

**PENNSYLVANIA TURNPIKE COMMISSION**

**HIGHSPIRE, PENNSYLVANIA**

**FORMAL MEETING**

**OCTOBER 5, 2021**

**11:00 A.M.**

**AGENDA**

- A. Roll Call**
  - Sunshine Announcement**
  - Public Participation**
  - Election of Secretary Treasurer**
  
- B. Minutes-September 21, 2021**
  
- C. Communication-Memo received from the Chief Counsel**
  
- D. Personnel**
  
- E. Unfinished Business**

F. NEW BUSINESS

1. **Approve the Bond Resolution for the items listed in memos “a” through “c”:**
  - a. **Approve the issuance of the Pennsylvania Turnpike Commission’s variable and/or fixed rate Turnpike Revenue Bonds in an aggregate principal amount not to exceed \$500,000,000 in one or more series or sub-series, taxable or tax-exempt, for the purpose of financing (1) 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 (2) the refunding of all or a portion of certain outstanding fixed rate and/or variable rate Turnpike Revenue bonds designated by the Commission, including the modification and/or termination of related swap agreements; and (3) the funding of necessary reserves; 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; (3) one or more official statements or private placement memoranda; (4) one or more purchase contracts or private placement 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 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 direct placement agreements and escrow deposit agreements; (10) 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 2 inconsistent resolutions; and declaring that this resolution shall be liberally construed;**
  - b. **Approve the appointment of co-bond counsel (Eckert Seamans Cherin & Mellott, LLC and Zarwin Baum DeVito Kaplan Schaer Toddy, P.C.) and disclosure counsel (Virtus, LLP), the appointment of certain advisors, 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 variable rate and fixed rate Turnpike Revenue bonds approved by Resolution of the Pennsylvania Turnpike Commission adopted October 5, 2021 (the “bond resolution”), which Resolution provided for the issuance from time to time of senior indenture Turnpike Revenue bonds in an aggregate principal amount not to exceed \$500,000,000 to finance, among other things, the costs of various capital expenditures for the Pennsylvania Turnpike system;**
  - c. **Approve the appointment of one or more underwriters (RBC Capital Markets, LLC, Inc.; Huntington Securities, Inc., Stifel, Nicolaus & Co., Inc/Backstrom McCarley Berry & Co., LLC.; Bancroft Capital, LLC; San Blas Securities; and Stern Brothers) 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 variable rate and fixed rate Turnpike Revenue bonds approved by Resolution of the Pennsylvania Turnpike Commission adopted October 5, 2021, which**

F. NEW BUSINESS

resolution provided for the issuance from time to time of senior indenture Turnpike Revenue bonds in an aggregate principal amount not to exceed \$500,000,000 to finance, among other things, the costs of various capital expenditures for the Pennsylvania Turnpike system and the refunding of outstanding turnpike revenue bonds.

2. Approve the negotiation and execution of the Agreements and Amendments for the items listed in memos "a" through "d":
  - a. Ownership Agreement with the Borough of McDonald (Borough), for the Commission to install a pipe necessary for the SR 980 drainage improvement project; the Borough will own and maintain the pipe;
  - b. Amendment to our agreements with the Programmatic Mitigation Supply Sponsors Pool, to exercise the option to renew the agreements for an additional two (2) years;
  - c. Amendment to our agreement with Redflex Traffic Systems, Inc. for the Statewide Automated Work Zone Speed Enforcement (AWZSE) program, to adjust the price structure from a per deployment cost to a monthly program fee with a reduced per deployment cost;
  - d. Amendment to our Mitigation Supply Agreement with First Pennsylvania Resource, LLC for stream mitigation credits for the Southern Beltway, US 22 to I-79, to supply additional wetland mitigation credits required to satisfy the USACE/PADEP permit conditions; at a revised not-to-exceed amount of \$98,000.00.
3. Approve a temporary construction easement with 1101 Northern Blvd LLC (1101 LLC) for 1101 LLC to repair a slope collapse and encroachment, re-establish the Commission's Right-of-Way line and repair/replace the right-of-way fence at MP A129.60 as approved by the Engineering and Property Management Departments; and approve the necessary agreements as prepared by the Legal Department.
4. Approve advertising for an Authorized Service Provider for coverage from MP 266.50 to MP 292.50.
5. Approve the Award of Bids, a Change Order and Issue Purchase Orders for the items listed in memos "a" through "e":
  - a. Microwave tower switch replacement, utilizing the Commonwealth's contract with ePlus Technology, Inc.; at a cost of \$183,923.59;

F. NEW BUSINESS

- b. VPN access point hardware and maintenance with ePlus Technology, Inc. (in accordance with the Commonwealth contract), to extend Meraki WiFi services to secure connection without using VPN software on laptops (through April 2024); at a cost of \$79,854.00;
- c. Stertil-Koni heavy duty flush mounted skylift, utilizing the Commonwealth’s contract with Stertil-Koni USA, Inc.; at a cost of \$165,077.00;

d. Aggregate contracts, to the lowest responsive and responsible bidders:

