

**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY
TUESDAY, JULY 22, 2008**

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

PRESENT

Chairman Kris Kolluri; Commissioner Michael DuPont; Commissioner Harold Hodes; Commissioner David Evans; Commissioner Clive Cummis; and Commissioner Raymond Pocino.

Acting Executive Director Kenneth Rotter; Deputy Executive Director/Secretary Diane Scaccetti; Chief Engineer Richard Raczynski; Electronic Toll Collection Director Dennis Switaj; Finance Director Benjamin Hayllar; Human Resources Director Mary Elizabeth Garrity; Internal Audit Director James Carone; Labor Relations Director John O'Hern; Law Director George Caceres; Acting Maintenance Director Ralph Bruzzichesi; Operations Director Sean Hill; Purchasing Director Andrea Ward; Technology and Administrative Services Director Brian Gorman; Tolls Director Robert Quirk; Communications Director Joseph Orlando; New Jersey State Police Troop D Commander, Major Matthew Walker; and Assistant Secretary Rose Stanko.

Also present were: General Counsel John Hoffman; Co-General Counsel Judy Verrone; General Consultant James Beattie; Patricia Snyder, NJDOT Policy and Authorities Coordination; Sonia Frontera, Governor's Authorities Unit; various individuals consisting of other NJTA employees; interested organizations; general public; and from the media: Tom Feeney, The Star Ledger; and Larry Higgs, Asbury Park Press.

NOTICE OF MEETING

This is the 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.

APPROVAL OF MINUTES

The Secretary reported that ten days (excluding Saturdays, Sundays and holidays) have elapsed since Governor Jon S. Corzine received the proceedings of the June 4th rescheduled meeting; he has not exercised his power to veto any items in those minutes.

Upon motion made by Commissioner Hodes, seconded by Commissioner DuPont, the minutes of the meeting of June 4, 2008 were unanimously approved.

RECUSALS

The Secretary reported that advisements of recusal have been submitted regarding agenda items 137-08 through 139-08, 141-08, 142-08, 144-08, 146-08, 148-08, 154B-08 and 154D-08 for Commissioner Pocino; 135-08 through 137-08 for Commissioner Hodes; and 154D-08 (only as it pertains to Stavola Contracting Co.) for Commissioner DuPont. She then asked for any further recusals or abstentions to be placed on record for this meeting. There was no response.

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At this juncture, Chairman Kolluri determined that a separate Executive Session was not required and 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:

HUMAN RESOURCES

130-08

Human Resources Director Garrity submitted the Personnel Agenda, dated July 2008, and requested confirmation of the personnel matters contained therein, as amended.

The Acting Executive Director certified the recommendations for consideration.

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

LAW

Law Director Caceres requested approval of item numbers 131-08 through 134-08; moved as a group, those items are as follows:

131-08

In the memorandum dated July 10, 2008, concerning the recommendation for Settlement in the Litigation Matter of Robert and Cindy Smith v. New Jersey Turnpike Authority, et al. Superior Court of New Jersey, Atlantic County, Law Division, Docket No. ATL-L- 7655-06, Account No. 10-890-441043.

On August 11, 2004, Robert Smith, a New Jersey State Trooper, Garden State Parkway Division, was detailed to remove debris from the roadway during a 6:00 a.m. to 6:00 p.m. shift, near Milepost 34.0 in Egg Harbor Township, Atlantic County. Plaintiff claims that as he approached the debris in the roadway, he pulled over into the left hand shoulder/median within the roadway, and he struck a concrete drainage pipe and/or culvert which was concealed by high grass, which was not visible from Plaintiff trooper's vehicle, causing the Plaintiff to sustain injuries. The Trooper vehicle itself sustained damage to the undercarriage and power steering unit which required extensive repair. Plaintiff complained of back pain and sought an evaluation from the New Jersey State Troop physician. Plaintiff's supervisor investigated the incident and listed the occurrence as "non-preventable", thereby exonerating the plaintiff of any negligence in the eyes of his employer, the New Jersey State Police.

Plaintiff revealed that he was also involved in a *previous motor vehicle accident* for which he underwent surgery on February 25, 1999, with additional surgery performed one month later. He recalls that he returned to work after the accident. After numerous physician visits, Plaintiff

underwent surgery in the form of a decompressive laminectomy on discs L-4 and L-5 on February 15, 2005, with screws affixed to his lower spine and fusion of the L4/L5 discs. On October 5, 2005, plaintiff endured yet another injury when he fell at a movie theater, causing a new onset of pain radiating to the shoulders and down the thoracic spine, and he also claimed that his lower back pain had increased. Plaintiff went on medical leave and left the State Police due to his disability on December 1, 2005 when he was 43 years old. He claims that he planned to retire at 55 years of age. He is now employed as a private investigator who works on his own and has no employees and makes little money.

The parties agreed to refer this matter to Ret. Judge Weinberg (formerly of Camden County Superior Court) for non-binding mediation on May 16, 2008. Judge Weinberg called the case value at \$400,000, which the Authority believed to be excessive. Based on the facts and circumstances, Co-General Counsel and the Director of Law, upon thorough review of the case, deem it advisable to settle the matter at this time. Co-General Counsel, with the concurrence of the Law Department, recommends the proposed settlement in the amount of \$250,000 to be paid by the Authority to settle all claims against the Authority.

