

**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY  
FRIDAY, NOVEMBER 9, 2007**

Chairman Kolluri called the Authority into session in the Executive Boardroom of the Authority's Administration Offices, Woodbridge, New Jersey, at 9:40a.m.

**PRESENT**

Chairman Kris Kolluri; Vice-Chairman Joseph Miele; Treasurer Michael DuPont; Commissioner Harold Hodes; Commissioner Evans; and Commissioner Raymond Pocino.

Executive Director Michael Lapolla; Deputy Executive Director/Secretary Diane Scaccetti; Deputy Executive Director/Strategic Planning & Policy Director Mary Murphy; Chief Engineer Richard Raczynski; Finance Director Benjamin Hayllar; Finance Disbursements Comptroller Tracey Walters; Human Resources Director Mary-Elizabeth Garrity; Internal Audit Director James Carone; Labor Relations Director John O'Hern; Deputy Law Director Kenneth Rotter; Turnpike Maintenance Director Daniel McNamara; Turnpike Operations Director Sean Hill; Parkway Operations Assistant Director Kenneth McGoldrick; Purchasing Director Andrea Ward; Strategic Policy & Planning Deputy Director Elizabeth Johnson; Turnpike Tolls Director Robert Quirk; Parkway Tolls Assistant Director Colleen Lentini; Commander Allen Del Vento, New Jersey State Police Troop E; and Assistant Secretary Rose Stanko.

Also present were: General Counsel John Kelly; Co-General Counsel Judy Verrone; General Consultant James Beattie; Kathy Diringer, NJDOT; Robert Shane, Governor's Authorities Unit; Franceline Ehret – President, Frank Forst – Consultant Local 194 IFPTE; John Pagliarulo – President, Local 3914 AFSCME; and from the media: Thomas Davis, The Bergen Record; Lawrence Higgs, Asbury Park Press.

**NOTICE OF MEETING**

This is a rescheduled meeting of the New Jersey Turnpike Authority. Adequate notice of this meeting has been provided in accordance with Chapter 231, P.L. 1975 in that notice has been given to two newspapers and notice has been forwarded to the Secretary of State, Trenton, New Jersey. In addition, notice of said meeting has been and is being displayed in the main lobby of the Authority's Administration Headquarters in Woodbridge.

**APPROVAL OF MINUTES**

The Secretary reported that ten days (excluding Saturdays, Sundays and holidays) have elapsed since Governor Jon S. Corzine received the proceedings of the September 25<sup>th</sup> meeting; he has not exercised his power to veto any items in those minutes.

In addition, a correction to the minutes of the September 25, 2007 regular meeting is needed by replacing the text "Parcel 92-100", within Law Item 162-07, with "Parcel 92-110".

Upon motion made by Commissioner DuPont, seconded by Commissioner Pocino, the minutes of the meeting of September 25, 2007, as corrected, were unanimously approved.

## RECUSALS

The Secretary reported that advisements of recusals have been submitted regarding agenda items: 194-07, 195-07, 201-07 and 205A-07 through 207-07 for Commissioner Pocino; and agenda items 203-07 and 204-07 for Commissioner Hodes. She then asked for any further recusals or abstentions to be placed on record for this meeting. At this time Chairman Kolluri added his abstention from agenda items 190-07 and 200-07; and Commissioner DuPont advised of his recusal from agenda item 192-07.

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At this juncture, Chairman Kolluri opened the floor for comment pertaining to the public items being proposed.

Local 194 Consultant Forst spoke to express concern with the information contained in agenda item 212-07 which states the dollar amounts for the purchase of DATIMS and a supplement to HNTB General Consultant OPS but does not indicate the cost of the impending E-ZPass construction contracts that are to be awarded. He contended that the Executive Director will be delegated the authority to award E-ZPass contracts valued in the 10's of millions of dollars and that such an action will be detrimental to the Turnpike toll collectors.

Executive Director Lapolla responded by advising that the estimated value of the contracts is approximately \$5 million explaining that their cost will be paid through savings in labor that will be achieved.

Chairman Kolluri added that Executive Director Lapolla and Deputy Executive Director Scaccetti will be working to mitigate travel burden on the toll collectors.

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The Members of the Authority moved on all agenda matters:

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## PERSONNEL

### 181-07

Human Resources Director Garrity submitted the **Personnel Agenda**, dated November 9, 2007, and requested confirmation of the personnel matters contained therein.

The Executive Director certified the recommendation for consideration.

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### 182-07

Executive Director Lapolla requested approval of item numbers 182-07 and 183-07; noting any specific recusals, those items are as follows:

In the memorandum dated October 23, 2007, concerning authorization to **Enter into a Successor Collective Bargaining Agreement with Local 194, I.F.P.T.E., A.F.L./C.I.O, Part-Time Toll Collectors**

A successor collective bargaining agreement between the Local 194, I.F.P.T.E, A.F.L./C.I.O, Part-Time Toll Collectors ("Local 194") and the New Jersey Turnpike Authority

("Authority") was submitted for consideration. The successor collective bargaining agreement is a four (4) year contract with a term of October 27, 2007 through October 31, 2011.

There were no substantive changes to the existing Collective Bargaining Agreement. It should be noted that the Part-Time Toll Collectors will receive the same wage increases as those agreed to by the full-time employees of Local 194.

The terms of the agreement are fair and reasonable to both the employees represented by Local 194 and the Authority. Local 194 has informed the Authority that its members have ratified the terms of the new agreement. Special Labor Counsel joins in recommending that the Authority approve this agreement.

Therefore, approval of a successor collective bargaining agreement between Local 194 and the Authority for the four (4) year period of October 27, 2007 through October 31, 2011 is requested. Authorization is also sought to permit the Executive Director to execute the agreement on behalf of the Authority.

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**183-07**

In the memorandum dated November 5, 2007, concerning authorization to **Enter into a Successor Collective Bargaining Agreement with Local 193C, I.F.P.T.E.**

A successor collective bargaining agreement between the Local 193C, I.F.P.T.E ("Local 193C") and the New Jersey Turnpike Authority ("Authority") was submitted for consideration. The successor collective bargaining agreement is a four (4) year contract with a term of July 1, 2007 through June 30, 2011. Made a part hereof is an executive summary noting the major features of the agreement.

One of the most critical features of the successor Collective Bargaining Agreement is that effective January 1, 2008, members of Local 193C will share the costs of health benefits. Specifically, effective January 1, 2008, members of Local 193C will contribute \$600 per year for the administration of their health benefits and by the end of the contract they will contribute \$900 per year.

The terms of the agreement are fair and reasonable to both the employees represented by Local 193C and the Authority. Local 193C has informed the Authority that its members have ratified the terms of the new agreement. Special Labor Counsel joins in recommending that the Authority approve this agreement.

Therefore, approval of a successor collective bargaining agreement between Local 193C and the Authority for the four (4) year period of July 1, 2007 through June 30, 2011 is requested and authorization is also sought to permit the Executive Director to execute the agreement on behalf of the Authority.

Executive Summary  
Local 193C, I.F.P.T.E.  
Successor Collective Bargaining Agreement

On November 2, 2007, Local 193C, I.F.P.T.E and the Authority reached an agreement on a successor collective bargaining agreement for the period of July 1, 2007 through June 30, 2011, subject to ratification by the membership of the union and approval by the Authority's Board of Commissioners.

The key provisions of the successor collective bargaining agreement are:

1. TERM: Four (4) years -- July 1, 2007 through June 30, 2011

2. WAGE INCREASE:

7/1/07	3.0%	7/1/09	3.5%
7/1/08	3.0%	7/1/10	3.5%

The wage increase is the same as that the Authority negotiated with Local 194 and AFSCME Local 3914.

3. HEALTH BENEFITS:

a) For the Point of Service and HMO Plans, employees shall pay the following:

1/1/08	\$600 per year	7/1/10	\$800 per year
7/1/09	\$700 per year	6/30/11	\$900 per year

b) Effective January 1, 2008, the Prescription Medicine co-payment at the retail level will be \$3 for generic drugs, \$10 for brand name where there is no generic equivalent or the doctor certifies that the employee is medically unable to take a generic version of the medication, and \$25 for brand name drugs when there is a generic equivalent. This prescription co-payment is the same as that the Authority negotiated with Local 194 and AFSCME Local 3914.

Available funds certified by the Finance Director.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, employment of those named to serve at the pleasure of the Authority and other recommended personnel actions, were unanimously approved, ratified and confirmed, to become effective as of the dates specified and at the salaries listed; and further, the recommendations contained in items 182-07 and 183-07 were authorized, as presented; and received and filed the memoranda.

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**LAW**

Deputy Law Director Rotter requested approval of item numbers 184-07 through 193-07; noting any specific recusals, those items are as follows:

**184-07**

In the memorandum dated October 17, 2007, concerning recommendation to **Authorize Settlement in the Matter of Futterman v New Jersey Turnpike Authority, et al.**

Superior Court of New Jersey, Essex County, Docket No.: ESX-L-10183-05, Account No.10-890-441020.

This case involves a slip and fall in the parking lot of the Turnpike James F. Cooper Service Area in Burlington County. Plaintiff alleges that, shortly after emerging from her parked vehicle, her left foot went into a pothole in the parking lot of the Service Area, causing her body to twist and violently collapse striking the pavement. The pothole into which the Plaintiff slipped was several inches deep, one foot in length and eight inches wide. Several witnesses indicated that a great deal of construction was taking place in the parking lot. There were no cones or other

warning devices around or near the pothole where the Plaintiff fell. As a result of her fall, Plaintiff sustained an impacted fracture to her left hip resulting in multiple surgeries and rehabilitation.

