

**MINUTES OF SPECIAL BOARD MEETING
OF
SOUTHEASTERN PENNSYLVANIA TRANSPORTATION AUTHORITY
JANUARY 25, 2018**

The Special Meeting of the Board of the Southeastern Pennsylvania Transportation Authority was held on Thursday, January 25, 2018 at 3:03 PM, in the Board Room of the Authority, with the Chairman in the Chair.

Present

Attending the meeting were the following Board Members:

Pasquale T. Deon, Sr., Chairman
Thomas E. Babcock, Vice Chairman
Michael A. Carroll, P.E.
Beverly Coleman
Honorable Stewart J. Greenleaf (via telephone)
Kevin L. Johnson, P.E.
John I. Kane
Obra S. Kernodle
Daniel J. Kubik (via telephone)
Honorable Kenneth Lawrence
William J. Leonard, Esquire
Honorable Charles H. Martin
William M. McSwain, Esquire (via telephone)
Honorable Marcy Toepel

Present from the staff:

Jeffrey D. Knueppel, General Manager
Richard G. Burnfield, Deputy General Manager/Treasurer
Gino J. Benedetti, Esquire, General Counsel
Stephen A. Jobs, Controller
Carol R. Looby, Secretary
Stephanie Deiger, AGM, Employee Development
Kim Scott Heinle, AGM, Customer Service
Francis E. Kelly, AGM, Government & Public Affairs
Robert E. Lund, AGM, Engineering, Maintenance & Construction
Scott A. Sauer, AGM, Operations

Mr. Deon called the Special Meeting of the Board to order.

Pledge of Allegiance was observed.

Mr. Deon announced that Senator Stewart Greenleaf, Daniel J. Kubik and William M. McSwain would be participating by telephone and they acknowledged their participation.

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Mr. Deon stated that the Board met in Executive Session just prior to the meeting to discuss legal matters. Mr. Deon stated that if there were speakers who wished to address an agenda item they would be called before the Board voted on the item and asked that they limit their remarks to two minutes.

Mr. Deon then asked Andy Abdallah to present the following Resolution,

"Authorization to Award a Contract for a Procurement to Walsh Construction Company II, LLC, for the provision of general contractor services including all labor, materials, tools and equipment for the Elwyn to Wawa Right-of-Way Improvements Project, for a total contract amount not to exceed \$80,463,000."

Mr. Abdallah stated that he was present for the Board's approval of a general construction contract for the Elwyn to Wawa Right of Way Improvements Project. He noted that the project was funded through PA Act 89.

Mr. Abdallah said the scope of this project includes the design and construction of 3.15 miles of track, which consisted of demolition of existing structures within the site footprint, construction or replacement of rail bridges, culverts, retaining walls, and associated site and storm water improvements. He mentioned that additional scope included embankments stabilization, reconstruction and elevating of the existing track bed and replacement of ties and track, construction of new railcar storage yard and catenary structures.

Mr. Abdallah stated that the project was solicited as a two-step design-build whereby Step One was the Request for Qualifications and Step Two consisted of those firms whose proposal was deemed acceptable from Step One being offered the opportunity to submit a sealed bid. He said six firms were qualified as part of Step One and five bids were received as listed on page two of the staff summary.

Mr. Abdallah mentioned that Railroad Construction Company, Inc., submitted the lowest bid however they requested withdrawal of their bid due to errors and omissions on multiple items of work. He said Allan Myers, LP submitted the second lowest bid, however their bid was not considered for failure to meet contract requirements. He said Walsh Construction Company II, LLC submitted the lowest responsive and responsible bid for the not to exceed amount of \$80,463,000 and their bid amount was within 10 percent of the Authority's independent estimate. He said this firm also was found to exhibit a complete understanding of the project and its requirements. Mr. Abdallah mentioned that Walsh Construction Company II, LLC recently completed work on the Crum Creek Viaduct Project and had performed satisfactorily.

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Mr. Abdallah mentioned that the Disadvantaged Business Enterprise goal for the project was set at 19 percent and Walsh Construction Company II, LLC has satisfactorily responded to meeting the goal.

Mr. Abdallah requested that the Board approve the contract to Walsh Construction Company II, LLC.

Mr. Deon then called for speakers wishing to address the above agenda item. There was no response.

Mr. Deon then entertained a Motion to adopt the Resolution. Mr. Babcock moved, Mr. Kernodle seconded, and the following Resolution was unanimously adopted, with Mr. Kubik abstaining.

AUTHORIZATION TO AWARD CONTRACT FOR A PROCUREMENT

"WHEREAS, SEPTA advertised and invited bids for the supplies identified below; and

WHEREAS, the firm listed below was the lowest responsive and responsible bidder to the invitation for bids; and

WHEREAS, staff requested that the General Manager recommend that the Board authorize SEPTA to award the contract identified below; and

WHEREAS, the General Manager made the recommendation to the Board.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby authorizes SEPTA to award and for the General Manager or his designee to execute the contract identified below in form approved by the Office of General Counsel, subject to and contingent upon the concurrence of the funding agencies, if required, and contingent upon and subject to the vendor satisfactorily meeting all requirements of the bid terms and specifications, including full compliance with any applicable Disadvantaged Business Enterprise requirements:

1. To Walsh Construction Company II, LLC, for the provision of general contractor services including all labor, materials, tools and equipment for the Elwyn to Wawa Right-of-Way Improvements Project, with services to be performed over a period of 912 calendar days after issuance of Notice-to-Proceed, for a total contract amount not to exceed \$80,463,000, RFQ/Sealed Bid No. 17-00206-AMJP - Elwyn to Wawa Right-of-Way Improvements."

Adjournment

There being no further business to come before the Board at this Special Meeting, it was moved by Mr. Leonard, seconded by

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Ms. Coleman and unanimously adopted that the meeting be adjourned at 3:07 PM.

A transcript of this meeting was made by an official court reporter and is made a part of the original Minutes.

Carol R. Looby
Secretary