Accordingly, it is recommended that the New Jersey Turnpike Authority's Commissioners authorize a settlement of the matter of Robert Smith and Cindy Smith v. N.J. Turnpike Authority, et al. in an amount not to exceed \$250,000. Authorization is also requested to permit the Acting Executive Director to execute and where appropriate, the Law Department and General Counsel to prepare and file with the Court, any and all documents consistent with the foregoing to resolve this litigation.

132-08

In the memorandum dated July 14, 2008, concerning the recommendation for **Settlement in the Formal Workers' Compensation Matter of Raymond Forester v. New Jersey Turnpike Authority, et al.**, Account No.: 10-870-405070.

Raymond Forester, 46 years old, retired under an Ordinary Disability Retirement on May 1, 2003, after 12 years of employment with the Authority. This proposed settlement addresses two claim petitions – one for a low back herniation, which the Authority treated as an admitted claim, and the second for Occupational Exposure to dust, fumes, adverse environmental conditions, bending, lifting, stress and strains causing disabilities to the lungs, back and neurological problems arising out of his work in the Copy Room at the East Brunswick Administration Building, which claim was not admitted by the Authority.

The petitioner is represented by the law firm of Freeman & Bass. The Authority is defended by Special Counsel Michele Haas of Hoagland, Longo, Moran, Dunst & Doukas. The matter is venued in the district office of Elizabeth before Judge Mohr.

Mr. Forester's orthopedic complaints are significant for congenital spinal stenosis exacerbated by his work related injury of May 19, 1999. He underwent multiple surgeries:

discectomy, laminectomy, multiple decompressive neuroplasty procedures, facet injections and, finally, implantation of a spinal stimulator all of which failed to improve his condition and/or alleviate his pain. Mr. Forester will need to use a cane for the rest of his life. Petitioner was also found to have chronic depression and anxiety resulting from his poor surgical recovery and general health condition. Moreover, Judge Mohr opined, on the record, that she regarded the Petitioner to be permanently and totally disabled.

In light of the above noted disabilities, prior medical history and the Ordinary Disability Retirement, Petitioner filed for participation by the Second Injury Fund alleging total and permanent work related disability. The Deputy Attorney General for the Fund, although initially reluctant to participate, finally acquiesced to Judge Mohr's proposal – that should the Authority pay for the initial 450 weeks, with the Fund taking over payments thereafter for the balance of Mr. Forester's life. As indicated above, petitioner is only 46 years old. If the Fund had declined to join in this settlement, the Authority would bear the full responsibility of 450 weeks plus the balance for the rest of the Petitioner's life.

With this settlement, the Authority's permanency payments are finite and significantly reduced by the offset of \$289.00 per week from the Ordinary Disability Retirement. Without the offset, the Authority's 450 week liability would equate to \$242,550.00. Factoring in the offset (excluding the initial 28 weeks at the full rate, as required by law), the Authority's permanency payments will amount to \$120,408.75. Factoring in the Fund's participation, the Authority's risk is likewise capped at \$120,408.75. Given the objective orthopedic findings, combined with the Judge's opinion on the record, trying this case is not recommended and may very well place at risk the Fund's participation.

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, HR, Safety & Benefits. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$120,408.75.

133-08

In the memorandum dated July 10, 2008, concerning the recommendation to **Authorize the Negotiated Purchase of Necessary Property, Turnpike Interchange 6 to Interchange 9 Widening Program,**

- Turnpike ROW Section 3E, Design Section 2: Parcel No. 258; Block 100, Lot 4; and Parcel No. 267; Block 103, Lot 1 – Chesterfield Township, Burlington County.
- Turnpike ROW Section 3F, Design Section 3: Parcel No. 315; Block 2732, Lot 1; Parcel No. 317A; Block 2725, Lot 1; Parcel No. 322; Block 2725, Lot 8; Parcel No. 318; Block 2725, Lot 2; and Parcel No. 319; Block 2725, Lot 3 – Hamilton Township, Mercer County.
- Turnpike ROW Section 4J, Design Section 6: Parcel No. 1092; Block 22, Lot 59; and Parcel No. 1093; Block 22, Lot 61 – East Windsor, Mercer County.

Project No. 06510057.

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

In order to complete the Widening Program, the Authority must acquire certain property located adjacent to the Turnpike for the purpose of facilitating construction as well as for potential environmental purposes. The Authority has determined that the nine 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. The Authority then entered into good faith negotiations for the purchase of same based on this appraised value. The following is a description of each property for which the parties have negotiated terms of sale.

1. Turnpike ROW Section 3E, Design Section 2:
Lot 4, Block 100, Parcel No. 258
8 Daniel Avenue, Chesterfield, New Jersey
Owner: Ronald and Lorraine Labau
Amount: \$ 400,000.00

Property consists of approximately 43,560 square feet. The site is improved with a single family Ranch-type dwelling built in 1974. The house consists of eight rooms including three bedrooms and one and one-half bathrooms. There is also a full basement, a wood deck and an above ground pool

2. Turnpike ROW Section 3E, Design Section 2:
Lot 1, Block 103, Parcel No. 267
1 Bordentown Chesterfield Road, Chesterfield, New Jersey
Owner: Robert and Carol Appleby
Amount: \$ 270,000.00

Property consists of approximately 19,734 square feet and is shaped similar to a triangle. The house consists of three bedrooms and a full bathroom. There is also a rear enclosed porch, two sheds and a two car garage along with an above ground pool.

