

**PENNSYLVANIA TURNPIKE COMMISSION**

**HIGHSPIRE, PENNSYLVANIA**

**FORMAL TELEPHONE MEETING**

**JANUARY 19, 2021**

**10:00 A.M.**

**AGENDA**

- A. Roll Call**
  - Sunshine Announcement**
  - Public Participation**
  
- B. Minutes- January 5, 2021**
  
- C. Communications-**
  - Memo received from the Chief Counsel**
  - Memo received from the Asst. CFO-Financial Administration**
  
- D. Personnel**
  
- E. Unfinished Business**

F. NEW BUSINESS

- 1. Approve authorizing the execution and delivery, from time to time, of one or more agreements and instruments to provide for the amendment, termination, extension, restructuring or novation of the Commission's then existing financial documents (as defined herein) (including, without limitation, International Swaps and Derivatives Association (ISDA) protocol agreements, bi-lateral agreements and other similar agreements and instruments) in order to manage risks and address financial and other considerations with respect to the Commission's swap and/or investment transactions (including, without limitation, considerations arising from the cessation, other unavailability, modification or earlier financial market departure from use, of one or more of the various tenors of the London Inter-Bank Offered rate (LIBOR) or other financial market interest rate indices); authorizing and approving any related formal or deemed amendments or terminations of financial documents or other swap and/or investment transactions, including, without limitation, the entering into of new transactions and those that may result from the Commission executing and delivering transition/restructuring documents (as defined herein); authorizing certain payments in connection with the foregoing; authorizing the solicitation of proposals and negotiations in connection with the foregoing; authorizing the execution and delivery, from time to time, of one or more supplemental indentures to the Commission's bond indentures necessary or convenient in connection with the Commission's entering into any transition/restructuring document; authorizing other documents and the taking of further action; ratifying prior actions taken in furtherance of the purposes of this Resolution; declaring that this Resolution shall be liberally construed; and repealing inconsistent Resolutions.**
  
- 2. Approve the negotiation and execution of the Agreements for the items listed in memos "a" and "b":**

  - a. Settlement Agreement and Release with Dale Cooper; and authorize issuance of the workers' compensation settlement payment;**
  - b. Settlement Agreement and Release with Alexander Lugin; and authorize issuance of the workers' compensation settlement payment.**
  
- 3. Approve the Right-of-Way Requests for the items listed in memos "a" through "e":**

  - a. Acquisition of Right-of-Way #7227-A (Thomas W. & Janet J. Bonekemper), a partial take parcel necessary for the total reconstruction from MP A38.00 to MP A44.00 by authorizing payment of \$18,980.50 representing fair market value and pro-rated taxes to Thomas W. and Janet J. Bonekemper; authorize the appropriate Commission officials to execute the Agreement of Sale and other documents that may be required for closing; authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel; and payment of the fair market value to the property owners is contingent upon the delivery of a deed as prepared by the Legal Department;**

F. NEW BUSINESS

- b. Acquisition of Right-of-Way #14S347 (Westwood & Associates, LLC), a partial take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$964,733.11 representing fair market value, pro-rated taxes and recording fees to Universal Settlement Services of PA, LLC, escrow agent; 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 as prepared by the Legal Department;
  - c. Acquisition of Right-of-Way #17632 (Gregory M. and Christina Chamberlin), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 22 to I-79, by authorizing payment of \$191,573.13 representing fair market value, pro-rated taxes and recording fees to Tri-State Paralegal Service, LLC, escrow agent; 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 as prepared by the Legal Department;
  - d. Settlement of Right-of-Way #14S645 (Donald A. Kapolka and Dean C. Kapolka), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$161,146.35 representing settlement funds, pro-rated taxes and recording fees to Tri-State Paralegal Service, LLC, escrow agent; and payment of the settlement funds to the property owners is contingent upon the delivery of a deed as prepared by the Legal Department;
  - e. Settlement of Right-of-Ways #6424-A, 6425-A, & 6433-A (Whitpain Township), total take parcels necessary for the total reconstruction project from MP A20.00 to MP A30.00; the Commission will transfer fee simple title to the Township for the former Fallon property (Edmond J. Fallon, Jr and Lisa Stroup); authorize the appropriate Commission officials to execute the Settlement Agreement and other required documents as approved by the Legal Department; authorize payment of the settlement amount of \$100,000.00 to Whitpain Township; and payment of settlement funds and transfer of the former Fallon property are contingent upon the delivery of a deed as prepared by the Legal Department.
4. Approve advertising for the items listed in memos "a" through "d":
- a. Contract #T-123.00R002-3-02 for asphalt resurfacing between MP 121.84 and MP 131.50;
  - b. Contract #A-051.30R001-3-02 for asphalt resurfacing between MP A51.37 and MP A54.50;
  - c. Construction inspection services (open-end) from MP 200.00 to the Delaware River Bridge and on the Northeast Extension;

F. NEW BUSINESS

- d. Design services (open-end) systemwide.
5. Approve the Issuance of a Purchase Order for ServiceNow subscription (January 2021 – January 2022), exercising the option to renew the agreement with CDW Government LLC/CDW LLC; at a cost of \$472,270.19.
  6. Approve the Award of Contract #T-250.09S001-3-02 for the replacement of Bridge EB-311 at MP 250.09, to the lowest responsive and responsible bidder, Susquehanna Valley Construction Corporation; at a not-to-exceed amount of \$4,791,485.00 and a contingency of \$200,000.00.
  7. Approve the Change Orders and Final Payments for the items listed in memos “a” through “c”:
    - a. Change Order #3 and Final Payment for Contract #EN-00231-03-04 for bridge repairs between MP 236.22 and MP 358.11 with J.P.S. Construction Co., Inc., for a decrease of \$516,133.11 to reflect the actual cost of the completed work authorizations; for a final contract value of \$1,733,866.89 and final amount due to the contractor of \$86,693.34;
    - b. Change Order #1 and Final Payment for Contract #EN-00231-03-03 for bridge repairs between MP 109.91 and MP 236.22 with J.P.S. Construction Co., Inc., for a decrease of \$406,850.08 to reflect the actual cost of the completed work authorizations; for a final contract value of \$1,093,149.92 and final amount due to the contractor of \$58,315.58;
    - c. Change Order #2 and Final Payment for Contract #EN-00233-03-02 for roadway and miscellaneous repairs on Toll I-376, Turnpike 43, Turnpike 576 and Turnpike 66 with Gulisek Construction, LLC, for a decrease of \$1,180,267.29 to reflect the actual cost of the completed work authorizations; for a final contract value of \$3,819,732.71 and final amount due to the contractor of \$190,986.64.
  8. Approve payment of the E-ZPass Interagency Group’s (IAG) invoice for expenses incurred in supporting the backup Virtual Private Network (VPN), from January – October 2020, in the amount of \$6,209.10.
  9. Approve the award of services and authorize the negotiation and execution of an agreement with the selected firm for T00163, in-depth inspection of the Allegheny, Tuscarora, Kittatinny, Blue Mountain and Lehigh Tunnel:
    - Gannett Fleming-AWARDED
    - Modjeski and Masters, LLC