



**State of New Jersey**  
OFFICE OF THE GOVERNOR  
PO Box 001  
TRENTON, NJ 08625-0001

CHRIS CHRISTIE  
Governor

March 18, 2010

Ms. Diane Gutierrez-Scaccetti  
Executive Director  
New Jersey Turnpike Authority  
P.O. Box 5042  
Woodbridge, New Jersey 07095-5042

RE: Minutes of the New Jersey Turnpike Authority  
February 23, 2010 Meeting

Dear Mr. Gutierrez-Scaccetti:

I have reviewed the minutes of the February 23, 2010 meeting of the New Jersey Turnpike Authority. In accordance with the authorization contained in N.J.S.A. 27:23-3(F), I hereby return the minutes with a veto of the actions taken at the February 23, 2010 meeting by the Authority with respect to the approval of the following professional services contracts:

1. Order of Professional Services No. P3313  
Award of a contract in the amount of \$2.34 million to Churchill Consulting Engineers for supervision of construction services for certain guiderail improvements and pavement restoration contracts.
2. Order of Professional Services No. P3315  
Award of a contract in the amount of \$980,000 to Hill International for supervision of construction services for construction of the Holmdel Motor Vehicle Maintenance Facility and installation of the PNC Bank Arts Amphitheater improvements.

3. Order of Professional Services No. A3316  
Award of a contract in the amount of \$476,000 to KS Engineers, P.C. for supervision of construction services related to certain contracts for sign panel replacements and overhead variable message sign support structures fabrication.
4. Order of Professional Services No. P3278  
Award of a contract to Dresder Robin Environmental Management, Inc. in the amount of \$735,200 for operation, maintenance and compliance monitoring of environmental remediation systems at the Montvale and Vauxhall service areas on the Garden State Parkway.
5. Order of Professional Services No. P3279  
Award of a contract to Hatch Mott MacDonald in the amount of \$545,000 for operation, maintenance and compliance monitoring of environmental remediation systems at the Brookdale North and Brookdale South service areas on the Garden State Parkway.

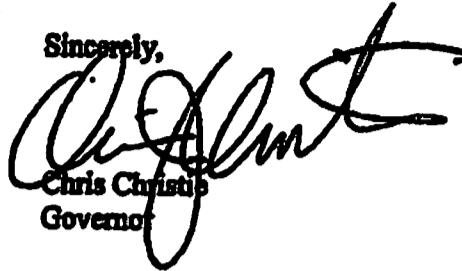
Each of these contracts was awarded in an amount significantly higher than the fee proposed by another highly-ranked firm who responded to the Authority's public procurement process. The Chairman of the Authority, Commissioner of Transportation James Simpson, raised questions regarding these contracts at the February 23, 2010 meeting and was informed that Authority regulations required it to negotiate with the highest-ranked firm using the Authority's engineer's estimate, without consideration of the price proposed by the other top-ranked firms.

This practice ignores the requirement of N.J.A.C. 19:9-2.8(g)(2) that fee proposals of all of the highest-ranked firms be considered as a "guideline" in "negotiat[ing] a fair and reasonable fee with the highest ranked firm, taking into consideration all relevant factors, including, but not limited to, the estimated value of the services to be rendered and the scope, complexity and professional nature thereof." It does not appear that the Authority has sufficiently complied with N.J.A.C. 19:9-2.8(g)(2), given that the fees negotiated for the five contracts referenced above range from 11.5% to 84% higher than the fees proposed by other highly-ranked firms. Indeed, the \$2.34 million fee negotiated with Churchill Consulting Engineers in OPS No. P3313 is \$630,000 higher than the fee proposed by the second-ranked firm, and over \$1 million higher than the fee proposed by the third-ranked firm.

Such high fees cannot be considered fair and reasonable. I therefore exercise my veto authority with respect to the above-referenced contracts.

**No veto power is exercised as to any other action taken by the Authority at its meeting on February 23, 2010.**

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Christie", written over the typed name and title.

**Chris Christie  
Governor**

**c. James S. Simpson, Commissioner, Department of Transportation  
Deborah L. Gramiccioni, Director, Governor's Authorities Unit**

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**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY  
TUESDAY, FEBRUARY 23, 2010**

Acting Chairman Simpson called the Authority into session in the Executive Boardroom of the Authority's Administration Offices, Woodbridge, New Jersey, at 9:33 A.M.

**PRESENT**

Acting Chairman James Simpson; Commissioner/Treasurer Michael DuPont; Commissioner Harold Hodes; Commissioner David Evans; Commissioner Raymond Pocino; Commissioner Troy Singleton; and Commissioner Ulises Diaz.

At this time, Acting Chairman requested a moment of silence to be observed for the passing of Clive Cummis who was a committed Commissioner in service to this Authority.

**ALSO PRESENT**

Executive Director Diane Gutierrez-Scaccetti; Deputy Executive Director John O'Hern; Chief Engineer Richard Raczynski; Electronic Toll Collection Director Dennis Switaj; Finance Comptrollers Donna Manuelli, Pamela Varga and Tracey Walters; Human Resources Director Mary-Elizabeth Garrity; Internal Audit Director James Carone; Law Director George Caceres; Deputy Law Director Linda Cavanaugh; Maintenance Director John Cifelli; Operations Director Sean Hill; Purchasing Director Andrea Ward; Strategic Policy and Planning Director Marilyn Lennon; Technology and Administrative Services Director Brian Gorman; Assistant Tolls Director Colleen Lentini and Tolls Manager Dennis Burke; Commander Matthew Walker, New Jersey State Police Troop D; Garden State Art Center Foundation Director of Development Mary Ruotolo; Chief of Staff Joe Orlando; and Secretary Rose Stanko.

Also present were: General Counsel Judy Verrone; General Consultants James Beattie and Jack Finn; Governors' Authorities Counsel Maura Tully; NJ Department of Treasury – Steven Petrecca; NJ Department of Transportation Policy and Authorities Coordination Representatives Ben Neville and Debra Firman; additional individuals consisting of other NJTA employees; interested organizations; the general public; and from the media: the Star Ledger; and The Bergen Record.

**NOTICE OF MEETING**

This is a regular 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.

**ACTION ON MINUTES**

The Secretary reported that ten days, excluding Saturdays, Sundays and holidays, have elapsed since Governor Chris Christie received the proceedings of the regular meeting of January 26, 2010; he did not exercise his power to veto any items in those minutes.

Further, a typographical correction is made to those Minutes. A total figure set forth in Law agenda item 4-10 will be recorded to indicate the accurate amount of \$45,820.

Upon motion made by Commissioner DuPont, seconded by Commissioner Hodes, the minutes of the January 26, 2010 meeting were approved, as corrected.

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**RECUSALS**

The Secretary reported that advisements of recusal had been submitted and asked for any further recusals or abstentions to be placed on record for this meeting. Those results are regarding items: 45-10 for Acting Chairman Simpson; 45-10 for Commissioner DuPont; 39-10, 42-10, 55-10 for Commissioner Hodes; 44-10, 45-10, 47-10, 49-10, 50-10, 60-10 for Commissioner Pocino; and 44-10, 47-10, 50-10, 60-10 for Commissioner Singleton.

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A motion to enter into Executive Session, not open to the public in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-12(b), to discuss matters pertaining to:

- A. Personnel;
- B. Purchase, Lease or Acquisition of Real Property;
- C. Pending or Anticipated Litigation; and/or
- D. Contract Negotiations.

The motion was made by Commissioner Hodes, seconded by Commissioner DuPont, and, after a voice vote, the motion was duly adopted by the Board of Commissioners of the New Jersey Turnpike Authority. Minutes of the deliberations conducted in closed Executive Session will be disclosed to the public once the Commissioners determine that the public interest will no longer be served by keeping these deliberations confidential.

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When Executive Session was adjourned at 10:00 AM, the Acting Chairman resumed the public portion of the meeting. At this juncture, a presentation was conducted by Chief Engineer Raczynski and Technology and Administrative Services Director Brian Gorman, concerning the Authority's Variable Message Sign (VMS) program which described the VMS capabilities and benefits. A summary of that presentation is as follows:

Since its opening in 1951, the Turnpike remains one of the busiest roadways in the nation with 148 miles of toll road travelled by approximately 700,000 vehicles per day. Twenty-nine (29) Interchanges link the Turnpike to New Jersey's highways, institutions, points of interest, economic hubs and has become an important travel artery in the north-eastern United States transportation corridor. The Turnpike was once the leader in the nation for traffic control technology by deploying neon Emergency, Speed Warning and Variable Speed Limit Signs (ESW/SL) through the entire length of roadway to provide motorists with advance warning and speed reduction due to accidents, construction and/or weather. These ESW/SL signs were installed from 1951 through 1969.

The Garden State Parkway serves as one of the nation's busiest transportation facilities, running 173 miles north and south through 50 municipalities and 10 counties from the New York

state line to Cape May. The Parkway was designed to allow motorists as many convenient entrances and exits as possible between New Jersey's urban and coastal regions. The Parkway maintains a total of over 350 exits and entrances. The Parkway installed approximately 30 Variable Message Signs (VMS) in the 1990's.

In an effort to revitalize Intelligent Traffic Systems (ITS) for the Turnpike, the Authority initiated a 10-year program in 2004 to evaluate new technologies and implement a program deploying new electronic signs and roadway traffic detection to provide for optimal efficiency of traffic management. The technology will provide electronic information to and/or from the roadways regarding travel interruption caused by congestion, construction or other disrupting events in order to reduce incidents, increase response time and improve environmental benefits.

Through an ITS master plan study, new ITS standards were developed which would consolidate traditional ITS infrastructure out on the roadway, provide safer means of ITS sign and device maintenance access from roadway shoulders without a disruption to traffic lanes and provide greater intelligence of operation through technology. The program includes the deployment of 220 variable message and 139 variable speed limit signs to replace the aging electronic signs on the Turnpike and Parkway. These new signs incorporate a streamlined design for the signs and structures resulting in a 50% cost savings from traditional VMS and structure designs. Each new sign location now represents a complete ITS "station" or node consisting of wireless loop traffic detection with 99% accuracy and Closed Circuit Television Cameras (CCTV). New technology in wireless high-speed, high-bandwidth communications now allows for placement of each complete ITS Station where it provides the best value for traffic management operations and without the need for an extensive underground conduit system or costly infrastructure. Weather sensors will provide roadway conditions. New "intelligence" software will provide ITS benefits in a much more complex traffic environment than seen in earlier years. The new software will manage messaging to the signs in a regional approach by providing messages to multiple roadways simultaneously in a real-time manner. Procurement and complete deployment will take place over the next 5 years with anticipated final completion and system realization by 2014.

Upon conclusion of the presentation, Acting Chairman Simpson opened the floor for comment pertaining to the public items being presented for Board approval. There was no response.

The Members of the Authority then moved on the following agenda matters presented for consideration:

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**PERSONNEL**

**35-10**

Human Resources Director Garrity submitted the Personnel Agenda, dated February 23, 2010, and requested confirmation of the personnel matters contained therein.

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The Executive Director certified the recommendations for consideration.

On motion by Commissioner Diaz, seconded by Commissioner Hodes, employment of those named to serve at the pleasure of the Authority and other recommended personnel actions, were approved, ratified and confirmed, to become effective as of the dates specified and at the salaries listed.

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#### LAW

Law Director Caceres requested approval of items 36-10 through 41-10; moved together, those items are as follows:

#### 36-10

In a memorandum dated January 27, 2010, concerning a recommendation to Settle Formal Workers' Compensation Matter of Vincent Basile v. New Jersey Turnpike Authority, Account No. 10-870-405070.

Vincent Basile, a Parkway Division Toll Plaza Supervisor hired in January 1987, suffered left shoulder injury and aggravated a prior cervical injury (from an auto accident), from pulling a money vault on February 5, 2008. Regarding the shoulder injury, MRI revealed partial tear of the left rotator cuff and impingement syndrome. Arthroscopic surgery was performed by Dr. Glenn Zuck on December 2, 2008 to repair a tear of the anterior and posterior labrum, acromioplasty/bursectomy, release of the coracoacromial ligament and distal clavicle resection. Concerning the cervical aggravation, MRI showed left sided disc herniation at C5-6, compromise of the left nerve root at C6 and disc protrusion at C6-7. On February 29, 2008 the petitioner was seen by Dr. Sanjiv Paikh who administered a cervical epidural corticosteroid injection. The petitioner also received 2 more cervical injections of the same nature by Dr. Paikh. On May 15, 2008 the petitioner underwent further EMG testing and was seen by Dr. Robert Sabo on September 2, 2008. Dr. Sabo recommended surgery, comprised of anterior cervical discectomy and instrumented arthrodesis from C5 to 7 with local bone allograft or trabecular metal. The cervical surgery was rejected by the petitioner.