3. Turnpike ROW Section 3F, Design Section 3:
Lot 1, Block 2732, Parcel No. 315
4754 Crosswicks-Hamilton Square Road, Hamilton Township, New Jersey
Owner: Alexander and Margaret Michelchuk
Amount: \$ 580,000.00

Property consists of 265,716 square feet, or 6.10 acres. It is an irregular shaped parcel improved with a Cape Cod style one-story single family dwelling with a small 1,175 square foot barn. The dwelling consists of six rooms including three bedrooms. There is no garage.

4. Turnpike ROW Section 3F, Design Section 3:
Lot 1, Block 2725, Parcel No. 317A
4654 Crosswicks-Hamilton Square Road, Hamilton Township, New Jersey
Owner: William and Steven Doerler
Amount: \$ 260,000.00

Property consists of a triangular shaped lot improved with a one-story ranch style single family dwelling. The site has a land area of 47,045 square feet or 1.08 acres. The dwelling consists of five rooms including three bedrooms and one full bathroom. There is no garage.

5. Turnpike ROW Section 3F, Design Section 3:
Lot 8, Block 2725, Parcel No. 322
Crosswicks-Hamilton Square Road, Hamilton Township, New Jersey
Owner: Theodore Konko, 4510 Crosswicks-Hamilton Square Road
as Trustee of the Ted Konko Trust
Amount: \$ 772,000.00

The property consists of an irregular rectangular shaped unimproved parcel that is currently farmed. The site has a land area of 8.49 acres. The property is situated in the Rural Resource Conservation (RRC) Zone as designated by the Township.

6. Turnpike ROW Section 3F, Design Section 3:
Lot 2, Block 2725, Parcel No. 318
4646 Crosswicks-Hamilton Square Road, Hamilton Township, New Jersey
Owner: Patricia M. and George C. Caruso
Amount: \$ 435,000.00

Property consists of an irregular rectangular shaped lot with a one-story single-family dwelling. The site has a land area of 37,462 square feet or 0.86 acres. The dwelling contains six rooms including three bedrooms and two full bathrooms. There is a finished basement, a two car attached garage, a concrete rear patio and a 542 square foot shed.

7. Turnpike ROW Section 4J, Design Section 6:
Lot 61, Block 22, Parcel No. 1093
20 Richardson Lane, East Windsor, New Jersey
Owner: Norman and Jacqueline Crompton
Amount: \$ 405,000.00

Property consists of an irregular shaped 0.65 acre lot with a one story stone and clapboard single family detached dwelling. There are four bedrooms, 2.5 baths, kitchen, dining room, living room, breezeway, 75% finished basement, outside access with laundry room, sump pump and recreation room. There is also a two car attached garage and a concrete patio/deck.

8. Turnpike ROW Section 4J, Design Section 6:
Lot 59, Block 22, Parcel No. 1092
24 Richardson Lane, East Windsor, New Jersey
Owner: Eden Acres, Inc.
Amount: \$ 385,000.00

Property consists of an undeveloped irregular shaped 0.77 acre lot that has been improved with a one story vinyl and brick single family detached property currently occupied by adults with autism and a rotating 24 hour staff. The dwelling consists of four bedrooms, two baths, kitchen, dining room, living room, laundry room and utilities.

9. Turnpike ROW Section 3F, Design Section 3:
Lot 3, Block 2725, Parcel No. 319
4630 Crosswicks- Hamilton Square Road, Hamilton Township, New Jersey
Owner: Dennis and Debra McElvaine
Amount: \$ 368,500.00

Property consists of an irregularly shaped rectangular lot approximately 1.23 acres or 53,578 square feet in size. There is a one story ranch style dwelling built in approximately 1960 that contains seven rooms including three bedrooms and two full baths. There is a finished basement as well.

Please note that all the owners listed above, except for the Ted Konko Trust, are eligible to receive relocation benefits as defined by statute.

The Authority's Law Department and its Real Estate Manager/Consultant, in consultation with General Counsel, recommend that the Authority acquire the properties upon the terms and conditions as set forth above.

Based on the foregoing, it is requested that the Authority Commissioners authorize the Executive Director and Director of Law to take all steps necessary to purchase the properties outlined above, for the amounts set forth herein, and to satisfy those other costs required to be paid at closing, said costs not to exceed Five Thousand (\$5,000.00) per transaction. It is further recommended that the Executive Director be authorized to take any other steps necessary for the acquisition of the property upon review and approval of such action by the Law Department and General Counsel.

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The following matters were identified in the Public Session agenda:

LAW

134-08

In the memorandum dated July 10, 2008, concerning a recommendation to **Enter into a Memorandum of Agreement (MOA) as a concurring signatory, among the New Jersey Turnpike Authority (the “Authority”); The Federal Highway Administration (FHA); New Jersey State Historic Preservation Officer (SHPO); New Jersey Department of Transportation (NJDOT) (invited signatory); and Ocean County (invited signatory)**

The New Jersey Turnpike Authority (the “Authority”) and Ocean County have met and discussed entering into a cooperative agreement to work together, with other state and county agencies, to improve Interchange 91 on the Garden State Parkway. Over the years, the Authority, and previously, the former New Jersey Highway Authority, have entered into agreements with local and county entities to provide for commuter parking near this interchange, and to purchase land for additional improvements at this intersection. Preliminary plans for this intersection propose to add missing entrance and exit ramps, specifically, adding a southbound entrance ramp and a northbound exit ramp, so as to have a complete interchange. The Authority and Ocean County continue to negotiate with respect to this cooperative arrangement.

