AGENDA

A. ROLL CALL
   SUNSHINE ANNOUNCEMENT

B. MINUTES-December 16, 2009

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 December 24, 2009.

2. Approve the negotiation and execution of an Assignment Agreement with National City Bank to assign our active contracts to PNC Bank, N.A.; National City Bank merged with PNC on November 6, 2009.

3. Approve the Right-of-Way Requests for the items listed in memos “a” through “h”:
   a. Authorize the acquisition of Right-of-Way #3175-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 $507.50, representing fair market value and pro-rated taxes, payable to Verna H. Shultz; 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 execution of a deed prepared by the Legal Department;

   b. Authorize the acquisition of Right-of-Way #3167-B, 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 $1,821.00, representing fair market value and pro-rated taxes, payable to Douglas B. & Staci B. Lehman, and David D. & Wendy J. Lehman; 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 execution of a deed prepared by the Legal Department;

   c. Authorize the acquisition of Right-of-Way #3169-B, 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 $9,033.50, representing fair market value and pro-rated taxes, payable to The Rachel Nickey Morgenthaler Residuary Trust; 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
F. NEW BUSINESS

contingent upon the delivery of a deed prepared by the Legal Department;

d. Authorize the acquisition of Right-of-Way #1031-R15, a partial take parcel, necessary for the Somerset Interchange Five Legged Intersection project, by issuing a check in the amount of $42,135.00, representing fair market value, pro-rated taxes and recording fees; payable to Nathan J. Zarichnak & Associates, Escrow Agent; 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 the delivery of a deed prepared by the Legal Department;

e. Authorize the acquisition of Right-of-Way #6465-RF, a partial take parcel, necessary for the total reconstruction project from MP A20.00 to A30.00, by issuing a check in the amount of $9,642.50, representing fair market value and pro-rated taxes, payable to PECO Energy Company; 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 the execution of a deed prepared by the Legal Department;

f. Authorize the acquisition of Parcel #99A, 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 $8,120.00, representing fair market value and pro-rated taxes, payable to the City Line Abstract Company, Escrow Agent; 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. Also approve the transfer of the property to the PA Game Commission by authorizing the appropriate Commission officials to execute a deed prepared by the Legal Department;

g. Authorize the acquisition of Parcel #27, a total take parcel, necessary for the bridge replacement project at MP 13.21, by issuing a check in the amount of $93,300.00, representing fair market value, pro-rated taxes, recording fees and down payment assistance; payable to Nathan J. Zarichnak and Associates, Escrow Agent; authorize the appropriate Commission officials to execute the Agreement of Sale;
F. NEW BUSINESS

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;

h. Authorize the acquisition of Right-of-Way #17905, a total take parcel, necessary for construction of the Southern Beltway, by issuing a check in the amount of $247,181.26, representing fair market value, pro-rated taxes and recording fees; payable to Coon and Company, Escrow Agent; 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.

4. Approve the issuance of an RFP to secure a vendor to provide Employee Assistance Program (EAP) services.

5. Approve the Award of Bids and the Issuance of Purchase Orders for the items listed in memos “a” through “c”:

a. Microwave backbone upgrade (phase one), utilizing the Commonwealth’s contract with Alcatel-Lucent USA Inc.; at a total award of $1,750,412.00;

b. Heating fuel, to the lowest responsive and responsible bidder, Naughton Energy; at a total award of $356,500.00;

c. Network equipment for the TIP Building Data Center, utilizing the Commonwealth’s contract with ePlus Technology, Inc.; at a total award of $993,855.55.

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

a. Contract #A-125.00R001-3-02, for bituminous overlay between MP A125.10 and MP A130.61, to the lowest responsive and responsible bidder, Locust Ridge Contracts, at a total award of $5,442,235.66; with a contingency amount of $250,000.00;
F. NEW BUSINESS

b. Contract #EN-00028-03-02, for access ramp construction at MP 346.07EB and MP 346.59WB, to the lowest responsive and responsible bidder, Glasgow, Inc., at a total award of $487,915.42; with a contingency amount of $30,000.00;

c. Contract #T-057.00R001-3-02, for bituminous overlay between MP 56.37 and MP 67.49, to the lowest responsive and responsible bidder, The Lane Construction Corporation, at a total award of $9,636,779.25, with a contingency amount of $600,000.00.

7. Approve the write off of $33,680.91 for Property Damage Claim #DC-310.

8. Authorize payment for the invoices listed in memos “a” through “c”:

a. 2009 Notice of Assessment for the Worker’s Compensation Administration Fund invoice, in the amount of $58,332.00 to the Department of Labor & Industry;

b. Assessment from the Joint Defense Group for the Lightman Drum Superfund case, in the amount of $2,000.00, payable to Drinker Biddle & Reath, LDC Site Participation Fund Account;

c. Payment in the amount of $2,500.00 to the National Fish and Wildlife Foundation, for mitigating the B-409 bridge replacement project’s impact on the wetlands.

DEFERRED

9. Approve the Resolution authorizing reimbursement of the Mainline General Reserve Fund for the estimated costs of $300,000,000.00 associated with the preliminary expenditures relating to the tolling of I-80 in accordance with Act 44.

Items Added to the Formal Agenda

REVISION TO PURCHASING MANUAL
F-10 Approve the following revisions to the Purchasing Policies and Procedures Manual:

- Add requirement to include Women Business Enterprises (WBE) and Minority Business Enterprises (MBE) in bid solicitations;
- Increase monetary thresholds for bid requirements to more closely resemble monetary thresholds for bid requirements utilized by Commonwealth Agencies;
- Allow for the electronic submission of purchase orders to vendors.