On the date of the incident, HMS Toll Roads, Inc. ("HMS") was leasing the service area from the Authority. As part of the operating agreement between HMS and the Authority, the manner in which the subject service area would be reconstructed was expressly addressed. Among other provisions, HMS would prepare all plans and specifications and would hire the construction manager to oversee the work to be performed. St. Clair Construction Company was retained to do the construction.

Based on the facts and circumstances, liability is unfavorable. The Director of Law and Special Counsel have reviewed this case thoroughly and deem it advisable to settle these matters at this time. Special Counsel, with the concurrence of the Law Department, recommends the proposed settlement in the amount of \$145,833.33 to be paid by the Authority. The other two defendants will each pay the same amount for a total settlement amount of \$437,500.00.

Accordingly, it is recommended that the New Jersey Turnpike Authority's Commissioners authorize a settlement of the matter, Futterman v. New Jersey Turnpike Authority, et al., in an amount not to exceed \$145,833.33. Authorization is also requested to permit the Executive Director to execute and where appropriate, the Law Department and General Counsel to prepare and file with the court, any and all documents consistent with the foregoing to resolve this litigation.

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**185-07**

In the memorandum dated October 17, 2007, concerning **Authorization to Acquire Property Necessary for Wetlands Mitigation Site In Connection with Turnpike Interchange 16W / Route 3 and Interchange 18W/NWC Ramp Improvements Projects**

Turnpike Section 7B: Parcel No. 634; Block 137, Lot 5, Borough of Carlstadt, Bergen County, Project No. 08010005

The New Jersey Turnpike Authority ("Authority") is proceeding with its plan to undertake traffic congestion and safety improvements to Interchange 16W and Route 3 Ramp in East Rutherford, Bergen County, New Jersey and the NWC Ramp at Interchange 18W in Carlstadt, Bergen County, New Jersey ("Project"). The Project will result in a disturbance of .59 acres of tidal emergent wetlands and .34 acres of State open waters in connection with the Interchange 16W/Route 3 improvements and 1.51 acres of freshwater emergent wetlands in connection with the NWC Ramp Improvements. The Authority proposes to mitigate for all permanent wetlands impacts associated with the Project, as noted above, within Block 137, Lot 5 in the Borough of Carlstadt, Bergen County, New Jersey ("Mitigation Site"). The New Jersey Department of Environmental Protection, Division of Land Use Regulation and the US Army Corps of Engineers, have approved the use of the Mitigation Site by the Authority to satisfy State and Corps wetlands mitigation requirements. The New Jersey Meadowlands Commission ("NJMC") has recently

successfully acquired the Mitigation Site for the amount of \$500,000.00. Upon authorization, the Authority will then purchase and acquire the Mitigation Site from the NJMC for the same consideration as paid by the NJMC to the previous owners.

Accordingly, it is requested that the Authority's Commissioners: (1) deem the Mitigation Site necessary for the improvements to Interchange 16W and the Route 3 Ramp in East Rutherford, Bergen County, New Jersey and the NWC Ramp at Interchange 18W in Carlstadt, Bergen County, New Jersey; and (2) authorize the Authority's purchase in fee of the Mitigation Site from the NJMC in an amount not to exceed \$500,000, as well as authorize the Executive Director, with the assistance of the Law Department, Engineering Department, General Counsel and other Authority consultants, to take all steps, including but not limited to the preparation, execution and recording of all documents necessary, to consummate the acquisition in fee of the Mitigation Site from the NJMC.

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**186-07**

The memorandum dated October 17, 2007, concerning recommendation to **Authorize the Executive Director to Take All Steps Necessary for the Acquisition of Certain Properties Required for the Turnpike Interchange 12 Improvement Project**

Turnpike Section 5G: Parcel Nos. 1028 and C1028; Block 374, Lot 35, Borough of Carteret, Middlesex County, Project No. 08010013.

On May 31, 2005, the Authority Commissioners granted the Executive Director authority to take all steps necessary to prepare for acquisition of certain properties required for the Interchange 12 Improvement Project ("Project"). One of the properties listed therein was certain real estate known as Block 374, Lot 35 in the Borough of Carteret (the "Property") owned by Carteret Gardens Associates (the "Property Owner"). In furtherance of this acquisition, appraisals were obtained and the Property Owner was contacted by the Authority with an offer to purchase the property. Negotiations were then undertaken in good faith and when these negotiations were unsuccessful, the Authority initiated Eminent Domain proceedings, at which time the appraised value was deposited with the Court and a Declaration of Taking was filed as required by statute. During the course of these proceedings, the parties resumed settlement negotiations. Pursuant to these negotiations and after review and consideration by the Authority's Law Department, General Counsel and Real Estate Consultant, the Parties have agreed upon a purchase price for the property interests required subject to Commissioner approval. Therefore, with the concurrence of General Counsel and Real Estate Consultant, the Law Department recommends a payment in the total amount of One Hundred Seventy Five Thousand Dollars (\$175,000) which includes the amount previously deposited with the Court, for the required property interest and in settlement of all claims.

Based upon the foregoing, it is requested that the Authority's Commissioners authorize the Executive Director to take any and all steps necessary to acquire the Property described

herein for the amount negotiated with the Property Owner and to ratify any and all steps taken by the Executive Director in furtherance of same.

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**187-07**

The memorandum dated October 24, 2007, concerning recommendation to **Authorize the Executive Director to Take All Steps Necessary for the Acquisition of Certain Properties Required for the Turnpike Interchange No. 12 Improvement Project**

Turnpike Section 5G: Parcel Nos. 1019G-1 and 1019G-2; Block 113, Lot 1.01 (a/k/a/ 1.05), Borough of Carteret, Middlesex County, Project No. 08010013.

On May 31, 2005, the Authority's Commissioners granted the Executive Director authority to take all steps necessary to prepare for acquisition of certain properties required for the Interchange No. 12 Improvement Project ("Project"). One of properties listed therein was certain real estate known as Block 113, Lot 1.01 also known as Lot 1.05 in the Borough of Carteret ("Property") in which the Borough of Carteret (the "Borough") has an interest. The Property is the site of a Park and Ride facility (the "Park and Ride") operated by the Borough. Although the Project required only a portion of the Property, the proposed taking in conjunction with the proposed renovations to the intersection configuration prohibited access to the remainder of the Property. As a result, the Park and Ride was unable to operate so the Authority determined that it was necessary to acquire title and possession of the entire parcel. In furtherance of this action, appraisals were obtained and the Borough was contacted by the Authority with an offer to purchase the Borough's interest in the property and to provide some assistance with the relocation of the Park and Ride. Negotiations were initiated between the Authority and the Borough with respect to this and other issues that have arisen throughout the planning and construction of the Project. After review and consideration by the Authority's Law Department, General Counsel and Real Estate consultants, the Authority has agreed to pay to the Borough the sum of Two Hundred Twenty Seven Thousand Two Hundred Seventy Four Dollars and Sixty Six Cents (\$227, 274.66) (the "Settlement Amount") in satisfaction of the issues outlined herein subject to Commissioner approval.

Based upon the foregoing, it is requested that the Authority's Commissioners authorize the Executive Director to take any and all steps necessary to settle any and all outstanding issues with the Borough and to acquire the Borough's interest in the property described herein for the amount negotiated with the Borough and to ratify any and all steps taken by the Executive Director in furtherance of same.

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**188-07**

The memorandum dated October 22, 2007, concerning **Authorization to Purchase Property for the Turnpike Interchange 6 to Interchange 9 Widening Program**

Turnpike Section 4G: Parcel Series 950; Block 38.01, Lots 15.02, 15.03 and Portions of Block 38.01, Lots 15.01 and 15.04, Washington Township, Mercer County, Owner: 7A Interchange Associates LP, Project No. 06510057

The New Jersey Turnpike Authority (the "Authority") is proceeding with its plans to widen the Turnpike between Interchange 6 in Mansfield Township, Burlington County and Interchange 9 in East Brunswick Township, Middlesex County (the "Widening Program"). The roadway will be widened to 12 lanes with major modifications constructed at four interchanges. Final design is currently underway with construction scheduled to commence during 2009.

In order to complete the Widening Program, the Authority must acquire certain property located adjacent to the Turnpike to facilitate construction. The Authority has determined that the above referenced property is necessary for the Widening Program. To that end, the Authority had an appraisal prepared which set a value for this property in the amount of \$2,325,000. The Authority then entered into good faith negotiations for the purchase of same based on this appraised value and in compliance with the laws governing its powers of eminent domain. Despite such negotiations, the Authority has been unable to reach an agreed upon purchase price with the owner. As such, the Authority's Law Department in consultation with General Counsel and its Real Estate Manager/Consultant recommend that the Authority commence eminent domain proceedings to acquire the property owned by 7A Interchange Associates, LP property, as set forth above.

Based on the foregoing, it is requested that the Authority Commissioners authorize the Executive Director and Director of Law to take all steps necessary to commence eminent domain proceedings with respect to the 7A Interchange Associates LP property, including depositing with the Superior Court the amount of \$2,325,000 which represents the appraised value. It is further recommended that the Executive Director be authorized to take any other steps necessary for the acquisition of the property upon review and approval of such action by the Law Department and General Counsel.