Ocean County, in order to further the plans for its responsibilities under this cooperative agreement, has petitioned the Federal Highway Administration (FHA) for federal funds for its use in connection with Ocean County’s portion of the improvements. In order to secure federal funds, Ocean County is required to enter into a Memorandum of Agreement with the FHA and SHPO. The Authority and NJDOT are also required to be signatories under this agreement, as it may involve land owned by the Authority. There is no monetary expenditure on the part of the Authority.

It is therefore requested that the Commissioners authorize the Acting Executive Director to enter into an MOA, as set forth above, after final items and conditions have been reviewed and approved by the Law Department and Co-General Counsel.

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

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the four (4) item law agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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ENGINEERING

Chief Engineer Racznyski requested approval of item numbers 135-08 through 153D-08. At this time, General Counsel Hoffman addressed the Board and invoked the “rule of necessity” for item 137-08. Since a ratification vote cannot be delayed due to the emergency conditions of the contract award and with only the current six (6) Authority Board Members, a conflict will always be present, he opined that, for item 137-08, the conflict be lifted by “rule of necessity”, and voting be permitted to complete the needed quorum.

Moved as a group, those Engineering items are as follows:

135-08

In his memorandum dated July 2, 2008, concerning the recommendation to **Increase Purchase Order Ceiling (POORutgers) – Rutgers University, Center for Advanced Infrastructure and Transportation** – Structural Evaluation and Technical Support, Delaware River Turnpike Bridge, Turnpike Structure No. P0.00, and Casciano Memorial Newark Bay Bridge, Turnpike Structure No. N2.01, 2008A Note Construction Fund No. 30000010.

Authorization was received at the February 2008 Commission Meeting to enter into a sole source contract with Rutgers University to provide technical services as requested by the Authority to address structural issues and related newly placed high performance concrete (HPC) bridge deck cracking on Structure No. P0.00 on the Pearl Harbor Memorial Turnpike Extension.

The services included finite element modeling of the main and approach truss spans, controlled live load testing with strain gage installation for model calibration, and collection and testing of concrete samples as required to evaluate and present recommendations to mitigate bridge deck cracking. In addition, the services included the development of a new HPC specification based on lessons learned on Structure P0.00, and preliminary work to commence the modeling of Structure No. N2.01 on the Newark Bay Extension to support the near term design of a deck reconstruction project.

At the request of the Authority, Rutgers University has submitted a scope of work and fee proposal in the amount of \$227,000 to complete the technical services for Structure No. N2.01, which has only been partially completed under the original purchase order (PO). The scope of services includes completion of the computer model required for the finite element analysis, strain gage placement and data collection for model calibration, the installation of weigh-in-motion sensors and collection of data to determine the actual live loads carried by the bridge, and recommendations on new bridge decking based on the potential for deck cracking as determined by the model. The services will also include coordination with the selected design consultant on technical issues related to conventional cast-in-place HPC decks versus alternate precast decks, including the evaluation of deck pouring sequences and required input to the model.

Increasing the ceiling of this PO with Rutgers is justified and recommended based on expertise of Rutgers staff involved, the similarity and extension of services to be provided under the original PO, successful delivery of prior technical services, and the time constraints for completion of

this critical path work to support the design schedule of the bridge deck reconstruction contract, which is anticipated to be awarded at the October 2008 Commission Meeting.

It is, therefore, requested that Purchase Order POORutgers be increased in a not to exceed amount of \$227,000, increasing the total maximum from \$185,000 to \$412,000. Given these services are an extension of the original PO and must commence in July 2008 in order to support the design schedule of the Newark Bay Bridge redecking contract, an exemption from the requirement to advertise these services, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-9-2.8, is justified.

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136-08

In his memorandum dated July 2, 2008, concerning the recommendation to **Execute Utility Order No. 1189-T – PSE&G – Electric** – Contract No. T200.017, Turnpike Interchange 16W / Route 3 Ramps Improvements, Borough of East Rutherford, Bergen County, 2005 Bond Issue Fund No. 20200001.

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. T200.017, Interchange 16W / Route 3 Ramps Improvements Project. The Authority will reimburse PSE&G Electric for the installation of new utility poles, guy poles, and overhead power lines; removal of existing poles and power lines; removal and installation of AboveNet aerial fiber cable; and associated activities.

A cost proposal for this Utility Order was provided by PSE&G in the amount of \$280,000 based on the final improvements and known conditions at this time. The cost proposal is considered reasonable and its approval is recommended. It is, therefore, recommended that this Utility Order be authorized in the amount of \$280,000.

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137-08

In his memorandum dated July 10, 2008, concerning the recommendation to **Ratify Contract No. P100.098 – George Harms Construction, Inc.** – Emergency Repair Contract, GSP Structure No. 75.3, Lacey Road over Garden State Parkway, Special Project Fund No. 04028037.