The petitioner is represented again by Christopher Day, Esq. from Egg Harbor Township, NJ. The Authority is defended by Special Counsel Curt Cox of Kamensky, Cohen & Associates, located in Pennington, NJ. The matter is venued in the district office of Toms River before Judge Tagliatella.

Permanency findings by Dr. Kenneth Peacock on behalf of the respondent, opined 7.5% partial total for the cervical spine regardless of cause, and 5% partial total for the left shoulder. Permanency findings on behalf of the petitioner, performed by Dr. Ralph Cataldo, opined 75% of partial total for the cervical spine and 55% of partial total for the left shoulder. Special Counsel can resolve the case for 45% of permanent partial total for both injuries. The 45% would be apportioned as follows: 20% for the left shoulder and 25% for the cervical spine minus a 20% Abdullah credit for the petitioner's prior cervical injury. This would equate to a total award of



\$94,602.00. These settlement percentages are recommendations made by Judge Tagliatella and Special Counsel believes that if the case were to go to trial, the shoulder claim could easily increase to 22.5% or 25% bringing the total award to \$115,527.00 or \$122,952.00. Special Counsel believes that the \$94,602.00 is the most favorable settlement for the Authority.

The Law Department has reviewed this matter and agrees with the recommendation of the Special Counsel, the Authority's third party workers' compensation administrator and the Assistant Director Human Resources - Safety & Benefits. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$94,602.00.

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37-10

In a memorandum dated January 28, 2010, concerning a recommendation to Settle Formal Workers' Compensation Matter of John Cullinane v. New Jersey Turnpike Authority, Account No. 10-870-405070.

John Cullinane, a Turnpike Division Maintenance Person hired in November 1981, suffered injuries to his neck, right shoulder, arm and back on October 23, 2006. The injuries occurred while Mr. Cullinane was closing a paint tank valve, slipped on debris on the ground, struck his head and twisted his neck. The petitioner was out of work for nine months. An MRI revealed severe cervical disc herniation at C5-6. The petitioner failed to improve from conservative treatment, which included cervical epidural injections administered by Dr. Parikh. On March 12, 2007 the petitioner underwent surgery performed by Dr. Kahanovitz by way of anterior discectomy, which included fusion of C5-6, bone graft and placement of an anterior plate in the cervical spine. Post surgery, the petitioner underwent a course of physical therapy. The petitioner also had a pre-existing cervical injury from a motorcycle accident unrelated to the Authority.

The petitioner is represented by Lerner, Piermont & Riverol from Jersey City, NJ. The Authority is defended by Special Counsel Gary Price of Buttafuoco, Arce & Price located in South Plainfield, NJ. The matter is venued in the district office of Jersey City before Judge Kenneth Kovalcik.

Permanency findings by Dr. Arthur Canario on behalf of the respondent opined 12.5% partial total for the cervical spine alone. Permanency findings on behalf of the petitioner, performed by Dr. Morris Horowitz, opined 65% of partial total for the cervical spine. Also on the petitioner's behalf, Dr. Komotar opined 45% of partial total neurologically. Special Counsel conferenced the case with Judge Kovalcik who recommended a settlement of 33 1/3% (\$64,393.56) of partial total with a 5% (\$5,520.00) credit for the pre-existing injury. This equates to a total award of \$58,873.56. The Judge also noted that due to the high disability percentage found by the respondent's physician, the award could in fact go higher than 33 1/3% if the case were to go to trial. Given the judge's statement, we cannot expect better outcome if the case is tried.

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The Law Department has reviewed this matter and agrees with the recommendation of the Special Counsel, the Authority's third party workers' compensation administrator and the Assistant Director Human Resources - Safety & Benefits. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$58,873.56.

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**38-10**

In a memorandum dated February 11, 2010, concerning **Ratification of Action Taken for Acquisition of Property Interests Required for the New Jersey Turnpike Authority Interchange 6-9 Widening Program**, Acquisition of 14 Properties, 2009 Capital Construction Program.

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 and construction is proceeding.

The acquisition of the necessary property interests is critical to the success of the Widening Program. In light of same, the Commissioners of the New Jersey Turnpike Authority authorized the Executive Director to take all steps necessary to prepare for the acquisition of easements or other property rights needed to begin Phase 1 construction of the Widening Program with final action being brought to the Commissioners for ratification.

The Authority has taken final action with respect to the following properties:

**I. New Acquisitions:** The Authority has determined that the six (6) properties listed below are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. The Authority then entered into good faith negotiations with the owners and their respective counsel as appropriate for the purchase of same based on this appraised value and in compliance with the laws governing its powers of eminent domain. Negotiations continued and a settlement of all terms was agreed upon. The following is a description of each property for which the parties have finalized negotiated terms of sale:

- 1) Turnpike Design Section 5, ROW Section 4H  
Parcel Series 1036C, Block 47, Lot 6 (Partial Taking)  
Perrineville Road, Robbinsville Township, Mercer County  
Owner: Jersey Central Power & Light  
Amount: \$600.00

The property currently consists of 2.73 acres of vacant land used as a transportation corridor for a transmission line for electrical service (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a fee simple interest in 0.002 acres of the Property to be designated as Parcel 1036C; (2) a slope easement consisting of the right to form and maintain slopes for grading and draining Allens Road, impacting 0.001 acres of the Property to be designated as Parcel E1036C; and (3) a temporary construction easement consisting of the right to enter upon remaining lands of the owner with personnel, materials and equipment for use during the construction of a driveway, impacting 0.032 acres of the Property to be designated as Parcel C1036C

- 2) Turnpike Design Section 8, ROW Section 4L  
Parcel Series 1206, Block 8, Lot 1.01  
324 Half Acre Road, Cranbury Township, Middlesex County  
Owner US Industrial REIT II  
Amount: \$278,100.00

The property currently consists of 55.216 acres of land improved with a 680,747 square foot warehouse and a 50' wide by 10' high building sign (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a fee simple interest in 1.063 acres of the Property to be designated as Parcel 1206; (2) a utility easement consisting of the right to install and maintain the Colonial Pipeline, impacting 0.057 acres of the Property to be designated as Parcel UE1206; (3) a utility easement consisting of the right to install and maintain a water main, impacting 0.399 acres of the Property to be designated as Parcel 2UE1206; (4) a utility easement consisting of the right to install and maintain a sanitary sewer line, impacting 0.227 acres of the Property to be designated as Parcel 3UE1206; (5) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the regrading of the driveway to meet new roadway grades, impacting 0.233 acres of the Property to be designated as Parcel C1206; (6) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of subsurface Colonial Pipeline and appurtenances, impacting 0.465 acres of the Property to be designated as Parcel 2C1206; and (7) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of subsurface Colonial Pipelines and appurtenances, impacting 0.323 acres of the Property to be designated as Parcel 3C1206.

- 3) Turnpike Design Section 2, ROW Section 3E  
Parcel Series RC289, Block 103, Lot 4.01 (Partial Taking)  
7 Bordentown-Chesterfield Road, Chesterfield Township, Burlington County  
Owner: Cynthia J. Bloom-Cronin  
Amount: \$ 1,000.00

The property currently consists of 24.87 acres of land improved with an historic, two-story house and barn (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the reconstruction of a driveway, impacting 0.078 acres of the Property to be designated as Parcel RC289.

- 4) Turnpike Design Section 8, ROW Section 4L  
Parcel Series 1205, Block 8, Lot 1.02 (Partial Taking)  
324 Half Acre Road, Cranbury Township, Middlesex County  
Owner: Church & Dwight Co., Inc.  
Amount: \$321,067.00

The property currently consists of 10.23 acres of vacant land (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a fee simple interest in 0.997 acres of land to be designated as Parcel 1205; (2) a utility easement granting the right to install and maintain a water main located along the proposed NJTA ROW line impacting 0.535 acres of the Property to be designated as Parcel UE1205; (3) a utility easement granting the right to install and maintain a sanitary sewer line located along the proposed NJTA ROW line, impacting 0.305 acres of land to be designated as Parcel 2UE1205; and (4) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the relocation of a water main, impacting 0.005 acres of land to be designated as Parcel C1205.

- 5) Turnpike Design Section 5, ROW Section 4H  
Parcel No. RC1049, Block 37, Lots 1 (Partial Taking)  
33 Whitcomb Road, Township of East Windsor, County of Mercer  
Owner: Joseph I. Onochie & Vickie O. Onochie  
Amount: \$500.00

The property currently consists of 2.404 acres of land improved with a two-story dwelling (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner with personnel, materials and equipment in order to construct a petroleum pipeline and appurtenances along with the construction of a driveway, impacting 0.087 acres of the Property to be designated as parcel RC1049.

- 6) Turnpike Design Section 2, ROW Section 3E  
Parcel No. 256C, Block 93, Lot 11 (Partial Taking)  
Off Bordentown-Chesterfield Road, Bordentown Township, Burlington County  
Owner: Alberta D. Perestam and Stephen B. Perestam  
Amount: \$ 600.00

The property currently consists of 1.640 acres of vacant, land-locked woodland (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.381 acres of the Property to be designated as Parcel 256C.

**II. New Eminent Domain Proceedings.** The Authority has determined that the eight (8) properties listed herein are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. Authority to condemn was previously provided by the Commissioners on two of the parcels listed below however a minor change in design has necessitated an increase in the affected area. As a result additional authority is requested for action with respect to the Epicenter Parcel, Block 38, Lots 1, 3, 6 & 7 as well as the Lucas Parcel, Block 204, Lot 1. The owners of Block 2729, Lot 3, Aqua New Jersey, Inc., are consenting to these proceedings. With respect to the remaining parcels, the Authority had contacted the respective property owners and entered into good faith negotiations with said owners and their respective counsel for the purchase of same based on the appraised value and in compliance with the laws governing its powers of eminent domain. In each instance, the negotiations have reached an impasse. Eminent Domain proceedings are being filed as a last resort. The following is a description of each property:

1) Turnpike Design Section 4, ROW Section 4G (Revised Taking)

Parcel Series 960, Block 38, Lots 1, 3, 6 and 7 (Partial Taking)

Circle Drive, Robbinsville Township, Mercer County

Owner: Epicenter, Inc.

Amount: \$98,000.00 (additional \$ 13,000 only; \$85,000 previously approved)

The property currently consists of 75.89 acres of vacant, unimproved land (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 2.016 acres of the Property to be designated as Parcel 960; (2) a utility easement consisting of the right to install and maintain the Colonial Pipeline, impacting 1.837 acres of the Property to be designated as Parcel 2RUE960; (3) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of the subsurface Colonial Pipeline and appurtenances, impacting 1.259 acres of the Property to be designated as Parcel 2RC960; (4) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of the subsurface Colonial Pipeline and appurtenances, impacting 2.879 acres of the Property to be designated as Parcel 4C960; (5) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of the subsurface Colonial Pipeline and appurtenances, impacting 0.065 acres of the Property to be designated as Parcel 5C960; (6) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of the south abutment and embankment of the proposed Ramp TN Bridge over New Jersey State Highway I-195 and the construction of the subsurface Colonial Pipeline and appurtenances, impacting 2.053 acres of the Property to be designated as Parcel 2R2C960; and (7) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of the south abutment and embankment of the proposed Ramp TN Bridge over New Jersey State Highway I-195 and the construction of the subsurface Colonial Pipeline and appurtenances, impacting 0.349 acres of the Property to be designated as Parcel R3C960.

2) Turnpike Design Section 3, ROW Section 3F

Parcel No. 310, Block 2729, Lot 3 (Partial Taking)

Crosswicks Hamilton Square Road, Hamilton Township, Mercer County

Owner: Aqua New Jersey, Inc.

Amount: \$1,800.00

The property currently consists of an "L" shaped vacant tract containing an area of 0.79 acres (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.191 acre of the Property to be designated as Parcel 310.

3) Turnpike Design Section 2, ROW Section 3E (Revised Taking)

Parcel Series 262, Block 204, Lot 1 (Partial Taking)

14 Bordentown-Chesterfield Road, Chesterfield Township, Burlington County

Owner: Suzette Lucas and Matthew Lucas

Amount: \$ 296,600.00 (additional \$61,200, \$235,400 previously approved)

The property currently consists of 16.168 acres of land improved with a two-story single-family residence with a detached garage and shed (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests":

(1) a fee simple interest in 0.780 acres of the Property to be designated as Parcel 2R262A; (2) a fee simple interest in 0.242 acres of the Property to be designated as Parcel 262B; (3) a drainage easement, impacting 0.038 acres of the Property to be designated as Parcel RD262; (4) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of the proposed utilities, impacting 0.291 acres of the Property to be designated as Parcel RC262A; and (5) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of the proposed facilities, impacting 0.103 acres of the Property to be designated as Parcel C262B.