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**189-07**

The memorandum dated October 22, 2007, concerning **Authorization to Purchase Property for the Turnpike Secaucus Interchange Project**

Turnpike Section 7C: Parcel Series 602; Block 7, Portions of Lots 3, 5, & 6, Township of Secaucus, Hudson County and Block 1200, Portions of Lots 35A, 36, 37, 38A, 39A, 40A, and 42B, City of Jersey City, Hudson County, Owner: PSEG Power LLC, Project No. 06510010

The New Jersey Turnpike Authority (the "Authority") has completed its construction of the Secaucus Interchange Project (now known as Interchange 15X) (hereinafter the "Project"). On



January 30, 2001, the Authority's Commissioners authorized the Executive Director to take all necessary steps to acquire certain property for the Project including property currently owned by PSEG Power, LLC ("PSEG") and referenced above. In furtherance of the acquisition of the subject property from PSEG, appraisals were obtained and the Authority commenced negotiations to purchase the property. After good faith negotiations with PSEG, the Authority reached an agreement with respect to the purchase price of the subject property with the condition that this amount would be subject to Commissioner approval. The Authority's Law Department, in consultation with General Counsel, the Authority's Real Estate Consultants, and appraisers have reviewed the proposed purchase price, and recommend the payment of \$1,600,000 for the required property interests. The parties also agreed that the most efficient manner in which to proceed with the transfer of the property would be for the Authority to file a friendly condemnation action under its powers of Eminent Domain, and resolve the action through the entry of a Consent Order, which would reflect the above purchase price.

Based on the foregoing, it is recommended that the Authority Commissioners authorize the Executive Director and Director of Law to take all steps necessary to acquire the property through the commencement of Eminent Domain proceedings and Entry into a Consent Order fixing just compensation for the property in the amount of \$1,600,000. It is further recommended that the Executive Director be authorized to take any other steps necessary for the acquisition of the property upon review and approval of such action by the Law Department and General Counsel.

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**190-07**

The memorandum dated October 5, 2007, concerning **Ratification of Increase of Authorized Amount for Properties in Connection with the Garden State Parkway Interchange 142 Improvement Project** Parkway Section 4 and 5E: Townships of Hillside and Union, Union County, Project No. 06560015.

On July 23, 2007, by agenda item 98-07, the Commissioners of the Authority approved funding in the amount of \$400,000 for purchase of right-of-way for the above project. Since the date of the Commission action, negotiations with a number of the property owners have resulted in increased acquisition prices of many of the properties, over the authorized amount. In addition, one property which requires relocation of its owner has proven to be more challenging than previously thought, with a satisfactory relocation resulting in additional consideration and expense to the Authority, including statutorily required fees to be paid pursuant to the State relocation law, N.J.S.A. 20:4-1 et seq.

Since this project is a cooperative project with the New Jersey Department of Transportation (DOT) all amounts for purchases of the properties paid out by the Authority will be

reimbursed by Federal Highway Administration, through the DOT. In addition, pursuant to the prior agenda item, all amounts will be ratified at a subsequent Commission meeting.

Therefore, in order to move forward with right-of-way acquisition for the above project, it is recommended that the Commissioners approve, ratify and confirm in all respects the increase in the authorized amount by \$150,000 to a revised amount totaling \$550,000. It is further recommended that the Commissioners approve, ratify and confirm in all respects all actions taken to date in furtherance of the purchase of the required right of way for this project. It is also recommended that the Executive Director be authorized to execute any and all further documents in connection herewith that are advisable and agreed upon between the parties after review and approval by the Law Department.

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**191-07**

The memorandum dated October 23, 2007, concerning **Authorization to Increase Contribution of Funds to the Town of Secaucus, Hudson County**, Rehabilitation of the Meadowlands Parkway Bridge, Emergency Interim Repairs, Construction Fund No. 06510013

On July 12, 2005 the Authority's Commissioners authorized its Executive Director to enter into an agreement with the Town of Secaucus to provide monetary contribution for emergency interim repairs to local roads in the amount of \$500,000, which repairs were necessitated in part by the closing of New County Road and the detour of traffic over local roads including the Meadowlands Parkway Bridge during the construction of the Seaview Drive Extension and New County Road Grade Separation Project, which were performed as part of the Secaucus Interchange Project. During the construction of the Projects, the Town incurred additional unanticipated costs and seeks further contribution from the Authority in the amount of \$200,000, attributable to repairs required to the local roadways for damage including cracking and rutting of pavement on Seaview Drive sustained during the detouring of traffic.

The Engineering Department has renewed the proposed additional amount of \$200,000 for these unanticipated extra costs and finds them reasonable. Therefore, the Engineering Department, with the agreement of the Law Department, can recommend this additional contribution.

It is therefore, recommended that the Authority provide an additional contribution of \$200,000 associated with the revised construction costs to repair the local roads. The addition of this amount increases the total contribution by the Authority to \$700,000. It is further recommended that pursuant to section 4(D) of the original Agreement, authorization be granted to the Executive Director to execute a modification reflecting the increased contribution from \$500,000 to \$700,000.

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**192-07**

The memorandum dated October 24, 2007, concerning recommendation to **Award**

**Multiple On-Call Orders for Professional Services (OPS) as:**

**OPS No. LA107 – Main Street Title & Settlement Services Inc. and OPS No. LA108 – First Express Title Agency LLC** – General Real Estate Title Insurance Services;

**OPS No. LA213 – Sockler Realty Services Group Inc. and OPS No. LA214 – Insight Appraisal Group** and **OPS No. LA215 – Aspen Valuation Group** – General Real Estate Appraisal Services;

**OPS No. LA305 – Gagliano Appraisal LLC and OPS No. LA306 – Integra Realty Resources** – General Real Estate Consultant Services.

Various Projects under Construction Fund 065 and Construction Fund 078, and the Surplus Property Project Fund 04010001.

The Authority issued a Request for Qualifications (RFQ) on or about August 13, 2007, soliciting Expressions of Interest (EOI) for professional on-call services for General Title Insurance Company Services, Licensed Professional Planning Services, General Real Estate Appraisal Services; and General Real Estate Consultant Services. While these services constitute professional services not subject to public advertising under the Authority's enabling legislation, specifically N.J.S.A. 27:23-6.1, the Authority employed a fair and open process pursuant to Executive Order 37, and modeled the process on the Authority's regulations at N.J.A.C. 19:9-2.8 governing the award of engineering, architectural and land surveying services, whereby a notice was published in nine newspapers, and notices were sent to all known interested parties. Under this process, the Authority anticipated awarding three contracts covering appraisal services, two contracts covering general real estate consulting services and two contracts covering title insurance services. As stated in the EOI solicitation, the Authority intends to utilize these services for the acquisition, sale and/or exchange of real properties in connection with various projects, including the Interchange 6 to Interchange 9 widening project. Also as set forth in the EOI solicitation, the Authority established Standard Rates and Fees under which all such services are to be performed. Each contract awarded herein, shall not exceed \$500,000 in any contract year and is subject to availability of funds. The awarded contracts will be charged to various projects contingent upon funding availability for each specific project.

On August 27, 2007, the Authority received responses from six respondents for appraisal services, two respondents for real estate consultant services and four respondents for title insurance services. The Authority received no responses for Licensed Professional Planning Services.

**General Title Insurance Company Services**

The Authority received four submissions, those by Equity Title Agency and Title Agency Inc. were deemed non-responsive or not qualified to provide the services requested and the recommendation of the Review Committee is that they be rejected. The other two submissions were responsive and were evaluated, reviewed, ranked and deemed qualified to perform services

for the Authority, and it was the recommendation of the Review Committee that on-call contracts, under the Standard Rates and fees established in the EOI solicitation, be awarded to the following: 1) Main Street Title & Settlement Services LLC; 2) First Express Title Agency LLC

General Real Estate Appraisal Services

The Review Committee, consisting of three Authority employees appointed by the Executive Director, reviewed and graded all submissions. One submission, by Cornelius J. Guiney was not responsive to the EOI solicitation and the recommendation of the Review Committee is that it be rejected. The other three submissions were responsive and were evaluated, reviewed and deemed qualified to perform services for the Authority, and it was the recommendation of the Review Committee that on-call contracts, under the Standard Rates and Fees established in the EOI solicitation, be awarded to the following: 1) Sockler Realty Services Group Inc.; 2) Insight Appraisal Group; 3) Aspen Valuation Group

General Real Estate Consultant Services

Three firms, Sockler Realty Services Group Inc., Gagliano Appraisal, LLC and Integra Realty Resources submitted an EOI for both Real Estate Appraisal and Real Estate Consultant Services, and pursuant to terms of the EOI, at the Authority's option Sockler Realty Services Group Inc. is being recommended for Real Estate Appraisal Services. The other two submissions were responsive and were evaluated, ranked and deemed qualified to perform services for the Authority and it was the recommendation of the Review Committee that on-call contracts, under the Standard Rates and Fees established in the EOI solicitation, be awarded to the following: 1) Gagliano Appraisal LLC; 2) Integra Realty Resources

These professional services were procured, and the recommended firms were selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8. All awards are subject to clearance by the New Jersey Department of Treasury pursuant to the requirements of N.J.S.A. 19:44A-20.13 et seq. (formerly known as Executive Order 134).

It is therefore recommended that the awards to the companies, as set forth above, be authorized and approved in all respects. It is further recommended that the Executive Director, the Director of Law and the Law Department be authorized to prepare and execute documents taking actions in furtherance of the above.

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**193-07**

The memorandum dated November 2, 2007, concerning **Authorization to Amend New Jersey Turnpike Authority Regulation N.J.A.C. 19:9-1.6 for Authority Truck Stop and Parkway Park-and-Ride Facilities**

(1) Allow Truck Parking in Excess of Two Hours at Designated Authority Truck Parking Facilities; and (2) Eliminate Special Permits During Non-Designated Hours at Parkway Park-and-Ride Facilities.