Several beams on the westerly span of Structure No. 75.3 over the southbound Parkway were severely damaged by a tractor trailer impact on June 4, 2008. An assessment of the damage was performed on that date by Engineering Department staff, KS Engineers, and HNTB Corporation, and the bridge was closed to local traffic until further evaluation and structural analysis by HNTB Corporation. Lacey Road is a vital link in the vehicle transportation system requiring immediate action to restore traffic flow on a temporary basis and to provide permanent repairs to the structure.

George Harms Construction Co., Inc. was contacted. They are prequalified with the Turnpike Authority, have previously performed similar work for the Authority and were

immediately available to provide construction services to assist the Authority in expediting restoration of traffic to Lacey Road and to undertake the necessary repairs.

On June 5, 2008 the evaluation and load rating of the damaged span was completed by HNTB and it was determined that the bridge could be reopened for a limited period to carry two lanes of traffic at reduced widths and lower posted speeds. George Harms Construction Company, Inc. mobilized to the site that afternoon and working with the Engineering Department Staff and HNTB constructed traffic control measures which permitted Lacey Road to be reopened to traffic at 9:00 pm that evening.

The scope of the emergency contract in general will include: restoration of traffic on Lacey Road by using a portion of the existing damaged bridge for a limited period; the construction of a temporary bridge and approach roadways to the south of the current alignment to carry the two lanes of traffic on the temporary bridge in order to make permanent repairs to the structure; removal and reconstruction of the west span of the existing damaged structure; and other construction as deemed necessary upon further assessment and evaluation of the damaged structure and the development of the proposed repairs.

It is, therefore, recommended that Contract No. P100.098 be ratified to George Harms Construction Company, Inc. of Howell, New Jersey, in the estimated amount of \$5,000,000. The Authority will pursue reimbursement from third parties for all costs incurred by the Authority resulting from the damage to the structure. Based on the emergency nature of this work, and need to restore a vital local traffic network, approval was received by the Executive Director to issue an emergency contract as deemed necessary by the Chief Engineer, in accordance with N.J.S.A. 27:23-6.1 and Executive Order No. 37 (Corzine).

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138-08

In his memorandum dated July 2, 2008, concerning the recommendation to **Award Contract No. T100.048 – RML Construction, Inc.** – Interim Catwalk Safety Improvements, Turnpike Structure No. N2.01, Casciano Memorial Newark Bay Bridge, 2008A Note Construction Fund No. 30000013.

This contract will provide for the installation of wire rope along underdeck catwalk and aviation walkways, removal and replacement of deteriorated flooring diamond plates, and furnishing and installation of miscellaneous structural steel shapes on the main truss span between Pier W2 and E2.

Three proposals were received on June 25, 2008 for the above publicly advertised contract. The low bid, in the amount of \$787,900 may be compared to the Engineer's Estimate in the amount of \$767,750. The low bidder, RML Construction, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T100.048 be awarded to the low bidder, RML Construction, Inc. of Hasbrouck Heights, New Jersey, in the amount of \$787,900. Bids for

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

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139-08

In his memorandum dated July 8, 2008, concerning the recommendation to **Award Contract No. T100.095 – RML Construction, Inc.** – Zone Painting, Turnpike Structure No. N2.01, Casciano Memorial Newark Bay Bridge, 2008A Note Construction Fund No. 30000007.

This contract will provide for the cleaning and painting of structural steel areas effected by salt spray during snow removal operations, including the eastbound and westbound approach steel parapets from piers E2 to E19 and W2 to W15; and limited portions of main truss chord members between piers E2 and W2.

Three proposals were received on July 1, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$1,433,200, may be compared to the second low bid proposal of \$1,469,800. The low bidder, RML Construction, Inc., has previously performed similar work for other regional transportation agencies and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T100.095 be awarded to the low bidder, RML Construction, Inc. of Hasbrouck Heights, New Jersey, in the amount of \$1,433,200. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

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140-08

In his memorandum dated July 3, 2008, concerning the recommendation to **Issue Order for Professional Services No. T3181 – HAKS Engineers, P.C.** – Supervision of Construction Services for Contract No. T100.048, Interim Catwalk Safety Improvements; and Contract No. T100.095, Zone Painting, Turnpike Structure No. N2.01, 2008A Note Construction Fund Nos. 30000013 and 30000007.

This Order for Professional Services (OPS) provides construction supervision for the referenced contracts. Contract No. T100.048 will provide for the installation of wire rope along underdeck catwalk and aviation walkways from Pier W1 to Pier E1, removal and replacement of deteriorated flooring diamond plates and furnishing and installation of miscellaneous structural steel shapes. Contract No. T100.095 will provide for the cleaning and painting of structural steel areas affected by salt spray during snow removal operations, including the eastbound and westbound approach parapets from piers E2 to E19 and W2 to W15; and vertical, diagonal and tie chords on the main truss spans between piers E2 and W2.

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 24 engineering firms prequalified and eligible under Profile Code B158 – Bridge Repainting/Inspection. One firm submitted an EOI by the closing date of June 19, 2008. In accordance with the policy for the procurement of professional services under Executive Order No. 26, when less than three EOIs are submitted, the selection process may proceed at the direction of the Chief Engineer.