- 4) Turnpike Design Section 6, ROW Section 4J  
Parcel No. 1099, Block 16, Lot 1,2,5,6, & 7 (Partial Taking)  
339 Monmouth Street, East Windsor Township, Mercer County  
Owner: Enchantments at East Windsor, LLC  
Amount: \$ 51,200.00

The property currently consists of 56.13 acres of vacant land, which has been approved for 109 age-restricted residential building lots, and four open space lots (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.664 acres of the Property (specifically Lot 6) to be designated as Parcel 1099.

- 5) Turnpike Design Section 3, ROW Section 3F  
Parcel Series 329, Block 2733, Lots 1 (Partial Taking)  
1040 Yardville-Allentown Road, Hamilton Township, Mercer County  
Owner: Saint James Protestant Episcopal Church  
Amount: \$ 23,000.00

The property currently consists of 9.618 acres of land improved with the Saint James Protestant Episcopal Church (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a fee simple interest in 1.394 acres of the Property to be designated as Parcel 329; and (2) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of the private access driveway, impacting 0.031 acres of the Property to be designated as Parcel C329.

- 6) Turnpike Design Section 5, ROW Section 4H  
Parcel Nos. 1044 and C1045, Block 23, Lots 1 and 6 (Partial Taking)  
200 Sharon Road/403 Gordon Road, Robbinsville Township, Mercer County  
Owner: Princeton Memorial Park Association  
Amount: \$1,000.00

The property currently consists of 16.010 acres of land on Lot 1 used as a cemetery and 15.633 acres of land on Lot 6 used to support the Princeton Memorial Park Cemetery operations (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a fee simple interest in 0.022 acres of the Property to be designated as Parcel 1044; and (2) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner with personnel, materials and equipment for use during construction of drainage inlets, pipes and appurtenances, impacting 0.026 acres of the Property to be designated as Parcel C1045.

- 7) Turnpike Design Section 4, ROW Section 4G  
Parcel No. C987, Block 30, Lot 8.21 (Partial Taking)  
11 Hickory Way, Robbinsville Township, Mercer County  
Owner: Robert Schneider and Jenessa Schneider  
Amount: \$650.00

The property currently consists of 0.88 acres of land improved with a 3,660 square-foot, single family residence (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of a noise wall and appurtenances, impacting 0.045 acres of the Property to be designated as Parcel C987.

- 8) Turnpike Design Section 5, ROW Section 4H  
Parcel Nos. 1046, E1046 and C1046, Block 44, Lot 34.01 (Partial Taking)  
282 Sharon Road, Robbinsville Township, Mercer County  
Owner: Wendy Pinto and Anthony Pinto  
Amount: \$10,000.00

The property currently consists of 2.01 acres of land improved with a 3,243 square-foot, single-family residence (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a fee simple interest in 0.037 acres of the Property to be designated as Parcel 1046; (2) a slope easement consisting of the right to form and maintain slopes for grading and draining Sharon Road, impacting 0.048 acres of the Property to be designated as Parcel E1046; and (3) a temporary construction easement consisting of the right to access land and area for the construction of a driveway, impacting 0.020 acres of the Property to be designated as Parcel C1046.

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The acquisitions as proposed above do not involve properties designated as "Preserved Farmland" pursuant to and as regulated by the Agriculture Development and Retention Act, N.J.S.A. 4:1C-11 et seq., and State Agricultural Development Committee Rules N.J.A.C. 2:76-1.1, the Act's implementing regulations. Nor have the above referenced properties been designated or encumbered as Green Acres properties pursuant to N.J.S.A. 13:1D-52 et seq. and N.J.A.C. 7:35-26.1 et seq.

All actions taken by the Executive Director have been necessary for the purchase of the properties listed above including the satisfaction of certain other costs required by law to be paid at closing. All actions taken by the Executive Director have been reviewed and approved by the Law Department and General Counsel.

Based on the foregoing, it is requested that the Authority Commissioners ratify any and all actions taken by the Executive Director and Director of Law as outlined herein for the acquisition of the properties set forth above.

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39-10

In a memorandum dated February 4, 2010, concerning Ratification of Action Taken for the Acquisition of Property Interests Required for the New Jersey Turnpike Authority Interchange 6-9 Widening Program – Public Service Electric & Gas Company (PSE&G) – Acquisition of Five Interests, 2009 Capital Construction Program.

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 and construction is proceeding.

The acquisition of the necessary property interests is critical to the success of the Widening Program. In light of same, the Commissioners of the New Jersey Turnpike Authority authorized the Executive Director to take all steps necessary to prepare for the acquisition of easements or other property rights needed to begin Phase 1 construction of the Widening Program with final action being brought to the Commissioners for ratification.

Since that time, the Authority has taken final action with respect to the following properties:

**I. New Acquisitions:** The Authority has determined that the five properties listed below are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. The Authority then entered into good faith negotiations with the PSE&G and its respective counsel as appropriate for the purchase of same based on this appraised value and in compliance with the laws governing its powers of

eminent domain. Negotiations continued and a settlement of all terms was agreed upon. The following is a description of each property for which the parties have finalized negotiated terms of sale:

- 1) Turnpike Design Section 2; ROW Section 3E  
Parcel Nos. RE265E & RC265E, Block107, Lot 10.02 (Partial Taking)  
Southerly side of Ward Avenue, Crosswicks  
Chesterfield Township, Burlington County  
Owner: Public Service Electric & Gas Company  
Amount: \$1,000.00

The subject property is a 5.37 acre vacant tract located in the Office Park Zone utilized for electric power transmission (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a 0.189 acre (8,250 square foot) permanent utility easement, designated as Parcel No.RE265E; and (2) a 1.164 acre (50,688 square foot) temporary construction easement, designated as Parcel RC265E.

- 2) Turnpike Design Section 2; ROW Section 3E  
Parcel No. C265D, Block 203, Lot 3.02 (Partial Taking)  
Bordentown-Chesterfield Road  
Township of Chesterfield, Burlington County  
Owner: Public Service Electric & Gas Company  
Amount: \$ 500.00

The subject property is a three (3) acre vacant tract located in the Office Park Zone utilized for electric power transmission (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a temporary construction easement on 4,072 square feet, .093 acre, designated as Parcel C265D.

- 3) Turnpike Design Section 2; ROW Section 3E  
Parcel Nos. 265 & C265, Block 204, Lot 3.01 (Partial Taking)  
Bordentown-Chesterfield Road  
Township of Bordentown, Burlington County  
Owner: Public Service Electric & Gas Company  
Amount: \$ 600.00

The subject property currently consists of a 6.231 acre, vacant tract located in the Office Park Zone utilized for electric power transmission (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a fee simple interest in 0.015 acre of the Property to be designated as Parcel 265; and (2) a temporary construction easement in 0.010 acres in the southern corner of the Property to be designated as C265.

- 4) Turnpike Design Section 4; ROW Section 4G  
Parcel No. 959, Block 38, Lot 21 (Partial Taking)  
Off of Circle Drive  
Township of Robbinsville, Mercer County  
Owner: Public Service Electric & Gas Company  
Amount: \$ 65,000.00

The subject property is a landlocked, triangular shaped parcel of RR (Rural Residential) zoned land containing an area of 5.949 acres, or 259, 138 square feet with an electric utility tower (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 4.767 acres of the Property to be designated as Parcel 959.

- 5) Turnpike Design Section 2; ROW Section 3E  
Parcel No. 972 Block 40, Lot 7  
Robbinsville-Allentown Road  
Township of Robbinsville, Mercer County  
Owner: Public Service Electric & Gas Company  
Amount: \$ 683,000.00

The subject property currently consists of a 10.203 acre, long and narrow tract of land used as a transportation corridor for transmission of electrical service located in the Planned Commercial Development Zone (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in the entirety of the 10.203 acres of the Property to be designated as Parcel 972.

The acquisitions as proposed above do not involve properties designated as "Preserved Farmland" pursuant to and as regulated by the Agriculture Development and Retention Act, N.J.S.A. 4:1C-11 et seq., and State Agricultural Development Committee Rules N.J.A.C. 2:76-1.1, the Act's implementing regulations. Nor have the above referenced properties been

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designated or encumbered as Green Acres properties pursuant to N.J.S.A. 13:1D-52 et seq. and N.J.A.C. 7:35-26.1 et seq.

All actions taken by the Executive Director have been necessary for the purchase of the properties listed above including the satisfaction of certain other costs required by law to be paid at closing. All action taken by the Executive Director have been reviewed and approved by the Law Department and General Counsel

Based on the foregoing, it is requested that the Authority Commissioners ratify any and all actions taken by the Executive Director and Director of Law as outlined herein for the acquisition of the properties set forth above.

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The following matters constitute the Public Session agenda:

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**LAW**

**40-10**

In a memorandum dated February 11, 2010, concerning a recommendation to **Purchase Wetland Mitigation Credits – Evergreen Environmental, Stipson's Island Wetland Mitigation Bank** – for Garden State Parkway, Interchanges 9, 10 and 11 Grade Separation Project, Cape May County, Project No. 31023022.

The New Jersey Turnpike Authority (the "Authority") is proceeding with its plans for the Parkway Interchanges 9, 10, and 11 Grade Separation Project in Cape May County. Final design is currently underway with construction scheduled to commence during early 2011.

The design of the Interchange 9, 10 and 11 Grade Separation Project has resulted in unavoidable wetland impacts that have been identified by the Authority's Consultant based on the project footprint in the Phase A plans. The Authority and its Consultant, The Louis Berger Group, Inc., have been working diligently with the New Jersey Department of Environmental Protection ("NJDEP") and the United States Army Corps of Engineers ("USACE") to formulate a plan that would provide adequate compensatory mitigation for the wetland impacts in accordance with applicable law. There are various allowable options for Compensatory Mitigation stipulated in the final rule published in the Federal Register in April 2008. The hierarchy of wetland mitigation options set forth in the final rule is: (1) purchase of credits from a Federal and State approved wetland mitigation bank if the proposed impacts are within the Bank Service Area; (2) fee payment to an established in-lieu fee program; and (3) permittee responsible mitigation that can take the form of creation of wetlands from uplands; enhancement of existing wetlands; restoration of disturbed wetlands and/or preservation of wetlands. Entering into this Agreement will provide for the purchase of 1.8 wetland mitigation bank credits to partially offset permanent impacts to wetlands resulting from the Interchange 9, 10 and 11 Grade Separation Project in Cape May County. The Freshwater Wetland permit will require construction of a mitigation site or purchase of wetland credits from within the local watershed. Purchasing of wetland credits is found to be



the most cost-effective method of mitigation for this project. Evergreen Environmental LLC is the only firm with available credits approved by the regulatory agencies.

NJDEP and the USACE require that substantial mitigation be in place prior to or concurrent with the start of wetland impacts associated with roadway construction. As a result, the Consultant, in coordination with the NJDEP and the USACE, has been investigating all options to fulfill the mitigation requirements. The Consultant has identified the Stipson's Island Wetland Mitigation Bank owned by Evergreen Environmental LLC as the only USACE and NJDEP approved wetland mitigation bank with an approved Service Area covering freshwater wetland impacts within the project area, as the source of approximately 1.8 NJDEP/USACE approved wetland credits that are available for purchase for approximately \$450,000 per credit. The purchase of these credits would serve to fulfill a portion of the project's mitigation requirements with respect to freshwater wetland impacts as a result of the Interchange 9, 10 and 11 grade separation project.

Based on the foregoing, it is requested that the Authority's Commissioners authorize the Executive Director and Director of Law, in consultation with the Engineering Department and the Consultant, to take all steps necessary to purchase the freshwater wetland credits as described above in an amount not to exceed \$1,000,000.00.

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**41-10**

In a memorandum dated February 16, 2010, concerning a recommendation for **Executive Director to Enter Into a Construction - Funding Agreement with the City of East Orange,** North Oraton Parkway Improvements – Garden State Parkway Service Road, City of East Orange, Essex County, 2009 Capital Construction Program, Project No. 31002016, Amount: \$80,000.

The Authority has in the past shared jurisdictional responsibilities with East Orange for North Oraton Parkway as this roadway is utilized as a service road for the Garden State Parkway ("GSP"). North Oraton Parkway runs parallel to the northbound side of the GSP just north of Exit 145. Portions of the North Oraton Parkway presently require repairs and improvements, including milling and paving at several locations (hereinafter "Improvements"). As a result, the Authority and the City of East Orange have agreed that the City would advertise and procure a construction contract in accordance with applicable public contracts law for the milling and paving of portions of North Oraton Parkway. The Authority has agreed to reimburse the City for the Improvements in an amount not to exceed \$80,000. These improvements benefit not only the City of East Orange and the Authority, but also patrons of the Garden State Parkway who travel in this area.