The Authority proposes to install, by the summer of 2008, an electrification system for truck drivers resting at the Turnpike Vince Lombardi Service Area. Using \$1 million of federal Clean Air Act funds provided by the New Jersey Department of Environmental Protection (NJDEP), a section of the truck parking lot will be retrofitted with equipment that will provide air conditioning, heating and possibly also electric and communication amenities inside a truck's cab without the need to idle a diesel engine. The Authority will soon consider proposals from vendors who wish to provide this service. Not only will truck drivers save money on fuel, but the reduction in exhaust will diminish the level of greenhouse gases in the area. The Authority has already issued a Request for Qualifications (RFQ) for interested vendors to participate.

Federal regulations require at least ten (10) hours of rest after a trucker drives for eleven (11) hours. It is imperative that the Authority regulations conform to federal mandates as well as reflect the needs of truckers who use our service areas for resting.

Current Authority regulations limit parking to two (2) hours anywhere on either roadway. The proposed amendment will provide that trucks may be permitted to park for up to ten (10) hours, in accordance with federal regulations, and in order for truckers to avail themselves of the services of the proposed electrification program, if they so choose.

In addition, in reviewing N.J.A.C. 19:9-1.6, it became apparent to the Authority's Patron Services Department that issuing special permits for parking at Parkway commuter lots was not in the best interest of the Authority. It is therefore proposed that the regulation be amended to eliminate the provision for special permits.

In accordance with the Administrative Procedures Act, the Authority proposes to amend its existing regulations so as to allow trucks parking in excess of two hours at designated Authority truck parking facilities and to eliminate special permits for park-and-ride facilities on the Parkway.

After approval by the Commissioners of the proposed amendment, as substantially set forth above, the proposed amendment will be advertised, followed by a public comment period required by law. It is recommended that the Executive Director, with the assistance of the Director of Law, be authorized to review any public comments on the proposed amendment and prepare a report responding to any comments. If in the judgment of the Executive Director, there are no significant public comments, final adoption of the amendment or other appropriate action may be effectuated without further action by the Board.

Available funds certified by the Finance Director; reviewed by the Chief Engineer where applicable; the Executive Director certified the recommendations for consideration.

On motion by Vice-Chairman Miele, seconded by Commissioner Pocino, the Authority approved the ten (10) item Law agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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## ENGINEERING

Chief Engineer Raczynski requested approval of item numbers 194-07 through 207-07; noting any specific recusals, those items are as follows:

### 194-07

The memorandum dated October 11, 2007 concerns a recommendation to **Award Contract No. T200.072 – Joseph M. Sanzari Inc.** – Toll Tunnel Drainage System Cleaning and Miscellaneous Repairs, Turnpike Interchanges 6, 7A, 8A, 9, 10, 11, 13 and 14, Special Project Reserve Fund No. 04018029.

This contract involves the cleaning of toll plaza drainage systems and other miscellaneous repairs necessary for proper tunnel drainage and to provide better access to toll plaza utility tunnel drains for future maintenance.

One bid proposal was received on October 10, 2007 for the above publicly advertised contract. The bid, in the amount of \$197,500 may be compared to the Engineer's Estimate in the amount of \$177,915. The bidder, Joseph M. Sanzari, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T200.072 be awarded to the sole bidder, Joseph M. Sanzari, Inc. of Hackensack, New Jersey, in the amount of \$197,500, allocated as follows: \$100,000 in 2007 and \$97,500 in 2008. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

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### 195-07

The memorandum dated October 10, 2007 concerns a recommendation to **Award Contract No. T300.063 – Tilcon New York Inc.** – Implementation of One-Way Tolls, Turnpike Interchange 17 Toll Plaza, Supplemental Capital Fund No. 08010011.

The work to be performed under this contract includes the demolition of the northbound toll plaza lanes, islands and canopy; filling of the tunnel and stairwells servicing the northbound toll lanes; realignment and construction of a center median barrier; drainage and pavement improvements in the interchange and at the ramps; signing and striping; and other related work as detailed in the Contract Documents. This construction contract is scheduled to be completed by June 2008.

Four bid proposals were received on October 5, 2007 for the above publicly advertised contract. The low bid, in the amount of \$1,677,000.00 may be compared to the Engineer's Estimate in the amount of \$2,514,257.90. The low bidder, Tilcon New York, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T300.063 be awarded to the low bidder, Tilcon New York, Inc. of Wharton, New Jersey, in the amount of \$1,677,000. Bids for this work were

procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

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**196-07**

The memorandum dated September 26, 2007 concerns a recommendation to **Issue Order for Professional Services No. T3145 – C&B Architects/Engineers Inc.** – Supervision of Construction Services for Contract No. T300.063, Implementation of One Way Tolls, Turnpike Interchange 17 Toll Plaza, Construction Fund No. 06510060.

This Order for Professional Service (OPS) provides for construction supervision of the referenced contract. The work to be performed under this contract includes: the demolition of the northbound toll plaza lanes, islands and canopy; filling of the tunnel and stairwells servicing the northbound toll lanes; realignment and construction of a center median barrier; drainage and pavement improvements in the interchange and at the ramps; signing and striping; and other related work as detailed in the contract documents. This construction contract is scheduled to be completed by June 2008.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 56 engineering firms prequalified and eligible under Profile Code B-153: Roadway Construction Inspection. Eight firms submitted EOIs by the closing date of August 10, 2007.

Subsequent to the scoring of the Expressions of Interest, Fee Proposals were requested from the top three firms. They are, in the order of technical ranking: 1) C&B Architects/Engineers, Inc.; 2) Kupper Associates; and 3) Gannett Fleming, Inc. The fee submitted by C&B Architects/Engineers Inc. has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. T3145 be issued to the firm of C&B Architects/Engineers, Inc. of New York, New York in the maximum amount of \$300,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.1, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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197-07

The memorandum dated October 12, 2007 concerns a recommendation **Issue of Order for Professional Services No. T3111 – PB Americas Inc.** – Design Section No. 1, Turnpike Milepost (MP) 48.07 to MP 52.3; and **Issue of Order for Professional Services No. T3112 – DMJM+Harris Inc.** – Design Section No. 2, Turnpike MP 52.3 to MP 56.5; and **Issue of Order for Professional Services No. T3113 – Michael Baker Jr. Inc.** – Design Section No. 3, Turnpike MP 56.5 to MP 59.7; and **Issue of Order for Professional Services No. T3118 – Edwards and Kelcey Inc.** – Design Section No. 8, Turnpike MP 70.6 to MP 82.6, Design Services for Turnpike Interchange 6 to Interchange 9 Widening Program, Construction Fund No. 06510057.

Through this single Order for Professional Services (OPS) procurement process the Authority will select four consultants to furnish professional engineering services associated with final design and preparation of contract documents and other ancillary activities and services required for the Turnpike's Interchanges 6 to 9 Widening Program.

These assignments are classified as "Complex Projects" because the fee exceeds \$1,000,000. Forty-one engineering consulting firms prequalified and eligible in Profile Codes A091 - Bridges: Widening and Modifications and A250 - Fully Controlled Access Highways were invited to submit Expressions of Interest (EOIs). Twelve EOIs were received by the closing date of August 2, 2007.

Subsequent to the scoring of EOIs by the Review Committee, six firms were requested to submit Technical and sealed Fee Proposals. The firms are: 1) PB Americas, Inc.; 2) DMJM+Harris, Inc.; 3) Michael Baker Jr., Inc.; 4) Edwards and Kelcey, Inc.; 5) URS Corporation; and 6) Stantec Consulting Services, Inc.. The Review Committee reviewed and evaluated each firm's Technical Proposal and conducted interviews with two firms, URS Corporation and Edwards and Kelcey, Inc.. Final scoring resulted in PB Americas, Inc.; DMJM+Harris, Inc.; Michael Baker Jr., Inc.; and Edwards and Kelcey, Inc. being the highest technically ranked firms. The fees submitted have been reviewed, negotiated and are considered to be fair and reasonable for the services to be provided. Firms will be issued OPS' based on their order of ranking.

It is, therefore, recommended that OPS No. T3111 be issued to the firm of PB Americas Inc. of Princeton, New Jersey in the maximum amount of \$22,300,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.6, based on a 10% allowance for profit and an overhead rate of 136% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses.

It is, therefore, recommended that OPS No. T3112 be issued to the firm of DMJM+Harris Inc. of Iselin, New Jersey in the maximum amount of \$17,350,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.6, based on a 10% allowance for profit and an overhead rate of 136% or, the firm's overhead rate as determined by Federal



Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses.

It is, therefore, recommended that OPS No. T3113 be issued to the firm of Michael Baker Jr. Inc. of Princeton, New Jersey in the maximum amount of \$17,950,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.6, based on a 10% allowance for profit and an overhead rate of 136% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses.

It is, therefore, recommended that OPS No. T3118 be issued to the firm of Edwards and Kelcey Inc. of Morristown, New Jersey in the maximum amount of \$14,150,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.55, based on a 10% allowance for profit and an overhead rate of 132% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses.

These issuances are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by these awardees pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firms were selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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**198-07**

The memorandum dated October 30, 2007 concerns a recommendation to **Issue Supplement E to Order for Professional Services No. A3053 – HNTB Corporation** – General Consulting Engineers to the New Jersey Turnpike Authority, Development of Operations and Maintenance Procedures and Standards Manual, Supplemental Capital Fund No. 08007010.