Hanson Aggregates PA, LLC	\$95,000.00	Gibs, Sear, Gree, Harc, Jeff, Sbwy
Lindy Paving	28,000.00	Home, Gibs
New Enterprise Stone/Lime	208,000.00	Gib, Gree, Harc, Dngl, Smst, Kegg, Evert, Brnt, Newv, Ncmb, Mtgt, Bowm., Dvlt, Qtwn, Slat, Pocn, Wyom
Silver Hill Quarry	10,000.00	Bowm
Douglassville Quarry	10,000.00	Dvlt, Plym
Highway Materials	10,000.00	Plym, Qtwn
Plumstead Materials	5,000.00	Trev
Martin Limestone	5,000.00	Qtwn
Locust Ridge Quarry	5,000.00	Pocn
Contingency	<u>74,000.00</u>	
<b>TOTAL AWARD &amp; CONTINGENCY</b>	<b>\$450,000.00</b>	

- e. Anti-skid materials, to the lowest responsive and responsible bidder, New Enterprise Stone & Lime Co., Inc.; at a total award of \$144,912.50.

6. Approve the Award of Contracts for the items listed in memos “a” through “d”:

- a. Contract #T-316.89F001-3-04 for electrical work at the Devault Maintenance Facility, to the lowest responsive and responsible bidder, Boro Developers, Inc. d/b/a Boro Construction; at a not-to-exceed amount of \$4,046,000.00 and a contingency of \$200,000.00;
- b. Contract #T-316.89F001-3-05 for HVAC work at the Devault Maintenance Facility, to the lowest responsive and responsible bidder, Boro Developers, Inc. d/b/a Boro Construction; at a not-to-exceed amount of \$1,995,000.00 and a contingency of \$95,000.00;
- c. Contract #T-316.89F001-3-03 for plumbing work at the Devault Maintenance Facility, to the lowest responsive and responsible bidder, Guy M. Cooper, Inc.; at a not-to-exceed amount of \$2,075,000.00 and a contingency of \$100,000.00;
- d. Contract #T-316.89F001-3-02 for general construction work at the Devault Maintenance Facility, to the lowest responsive and responsible bidder, Lobar, Inc.; at a not-to-exceed amount of \$26,080,000.00 and a contingency of \$1,000,000.00.

F. NEW BUSINESS

7. Approve the Revisions, Change Orders and Final Payment for the items listed in memos “a” through “e”:
  - a. Change Order #3 and Final Payment for Contract #EN-00115-03-13 for installation of signs between MP 90.40 and MP 188.70 with Penn Line Service, Inc., for a decrease of \$16,022.00 to reflect normal quantity adjustments to balance the contract items to the actual work completed; for a final contract value of \$267,763.78 and final amount due to the contractor of \$27,612.54;
  - b. Revision to the final contract value for Contract #T-010.00M001-3-03 for installation of pre-entry Intelligent Transportation Systems (ITS) between MP 13.00 and MP 201.00 with Bruce & Merrilees Electric Co., to reflect a final contract value of \$1,169,725.90;
  - c. Revision to the final contract value for Contract #T-053.00T001-3-03 for replacement of Bridge WB-454 and MP 53.66 with Mosites Construction Co., to reflect a final contract value of \$7,296,115.01 and final amount due to the contractor of \$10,000.00;
  - d. Change Order #3 for Contract #T-053.00T001-3-04 for replacement of bridge WB-456 at MP 54.95 with Plum Contracting, Inc. for a decrease of \$97,076.72 to balance the contract items to the actual work completed, bearing piles, pile tip reinforcement, predrilling and pile redesign at Abutment 2, and a 194-day time extension; for a revised-not-to-exceed amount of \$11,209,411.34;
  - e. Change Order #6 for Contract #S-006.00X002-3-13 for installation of signs from MP S00.00 to MP S19.53 with Power Contracting Company for an increase of \$322,831.67 for normal quantity adjustments and pavement markings, for a revised-not-to exceed amount of \$13,117,059.52.
  
8. Approve the negotiation and execution of Supplemental Agreements for items listed in memos “a” through “c”:
  - a. Supplemental Agreement #4 with JMT, Inc. for design of the total reconstruction and widening project from MP 126.00 to MP 134.00, for an additional \$2,500,000.00 to complete the final design, update the contract to current standards, revise the MPT scheme for safety purposes, prepare for tree removal in advance of the mainline contract and update the basins to current criteria; for a revised not-to-exceed amount of \$29,000,000.00;
  - b. Supplemental Agreement #1 with WSP USA, Inc. for design of the total reconstruction project from MP 302.00 to MP 308.00, for an additional \$9,500,000.00 to complete the final design for this six-mile reconstruction project; for a revised not-to-exceed amount of \$21,500,000.00;

F. NEW BUSINESS

- c. **Supplemental Agreement #6 with Urban Engineers, Inc. for the total reconstruction projects from MP 312.00 to MP 319.00 and MP 320.00 to MP 326.00 for an additional \$5,000,000.00, the MP 320.00 to MP 326.00 total reconstruction project has been split into two phases and the MP 312.00 to MP 319.00 project requires more effort for permitting and design; for a revised not-to-exceed amount of \$35,000,000.00.**
- 
9. **Approve the award of services and authorize the negotiation and execution of an agreement with the selected firm for RFP 6034, pre-employment background screening services:**
    - **Hire Image, LLC-AWARDED**