Subsequent to the scoring of the Expression of Interest, a Fee Proposal was requested from HAKS Engineers, P.C. It 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. T3181 be issued to the firm of HAKS Engineers P.C. of Newark, New Jersey in the maximum amount of \$798,000, allocated as follows: Fund 30000007 - \$600,000 and Fund 30000013 - \$198,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.2, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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141-08

In his memorandum dated July 2, 2008, concerning the recommendation to **Award Contract No. P200.084 – Tilcon New York, Inc.** – Pavement Restoration, Parkway Mileposts 139 to 142 and Miscellaneous Ramps, Maintenance Reserve Fund No. 03020005.

This contract will provide for the resurfacing of Portland Cement Concrete Pavement with asphalt surface course pavement along the Garden State Parkway Northbound and Southbound mainline roadway from Milepost 139 to 142 along with Northbound and Southbound ramps at Interchanges 139 and 140 and other incidental work in Union County.

Seven proposals were received on June 24, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$2,110,000 may be compared to the Engineer's Estimate in the amount of \$2,230,500. The low bidder, Tilcon New York, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.084 be awarded to the low bidder, Tilcon New York, Inc. of Wharton, New Jersey, in the amount of \$2,110,000 allocated as follows: \$1,900,000 in 2008 and \$210,000 in 2009. Bids for this work were procured, and the authorization

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

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142-08

In his memorandum dated July 2, 2008, concerning the recommendation to **Award Construction Contract P200.096 – Joseph DeFino Trucking Co. Inc., d/b/a DeFino Contracting Company** – Interim Shoulder Repair and Miscellaneous Safety Improvements, Parkway Mileposts 89.7 to 96.1, 2008A Note Construction Fund No. 30000009.

The work to be performed under the referenced contract consists of the construction of miscellaneous safety improvements between MP 89.70 and 96.10 in the Townships of Lakewood and Brick, Ocean County, and the Township of Wall, Monmouth County. Improvements will address substandard shoulder width, edge drop-offs, unshielded obstructions within the clear zone and other miscellaneous safety improvements. The contract is scheduled to be completed by December 2008.

Five proposals were received on June 27, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$1,381,000 may be compared to the Engineer's Estimate in the amount of \$1,789,120. The low bidder, DeFino Contracting Co., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.096 be awarded to the low bidder, DeFino Contracting Co. of Cliffwood Beach, New Jersey, in the amount of \$1,381,000. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

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143-08

In his memorandum dated July 2, 2008, concerning the recommendation to **Issue Order for Professional Services No. P3180 – Dewberry-Goodkind, Inc.** – Supervision of Construction Services for Contract No. P200.096, Interim Shoulder Repair and Miscellaneous Safety Improvements, Parkway Mileposts 89.7 to 96.1, 2008A Note Construction Fund No. 30000009.

This Order for Professional Services (OPS) provides construction supervision for the referenced contract. The work to be performed under the referenced contract consists of the construction of miscellaneous safety improvements between MP 89.7 and MP 96.1 in the Townships of Lakewood and Brick, Ocean County, and the Township of Wall, Monmouth County. Improvements will address substandard shoulder width, edge drop-offs, unshielded obstructions within the clear zone and other miscellaneous safety improvements. The contract is scheduled to be completed by December 2008.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 54 engineering firms prequalified and eligible under Profile Code B153: Roadway Construction Inspection. Nine firms submitted EOIs by the closing date of May 29, 2008.

Subsequent to the scoring of the Expressions of Interest, Fee Proposals were requested from the top three firms. They are, in the order of technical ranking: 1) Dewberry-Goodkind, Inc.; 2) Buchart-Horn, Inc.; and 3) Churchill Consulting Engineers. The fee submitted by Dewberry-Goodkind, 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. P3180 be issued to the firm of Dewberry-Goodkind, Inc. of Bloomfield, New Jersey in the maximum amount of \$420,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.2, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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144-08

In his memorandum dated July 9, 2008, concerning the recommendation to **Award Contract No. P300.043 – Midlantic Construction, LLC** – Parkway Interchange 67 Ramp Improvements, 2008A Note Construction Fund No. 30000002.

The work to be performed involves the reconstruction and improvement of Interchange 67 in Barnegat Township, Ocean County connecting the Garden State Parkway with West Bay Avenue (CR-554). New southbound entrance and exit ramps will be constructed with direct access to and from Lighthouse Drive, and a new northbound exit ramp will be constructed with direct access to West Bay Avenue (CR-554). The two existing bridges, which carry West Bay Avenue (CR-554) over the Garden State Parkway, will be replaced as part of this project. The existing northbound entrance ramp and the existing southbound exit ramp will each be modified to connect with West Bay Avenue (CR-554), which is being reconstructed under a separate construction contract to be awarded by Ocean County.

Eleven proposals were received on July 8, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$17,471,858.76, may be compared to the second low bid proposal in the amount of \$17,954,749.43. The low bidder, Midlantic Construction, L.L.C., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P300.043 be awarded to the low bidder, Midlantic Construction, L.L.C. of Manasquan, New Jersey, in the amount of \$17,471,858.76. 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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145-08

In his memorandum dated July 2, 2008, concerning the recommendation to **Issue Order for Professional Services No. P3137 – Stone & Webster Inc.** – Supervision of Construction Services for Contract No. P300.043, Parkway Interchange 67 Ramp Improvements, 2008A Note Construction Fund No. 30000002.