Based on the forgoing, it is recommended that authorization be granted to the Executive Director by the Authority's Commissioners to execute a Construction / Funding Agreement with the City of East Orange in a form that substantially conforms to the terms set forth herein after review and approval of the final documents by the Law and Engineering Departments.

Reviewed by the Law Director, available funds certified by the Comptroller as appropriate, the Executive Director certified the recommendations for consideration.

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved the six (6) Law items; and authorized and/or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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**ENGINEERING**

Acting Chairman Simpson addressed the room by saying that he would like to see more interaction at the Board Meetings and encouraged the Commissioners to ask more questions so that the public could walk away with a better understanding of Authority matters. At this point, in the interest of transparency, Mr. Simpson cited the major traffic delays which occurred yesterday at the Hackensack River Bridge and asked Chief Engineer Raczynski to explain why such a major inconvenience occurred.

The Chief Engineer stated that it was a safety emergency, advising that there is continual monitoring of bridge areas and cited the fact that approximately \$130 million of various bridge deck contracts will be on forthcoming agendas. Specific to this event, he explained that with the persistent freezing and thawing that has taken place, a spall developed on the Hackensack River Bridge, and in some areas went below and through the bridge deck. It was an emergent situation and lane closures were mandatory to undertake immediate repairs. The urgent repair circumstances could have "turned Manhattan into a parking lot" if it were not for the great handling by staff and the Traffic Management Center (TMC).

Commissioner Pocino added that he was one of those people caught in that major traffic delay and attested that with such emergency conditions the response must be immediate. He commended all involved in the handling of the situation, especially because it took place during rush-hour traffic. He also noted that it is this type of situation that speaks volumes for implementing the VMS messaging technology.

Acting Chairman Simpson stated that the Hackensack River Bridge repair produced a huge traffic back-up which resulted in closing the Lincoln Tunnel to vehicular traffic for 2-hours and led to a gridlocked Manhattan.

Following those remarks, the Acting Chairman requested that, with the consent of the Board, Engineering items 42-10 through 45-10 be moved together. However, it was noted that due to recusals, item 45-10 lacked a voting quorum and General Counsel Verrone was consulted regarding the use of the "Rule of Necessity". Upon her request, the Chief Engineer relayed the serious road conditions that will exist after this winter, which this paving contract would address, and deemed it an immediate safety necessity to award it today.

Counsel Verrone then addressed the Board and opined that because the current Board contains only seven (7) Commissioners and declared recusals have resulted in the lack of a

Correction  
Authorized  
at March 30  
2010  
Commission  
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quorum for this item, the Authority may permit those Commissioners that would otherwise have been disqualified to vote, due to the pressing need for Engineering item 45-10.

Chief Engineer Raczynski requested approval of items 42-10 through 45-10. Moved as a group, those items are as follows:

**42-10**

In a memorandum dated January 29, 2010, concerning the recommendation to **Execute Utility Order No. 1264-T – Public Service Electric & Gas (PSE&G) - Electric** – New Jersey Turnpike, Contract No. T869.120.103, Interchange 6 - 9 Widening Program, Grading, Drainage, Paving, Structures, Lighting, Pavement Markings and Signing, Interchange 6 Ramps and NSO/SNO Roadways, Milepost 55.5 to 51.5, 2009 Capital Construction Program No. 31018001 and Future Bond Issue.

A Utility Order is required to perform utility relocations of existing PSE&G Electric facilities that will be directly impacted by the construction of Contract No. T869.120.103 of the Widening Program. This Utility Order includes the relocation of approximately 3,010 feet of existing underground and/or aerial facilities at Columbus-Hedding Road (MP 51.0) and Mansfield Road West (MP 51.4). Additionally, there will be approximately 1,000 feet of temporary underground relocation to support the Columbus-Hedding Road bridge replacement. The Authority will reimburse PSE&G Electric for the installation of cable, overhead wires and utility poles, cost of materials, engineering, inspection and associated activities. The Authority's contractor will be responsible for the installation of the conduit and manholes.

The cost of this Utility Order was provided by PSE&G Electric and is based on the final improvements and known conditions at this time. The cost proposal was reviewed by the Engineering Department, is considered reasonable, and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order No. 1264-T, in an amount not to exceed \$565,000.

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**43-10**

In a memorandum dated January 29, 2010, concerning the recommendation to **Execute Utility Order No. 1268-T – Jersey Central Power & Light (JCP&L) – New Jersey Turnpike** Contract No. T869.120.503, Interchange 6 - 9 Widening Program, Grading, Drainage, Paving, Structures, NSO/SNO Roadways, Milepost 63.4 to 65.6 , 2009 Capital Construction Program No. 31018001.

A Utility Order is required to perform utility relocations of existing JCP&L facilities, namely a 34.5 kV aerial transmission line in the vicinity of Old York Road (MP 65.5), which will be directly impacted by the construction of Contract No. T869.120.503 of the Widening Program. The Authority will reimburse JCP&L for the relocation of their existing facilities, including the cost of materials, inspection and associated activities. The Authority's contractor will be responsible for

the removal of existing poles, installation of proposed poles and removal and installation of a segment of the 34.5 kV line.

The cost of this Utility Order was provided by JCP&L and is based on the final improvements and known conditions at this time. The cost proposal was reviewed by the Engineering Department, is considered reasonable and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order No. 1268-T, in an amount not to exceed \$605,500.

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**44-10**

In a memorandum dated January 27, 2010, concerning the recommendation **to Award Contract No. P200.127 – M. L. Ruberton Construction Co., Inc.** – Garden State Parkway, Guide Rail Improvements, Milepost 0 to 30, Cape May and Atlantic Counties, 2009 Capital Construction Program No. 31002016.

The work to be performed under this contract involves various guide rail improvements along the Garden State Parkway from Milepost 0 to 30 in Cape May and Atlantic Counties. All work is expected to be completed in 2010.

Four bid proposals were received on January 22, 2010 for the above publicly advertised contract. The low bid proposal, in the amount of \$1,986,458.60, may be compared to the second low bid proposal in the amount of \$2,066,713.00. The low bidder, M. L. Ruberton Construction Co., Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.127 be awarded to the low bidder, M. L. Ruberton Construction Co., Inc. of Folsom, New Jersey, in the amount of \$1,986,458.60. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. 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, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). The General Consultant, HNTB Corporation, concurs with this recommendation.

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**45-10**

In a memorandum dated February 8, 2010, concerning the recommendation to **Award Contract No. P200.149 – Stavola Contracting Co., Inc.** – Garden State Parkway, Central Pavement Restoration and Miscellaneous Improvements, Milepost 75 to 143, Maintenance Reserve Fund No. 03020005.

This contract will provide for the restoration of asphalt concrete surface course pavement along Northbound and Southbound mainline roadways and ramps of the Garden State Parkway along with other incidental work between Milepost 75 and 143.

Nine bid proposals were received on February 5, 2010 for the above publicly advertised contract. The low bid proposal, in the amount of \$6,368,810, may be compared to the second low bid proposal in the amount of \$7,940,000. The low bidder, Stavola Contracting Co., Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.149 be awarded to the low bidder, Stavola Contracting Co., Inc. of Tinton Falls, New Jersey, in the amount of \$6,368,810, allocated as follows: \$6,000,000 in 2010 and \$368,810 in 2011. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. 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, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). The General Consultant, HNTB Corporation, concurs with this recommendation.

Reviewed by the Law Director, available funds certified by the Comptroller, the Executive Director certified the recommendations for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Diaz, the Authority approved Engineering items 42-10 through 45-10; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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46-10 \*

Chief Engineer Raczynski presented the recommendation contained in a memorandum dated February 2, 2010, concerning **Issue of Order for Professional Services No. P3313 – Churchill Consulting Engineers** – Garden State Parkway, Supervision of Construction Services for Contract No. P200.127, Guide Rail Improvements, Milepost (MP) 0 to MP 30, 2009 Capital Construction Program No. 31002016; Contract No. P200.149, Central Pavement Restoration and Miscellaneous Improvements, MP 75 to MP 143, Maintenance Reserve Fund No. 03020005; and Contract No. P200.193, Guide Rail Improvements, MP 100 to MP 126, 2009 Capital Construction Program No. 31002016 and Future Bond Issue.

This Order for Professional Services (OPS) will provide supervision of construction services for the referenced contracts. Contract Nos. P200.127 and P200.193 will consist of furnishing and installing beam guide rail, posts, parapet connections, end treatments and other minor miscellaneous improvements. Contract No. P200.149 will consist of milling and resurfacing various locations along the Parkway, along with associated miscellaneous improvements such as striping, rumble strips and raised pavement markers.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 52 engineering firms prequalified and eligible in Profile Codes B153 – Roadway Construction Inspection and B154 – Roadway Resurfacing Inspection. Three firms submitted EOIs by the closing date of December 22, 2009.

All three firms were requested to submit Technical and sealed Fee Proposals. The firms are: 1) Churchill Consulting Engineers; 2) Kupper, LLC; and 3) T&M Associates. The Review Committee reviewed and evaluated each firm's Technical Proposal and final scoring resulted in Churchill Consulting Engineers being the highest technically ranked firm. The fee submitted by Churchill Consulting Engineers 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. P3313 be issued to the firm of Churchill Consulting Engineers of Berlin, New Jersey, in the maximum amount of \$2,340,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.35 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. This award is 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 Executive Order 117 (Corzine 2008), 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 and Executive Order No. 37 (Corzine).

Reviewed by the Law Director; available funds certified by the Comptroller, the Executive Director certified the recommendation for consideration.

Acting Chairman Simpson questioned the recommendation by remarking that the Kupper LLC fee was 43% lower than Churchill Consulting, that their prequalifications were the same and asked why Kupper was not awarded. The Chief Engineer explained that state and federal regulations require that the top ranking proposers must be negotiated with first and, in addition to fee differences the staff quality proposed by the consultant to do the work may be at a lower level than desirable for this project. The Chairman further remarked on the difference in hours proposed, and that it appeared that each firm was deemed to be equally qualified to perform the work. He expressed concern that the Authority was not getting "best value" for its investment. He asked the Chief Engineer to consider his concerns as procurements continue.

Commissioner DuPont suggested that the Authority go to the Governor and request legislative action in order to get relief from the current regulations affecting engineering procurement rules.

Correction

Correction  
Authorized  
at March 30  
2010  
Commission  
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Upon the end of discussion, and on motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation, as presented; and received and filed the memorandum.

{\*SEE "VETO ATTACHMENT", DATED MARCH 18, 2010}

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47-10

Chief Engineer Raczynski presented the recommendation contained in a memorandum dated February 9, 2010, concerning Award of Contract No. P500.155 – G&P Parlamas, Inc. – Garden State Parkway – Construction of Holmdel Motor Vehicle Facility, Southbound MP 116.0, Township of Holmdel, Monmouth County, 2009 Capital Construction Program No. 31005013.

This contract will provide for the demolition of the former Holmdel State Police Barracks and for construction of a new 4,500 square foot vehicle maintenance facility. The work will consist of demolition of the existing building, construction of a masonry building with vehicle work bays, clerical area, parts storage area, locker rooms, HVAC installation, and electrical work. The work to be performed under this contract is scheduled to be completed prior to December 31, 2010.

Thirteen bid proposals were received on February 8, 2010 for the above publicly advertised contract. The low bid proposal, in the amount of \$1,676,793.00, may be compared to the Engineer's Estimate in the amount of \$1,777,667.48. The low bidder, G&P Parlamas, Inc., has not previously performed work for the Authority but is considered competent to complete this contract. The firm is prequalified by the NJ Department of Treasury, Division of Property Management and Construction and has completed projects for many public entities.

It is, therefore, recommended that Contract No. P500.155 be awarded to the low bidder, G&P Parlamas, Inc. of Neptune, New Jersey, in the amount of \$1,676,793. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. 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, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). The General Consultant, HNTB Corporation, concurs with this recommendation.

Reviewed by the Law Director; available funds certified by the Comptroller, the Executive Director certified the recommendation for consideration.

On motion by Commissioner Hodes, seconded by Commissioner Diaz, the Authority unanimously approved the recommendation, as presented; and received and filed the memorandum.

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**48-10 \***

Chief Engineer Raczynski presented the recommendation contained in a memorandum dated January 28, 2010, concerning the **Issue of Order for Professional Services No. P3315 – Hill International Inc.** – Garden State Parkway, Supervision of Construction Services for Contract No. P500.155, Construction of Holmdel Motor Vehicle Maintenance Facility; and Contract No. P500.158B, Installation of PNC Bank Arts Center Amphitheater Improvements, Phase II, 2009 Capital Construction Program No. 31005013 and Future Bond Issue.