Order for Professional Services (OPS) No. A3053 was issued at the August 2005 Commission Meeting, in the amount of \$892,110, to provide professional engineering services required as the General Consulting Engineers for the New Jersey Turnpike Authority over a five-year term.

Supplement A was authorized at the January 2006 Commission Meeting in the amount of \$2,644,922 to provide design services for the Woodbridge Traffic Management and Data Center. Supplement B was authorized at the July 2006 Commission Meeting in the amount of \$185,000 for completion of several of the projects originally anticipated under the previously issued OPS for General Consulting Services, OPS No. 1988, which expired. Supplement C was authorized at the August 2006 Commission Meeting in the amount of \$500,000 for updating the Authority's Engineering Design and Procedures Manuals. Supplement D was authorized at the September 25, 2007 Commission Meeting in the amount of \$75,000 for mandated interim inspections of the Delaware River Turnpike Bridge, Structure No. P0.00.

Supplement E will compensate HNTB Corporation for additional general engineering services required to develop an Operations and Maintenance Procedures and Standards Manual. This task includes investigating, reviewing and revising current agency standards and procedures, and developing a single up-to-date standard document for these procedures. Once complete, it is likely that this Manual will provide the standards for other state roadways.

The fee of \$697,500 submitted by HNTB Corporation for these additional services has been reviewed, negotiated and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. A3053E be issued to HNTB Corporation in the amount of \$697,500, with compensation on the same basis as the original Agreement. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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**199-07**

The memorandum dated October 10, 2007 concerns a recommendation to **Issue Supplement A to Order for Professional Services No. P3119 – Evergreen Environmental LLC** – Parkway Interchange 30 to Interchange 80 Widening Project, Mitigation Site Procurement and Development, 2005 Bond Issue Fund No. 20260001.

Order for Professional Services (OPS) No. P3119 was issued at the January 2007 Commission Meeting, in the amount of \$6,399,620. This OPS identified four potential mitigation sites (Bass River, Turtle Creek, Ballanger Creek and Mullica River) that would address wetlands mitigation, threatened and endangered species and waterfront access mitigation based on preliminary permitting requirements of the New Jersey Department of Environmental Protection (NJDEP), Pinelands Commission and the U. S. Army Corps of Engineers (USACOE).

Supplement A will compensate Evergreen Environmental LLC to address the specific current requirements of the permitting agencies, an additional mitigation acquisition site - Gunning River, and the reconfiguration of the Bass River site to provide for additional wetlands through the vacation of a portion of Amasa Landing Road, as well as a new requirement for a Terrapin Monitoring program, which are now recommended.

The fee of \$1,000,000 submitted by Evergreen Environmental LLC for these additional services has been reviewed, negotiated and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3119A be issued to Evergreen Environmental LLC in the amount of \$1,000,000 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$6,399,620 to \$7,399,620. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

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**200-07**

The memorandum dated October 11, 2007 concerns a recommendation **Issue Supplement No. 3 to GSP Order for Professional Services No. 134-736D-2 – Gannett Fleming Inc.** – Design Services, Parkway Interchange 142 Improvements Project, Townships of Union and Hillside, Union County and Township of Irvington, Essex County, Construction Fund No. 06560015.

GSP Order for Professional Services (OPS) No. 134-736D-2 was issued at the February 2004 Commission Meeting, in the amount of \$7,908,934.65 to provide preliminary and final engineering design services for improvements to Parkway Interchange 142.

Supplement Nos. 1 and 2 , in the total amount of \$2,740,000, provided for conversion of design from Metric units to English units, design reclassification of ramps, alternative study of ramp connection from Parkway southbound to I-78 westbound, pavement restoration of I-78, seismic analysis, environmental sampling and revisions to the Interstate Access Approval Document.

Supplement No. 3 will reimburse Gannett Fleming, Inc. for the performance of additional out of scope services. The services include additional acoustical studies and on-site utilization of project generated regulated waste, both to significantly reduce construction cost; detailed geotechnical design to address potential excess settlement impacts on utilities at the former Garden State Bowl property; additional right-of-way documents requested by NJDOT; complete jurisdictional agreements (as per change in NJDOT procedures); NJDOT directed change to approved staging & detour plans along I-78; additional lighting design for Ramp G; Treatment Works Approval permit triggered by additional utility work; liaison work and facility redesign at the Union Ramp Toll Utility Building. FHWA approval of these fully reimbursable design funds is expected prior to the Commission meeting.

The fee of \$240,000 submitted by Gannett Fleming, Inc. for these additional services has been reviewed and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that Supplement No. 3 to GSP OPS No. 134-736D-2 be issued to Gannett Fleming, Inc. in the amount of \$240,000 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$11,197,674.35 to \$11,437,674.35. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

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**201-07**

The memorandum dated October 12, 2007 concerns a recommendation to **Reject Bid for Contract No. A700.073 – Asbestos Abatement at Various Turnpike Locations**, Special Project Reserve Fund No. 04000002.

On October 9, 2007 the New Jersey Turnpike Authority (Authority) publicly opened bid proposals for Contract No. A700.073 for asbestos remediation at six locations on the Turnpike.

Of seven total items, six were bid items and one was a non-bid item in the amount of \$50,000 for on-call asbestos remediation services for a two-year period at facilities located on both the Turnpike and Parkway, if and where directed by the Authority. Bid proposals were solicited in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2.

Only one bid proposal, from B & G Restoration, Inc. of Lincoln Park, New Jersey, was received under this contract. The sole bidder's total bid amount was \$100,500, of which \$50,000 represented the non-bid item for the two-year on-call remediation services. The bid proposal quoted for the six Turnpike sites to be remediated was \$50,500, which is 60 percent higher than the Engineer's Estimate, as compared to the Engineers Estimate of \$31,500 for these six items. Because only one bid proposal was received and that bid proposal was substantially higher than the Engineer's Estimate, it is recommended that the sole bid proposal be rejected and that the contract be rebid in an attempt to procure more competitive and cost-effective bid proposals. This recommendation is in accordance with N.J.A.C. 19:9-2.2(c)6 which permits the Authority to reject all bid proposals and rebid the contract when deemed to be in its best interests.

It is, therefore, recommended that the bid proposal received from B & G Restoration, Inc. in the amount of \$100,500 be rejected and the contract be readvertised. The Law Department concurs with this recommendation.

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**202-07**

The memorandum dated October 12, 2007 concerns a recommendation to **Execute Utility Work Order No. UO1182-T – BP Products NorthAmerica Inc.** – Turnpike Interchange 12 Final Improvements, Borough of Carteret, Middlesex County and City of Linden, Union County, Supplemental Capital Fund No. 08010013.

The construction of Interchange 12 Final Improvements project includes the Tremley Point Connector Road. This Utility Work Order is necessary to authorize BP Products NorthAmerica to undertake design and environmental permitting services required to remove and relocate their facilities in the vicinity of Tank Nos. 19 and 95 located in the Borough of Carteret. This is necessary to allow for the widening of Industrial Highway associated with the construction of Interchange 12 Final Improvements and the Tremley Point Connector Road. The Authority will be required to reimburse the utility company for the design work associated with the removal and relocation of their utility. The cost for these services will not exceed \$500,000.

The cost of this Utility Order was provided by BP Products NorthAmerica, Inc. and is based on the final improvements and known conditions at the time. It is, therefore, recommended that this Utility Order be authorized in the amount of \$500,000.

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**203-07**

The memorandum dated October 11, 2007 concerns **Ratification of Supplemental Utility Order No. NCR-UWNJ-WATER-1A – United Water of New Jersey** – for TPK Contract No. NCR-501, New County Road Grade Separation Roadway and Structures, Construction Fund No. 06510013.

The construction of TPK Contract No. NCR-501, New County Road Grade Separation Project, required the removal and relocation of various utilities located adjacent to, and within, New County Road, County Avenue, and County Road. The Authority is required to reimburse the utility company for its work. The cost associated with this Utility Order, authorized at the September 2004 Commission Meeting, has exceeded the authorized amount.

The Authority's Contractor's activities required close coordination with various utility companies in order that utility facilities were relocated in staged fashion as contract work was performed. It was acknowledged by the Authority that the original Utility Order cost would be exceeded as unanticipated site conditions and access issues arose during the performance of work which would necessitate United Water of New Jersey to incur additional cost. In order not to delay construction, United Water of New Jersey was requested to continue their relocation work with the understanding that a supplement would be issued upon completion of the work when the final costs would be known.

The additional cost submitted by United Water of New Jersey for the additional services has been reviewed, negotiated and is considered reasonable for the services provided and work performed. Given the delays, it was determined that it was appropriate to expedite payment, thus the Supplemental Utility Order was fully executed thereby allowing United Water of New Jersey to submit their final invoice in order to receive payment.

It is, therefore, recommended that this Supplemental Utility Order be ratified in the amount of \$315,000, which increases the total authorized cost from \$1,541,077 to \$1,856,077.

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**204-07**

The memorandum dated October 11, 2007 concerns **Ratification of Supplemental Utility Order No. NCR-501-PSEG-ELEC-1A – Public Service Electric and Gas Co.- Electric Division** – for TPK Contract No. NCR-501, New County Road Grade Separation Roadway and Structures, Construction Fund No. 06510013.

The construction of TPK Contract No. NCR-501, New County Road Grade Separation Project, required the removal and relocation of various utilities located adjacent to, and within, New County Road, County Avenue, and County Road. The Authority is required to reimburse the utility company for its work. The cost associated with this Utility Order, authorized at the September 2004 Commission Meeting, has exceeded the authorized amount.

