

PENNSYLVANIA TURNPIKE COMMISSION

HIGHSPIRE, PENNSYLVANIA

FORMAL TELEPHONE MEETING

JUNE 4, 2019

10:00 A.M.

AGENDA

- A. Roll Call**
 - Sunshine Announcement**
 - Public Participation**

- B. Minutes-May 20, 2019**

- C. Communications-Memo received from the Chief Counsel**

- D. Personnel**

- E. Unfinished Business**

F. NEW BUSINESS

1. **Approve the negotiation and execution of Supplemental Agreement #1 for construction management/construction inspection (CM/CI) services for the Tuscarora Tunnel rehabilitation with Johnson, Mirmiran & Thompson, Inc. (JMT), for an increase of \$5,900,000.00 to complete all CM/CI services; for a revised not-to-exceed amount of \$12,400,000.00.**

2. **Approve the negotiation and execution of the Agreements, an MOU and an Amendment for the items listed in memos “a” through “d”:**
 - a. **Four (4) agreements for fabricated structural steel inspections systemwide for calendar years 2020 – 2024, with the same selected consultants negotiated by PennDOT; for a total combined not-to-exceed amount of \$7,000,000.00;**
 - b. **Amendment to our agreement with Nelson & Campbell, LLC for E-ZPass distribution, exercising the option to renew the agreement for an additional year;**
 - c. **Memorandum of Understanding with Worcester Township for payment to the Township for the planting of trees adjacent to an area where vegetation was removed as part of the total reconstruction project from MP A26.00 to MP A31.00; at an amount of \$25,000.00;**
 - d. **Reimbursement Agreement with the Borough of Dravosburg to reimburse the Borough the cost for the design and construction of Maple Avenue which is necessary for construction of the Mon/Fayette Expressway; at a not-to-exceed amount of \$2,000,000.00.**

3. **Approve the Right-of-Way Requests for the items listed in memos “a” through “n”:**
 - a. **Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S010 (Keith & Migdalia Frazier), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$12,100.00 representing estimated just compensation to counsel named at a later date; and authorize payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;**
 - b. **Authorize payment of \$2,977.50 to Lebanon Village Condominium Association, as all units are being taken as part of the Mon/Fayette Expressway, Rt. 51 to I-376; authorize payment of \$508.00 to Dornish Law Offices, P.C.; and approve payment of Section 710 statutory damages of up to \$4,000.00;**

F. NEW BUSINESS

- c. **Acquisition of Right-of-Way #15000-C1 (Paul T. & Christine M. Hudak, Jr.), a partial take parcel necessary for the total reconstruction project from MP 57.00 to MP 67.00 by authorizing payment of \$5,075.00 representing fair market value and pro-rated taxes to Paul T. & Christine M. Hudak, Jr.; 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;**
- d. **Acquisition of Right-of-Way #14S293 (Sheena Evangeline Berkley), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$111,614.18 representing fair market value, pro-rated taxes and recording fees to Arrow Land Solutions, 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;**
- e. **Acquisition of Right-of-Way #12027-C (Allison Park Contractors, Inc.), a total take parcel necessary for Beaver River Bridge reconstruction by authorizing payment of \$235,873.28 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 owners is contingent upon the delivery of a deed as prepared by the Legal Department;**
- f. **Acquisition of Right-of-Way #14S383 (Lois M. Brier), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$138,662.35 representing fair market value, pro-rated taxes and recording fees to Closure Settlement 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 her delivery of a deed as prepared by the Legal Department;**