This Order for Professional Services (OPS) will provide supervision of construction services for the referenced contracts to ensure they are constructed in accordance with the contract plans and specifications. Contract No. P500.155 will provide for the demolition of the former Holmdel State Police Barracks and for construction of a new 4,500 square foot vehicle maintenance facility. The work will consist of demolition of the existing building, construction of a masonry building with vehicle work bays, clerical area, parts storage area, locker rooms, HVAC installation, and electrical work and is scheduled to be completed prior to December 31, 2010. Contract No. P500.158B, scheduled for award at the July 27, 2010 Commission Meeting, will consist of the construction of a new electrical room, including installation of conduit, cable and code compliance renovation work related to the electrical systems of the facility and is scheduled to be completed over eight months.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 41 engineering firms prequalified and eligible under Profile Codes B151 – Construction Management and B159 – Building Construction and Renovation Inspection. Six firms submitted EOIs by the closing date of December 1, 2009.

Subsequent to the scoring of EOIs, Fee Proposals were requested from the top three firms. The firms are: 1) Hill International, Inc.; 2) HAKS Engineers; and 3) Ammann and Whitney. The fee submitted by Hill International, 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. P3315 be issued to the firm of Hill International, Inc. of Marlton, New Jersey, in the maximum amount of \$980,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 1.8 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. This award is 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 Executive Order 117 (Corzine 2008), 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 and Executive Order No. 37 (Corzine).



Reviewed by the Law Director; available funds certified by the Comptroller, the Executive Director certified the recommendation for consideration.

Acting Chairman Simpson again stated that on this procurement he did not see much difference between bidders Hill International and HAKS Engineers except a 59% price difference, which to him only served to inflate the cost of the project. He questioned the validity of the Engineering Department's estimate and scoring objectivity when compared to the second bidder's proposed cost. Also, he noted that on simple projects, price must be considered in order to get the best value for the Authority. The Chief Engineer explained that quality is always evaluated before price and the technical scoring takes into account not only the quality of the consulting firm but also by reviewing the resumes of their specified staff and managers that will be assigned to the project. Further, he continued, the consultant fees are negotiated either down, or in some cases up, if the Authority Engineers determine that a proposed fee is not reasonable to complete the project.

To the ensuing dialogue, the Executive Director added that unlike construction contracts where the bids are firm, with consultants it is the technical scoring first and then the fee is negotiated against the Engineers estimate to avoid supplements, thereby promoting the best overall results. This practice is consistent with statutory requirements; however, she advised that Staff would provide recommendations to address the Chairman's concerns.

Following a discourse referencing regulations, technical scoring, quality and price; upon motion by Commissioner Pocino, seconded by Commissioner Hodes, the Authority unanimously approved the recommendation, as presented; and received and filed the memorandum.

{\*SEE "VETO ATTACHMENT", DATED MARCH 18, 2010}

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49-10

Chief Engineer Raczynski presented the recommendation contained in a memorandum dated February 4, 2010, concerning Award of Contract No. A600.102A – PKF-Mark III, Inc. – New Jersey Turnpike and Garden State Parkway, Installation of Variable Message Signs at New and Existing Locations on the Turnpike and Parkway, 2008A Note Construction Fund No. 30000003.

The work to be performed under this contract involves the installation of state-of-the-art technology Variable Message Signs at new and existing locations along the Turnpike from Milepost 32.2 to 117.9 to replace existing Emergency Speed Warning/Speed Limit signs. In addition, replacement of existing Glo-Cube Variable Message Signs at various locations on the Garden State Parkway from Milepost 6.0 to 168.0. All work under this construction contract shall be performed by May 2011.

Six bid proposals were received on February 3, 2010 for the above publicly advertised contract. The low bid proposal, in the amount of \$10,875,942.60, may be compared to the second low bid proposal in the amount of \$10,876,282.90. The low bidder, PKF-Mark III, Inc.,

has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. A600.102A be awarded to the low bidder, PKF-Mark III, Inc. of Newton, Pennsylvania, in the amount of \$10,875,942.60. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. 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, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). The General Consultant, HNTB Corporation, concurs with this recommendation.

Reviewed by the Law Director; available funds certified by the Comptroller, the Executive Director certified the recommendation for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Diaz, the Authority unanimously approved the recommendation, as presented; and received and filed the memorandum.

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**50-10**

Chief Engineer Raczynski presented the recommendation contained in a memorandum dated February 4, 2010, concerning **Award of Contract No. T600.156 – Highway Safety Systems, Inc.** – New Jersey Turnpike, Sign Panel Replacement, Milepost 0.0 to 48.7, Salem, Gloucester, Camden and Burlington Counties, 2009 Capital Construction Program No. 31006014

The work to be performed under this contract involves the replacement of sign panels on the Turnpike from Milepost 0.0 to 48.7. All work is expected to be completed in 2010.

Four bid proposals were received on January 13, 2010 for the above publicly advertised contract. The low bid proposal, in the amount of \$421,000, may be compared to the second low bid proposal in the amount of \$436,000. The low bidder, Highway Safety Systems, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T600.156 be awarded to the low bidder, Highway Safety Systems, Inc. of Hammonton, New Jersey, in the amount of \$421,000. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. 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, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). The General Consultant, HNTB Corporation, concurs with this recommendation.

Reviewed by the Law Director; available funds certified by the Comptroller, the Executive Director certified the recommendation for consideration.

On motion by Commissioner Hodes, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation, as presented; and received and filed the memorandum.

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51-10

Chief Engineer Raczynski presented the recommendation contained in a memorandum dated February 4, 2010, concerning Issue of Order for Professional Services No. A3316 – KS Engineers P.C. – Garden State Parkway and New Jersey Turnpike, Supervision of Construction Services for Contract No. T600.156, Sign Panel Replacement, MP 0.0 to MP 48.7; and Contract No. A600.157, Advanced Overhead Sign Structure Fabrication, 2009 Capital Construction Program No. 31006014 and Future Bond Issue.

This Order for Professional Services (OPS) will provide supervision of construction services for the referenced contracts. Contract No. T600.156 will consist of the replacement of existing guide sign panels with new guide signage on overhead and ground mounted sign structures. Contract No. A600.157 will consist of the advanced fabrication and delivery of Variable Message Sign support structures.

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 63 engineering firms prequalified and eligible under Profile Code B153 – Roadway Construction Inspection. Three firms submitted EOIs by the closing date of January 14, 2010.

Subsequent to the scoring of EOIs, Fee Proposals were requested from the top three firms. The firms in the order of ranking are: 1) Churchill Consulting Engineers, 2) KS Engineers, P.C; and 3) Arora & Associates, P.C. Churchill Consulting Engineers withdrew their Expression of Interest from consideration for this assignment due to staff availability, therefore negotiations commenced with the second highest technically ranked firm. The fee submitted by KS Engineers, P.C. 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. A3316 be issued to the firm of KS Engineers, P.C. of Newark, New Jersey, in the maximum amount of \$476,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.35 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. This award is 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 Executive Order 117 (Corzine 2008), 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 and Executive Order No. 37 (Corzine).

Reviewed by the Law Director; available funds certified by the Comptroller, the Executive Director certified the recommendation for consideration.

Acting Chairman Simpson noted that the second bidder was being recommended in this item and referred to previous statements concerning quality. Between responses by both the Chief Engineer and Executive Director it was restated that the first bidder had insufficient staffing to perform the job, therefore the second ranked firm was the next highest quality firm to be considered.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation, as presented; and received and filed the memorandum.

**{\*SEE "VETO ATTACHMENT", DATED MARCH 18, 2010}**

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**52-10\***

Chief Engineer Raczynski presented the recommendation contained in a memorandum dated February 9, 2010, concerning **Issue of Order of Professional Services No. P3277 – Birdsall Engineering Inc.** – Atlantic City, Forked River, Monmouth and Cheesequake Service Areas; **Order of Professional Services No. P3278 – Dresdner Robin Environmental Management Inc.** – Montvale and Vaux Hall Service Areas; and **Order for Professional Services No. P3279 – Hatch Mott MacDonald** – Brookdale North and Brookdale South Service Areas, Garden State Parkway, Environmental Engineering Consultant Services, Operation, Maintenance and Compliance Monitoring of Remediation Systems, Remedial Action and Remedial Design, Special Project Reserve Fund No. 04010019.

Through this single Order for Professional Services (OPS) procurement process the Authority will select three environmental engineering consultants to operate, maintain and perform compliance monitoring for the remediation systems installed at the above referenced Parkway service areas in accordance with current New Jersey Department of Environmental Protection (NJDEP) regulations. The scope also includes remedial actions and design as may be needed to further enhance and ensure the most effective remediation of the sites. Each solicitation is for a four-year term commencing on or about May 1, 2010.

These assignments are classified as "Simple Projects" based on the scope of work being clearly defined and not likely to change during the course of the projects, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 28 environmental engineering firms prequalified and eligible under Profile Codes: C195 – Soil and Groundwater Remedial Investigation; C196 – Soil and Groundwater Remediation Design; and C197 – Remediation Systems: Operation and Maintenance and Compliance Monitoring. Sixteen firms submitted EOIs by the closing date of January 20, 2010.

Subsequent to the scoring of EOIs, Fee Proposals were requested from the top five firms. The firms in order of ranking are: 1) Dresdner Robin Environmental Management, Inc.; 2) Hatch Mott MacDonald; 3) Birdsall Engineering, Inc.; 4) Dewberry-Goodkind, Inc.; and 5) H2M Associates, Inc. The fees submitted by Dresdner Robin Environmental Management, Inc., Hatch Mott MacDonald, and Birdsall Engineering, Inc. have been reviewed, negotiated, and are considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3277 be issued to the firm of Birdsall Engineering, Inc. of Eatontown, New Jersey, in the maximum amount of \$661,600, allocated as follows: \$132,500 in 2010 and \$529,100 from 2011 to 2014. 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 firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses.

It is also recommended that OPS No. P3278 be issued to the firm of Dresdner Robin Environmental Management, Inc. of Jersey City, New Jersey, in the maximum amount of \$735,200, allocated as follows: \$184,000 in 2010 and \$551,200 from 2011 to 2014. Dresdner Robin Environmental Management, Inc. has elected to use a maximum multiplier of 2.55, which is below their calculated Federal Audit Regulation (FAR) overhead rate of 171%, in addition to reimbursement for direct non-salary expenses.

It is also recommended that OPS No. P3279 be issued to the firm of Hatch Mott MacDonald of Millburn, New Jersey, in the maximum amount of \$545,000, allocated as follows: \$137,000 in 2010 and \$408,000 from 2011 to 2014. 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 firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses.

These 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 Executive Order 117 (Corzine 2008), 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 and Executive Order No. 37 (Corzine).

Reviewed by the Law Director; available funds certified by the Comptroller, the Executive Director certified the recommendation for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation, as presented; and received and filed the memorandum.

**{\*SEE "VETO ATTACHMENT", DATED MARCH 18, 2010}**

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53-10

Chief Engineer Raczynski presented the recommendation contained in a memorandum dated February 4, 2010, concerning **Issue of Order for Professional Services No. P3286 – Evergreen Environmental** – Garden State Parkway, Interchanges 30 to 80 Widening Program, Threatened and Endangered Species Habitat Mitigation Consultant, 2009 Capital Construction Program No. 31028031 and Future Bond Issue.

The work to be performed under the referenced Order for Professional Services (OPS) consists of professional services including all work associated with the identification, investigation, regulatory agency approval, assessment, acquisition, deeded conservation and perpetual ownership (or transfer to an acceptable third party) of a minimum of 215.7 acres of property, containing certain types of threatened and endangered species habitat within the New Jersey Pinelands Area and the Coastal Area Facility Review Act (CAFRA) Zone and other related work to be defined in the Request for Expressions of Interest's Scope of Services required to fulfill the Garden State Parkway Interchange 30 to 80 Widening Program (Program) permit conditions.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$1,000,000. The Request for Letters of Qualifications (LOQ) was advertised on the Authority's web-site for all prequalified and eligible firms in October 2009. Five firms submitted LOQs by the closing date of October 20, 2009.

Subsequent to the scoring of LOQs by the Review Committee, the three firms deemed qualified were requested to submit Technical and sealed Fee Proposals. The firms are: 1) Evergreen Environmental; 2) Amy S. Greene Environmental Consultants; and 3) Greenvest, LLC. Two of the three firms submitted Technical and Fee Proposals on December 18, 2009. The Review Committee reviewed and evaluated each firm's Technical Proposal. Final scoring resulted in Evergreen Environmental being the highest technically ranked firm. The fee submitted by Evergreen Environmental 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. P3286 be issued to the firm of Evergreen Environmental of Wayne, Pennsylvania, in the maximum lump sum amount of \$2,400,000. This award is 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 Executive Order 117 (Corzine 2008), 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 and Executive Order No. 37 (Corzine).