The Authority's Contractor's activities required close coordination with various utility companies in order that utility facilities were relocated in staged fashion as contract work was

performed. It was acknowledged by the Authority that the original Utility Order cost would be exceeded as unanticipated site conditions and access issues arose during the performance of work which would necessitate Public Service Electric and Gas, Co. – Electric Division (PSE&G) to incur additional cost. In order not to delay construction, PSE&G was requested to continue their relocation work with the understanding that a supplement would be issued upon completion of the work when the final costs would be known.

The additional cost submitted by PSE&G for the additional services has been reviewed, negotiated and is considered reasonable for the services provided and work performed. Given the delays, it was determined that it was appropriate to expedite payment, thus the Supplemental Utility Order was fully executed thereby allowing PSE&G to submit their final invoice in order to receive payment.

It is, therefore, recommended that this Supplemental Utility Order be ratified in the amount of \$520,000, which increases the total authorized fee from \$3,132,268 to \$3,652,268.

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**205A-07 THROUGH 206B-07**

Requesting the following **Contracts for Formal Acceptance and Final Payment:**

<b><u>CONTRACT NO.</u></b>	<b><u>CONTRACTOR</u></b>	<b><u>AMOUNT</u></b>
<b><u>TPK Contract R-1461</u></b>	Schiavone Construction Co. Bridge Deck Repairs and Resurfacing Turnpike Mile 83 to Mile 122 and the Newark Bay-Hudson County Extension Middlesex, Union, Essex, Hudson and Bergen Counties Maintenance Reserve Fund No. 03010001	\$456,878.76
<b><u>GSP Contract 84-1245</u></b>	Gardner Bishop Inc.& Joseph Sanzari Inc.(JV) Drainage Structure Cleaning and Miscellaneous Repairs Parkway Milepost 114 to Milepost 150.3 Monmouth, Essex, Middlesex and Union Counties Maintenance Reserve Fund No. 03020003	\$28,015.71
<b><u>TPK Contract R-1505</u></b>	Gardner M. Bishop Inc. Drainage Improvements, Vicinity of Turnpike Milepost 27.9 Camden County Supplemental Capital Fund No. 08027008	\$22,820.14
<b><u>TPK Contract R-1517</u></b>	A & J Construction Company Thomas Edison Service Area 10S Underground Storage Tank Replacement Turnpike Milepost 92.9 South Middlesex County Supplemental Capital Fund No. 08000005	\$56,638.85

The Authority accepted the certifications of the Engineers, General Consultants and Chief Engineer as to inspection and completion of the foregoing contracts; the certification of the Authority's Law Department as to liens, claims, surety bonds and Final Payment Certificates, in the amounts shown, due the contractors for completion of the above contracts.

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**207-07**

**Construction Progress Reports,** Turnpike and Parkway roadways, for the period ending 10/12/07.

Reviewed by the Law Director; available funds certified by the Finance Director where applicable; the Executive Director certified the recommendations for consideration.

On motion by Vice-Chairman Miele, seconded by Commissioner DuPont, the Authority approved the sixteen (16) item Engineering agenda; authorized and ratified, as presented, the recommendations contained therein; accepted the Construction Progress Report; and received and filed the memoranda.

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**PURCHASING**

Purchasing Director Ward requested approval of item numbers 208A-07 through 208I-07; noting any specific recusals, those items are as follows:

**208A-07 through 208B-07**

**Results of Bidding** in response to public advertisement for the commodities requisitioned by various departments. Awards are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardees pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same. Bids for these items were procured and authorization is sought to award contracts to the lowest responsible bidders, pursuant to N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2.

Recommendations of contract awards to the low bidders meeting Authority specifications are as follows:

<b><u>BIDDERS INVITED</u></b>	<b><u>BIDS REC'D</u></b>	<b><u>COMMODITY</u></b>	<b><u>VENDOR</u></b>	<b><u>COST</u></b>
7	3	Dielectric Testing, Repair, for Aerial & Digger-Derrick Trucks	JGB Industries Inc. d/b/a Baker Equipment Pottstown, PA Altec Industries Inc Briningham, AL	\$ 26,860 (A) \$ 48,370 (B) \$ 21,096 (C)

These two-year Service Agreements of fleet maintenance for Authority Maintenance Departments contain three sections: Section A is for dielectric testing and inspection services of Aerial Trucks and Digger-Derrick Units for the Turnpike Division; Section B is for dielectric testing, inspection services, and preventative maintenance of Aerial Trucks and Digger-Derrick Units for the Parkway Division; and Section C is for repair services and parts for both Turnpike and Parkway Aerial Trucks and Digger-Derrick Units which includes a discounted manufacturer's list price for parts. Each contract term may be extended for two additional one-year terms each under the same prices, terms and conditions, at the sole discretion of the Authority. (RM 313, Re-bid)

5	2	Liquid Deicing Materials	Innovative Municipal Products Niagara Falls, NY	\$128,978
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Price Agreement for the period through October 31, 2008, for the purchase of liquid calcium chloride deicing materials for use on the Turnpike. Original contract term may be extended for two additional one-year terms each under the same terms and conditions, at the sole discretion of the Authority. (RM 388)

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**208C-07**

In the memorandum dated October 11, 2007, concerning a recommendation to **Award a Contract Requirement Account – Newspaper Advertisements**, Requisition Memorandum 394, Budget Codes: 10821/23/24/580/710/30001/65001/447020/653010/10821/33/10500//65003/06510020.

Authorization is requested to establish an open account for the Authority's newspaper publishing needs. These needs include, but are not limited to, notices of public meetings, auctions for disposal of vehicles, request for proposals, public bids, contract advertisements, public notices and employment advertising. The open account will be established for the period January 1, 2008 through December 31, 2008. Advertisements will be made on an "as needed basis" in one or more of the daily or weekly newspapers listed as: The Star Ledger, The Times, Trentonian, North Jersey News, Asbury Park Press, Homes News Tribune, Courier Post, Bergen Record, Burlington Times, City News, Cranbury Press, County Times, Jersey Journal, New Jersey Law Journal, New York Times, Princeton Packet, Today's Sunbeam (Salem City), Wilmington News Journal, Philadelphia Inquirer and Atlantic City Press. Based on the requirements of the departments for both Divisions, the combined authorized amount will not exceed \$90,000. The publishing of legal notices in newspapers, as required by law, is exempt, under NJ State procurement laws, from public advertisement for bid proposals.

Therefore, authorization is requested to establish an open account for the period January 1, 2008 through December 31, 2008 for newspaper publishing needs in an amount not to exceed \$90,000.

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**208D-07 through 208E-07**

**Results of Bidding** in response to public advertisement for the commodities requisitioned by various departments. Awards are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardees pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same. Bids for these items were procured and authorization is sought to award contracts to the lowest responsible bidders, pursuant to N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2

Recommendations of contract awards to the low bidders meeting Authority specifications are as follows:

<b><u>BIDDERS</u></b>	<b><u>BIDS</u></b>	<b><u>COMMODITY</u></b>	<b><u>VENDOR</u></b>	<b><u>COST</u></b>
24	9	Hot Water Pressure Washers	Atlantic Coast Hotsy Inc. Toms River, NJ	\$ 47,712
3	2	Weather Information System Repairs	Kevco Electric Inc. Middlesex, NJ	\$ 72,800

Purchase of seven (7) hot water pressure washers for the Authority Maintenance Departments. This contract includes a 3-year option which gives the Authority the right to purchase additional units conforming to the specifications at the same price, terms and conditions for the first model year and adjusted agreed upon price terms for two (2) additional model years. (R 38401) Maintenance Department Budget Code: 02-040-520-650010-04020022.

One-year Service Agreement for the maintenance, inspection, and repair of the New Jersey Turnpike's Roadway Weather Information System. Original contract term may be extended for two additional one-year terms each under the same prices, terms and conditions, in the sole discretion of the Authority. Vendor's prices shall remain firm for one year. Succeeding years of the contract will be adjusted based on the yearly average CPI as designated in the Consumer Price Index for all Urban Consumers U.S. City Average. The maximum increase permitted for any year of the contract shall not exceed 5%. (R 38741) TAS Department Budget Code: 00-010-834-466010 and 428900.

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**208F-07**

In the memorandum dated October 12, 2007, concerning a recommendation to **Increase Authorized Amount of Contract No. 428 – Southland Printing Co.** – Magnetic Toll Tickets.

At the January, 2006 Commission Meeting, authorization was granted to award a contract to Southland Printing Co. for magnetic toll tickets in an amount not to exceed \$205,800.80 (Contract No. 428) for the period through December 31, 2006. The Authority opted to extend Contract No. 428 for the period through December 31, 2007. Given the necessity of guaranteeing an ample supply of toll tickets, the Office Services Divisions requires that two contracts be maintained simultaneously. Thus, at the September 25, 2007 Commission Meeting, authorization was granted to award a second contract for toll tickets to Magnetic Ticket & Label Corp ("MTL Corp."). The contract with MTL Corp. was scheduled to commence this fall. However, implementation of the new contract has been delayed pending additional testing of sample tickets. Staff hopes that the second contract will commence by year end. In the meantime, Office Services has requested that Contract No. 428 be increased by \$20,580 for the remainder of 2007 to purchase additional tickets pending implementation of the second contract.