This Order for Professional Services (OPS) provides for supervision of construction services for Contract No. P300.043. The work to be performed involves the reconstruction and improvement of Interchange 67 in Barnegat Township, Ocean County connecting the Garden State Parkway with West Bay Avenue (CR-554). New southbound entrance and exit ramps will be constructed with direct access to and from Lighthouse Drive, a new northbound exit ramp will be constructed with direct access to West Bay Avenue (CR-554). The two existing bridges, which carry West Bay Avenue (CR-554) over the Garden State Parkway, will be replaced as part of this project. The existing northbound entrance ramp and the existing southbound exit ramp will each be modified to connect with West Bay Avenue (CR-554), which is being reconstructed under a separate construction contract to be awarded by Ocean County.

This assignment is classified as a “Complex Project” because the fee exceeds \$1,000,000. Thirty-six engineering consulting firms prequalified and eligible in Profile Codes B151 – Construction Management; B153 – Roadway Construction Inspection; and B155 – Bridge Construction Inspection were invited to submit Expressions of Interest (EOIs). Eight EOIs were received by the closing date of April 21, 2008.

Subsequent to the scoring of EOIs by the Review Committee, three firms were requested to submit Technical and sealed Fee Proposals. The firms are: 1) Stone & Webster, Inc.; 2) Greenman-Pedersen, Inc.; and 3) Jacobs Engineering Group, Inc. The Review Committee reviewed and evaluated the firms’ Technical Proposals and the final scoring resulted in Stone & Webster, Inc. being the highest technically ranked firm. The fee submitted has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3137 be issued to the firm of Stone & Webster, Inc. of Trenton, New Jersey in the maximum amount of \$2,150,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.2 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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146-08

In his memorandum dated July 9, 2008, concerning the recommendation to **Award Contract No. T300.064 – Ferreira Construction Co. Inc.** – Ramp NWC Improvements at Turnpike Interchange 18W, Roadway Widening, Grading, Paving and Structures, 2005 Bond Issue Fund No. 20200001.

This contract is for the construction of improvements to Ramp NWC, the exit ramp to the Meadowlands Sports Complex from the Turnpike's southbound western spur, and improvements along the southbound mainline of the western spur of the Turnpike. The improvements include: providing two 12 foot deceleration lanes with a right shoulder; extending the Ramp NWC physical gore approximately 2,000 feet north of its existing location; reconfiguring Ramp NWC to accommodate a concrete median barrier to separate mainline traffic from ramp traffic; constructing EZ-Pass toll facilities on the ramp; instituting Intelligent Transportation Systems via the installation of five new Variable Message Signs; and improving the stormwater management systems for treatment of highway drainage.

Four proposals were received on July 8, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$17,848,000.00, may be compared to the second low bid proposal in the amount of \$18,746.413.28. The low bidder, Ferreira 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. T300.064 be awarded to the low bidder, Ferreira Construction Co., Inc. of Branchburg, New Jersey, in the amount of \$17,848,000.00. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

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147-08

In his memorandum dated July 11, 2008, concerning the recommendation to **Issue Order for Professional Services No. T3167 – The RBA Group** – Supervision of Construction Services for Contract No. T300.064, Ramp NWC Improvements at Turnpike Interchange 18W, 2005 Bond Issue Fund No. 20200001.

This Order for Professional Services (OPS) provides construction supervision for the referenced contract. This contract will provide for the construction of two deceleration lanes with shoulders, surcharge placement and removal, drainage improvements, highway lighting, power and communication conduits, new sign structures, steel piles, electronic toll collection gantries and a concrete culvert extension at Interchange 18W.

This assignment was classified and solicited as a "Simple Project" based on the original scope of work which was clearly defined and not likely to change during the course of the project, and the estimated fee not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were

sent to 55 engineering firms prequalified and eligible under Profile Code B153: Roadway Construction Inspection. Six firms submitted EOIs by the closing date of November 28, 2007.

Subsequent to the scoring of the Expressions of Interest, Fee Proposals were requested from the top three firms. They are, in the order of technical ranking: 1) The RBA Group (RBA); 2) Greenman-Pedersen, Inc.; and 3) Ammann & Whitney Consulting Engineers. The original fee submitted by RBA, in the amount of \$877,000, was reviewed and considered to be fair and reasonable for the original scope of services. Subsequent to the review of RBA's original Fee Proposal, the duration of the construction contract was revised from nine months to twelve months by the design engineer due to changes made by the Authority to the scope of work, as well as the procurement of an Army Corps of Engineer's permit. A revised Fee Proposal in an amount of \$1,042,600 was submitted by RBA to reflect these changes. This revised Fee Proposal has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. T3167 be issued to the firm of The RBA Group of Morristown, New Jersey in the maximum amount of \$1,042,600. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.20, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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148-08

In his memorandum dated July ;2, 2008, concerning the recommendation to **Award Contract No. P700.047 – Spark Electric Service Inc., t/a Spark Contractors** – Underground Storage Tank (UST) Removal and Upgrade, Various Garden State Parkway Facilities, 2008A Note Construction Fund No. 30000011.

This contract will provide for upgrades to the UST systems at five locations on the Garden State Parkway. The upgrades are necessary to maintain regulatory compliance and minimize the potential for petroleum product releases into the environment.