Reviewed by the Law Director; available funds certified by the Comptroller, the Executive Director certified the recommendation for consideration.

Acting Chairman Simpson questioned whether this lump sum fee was determined by hours or scope of work. Chief Engineer Raczynski advised that it was by scope of work.

On motion by Commissioner DuPont, seconded by Commissioner Diaz, the Authority unanimously approved the recommendation, as presented; and received and filed the memorandum.

In the interest of time, the Acting Chairman requested that, with the consent of the Board, the remaining Engineering items be moved together. Chief Engineer Raczynski requested approval of items 54-10 through 60-10. Moved as a group, those items are as follows:

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**54-10**

In a memorandum dated February 4, 2010, concerning the recommendation to **Issue Order for Professional Services No. T3290 – LS Engineering Associates Corporation** – New Jersey Turnpike, Engineering Services for the 2010 New Jersey Turnpike Bridge Inspection Program – Part C, Special Project Reserve Fund No. 04010018, Small Business Enterprise Set Aside (SBE).

This Order for Professional Services (OPS) provides for the inspection of the Authority's structures in accordance with the requirements of the 2010 New Jersey Turnpike Main Bridge Inspection Program – Part C. This segment of the program includes: inspection of 75 sign structures along the entire length of the Turnpike; on-call special assignments; and submittal of an inspection report.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined, 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 seven engineering firms prequalified and eligible under Profile Code D280R – Bridges: NBIS Program, Routine and registered as a Small Business Enterprise by the Division of Minority and Women Business Development/Department of Treasury. Two firms submitted EOIs by the closing date of January 19, 2010.

Subsequent to the scoring of EOIs, Fee Proposals were requested from the two firms. The firms in order of technical ranking are: 1) LS Engineering Associates Corporation and 2) Churchill Consulting Engineers. The fee submitted by LS Engineering Associates Corporation has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. T3290 be issued to the firm of LS Engineering Associates Corporation of Montville, New Jersey in the maximum amount of \$178,600. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.45, based on a 10% allowance for profit and an overhead rate of 122.7% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, 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 the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), 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, and Executive Order No. 37 (Corzine).

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**55-10**

In a memorandum dated February 2, 2010, concerning the recommendation to **Issue Supplement L to Order for Professional Services No. A3053 – HNTB Corporation** – General Consulting Engineers for the New Jersey Turnpike Authority and 2006 – 2010 Main Bridge Inspection Program – Part A, Special Project Reserve Fund No. 04010018.

Order for Professional Services (OPS) No. A3053 was issued to HNTB Corporation at the August 2005 Commission Meeting, to provide for professional engineering services in two distinct areas, namely, the services of the General Consulting Engineer for the New Jersey Turnpike Authority over a five year term; and, services associated with the 2006 – 2010 Turnpike Main Bridge Inspection Program – Part A. Pursuant to the terms of the OPS, the 2009 Bridge Inspection Program Part A scope and fee was submitted, reviewed and negotiated with the Chief Engineer and ratified at the December 2008 Commission Meeting, in the amount of \$1,995,000.

Supplement L will provide engineering services for unanticipated items of work encountered during the 2009 Main Bridge Inspection – Part A, which includes additional labor and equipment to inspect Structure Nos. N2.01, W107.87 and 127.2N due to the catwalk access restrictions imposed by the Authority's Safety Section based on recently identified PEOSHA deficiencies, and to perform a Fracture Critical Member Inspection on Structure No. 158.2, which was recently re-evaluated by staff and HNTB Corporation and classified as Fracture Critical based on structural non-redundancy.

HNTB Corporation submitted a proposal for these additional services in the total amount of \$200,000, which is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that OPS No. A3053L be issued to HNTB Corporation in the amount of \$200,000, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee for this particular task from \$1,995,000 to \$2,195,000. 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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**56-10**

In a memorandum dated February 4, 2010, concerning the recommendation to **issue Supplement A to Order for Professional Services No. T3103 – The Louis Berger Group, Inc.** New Jersey Turnpike, Interchange 6 - 9 Widening Program, Environmental Consultant, Burlington, Mercer and Middlesex Counties, 2009 Capital Construction Program No. 31018001 and Future Bond Issue.

This Order for Professional Services (OPS) was issued at the December 2006 Commission Meeting, in the amount of \$10,400,000 and provided environmental services to obtain all permits and other ancillary environmental activities required for the construction of the Interchange 6 – 9 Widening Program.

The Louis Berger Group, Inc.'s original fee was based on preliminary engineering. During the final design phase of the Widening Program, however, design decisions and changes to the NJDEP's environmental permitting regulations were made that required additional environmental services to be performed. These services include the delineation of wetlands for over 16 miles of pipeline relocations, preparation and submittal of permit modifications to the NJDEP to address current Widening Program contracts and to monitor construction activities through 2014 to assure compliance with all environmental permits

The Louis Berger Group, Inc. submitted a proposal incorporating the negotiated amount of \$1,896,000 to provide the required services. The proposal has been reviewed and considered reasonable.

It is, therefore, recommended that OPS No. T3103A be issued to The Louis Berger Group, Inc. in the amount of \$1,896,000, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$10,400,000 to \$12,296,000. 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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**57-10**

In a memorandum dated February 8, 2010, concerning the recommendation to **issue Supplement A to Order for Professional Services No. T3115 – Medina Consultants, P.C. –** New Jersey Turnpike, Interchange 6 – 9 Widening Program, Design Engineer, Design Section No. 5, MP 62.0 to MP 66.8, Mercer County, 2009 Capital Construction Program No. 31018001 and Future Bond Issue.

This Order for Professional Services (OPS) was issued at the March 2007 Commission Meeting, in the amount of \$11,350,000 and provided professional engineering services associated with the final design and preparation of contract documents and other ancillary activities and services required for Design Section 5 of the Interchange 6-9 Widening Program.

This supplement will compensate Medina Consultants, P.C. to perform out of scope services which include extensive coordination with Colonial Pipeline Company (Colonial) to

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minimize pipeline relocation and provide detailed analysis to satisfy Colonial's concerns and inquiries, additional coordination and local road design to address comments raised by Mercer County, Robbinsville Township and East Windsor Township, and additional coordination and design efforts to resolve conflicting engineering design interpretations between the NJDEP and the Soil Conservation District which resulted in numerous additional revisions and submissions. The aforementioned items also resulted in an extension of the design schedule from 24 months to 36 months.

Medina Consultants, Inc. has submitted a proposal in the amount of \$1,700,000 to provide the required services, which has been reviewed and considered reasonable.

It is, therefore, recommended that OPS No. T3115A be issued to Medina Consultants, P.C. in the amount of \$1,700,000, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$11,350,000 to \$13,050,000. 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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**58-10**

In a memorandum dated February 12, 2010, concerning the recommendation to **Issue Supplement A to Order for Professional Services No. P3175 – Greenman-Pedersen, Inc. – Garden State Parkway, Preliminary Design and Environmental Permitting, Shoulder Widening and/or Reconstruction, MP 83.6 to MP 99.5, 2008A Note Construction Fund No. 30000008.**

This Order for Professional Services (OPS) was issued at the July 2008 Commission Meeting, in the amount of \$4,850,000 and provides for the preparation of preliminary contract documents and environmental permits for the construction of full width left and right shoulders along the Garden State Parkway between Milepost 83.6 and 99.5.

This project provides for the Environmental Approvals required to complete the final phase of an important safety initiative along the Garden State Parkway. In early 2008, the Serious and Fatal Accident Reduction Initiative project was initiated and as part of that, to help reduce the number of fatal accidents, the speed limit was reduced from 65 to 55 mph on March 1, 2008. In July 2008 a construction contract was awarded to address urgent shoulder repairs and this OPS was issued initiating the process to provide full shoulders and implement improvements to roadway conditions which would enhance incident response and further improve safety. It is critical to maintain the current project schedule in order to submit environmental permit applications in June 2010 in order to obtain the permit approvals required for construction in 2011.

Supplement A will provide for unanticipated additional work not included in the original proposal. Additional activities included as part of this Supplement are field delineation of 50% more wetlands than shown on the latest NJDEP wetland mapping available during the development of the project scope; hydraulic and hydrological modeling of 20 additional Flood Hazard disturbance areas not visible or not specifically designated as regulated waterways under the Flood Hazard Control Act; identification, evaluation and preliminary design of environmental

mitigation sites as required by recent changes in NJDEP and USACE policy; a tidelands grant/license application for the Manasquan River crossing; and an allowance for unanticipated hours for unforeseen issues outside the current scope of work.

Greenman-Pedersen, Inc. has submitted a proposal in the amount of \$625,000 to provide the required services for the additional one-year period, which has been reviewed and considered reasonable.

It is, therefore, recommended that OPS No. P3175A be issued to Greenman-Pedersen, Inc. in the amount of \$625,000, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$4,850,000 to \$5,475,000. 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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**59-10**

In a memorandum dated February 8, 2010, concerning the recommendation to **Renew Order for Professional Services No. T3148 for Option Year – Hatch Mott MacDonald – New Jersey Turnpike, Operation, Maintenance and Compliance Monitoring of Remediation Systems at Clara Barton Service Area 1S and John Fenwick Service Area 1N, Special Project Reserve Fund No. 04010019.**

The original term of Order for Professional Services (OPS) No. T3148 was two years commencing April 14, 2008 with an option for one, one-year extension. The originally authorized funding did not include funding for the third year of the OPS, but rather the intent was to exercise the option for a one-year renewal to provide the necessary funding in the event that the Authority chose to exercise the extension. With the expiration of the initial two year term occurring on April 13, 2010 and the requirement for continued NJDEP compliance, it is now being recommended to extend Hatch Mott MacDonald's (HMM) services for the additional one-year period. Since the originally authorized fee will be expended, a supplement is required to exercise the extension. This is the last of several environmental OPS' with a renewal option as described above.

The extension of HMM's services is being recommended because the consultant is currently involved in a critical effort pertaining to the investigation and implementation of remedial system technologies in an effort to reduce the potential for contaminated groundwater to migrate off site and impact adjacent private potable wells. Depending on the results of ongoing investigative activities, the implementation of immediate remedial strategies to protect these wells may be required, including the design and implementation of a groundwater recovery system. Because of the status of these investigations, and HMM's inherent knowledge and preparedness to implement the remedial strategies if determined to be necessary, it is being recommended that this Supplement be issued to allow HMM to continue with these efforts. The services will include the continued operation, maintenance and monitoring of the existing remediation system, along with continued evaluation and potential implementation of additional remedial strategies in accordance with NJDEP requirements.

Hatch Mott MacDonald has submitted a proposal in the amount of \$338,750 to provide the required services for the additional one-year period, which has been reviewed, negotiated, and considered reasonable.

It is, therefore, recommended that OPS No. T3148 be renewed for one-year to Hatch Mott MacDonald in the amount of \$338,750, allocated as follows: \$265,000 in 2010 and \$73,750 in 2011, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$588,000 to \$926,750. 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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**60-10**

The following is a **Contract for Formal Acceptance and Final Payment:**

<u>CONTRACT NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
<b><u>GSP Contract 84-1284</u></b>	Beaver Concrete Construction Co. Inc. Northern Bridge Repairs MP 140.2 to MP 171.6 Union, Essex, Passaic and Bergen Counties Maintenance Reserve Fund No. 03020001	\$412,067.30

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

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

On motion by Commissioner DuPont, seconded by Commissioner Diaz, the Authority approved engineering items 54-10 through 60-10; authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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**PURCHASING**

Purchasing Director Ward identified the Purchasing agenda as routine goods and services and requested approval. Moved as a group, items 61A-10 through 61D-10 are as follows:

**Results of Bidding:** This item is in response to public advertisement for the commodity requisitioned. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order 117 and having no objection to same. Bids for these items were procured and authorization is sought to award contracts to the lowest responsible bidder, pursuant to N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2 and Executive Order 37.

Recommendation of contract award to the low bidder meeting Authority specifications is as follows:

**61A-10**

<u>BIDDERS</u>	<u>BIDS</u>	<u>COMMODITY</u>	<u>VENDOR</u>	<u>AMOUNT</u>
<u>INVITED</u>	<u>REC'D</u>			
6	3	Inspection, Maintenance and Repair of Fire Protection and Suppression Systems	Allied Fire & Safety Equipment Company Neptune, NJ	\$52,584

Requisition Memorandum (RM) 819, Bids Received: February 12, 2010

Requisitioned by the Human Resources Department, this is a two-year Price Agreement for the Inspection, Maintenance and Repair of Fire Protection and Suppression Systems at Authority facilities. Bidders were required to quote hourly rates for a technician to maintain fire alarms, hood and duct system, sprinkler systems, and fire hydrants of the fire suppression systems. Bidders were also required to provide a discount off the Manufacturers' List Price for parts. For comparative purposes, the bid specified given-hours for each item, with the award to be based on the lowest total estimated charges.