Accordingly, authorization is requested to increase Contract 428 awarded to Southland Printing Co. in the amount of \$20,580.00 for the period through December 31, 2007, bringing the new total authorized amount to \$226,380.80. This contract was procured and awarded in accordance with N.J.S.A. 27:23-6.1 et seq. and N.J.A.C. 19:9-2.2.

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**208G-07**

In the memorandum dated October 2, 2007, concerning a recommendation to **Increase Authorized Amount Contract No. 614 (RM 219) – Freehold Ford Inc.** – Ford OEM Replacement Auto Parts.

At the December 12, 2006 Commission Meeting (Item 265C-06), the Authority awarded a contract to Freehold Ford Inc. for Ford OEM Replacement Auto Parts for the period January 29, 2007 through December 31, 2007, in an amount not to exceed \$110,168.14. Bids were procured, and authorization was sought to award a contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2.

The Inventory Section has indicated that, due to the large volume of Ford parts utilized under this contract, the original authorized funds have been utilized. Therefore, staff is requesting that the Contract be increased by \$20,000 to cover the period through December 31, 2007. A new contract will be publicly solicited for the new year.

Accordingly, authorization is requested to increase Contract No. 614 with Freehold Ford Inc., Freehold, NJ, by \$20,000 for the period through December 31, 2007. This will bring Contract No. 614 to a new total authorized amount not to exceed \$130,168.14.

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**208H-07**

In the memorandum dated November 5, 2007, concerning a recommendation to **Extend Contract No. 329 – Energy Solve Demand Response, LLC** – Energy Management and Accounting Services.

At the August 30, 2005 Commission Meeting, authorization was granted to award a contract to Energy Solve Demand Response LLC (“Energy Solve”) for energy management and accounting services relating to payment of utility bills ( “Services” ). Under this program, the Authority eliminated data entry, check issuance, microfilming, records retention and other tasks associated with payment of utility bills for both Maintenance Departments. Contract No. 329 was issued to Energy Solve for the period September 1, 2005 through September 30, 2007 in an amount not to exceed \$273,596.70. The Authority had issued this contract based on a New Jersey Transit (“NJT”) contract with Energy Solve for like services.

Notwithstanding the fact that Contract No. 329 was issued to Energy Solve for a two-year term starting in September 2005, substantial delays in integrating the vendor’s software program with the Authority’s PeopleSoft software caused the Contract to actually start one year later in September 2006. In addition, less than half of the monies budgeted for the Services were expended. Thus, the Maintenance Staff has requested that Contract No. 329 be extended for an additional year through September 2008. The requested extension would give Authority staff sufficient time to competitively procure a contract for the Services. The Law Department and General Counsel have opined that the Services should be competitively solicited consistent with the Authority’s enabling statute and Executive Order No. 37. Furthermore, Energy Solve had been under the impression that the Contract would be for a term of two years starting in September 2006 as provided in the underlying NJT Contract and as stated in the Authority’s price agreement. Energy Solve has agreed to extend at the same terms and conditions. No additional funds are required.

Accordingly, authorization is requested to extend Contract No. 329 with Energy Solve Demand Response LLC, Somerset, NJ through September 30, 2008, as outlined herein.

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**208I-07**

In the memorandum dated October 11, 2007, concerning a recommendation to **Reject Bids and Re-bid Contract – Pallet Racks R-38635**

The Office Services Division requisitioned the purchase and installation of 143 pallet racks (including upright frames, load beams, wall ties, wire mesh decks, and labor) at the Basset Building. Bids for these items were solicited in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The contract was publicly advertised and requests for bids were sent to four vendors. The bid opening took place on October 3, 2007. Two bid proposals were received from Barclay Acquisition Corporation, South Plainfield, and Rabco Equipment Corp., Farmingdale, NJ.

The Purchasing Department reviewed the two proposals and found that the low bid proposal submitted by Barclay Acquisition Corporation did not include the Public Works Contractor Registration Certificate, which is mandatory for performing the contract. According to the bid specifications: "Contractors shall submit with their Proposal a valid copy of their certificate of registration with the New Jersey Department of Labor .... Failure to submit a valid copy of the certificate(s) may result in the rejection of the bidder's Proposal." Staff contacted Barclay Acquisition Corporation's representative regarding the deficiency. However, this bidder's representative admitted that the company did not have the required certificate. Thus, per the Law, this deficiency could not be cured and the bid proposal was rejected. The second bid proposal submitted by Rabco Equipment Corp. (\$75,089.64) was significantly above (40%) the Departmental Estimate of \$59,225. The Office Services Division staff believes that the second low bid amount is unjustifiable, exceeding their budget for this contract. Therefore, Staff recommends rejecting both bid proposals and re-advertising the contract.

Accordingly, authorization is requested to reject the bid proposals submitted by Barclay Acquisition Corporation and Rabco Equipment Corp. and to immediately re-bid the contract. Authorization is also requested to grant delegated authority to the Executive Director to award a contract to the lowest responsible bidder following the bid opening. The award of contract will be ratified at the next Commission Meeting.

Reviewed by the Law Director; available funds certified by the Finance Director where applicable; the Executive Director certified the recommendations for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the nine (9) item Purchasing agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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### **STRATEGIC POLICY AND PLANNING**

Deputy Strategic Policy and Planning Director Johnson requested approval of item numbers 209-07 through 210-07; noting any specific recusals, those items are as follows:

#### **209-07**

In the memorandum dated November 2, 2007, concerning a recommendation to **Issue Order for Professional Services No. A3144 – Wilbur Smith Associates** – General Traffic Engineering Consultant Services, Fund 010, Department 890, Account 445900 .

This Order for Professional Services (OPS) will provide for General Traffic Engineering Consultant services including expert traffic engineering consultation, traffic studies and analyses for the New Jersey Turnpike and the Garden State Parkway, and all other related services required of the "Traffic Engineers" by the Turnpike Authority's General Bond resolution. The term of the contract agreement will be for a period of three years, with the option for the Authority's Executive Director to execute up to three one-year extensions. The Consultant will also be

required to provide a variety of task orientated work assignments of various lengths and scopes involving traffic studies during the period of engagement, contingent to available funding.

This assignment is classified as a "Complex Project" because the fee exceeds \$1,000,000. Seven Consultants prequalified and eligible for this assignment under Profile Codes D492 - Traffic Engineering: Data Collection & Demand Modeling and D493 - Traffic Engineering: Toll Revenue & Sensitivity Analysis, were invited to submit Expressions of Interest (EOI). Three EOI's were received.

The three firms were requested to submit Technical and sealed Fee Proposals. They are, in the order of ranking: 1) Wilbur Smith Associates (WSA); 2) URS Corporation; and 3) Stantec Consulting. The Review Committee reviewed and evaluated each firm's Technical Proposal and requested oral presentations from WSA and URS Corporation. Final scoring resulted in WSA being the top technically ranked firm.

Strategic Planning staff reviewed the Fee Proposals submitted by all three firms and then met with WSA to negotiate their proposed hours and fee. Based on further negotiations and the revised Fee Proposal submitted by WSA on October 12, 2007, a fee of \$1,027,300 is considered to be fair and reasonable to perform the Traffic Engineers' services required by the Turnpike Authority's General Bond resolution. Additional task order assignments will be negotiated and authorized by the Executive Director separately through the Work Request Authorization Form (WRAF) process, on an as-needed basis.

It is, therefore, recommended that OPS No. A3144 be issued to the firm of Wilbur Smith Associates of Edison, NJ, in the maximum amount of \$1,027,300, which is estimated to be allocated as follows over the three-year contract term: \$27,300 in 2007, \$328,700 in 2008, \$343,500 in 2009 and \$327,800 in 2010. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.8, based on a 10% allowance for profit and an overhead rate of 154.5% or, the firms overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses.

It is also recommended that the Executive Director be delegated authority to approve up to three one-year term extensions, and separately negotiated WRAFs, up to \$250,000 limit per task order assignment, for additional traffic engineering services or studies needed to support the general requirements of the Bond Resolution or that can best be performed by the General Traffic Engineering Consultant. The funding for the task order assignments will be encumbered upon the execution of each WRAF.

The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Executive Order 134 (Public Law 2005, Chapter 51) and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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**210-07**

In the memorandum dated October 15, 2007, concerning a recommendation to **Issue Supplement No. 1 to Professional Services Contract – Rutgers University, Voorhees Transportation Center – Purchase Orders RUTGERS-06 and RUTGERS-07**

Strategic Regional Transportation Planning Assistance – Strategic Policy and Planning Department, Special Project Reserve Fund Budget Code 04008012.

At the January 31, 2006 Commission Meeting, the Commissioners voted to issue the above referenced Professional Services Contract to Voorhees Transportation Center of the Edward J. Bloustein School of Planning and Public Policy at Rutgers University (VTC), New Brunswick, New Jersey. The Contract was issued for a total authorized amount of \$250,000 and an approximate two-year term period through December 31, 2007. Under this contract VTC is providing professional assistance in the continued development of the New Jersey Turnpike Authority's Office of Strategic Policy and Planning (OSPP) as it focuses on external impacts and regional transportation planning.

Supplement 1 to this contract is required to update VTC's external scan of regional land use development for immediate incorporation and use in the OSPP's long range planning and forecasting database. The external scan update will include consultation with state agencies and counties to update the land use development data, including any changes which have occurred since the summer and fall of 2006 when VTC last conducted the external scan, and to obtain the appropriate Geographic Information Systems (GIS) reference data. The original contract did not anticipate an annual update to this database, nor did it anticipate that the VTC team would be responsible for collecting and confirming the land use data for the GIS database. VTC will also document the process to allow the OSPP to replicate the external scan with its own staff in future years. The additional services will be completed within the contract's original term period, by December 31, 2007. The proposed fee of \$50,000 submitted by VTC for these additional services has been reviewed by the OSPP and is considered to be fair and reasonable.