F. NEW BUSINESS

- g. Acquisition of Right-of-Way #14S419 (Richard W. Kosko), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$60,615.67 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 his delivery of a deed as prepared by the Legal Department;**
- h. Acquisition of Right-of-Way #14S296 (Estate of Stephen Karas), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$14,737.04 representing fair market value, pro-rated taxes and recording fees to Arrow Land Solutions, 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;**
- i. Acquisition of Right-of-Way #14S265 (Estate of John Durik, Jr.), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$34,952.17 representing fair market value, pro-rated taxes and recording fees to Arrow Land Solutions, 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;**
- j. Acquisition of Right-of-Way #14S335 (William C. & Jeanne Y. Devey), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$63,581.51 representing fair market value, pro-rated taxes and recording fees to Closure Settlement LLC, escrow agent; authorize payment of \$34,688.65 representing housing supplement and reasonable closing costs to William C. & Jeanne Y. Devey; authorize payment of \$580.00 representing direct payment of reasonable closing costs to Hometeam Inspection Service; 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;**

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- k. **Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S063 (Charles Nehila and Nancy Nehila, their heirs, successors and assigns, Dennis P. Nehila, Deborah L. Norris, Charles E. Nehila, Candace Ciminnisi, Mark White, Deborah Lessard, Toni M. Nehila, Ashley Nehila, and Robert Lipnicky), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$17,000.00 representing estimated just compensation to Bresnahan, Nixon & Finnegan, P.C., escrow agent; and approve payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;**
 - l. **Adopt the proposed Property Acquisition Resolution for Right-of-Way #14S013 (William H. & Jennie Harrison), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$29,000.00 representing estimated just compensation to Wratcher Law LLC, escrow agent; and approve payment of additional statutory damages as calculated by the Right-of-Way Administrator and approved by the Chief Counsel;**
 - m. **Acquisition of Right-of-Way #14S366 and #14S366-01 (Majik Property 3, LLC; William R. Majernik), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$136,642.49 representing fair market value, pro-rated taxes and recording fees to Arrow Land Solutions, LLC, escrow agent; also authorize payment of \$15,010.00 representing rent supplement and moving costs to William R. Majernik; 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;**
 - n. **Settlement of Right-of-Way #14S218-1 (Lebanon Village Condominium; Gary L. Dora; Jodie Dora; Kellie Wardman), a total take parcel necessary for construction of the Mon/Fayette Expressway, Rt. 51 to I-376, by authorizing payment of \$1,000.00 representing balance of settlement funds owed to Babst Calland Clements & Zomir, PC, escrow agent; also authorize payment of \$3,776.25 representing Section 710 damages to Jenco Law Group, PC; authorize the appropriate Commission officials to execute the Settlement Agreement and General Release as reviewed and approved by the Legal Department; and payment of the settlement funds to the property owner is contingent upon the execution and delivery of the Settlement Agreement and General Release.**
4. **Approve advertising for three (3) engineering design-related services open-end agreements.**
 5. **Approve the Change Order and Issue a Purchase Order for DataAdvantage Azure Perpetual software license and maintenance agreement with ePlus Technology, Inc.; for an additional DataAdvantage module, at a cost of \$79,440.00.**

F. NEW BUSINESS

6. Approve the Change Orders for the items listed in memos "a" through "d":
 - a. Change Order #1 for Contract #T-326.00R001-3-02 for bituminous resurfacing between MP 326.34 and MP 334.08 with Allan Myers, L.P., for a 42-day time extension due to weather delays;
 - b. Change Order #2 for Contract #T-075.00R001-3-02 for bituminous resurfacing between MP 75.69 and MP 84.99 with New Enterprise Stone & Lime Co., Inc., for a 44-day time extension due to weather delays;
 - c. Change Order #7 for Contract #T-355.00P001-3-14 for widening and reconstruction of S.R. 95, Section D20, with James D. Morrissey, Inc., for a decrease of \$511,389.89 to balance items to actual work completed to date, changes for deletion of a planned slope wall, delineation, toe wall extension, Class A concrete, conduit, barrier, drainage, fiber optics relocation, guiderail, TFDS pole, elevation adjustments, wingwall retrofit and bridge deck reinforcement adjustments, and a 15-day time extension due to weather delays; for a revised not-to-exceed amount of \$122,688,655.85;
 - d. Change Order #1 for Contract #EN-00115-03-05 for installation of signs between MP G0.00 and MP G13.30 with Collinson, Inc., for a 182-day time extension due to engineering design changes to the conversion date.