Recommend award be made to the lowest responsible bidder, Allied Fire & Safety Equipment Company Inc. in an amount not to exceed \$52,584, over the two-year agreement period, subject to funding availability at time of service. The Authority will have the sole discretion of extending the price agreement for two additional one-year terms at the same terms and conditions.

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**61B-10**

In a memorandum dated February 9, 2010, concerning a recommendation to Award

**Multiple Public Bid Contracts for Routine Towing Services** – New Jersey Turnpike, RM 833.

The Authority promulgated uniform regulations for the procurement of contracts for Routine Towing Services ("Towing Services") on the Garden State Parkway ("Parkway") and the New Jersey Turnpike ("Turnpike"). Consistent with those regulations, the Authority publicly advertised contracts for several Service Provider Locations (hereafter referred to as "Zones") on the Turnpike. This Item refers specifically to Towing Services in Zones 2, 9, 15E, 15W and 18W on the Turnpike, for which the Authority intends to award up to three contracts per Zone. To offset administrative costs, towing contractors ("Contractors") will be required to remit to the Authority, on a monthly basis, seven percent (7%) of gross receipts generated from the Towing Services under the contracts. The resulting contracts will be for a period of five years.

The solicitation process for Towing Services consists of two parts. First, interested Contractors must be prequalified by the Authority based on a number of operational and legal and/or administrative criteria, including, but not limited to, experience, location of garage, client references, garage and equipment inspection and criminal background check. Second, prequalified Contractors are then permitted to bid the service charges for three Items: A) Class I Vehicles up to a maximum of \$60; B) straight trucks, car with trailer, or trailer without car, up to \$100; and C) Tractor trailer or buses, up to \$250. Contracts will be awarded to those who quoted the lowest weighted prices for the service charges within each Zone.

The Authority received 28 prequalification applications. (Some Contractors submitted multiple applications for different Zones, as permitted.) The prequalification applications were thoroughly reviewed by staff from the Authority's Legal, Operations, and State Police Departments ("Evaluation Team"). Ten Contractors were prequalified to bid on the Turnpike.

The bid solicitation was publicly advertised in the Asbury Park Press, The Record, the Times and the Star Ledger, and published on the Authority's and the State's websites on

December 10, 2009. On January 6, 2010, ten bid proposals were received. Bids for these contracts were procured, and authorization is being sought to award contracts to the lowest responsible bidders, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2., and Executive Order No. 37. These awards are also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee(s) pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 and having no objection to same.

It is recommended that the Authority award contracts for Towing Services to the Contractors identified in Exhibit A:

### EXHIBIT A

LEGEND: A) Class I Vehicles;  
B) Straight trucks; car with trailer; or, trailer without car;  
C) Tractor trailer or buses;  
D) Final Weighted Price

Zone 2 (Interchange 2) (1 garage facility prequalified, 1 bid received, 1 contract for award)

Riehl's Towing and Maintenance A. \$48.00; B. \$10.00; C. \$25.00 D. \$83.00

Zone 9 (Interchange 9) (2 garage facilities prequalified, 2 bids received, 1 contract for award\*)

Puleio's Service Center, Inc. A. \$48.00; B. \$10.00; C. \$25.00 D. \$83.00\*\*

\* Mandy's Incorporated of Edison, NJ was prequalified and submitted a bid proposal which was compliant with the bid specifications. However, the State's Treasury reviewed Mandy's Public Law 2005 Chapter 51 and Executive Order No. 117 documents and determined that this bidder was ineligible to receive a public award at this time due to contributions made to municipal political entities in 2008. Accordingly, Mandy's bid proposal is rejected.

\*\* Puleio's Service Center, Inc. of North Brunswick, NJ was prequalified and submitted a proposal for the January 6, 2010 bid opening. The Evaluation Team reviewed Puleio's proposal and found that this bidder had submitted a proposal guarantee check of \$3,000.00 written to New Jersey Parking Authority, instead of the New Jersey Turnpike Authority. (Emphasis added.) Puleio's proposal also contained a number of other minor deficiencies (such as incomplete Affidavit of Moral Integrity and incorrect New Jersey Business Certificate), these were deemed curable. The proposal guarantee requirement however, is material to the bid process, thus, the deficient proposal guaranty check was deemed non-curable, and the Puleio's bid proposal rejected. Given that it is essential to the Authority's roadway safety operations to have a towing contractor available at Zone 9 (New Brunswick vicinity), the Operations Department staff requested that a contract for that Zone be awarded as soon as possible. General Counsel in consultation with the Executive Director recommended that the Puleio's January 6<sup>th</sup> bid proposal be rejected, and the contract be rebid immediately. The Purchasing Department publicly advertised and opened the re-bids on February 3, 2010. The Authority received a sole bid proposal from Puleio's, which was the only prequalified Contractor permitted to submit a bid for that Zone. This bid proposal was fully compliant and, it is recommended that Puleio's be awarded a contract for Towing Services as outlined herein.

Zone 15E (Interchange 15E) (2 garage facilities prequalified, 2 bids received, 2 contracts for award)

Dente Bros. Towing Inc. A. \$48.00; B. \$10.00; C. \$25.00 D. \$83.00  
Moran Automotive and Towing Inc. A. \$48.00; B. \$10.00; C. \$25.00 D. \$83.00

Zone 15W (Interchange 15W) (2 garage facilities prequalified, 2 bids received, 2 contracts for award)

Moran Automotive and Towing Inc. A. \$48.00; B. \$10.00; C. \$25.00 D. \$83.00  
Twin Inc. t/a Twin Towing A. \$48.00; B. \$10.00; C. \$25.00 D. \$83.00

Zone 18W (Interchange 18W) (2 garage facilities prequalified, 2 bids received, 2 contracts for award)

Manhattan Collision Specialists Inc.,  
d/b/a Manhattan Towing Co. A. \$48.00; B. \$10.00; C. \$25.00 D. \$83.00  
Tumino's Towing Inc. A. \$48.00; B. \$10.00; C. \$25.00 D. \$83.00

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**61C-10**

In a memorandum dated February 8, 2010, concerning **Award of Multiple Bid Contracts for Commercial Tire Repair and/or Replacement Services** – Garden State Parkway and New Jersey Turnpike, RM 834.

In furtherance of its efforts to enhance roadway safety, the Operations Department requisitioned Tire Repair/Replacement Services ("Tire Services") for commercial vehicles that require such services on the Garden State Parkway and the New Jersey Turnpike (collectively "Roadways"). Bidders were required to quote a service charge and hourly rate per Zone, with contracts awarded to the lowest total prices per Zone. To offset administrative costs, contractors will be required monthly to remit to the Authority \$8.75 per Tire Services call, plus seven percent (7%) of gross receipts generated from additional Tire Services permitted under the contract. For either Roadway, the contractor(s) for each Zone will be called upon to provide Tire Services on a rotational basis, as dispatched by the Authority.

The resulting contracts will be for a period of two-years. The Authority will have the sole discretion of extending the contracts for additional two-year terms at the same terms and conditions.

The solicitation was publicly advertised in the Asbury Park Press, The Record, the Times and the Star Ledger, and published on the Authority's and the State's websites on August 24, 2009. On September 29, 2009, twenty-two (22) bid proposals were received. The Operations and legal staff (the "Evaluation Team") reviewed the proposals to ensure compliance with the operational requirements. Bids for these contracts were procured, and authorization is being sought to award contracts to the lowest responsible bidders, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2., and Executive Order No. 37. These awards are also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee(s) pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 and having no objection to same.

It is recommended that the Authority award contracts to the successful bidders identified in Exhibits A and B for the Parkway and Turnpike, respectively. The Authority's General Counsel has reviewed this procurement and concurs in these recommendations.

**EXHIBIT A**  
**Garden State Parkway**

**Zone A: Milepost (MP) 0 to MP 35** (No Bids received)  
The Operations Department has determined that it is not necessary to rebid contracts for Zone A.

**Zone B: MP 35 to MP 70** (2 bids received, 2 bids approved, 2 contracts awarded)

	<u>Service Charge</u>	<u>Hourly Rate</u>	<u>Total</u>
South Shore Towing Inc.	\$125.00	\$75.00	\$200.00
Stohrer Bros., Inc.	\$125.00	\$75.00	\$200.00

**Zone C: MP 70 to MP 105** (1 bid received, 1 bid approved, 1 contract awarded)

	<u>Service Charge</u>	<u>Hourly Rate</u>	<u>Total</u>
Grone's Wrecker Service, Inc.	\$125.00	\$75.00	\$200.00

Zone D: MP 105 to MP 140 (2 bids received, 2 bids approved, 2 contracts awarded)

	<u>Service Charge</u>	<u>Hourly Rate</u>	<u>Total</u>
Tumino's Towing Inc.	\$ 98.00	\$75.00	\$173.00
B & L Tire Service, Inc.	\$125.00	\$67.50	\$192.50

Zone E: MP 140 to MP 172 (2 bids received, 2 bids approved, 2 contracts awarded)

	<u>Service Charge</u>	<u>Hourly Rate</u>	<u>Total</u>
Moran Automotive & Towing Inc.	\$ 95.00	\$65.00	\$160.00
Tumino's Towing Inc.	\$ 98.00	\$75.00	\$173.00

**EXHIBIT B**  
**New Jersey Turnpike**

Zone A: Interchanges 1 to 3 (MP 0.0 to MP 26.1) (3 bids received, 1 bid approved, 1 contract awarded\*)

	<u>Service Charge</u>	<u>Hourly Rate</u>	<u>Total</u>
Nick's Auto Repair, LLC	\$125.00	\$75.00	\$200.00

\* Two other bid proposals were received for Zone A from Custom-Bandag Inc. of Linden, NJ and Wingfoot Commercial Tire Systems LLC, of Chester, PA. The Evaluation Team determined that the locations of both bidders' facilities exceed the five-mile requirement to the nearest Turnpike Interchange. Therefore, it is recommended that the bid proposals from these bidders be rejected.

Zone B: Interchanges 3 to 6 (MP 26.1 to MP 51.0, including the Pearl Harbor Memorial Extension) (4 bids received, 2 bids approved, 2 contracts awarded\*)

	<u>Service Charge</u>	<u>Hourly Rate</u>	<u>Total</u>
Bernies Tire Service Inc.	\$125.00	\$ 0	\$125.00
Wingfoot Commercial Tire	\$ 86.00	\$69.00	\$155.00

\* Two other bid proposals were received for Zone B from Custom-Bandag Inc. of Pennsauken, NJ and Tumino's Towing of Westhampton, NJ. The Evaluation Team determined that the location of Custom-Bandag Inc.'s facility exceeds the five-mile requirement to the nearest Turnpike Interchange. Tumino's Towing did not evidence the minimum three (3) years experience on "Relevant Roadways" from the present location. Therefore, it is recommended that the bid proposals from both these bidders be rejected.

Zone C: Interchanges 6 to 8A (MP 51.0 to MP 73.7) (1 bid received, 1 bid approved, 1 contract awarded)

	<u>Service Charge</u>	<u>Hourly Rate</u>	<u>Total</u>
Custom-Bandag Inc.	\$125.00	\$50.00	\$175.00

Zone D: Interchanges 8A to 13 (MP 73.1 to MP 99.9) (6 bids received, 6 bids approved, 2 contracts awarded)

	<u>Service Charge</u>	<u>Hourly Rate</u>	<u>Total</u>
B & L Tire Service, Inc.	\$ 60.00	\$60.00	\$120.00
Inter-City Tire & Auto Center Inc., (777 Dowd Avenue	\$113.95	\$23.95	\$137.90

Zone E: Interchange 13 to northern terminus (MP 99.9 to MP 122, including the Newark Bay-Hudson County Extension) (7 bids received, 7 bids approved, 2 contracts awarded)

	<u>Service Charge</u>	<u>Hourly Rate</u>	<u>Total</u>
Tony's Truck Tire Repair Inc.	\$ 99.99	\$25.00	\$124.99
Inter City Tire & Auto Center Inc., (745 Dowd Ave.)	\$113.95	\$23.95	\$137.90

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**61D-10**

In a memorandum dated February 10, 2010, concerning the recommendation to

**Ratify Increased Authorized Amount of Contract No. 564 – for Snow Plowing and Salting**

**Services**, Garden State Parkway, Budget Code 01090001461020.

At the August 2006 Commission Meeting (Agenda Item 183B-06), and July 2008 Commission Meeting (Agenda Item 154D-08), authorizations were granted to award contracts for Snow Plowing and Salting Services on both the New Jersey Turnpike and Garden State Parkway (collectively the "roadways"). The contracts were for three-year terms with the options at the



Authority's discretion to extend each for two additional one-year terms. In 2008, Contract No. 564 was established as a global contract to cover payments to all snow plowing Contractors servicing the Garden State Parkway. Contract No. 564 was established in an amount not to exceed \$5,500,000, subject to funding availability at the time of service. The global contract facilitates prompt payment to all Contractors by eliminating the need to revise several individual contracts. Subsequently, the Contract was increased to \$5,898,570 to accommodate the permitted Consumer Price Index increases. The underlying contracts were publicly bid in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2 and Executive Order 37.