It is, therefore, recommended that Supplement No. 1 be issued to VTC in the maximum amount of \$50,000 with compensation on the same basis as the original contract. The addition of this amount increases the total authorized fee from \$250,000 to \$300,000. The original contract was procured pursuant to N.J.S.A. 23:6-1 and N.J.A.C. 19:9-2.1(b).

Reviewed by the Law Director; available funds certified by the Finance Director; the Executive Director certified the recommendations for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the two (2) item Strategic Policy & Planning agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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## GENERAL BUSINESS

Deputy Executive Director Scaccetti requested approval of item numbers 211-07 through 212-07; noting any specific recusals, those items are as follows:

### 211-07

In the memorandum dated November 1, 2007, concerning a recommendation to **Issue Utility Order NJFON-Adesta-14 – Adesta LLC** –Diverse Fiber Optic Access, Traffic Management Center, Budget Code: 08017004.

Authorization is sought to issue a utility order to Adesta LLC to provide the New Jersey Turnpike Authority's (NJTA) new Traffic Management Center (TMC) with diverse fiber optic access to the fiber optic backbone located on the mainline roadway of the Garden State Parkway. The project will provide two fiber optic pathways through the TMC on the NJTA fiber optic ring. The proposal includes engineering, permits, new duct construction, fiber optic cable installation, splicing and testing.

Adesta LLC maintains the existing fiber optic cable and termination electronics on the NJTA fiber optic ring under an existing maintenance contract. The total amount of the utility order will not exceed \$339,023.

Therefore, it is recommended that Utility Order NJFON-Adesta-14 be issued to Adesta LLC in the amount of \$339,023.

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### 212-07

In the memorandum dated October 29, 2007, concerning a recommendation to **Proceed with Purchase and Installation of Dual-Height Automatic Ticket Issuing Machines in Entry Lanes on the New Jersey Turnpike**, Electronic Toll Collection, Account No. 08007008 and **Issue Supplement F to Order for Professional Services No. A3053 – HNTB Corporation** – Design Services and Construction Inspection.

After careful study, it is recommended that manual entry lanes on the New Jersey Turnpike be automated through the use of Dual-Height Automatic Ticket Issuing Machines ("DATIMs") and additional dedicated E-ZPass lanes. The Turnpike Toll Collection Department has identified 15 manual entry lanes that are appropriate for DATIM installation and 3 manual entry lanes that are appropriate for conversion to dedicated E-ZPass lanes. It is recommended that the Authority purchase 18 DATIMs and associated equipment (3 as spare units) at a cost of \$730,000. The DATIMs will be purchased through the Authority's existing agreement with ACS State and Local Solutions Inc.

In order to prepare for the installation of the DATIMs, staff has determined that all 15 lanes will require infrastructure improvements. Based on the results of a field survey, it is staff's opinion that the required improvements are such that 2 separate construction contracts would be required. In addition, 3 new canopy signs will be required to properly identify the 3 new dedicated E-ZPass entry lanes. Finally, 20 additional signs will be needed in the near future to properly

identify additional E-ZPass exit lanes. All work necessary to fabricate and install these signs will be included in one of the aforementioned construction contracts. Design services and construction inspection for these contracts will be performed by HNTB under Supplement F to their General Consultant OPS in an amount not to exceed \$777,500. In order to expedite the necessary construction work, it is requested that authority be delegated to the Executive Director to award the construction contracts required to make the necessary toll booth modifications and the fabrication and installation of canopy signs as well as Supplement F to the HNTB General Consultant OPS. The award of each construction contract will be ratified by the Board. Funds will be made available based on bid amounts received and available at the time of award.

Reviewed by the Law Director; available funds certified by the Finance Director; the Executive Director certified the recommendations for consideration.

On motion by Commissioner DuPont, seconded by Vice-Chairman Miele, the Authority unanimously approved items 211-07 and 212-07; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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**213-07**

Finance Director Hayllar presented the financial results of the New Jersey Turnpike Authority for the Nine Months ended September 30, 2007. On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority's **Financial Summary** was unanimously accepted and received for file.

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**214-07**

**Resume of All Fatal Parkway Accidents** for the period 1/01/07 – 10/24/07, with 2006-2007 comparisons through September, was submitted by Parkway Operations Assistant Director McGoldrick. On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously accepted the Resume' and received for file.

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**215-07**

**Resume of All Fatal Turnpike Accidents** for the period 1/01/07 – 10/18/07, with 2006-2007 comparisons through September, was submitted by Turnpike Operations Director Hill. On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously accepted the Resume' and received for file.

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**216-07**

**New Jersey State Police Troops D and E - Reports of Activities** for the month ending September of 2007, with 2006-2007 yearly comparisons, was submitted by Troop E Commander DelVento. On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously accepted the reports and received for file.

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At this juncture, the Chairman opened the floor to public comment on other matters.

There was no response.

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The motion to adjourn was made by Commissioner DuPont, seconded by Commissioner Hodes and, after the voice vote, the motion was duly adopted. The Authority adjourned at 9:55 a.m., to meet on Monday, December 10, 2007, at 9:30 a.m.

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The Assistant Secretary acknowledges receipt of the following documents for file:

REPORT OF PURCHASES – Period: September 1 through September 30, 2007; under Executive Directors Delegated Authority.

REPORT OF UTILITY ORDERS – Period ending October 12, 2007; under EDDA 117-05.

Utility Order No. NJFON-ADESTA-13 – Adesta LLC – Fiber Optic Cabling, Turnpike Interchanges, Electronic Toll Collection (ETC), Automatic Vehicle Identification (AVI) Remote Monitoring Project; authorized 8/28/07.

REPORT OF CHANGE ORDERS, TYPE 1 AND TYPE 2 – Period: September 7, 2007 through October 11, 2007.

AGREEMENTS/CONTRACTS:

Declaration of Taking – NJTA v. Forsgate Industrial Complex – TPK Section Route 92, Parcels 92-107, C92-107 and 92-110, dated 2/4/2004; authorized 5/27/03.

Deed of Ownership and Easements – to NJTA from Courtbruns LLC – TPK Section Route 92, Parcels 92-108 and C92-108; dated 6/13/2007; authorized 5/27/03.

First Amendment to Lease – Mack-Cali Realty Corporation – Rental of certain premises at 581 Main Street, Woodbridge, NJ, dated 10/2/2007; authorized 8/30/05.

Supplemental Agreement – Ocean County, NJ – in Connection with the GSP (Parkway) Interchange 69 Improvement Project, dated 9/5/2007; authorized 5/3/05.

Third Amendment to Agreement; and Agreement – McDonald's Corporation – change in franchisee at the Parkway locations of Brookdale Plaza South, dated 7/2007; and agreement with franchisee for Brookdale North - Northern Café, dated 7/31/2007; authorized 7/23/07.

Agreement, Professional Services Contract – Aon Consulting – Actuarial Services, Governmental Accounting Standards Board Statement 45 (GASB45), Accounting and Financial Reporting by Employers for Post Retirement Benefits other than Pensions; authorized 8/28/07.

Agreement, Professional Services Contract – This Is It! Productions Inc. – Production Company Event Planning Services, Garden State Arts Foundation Cultural Center Fund's Annual "Kids Day Weekend" Children's Event, PNC Bank Arts Center; authorized 4/24/07.

Contract No. P200.065 – A.E. Stone Inc.; authorized 8/28/07.

Contract No. P200.075 – Della Pello Paving Inc.; authorized 9/25/07.

Contract No. A500.029C – Joseph M. Sanzari Inc.; authorized 7/23/07.

Contract No. P500.061-1 – Joseph M. Sanzari Inc.; EDDA 7/23/07; ratified 8/28/07.

Contract No. T600.066-1 – Daidone Electric Inc.; reject bid 7/23/07; authorized 9/25/07.

Snow Removal Contract Agreement SPS-3E-07 and SPC-11E-07– Earle Asphalt Company; authorized 8/28/07.

ORDERS FOR PROFESSIONAL SERVICES:

OPS No. T3116 – Dewberry-Goodkind Inc. – Design Services, Turnpike Interchanges 6 to 9 Widening, Section 6; authorized 8/28/07.

OPS No. T3140 – IH Engineers PC – Construction Supervision; authorized 7/23/07.



OPS No. P3143 – TransSystems/Lichtenstein – Inspection, Parkway Bridges; authorized 8/28/07.

Supplemental TPK OPS No. 1911D – Wilbur Smith Associates – General Traffic Engineering Consultant; authorized 7/23/07.

Supplemental TPK OPS No. 1943D – The RBA Group Inc. – Design Services; authorized 9/25/07.

Supplemental OPS No. A3053D – HNTB Corp. – General Consulting Engineers; authorized 9/25/07.

Supplemental OPS No. P3060A – Trans/Systems/Lichtenstein – Design Services; authorized 7/23/07.

Supplemental OPS No. P3074A – Buchart-Horn Inc. – Construction Supervision; authorized 8/28/07.

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Rose Stanko  
Assistant Secretary

APPROVED:

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Kris Kolluri, Chairman and Department of Transportation Commissioner

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Joseph P. Miele, Vice-Chairman

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Michael R. DuPont, Treasurer

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Harold L. Hodes, Commissioner

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David G. Evans, Commissioner

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Raymond M. Pocino, Commissioner