINTMENT OF REMARKETING AGENTS FOR THE SERIES OF 2008 BONDS NOT BEING REFUNDED (IF ANY) AND THE EXECUTION OF APPROPRIATE DOCUMENTS IN CONNECTION THEREWITH; AUTHORIZING THE EXECUTION OF NEW STANDBY BOND PURCHASE AGREEMENTS OR AMENDMENTS OR SUPPLEMENTS TO EXISTING STANDBY BOND PURCHASE AGREEMENTS WITH REGARD TO THE SERIES OF 2008 BONDS PRIOR TO THE REFUNDING THEREOF OR WITH REGARD TO ANY SERIES OF 2008 BONDS NOT BEING REFUNDED (IF ANY); RATIFYING PRIOR ACTIONS; REPEALING INCONSISTENT RESOLUTIONS; AND DECLARING THAT THIS RESOLUTION SHALL BE LIBERALLY CONSTRUED.

RESOLUTION

F-13 APPROVE THE RESOLUTION AUTHORIZING INTEREST RATE HEDGING TRANSACTIONS OR AMENDMENTS (INCLUDING FULL OR PARTIAL TERMINATIONS) TO ONE OR MORE OF THE EXISTING CONSTANT MATURITY SWAPS AND THE EXECUTION AND DELIVERY AND/OR AMENDMENT OF RELATED DOCUMENTATION.