The 2009-2010 winter season has brought snow well beyond average winters. Consequently, the original amount authorized for Contract No. 564 has been expended. With about six (6) weeks remaining in the snow season, the Maintenance Department is faced with outstanding invoices, requests for timely payments from the respective Contractors, and the possibility of additional snow storms. In an effort to ensure continued snow removal services, the Maintenance Department requested that the authorized amount of global Contract No. 564 be increased by \$7,000,000. This would bring the authorized amount to \$12,898,570. Due to the emergent nature of the request, the Executive Director approved the request for the increase, pending ratification by the Commissioners.

Accordingly, authorization is requested to ratify the increased authorized amount of Contract No. 564 as outlined herein. Authorization is also requested to delegate to the Executive Director the ability to further increase global Contract No. 564 for snow removal on the Garden State Parkway on an "as needed" basis for the remainder of the 2010 winter season.

Reviewed by the Law Director; available funds certified by the Comptroller where appropriate; the Executive Director certified the recommendations for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Singleton, the Authority unanimously approved purchasing items 61A-10 through 61D-10; authorized and/or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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**GENERAL BUSINESS**

**62-10**

ITEM DEFERRED

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**63-10**

ITEM DEFERRED

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**64-10**

Finance Comptroller Manuelli presented the **Financial Summary** of the New Jersey Turnpike Authority for the twelve months ended December 31, 2009 and the one month ended January 31, 2010. On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority's financial report was unanimously accepted and received for file.

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**65-10**

**Resume of All Fatal Accidents** – Garden State Parkway and New Jersey Turnpike. Submitted by Operations Director Hill, they contain a descriptive summary for the Period 1/1/10 to 2/10/10, together with 2009 – 2010 Yearly Comparisons for the one month through January 2010.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously accepted the reports and received for file.

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**66-10**

**New Jersey State Police Troops D and E - Reports of Activities**, submitted for the one month through January, 2010, including 2009 – 2010 Yearly Comparisons, were presented by Major Walker, New Jersey State Police Troop D Commander.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously accepted the reports and received for file.

At this time, after referring to the November allegations of racial profiling by the State Police, Commissioner Singleton stated that the "State Police procedures were followed to a T" and asked Commander Walker to provide a "thumbnail" of the events to date. Major Walker provided the following summary of points: 1) State police received a telephone call about a van on the Turnpike containing weapons; 2) Near Turnpike Interchange 7A, a high-risk stop was conducted by the State Police who used the video cameras in the troop cars to record the incident. He added that he is very proud of the way all procedures were followed by the responding troopers; 3) Later, two detectives were assigned to the case who worked tirelessly to solve it; 4) The investigation led to the discovery that a bogus call (describing a van with weapons) had been placed by an individual who was a passenger on that same van; 5) The individual was extradited to New Jersey and arrested. The Major ended his summary by saying that the resulting arrest provides a conclusion to a tense situation.

Commissioner Singleton thanked the Commander and, on a different subject, went on to say that he wants to give a lot of praise to Staff and Commissioners about their ability to put people to work. He said that today's agenda is a credit to this Authority. Aside from due diligence, he continued, I'm on a mission and mandate to be supportive to this Authority and I thank all for their support.

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Upon conclusion of all agenda matters, Acting Chairman Simpson 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 Singleton, seconded by Commissioner Diaz and, after the voice vote, the motion was duly adopted. The Authority adjourned at 10:51 A.M., to meet on Tuesday, March 30, 2010, at 9:30 A.M.

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The Secretary acknowledges receipt of the following documents for file:  
ADDITIONAL REPORTS:

REPORT OF PURCHASES – under Executive Directors Delegated Authority (EDDA) Resolution 40-95, for the one-month period: January 1 through January 31, 2010.

REPORT OF UTILITY ORDERS – under EDDA 117-05, modified by EDDA 150-09; Dated for February 23, 2010.

REPORT SUMMARY OF CONTRACT CHANGE ORDERS: only for Type 1 and Type 2 – Period January 8, 2010 through February 4, 2010; Dated for February 23, 2010.

REPORT OF CONSTRUCTION PROGRESS – Period Ending February 5, 2010; Dated for February 23, 2010.

AGREEMENTS/CONTRACTS:

Insurance – Umbrella Excess Liability Policy for the Self-Insured General / Automobile Liability Program for New Jersey Turnpike Authority; Broker: Risk Strategies Company Inc. (RSC); Carriers: National Union Fire Insurance; Arch Specialty Insurance; XL Insurance America; Term: 9/1/2009 – 9/1/2010; authorized 8/25/09.

Insurance – Public Officials and Employment Practices Liability; Broker: Risk Strategies Company (RSC); Carriers: National Union fire Insurance; National Specialty Insurance; Term: 9/1/09 – 9/1/10; authorized 8/25/09.

Insurance – Aviation Ground Operations Liability; Broker: Business and Governmental Insurance Agency (BGIA); Carrier: Global Aerospace Inc.; Term Period: 1/1/2010 – 1/1/2011; authorized via EDDA 40-95, approval memorandum dated 12/9/09.

Agreement, Insurance Brokerage Services, dated 1/29/10 – Business and Governmental Insurance Agency (BGIA) – for professional brokerage services in providing Airport Liability Insurance including Aircraft Non-Ownership; Term: 1/1/2010 – 12/31/1012; authorized via EDDA 40-95, approval memorandum dated 12/9/09.

Supplemental Agreement – Cost Sharing, dated January 14, 2010 – State of New Jersey, Department of Transportation (DOT) – St. Paul's Avenue Viaduct, Jersey City, Hudson County; modification and increase authorized 3/31/09.

Right of Entry Agreement, dated December 21, 2009 – from Public Service Electric and Gas Co. (PSE&G) – Turnpike ROW Section 3F, Design Section 3: Parcel No. 320, Block 2732, Lot 2 (Entire Taking), Hamilton Township, County of Mercer; ratified 1/26/10.

Right of Entry Agreement, dated December 28, 2009 – from Public Service Electric and Gas Co. (PSE&G) – Turnpike ROW Section 3E, Design Section 2: Parcels RUE265E and RC265E, Block 107, Lot 10.02, Chesterfield Township, Burlington County; authorized 6/30/09, via EDDA 148-09.

Property Declaration of Taking, recorded September 25, 2009 – Ronald and Nancy Witt – Turnpike ROW Section 4L, Design Section 8: Parcel 1215, Block 2, Lot 5, 269 Prospect Plains Road, Cranbury Township, Mercer County; authorized 2/24/09 and 4/28/09.

Right of Way Easement, recorded January 25, 2010 – Wesley David Penrose – Turnpike ROW Section 3F, Design Section 3: Parcel UE349, Block 2734, Lot 1.02, 40 Burke Road, Hamilton Township, Mercer County; authorized 6/30/09, via EDDA 148-09; ratified 1/26/10.

Deed of Temporary Construction Easement, recorded December 23, 2009 – Theresa and Raymond Michal – Turnpike ROW Section 3D, Design Section 1: Parcel C208C, Block 51.01, Lot 2.03, Mansfield Township, Burlington County; authorized 6/30/09, via EDDA 148-09; ratified 1/26/10.

Deed of Temporary Construction Easement, recorded December 24, 2009 – William R. Aring – Turnpike ROW Section 3D, Design Section 1: Parcel C212, Block 51.01, Lot 2.02, Mansfield Township, Burlington County; authorized 6/30/09, via EDDA 148-09; ratified 12/16/09.

Deed of Temporary Construction Easement, recorded January 25, 2010 – from Robert and Sharon Ford – Turnpike ROW Section 3F, Design Section 3: Parcel C305, Block 2726, Lot 6 (Partial Taking), Hamilton Township, Mercer County; ratified 12/16/09.

Deed of Temporary Construction Easement, recorded November 5, 2009 – from CJS Investments Inc. – Turnpike ROW Section 3F, Design Section 3: Parcel C334, Block 2732, Lot 7.02 (Partial Taking), Hamilton Township, Mercer County; ratified 10/27/09.

Deed, recorded October 30, 2009 – from John Rihacel and Palma Formica – Turnpike ROW Section 4L, Design Section 8: Parcel 1239, Block 6, Lot 8, Monroe Township, Middlesex County; authorized 6/30/09 and 10/27/09.

Deed, recorded September 22, 2008 – from Patricia and George Caruso – Turnpike ROW Section 3F, Design Section 3: Parcel 318; Block 2725, Lot 2, Hamilton Township, Mercer County; authorized 7/22/08.

Deed, recorded November 16, 2009 – from Klefis Rawdanowicz – Turnpike ROW Section 4L, Design Section 8: Parcel 1240, Block 6, Lot 9, Monroe Township, Middlesex County; authorized 6/30/09 and 10/27/09.

Property Documents, recorded July 10, 2009 – from EWH Realty Associates LLC – Turnpike ROW Section 4K, Design Section 7: Parcel 1161, Block 12, Lot 1 (Full Taking), East Windsor Township, Mercer County; follow as: 1) Deed; 2) Discharge of Tax Sale Certificate; 3) Cancellation of Certificate of Sale 00-6; and 4) Cancellation of Certificate of Sale 07-00003; authorized 4/38/09.

Property Documents, recorded September 16, 2009 – from Mannem Reddy – Turnpike ROW Section 4G, Design Section 4: Parcels 969 and E969, Portion of Block 25, Lot 16.16, Robbinsville Township, Mercer County; follow as: 1) Deed; 2) Deed of slope Easement; and 3) Partial Release of Mortgage; authorized 3/31/09.

Property Documents, recorded August 4, 2009 – from Frank's Landscaping LLC – Turnpike ROW Section 4G, Design Section 4: Parcel Series 958, UE958, 2UE958, E958; C958 and RC958; Portion of Block 38, Lot 9, Robbinsville Township, Mercer County; follow as: 1) Deed; 2) Deed of Temporary Construction Easement; 3) Deed of Temporary Construction Easement; 4) Deed of Easement; 5) Deed of Slope and Utility Easement; 6) Release of Part of Mortgaged Property; 7) Subordination of Mortgage; authorized 3/31/09.

Contract No. P100.079 – Joseph M. Sanzari Inc.; authorized 12/16/09.

Contract No. T100.106 – Gardner M. Bishop Inc.; authorized 12/16/09.

Contract No. P200.146 – New Prince Concrete Construction Co.; authorized 12/16/09.

Contract No. P200.181 – Griffin Sign Inc.; authorized 12/16/09.

Contract No. P600.190 – Solar-Mite Electrical Contractors Inc.; authorized 12/16/09.

Contract No. T869.120.202 – South State Inc.; authorized 12/16/09.

#### ORDER FOR PROFESSIONAL SERVICES and/or PROFESSIONAL SERVICES AGREEMENTS

OPS No. P3253 – HAKS Engineers – Construction Supervision; authorized 12/16/09.

OPS No. P3265 – Greenman-Pedersen Inc. – Design Services; authorized 12/16/09.

OPS No. P3273 – TranSystems Corporation – Design Services; authorized 12/16/09.

OPS No. P3274 – Cherry, Weber & Associates – Design Services; authorized 12/16/09.

OPS No. T3285 – Dewberry-Goodkind Inc. – Remediation System Services; authorized 10/27/09.

OPS No. P3287 – Stantec Consulting Services Inc. – Design Services; authorized 12/16/09.

OPS No. T3288 – Greenman-Pedersen Inc. – Bridge Inspection Services; authorized 1/26/10.

Supplemental OPS No. T3138A – H2M Associates Inc. – Remediation Systems Services;  
authorized 12/16/09.

Supplemental OPS No. A3150B – Hatch Mott MacDonald (HMM) – Underground Storage tank  
Systems Services; authorized 12/16/09.

  
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Rose Stanko  
Secretary

APPROVED:

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James S. Simpson, Acting Chairman and NJ Department of Transportation Commissioner

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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

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Troy Singleton, Commissioner

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Ulises E. Diaz, Commissioner