Four proposals were received on June 26, 2008 for the above publicly advertised contract. The low bid, in the amount of \$1,104,055 may be compared to the Engineer's Estimate in the amount of \$1,681,600. The low bidder, Spark Contractors, has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P700.047 be awarded to the low bidder, Spark Contractors of Dorothy, New Jersey, in the amount of \$1,104,055. Bids for this work were procured, and authorization is being sought to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

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149-08

In his memorandum dated July 2, 2008, concerning the recommendation to **Issue Order for Professional Services No. P3135 – Hatch Mott MacDonald** – Supervision of Construction Services for Contract No. P700.047, Underground Storage Tank (UST) Upgrade or Removal, Various Parkway Facilities, 2008A Note Construction Fund No. 30000011.

This Order for Professional Services (OPS) provides construction supervision for the referenced contract. This contract will provide for the upgrading of UST systems at five locations on the Garden State Parkway. The upgrades are necessary to maintain regulatory compliance and minimize the potential for petroleum product releases into the environment.

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 were sent to six engineering firms prequalified and eligible under Profile Codes: A230 - Fuel Distribution and Storage Systems; C195 - Soil and Groundwater Remediation Investigations; and C197 - Remediation Systems; Operation and Maintenance. Three firms submitted EOIs by the closing date of May 29, 2008.

Subsequent to the scoring of the Expressions of Interest, Fee Proposals were requested from the three firms. They are, in the order of technical ranking: 1) Hatch Mott MacDonald; 2) Paulus, Sokolowski & Sartor, LLC.; and 3) Langan Engineering & Environmental Services. The fee submitted by Hatch Mott MacDonald 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. P3135 be issued to the firm of Hatch Mott MacDonald of Millburn, New Jersey in the maximum amount of \$330,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.6, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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150-08

In his memorandum dated July 8, 2008, concerning the recommendation to **Issue Order for Professional Services No. P3175 – Greenman-Pedersen, Inc.** – Preliminary Design and Environmental Permitting, Garden State Parkway Shoulder Widening and/or Reconstruction, Parkway Mileposts 83.6 to 99.5, 2008A Note Construction Fund No. 30000008.

This Order for Professional Services (OPS) provides for preparation of Preliminary contract documents for providing full width left and right shoulders along the Parkway between MP 83.6 and MP 99.5 and the preparation of environmental studies and environmental permit applications to

obtain agency approvals associated with shoulder widening, bridge widening, clearing and grading, and other related work.

This assignment is classified as a “Complex Project” because the fee exceeds \$1,000,000. Twenty-seven engineering consulting firm, prequalified and eligible in Profile Codes A090 – Bridges: New; A091 – Bridges: Widening and Modifications; A250 – Fully Controlled Access Highways; and C190 – Preparation of EIS and EA, were invited to submit Expressions of Interest (EOIs). Ten EOIs were received by the closing date of April 21, 2008.

Subsequent to the scoring of EOIs by the Review Committee, three firms were requested to submit Technical and sealed Fee Proposals. The firms are: 1) Greenman-Pedersen, Inc.; 2) The Louis Berger Group, Inc.; and 3) T & M Associates. The Review Committee reviewed and evaluated the firms’ Technical Proposals and the final scoring resulted in Greenman-Pedersen, Inc. being the highest technically ranked firm. The fee submitted 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. P3175 be issued to the firm of Greenman-Pedersen Inc. of Lebanon, New Jersey in the maximum amount of \$4,850,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.6, based on a 10% allowance for profit and an overhead rate of 136% or, the firm’s overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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151-08

In his memorandum dated July 2, 2008, concerning the recommendation to **Issue Order for Professional Services No. A3178 – Hatch Mott MacDonald;** and **Order for Professional Services No. A3179 – Dewberry-Goodkind Inc.** – On-Call Environmental Engineering Consultants, Soil and Groundwater Remedial Investigations, Remedial Design, and Compliance Monitoring, Garden State Parkway and New Jersey Turnpike, Various Budgets.

Through this single procurement process for Orders for Professional Services (OPS) the Authority will select two On-Call environmental engineering consultants to furnish professional services involving soil and groundwater remedial investigations, the design of remediation systems and operation, maintenance and compliance monitoring efforts at various locations along the Garden State Parkway and New Jersey Turnpike, as required by the New Jersey Department of Environmental Protection (NJDEP). The consultants will provide the services for specific tasks only after receiving written authorization through the Work Request Authorization Form (WRAF) process. The specific assignments will be funded on a task-by-task basis under various budgets, pending availability of funds.

These OPSs are classified as "Simple Projects" based on the scope of work being clearly defined and not likely to change during the course of the assignments, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 31 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, Maintenance and Compliance Monitoring. Eleven firms submitted EOIs by the closing date of June 12, 2008.

Each OPS will be issued in the maximum amount of \$400,000 for a two year period, with an option for the Executive Director to approve a one-year extension, provided the fee ceiling is not exceeded in the prior two years. As a result of a detailed review of the EOIs, Hatch Mott MacDonald and Dewberry-Goodkind Inc. were determined to be the most technically qualified firms to provide the necessary services. Fee proposals were not solicited because the value of each OPS has been established by the Authority and fees will be negotiated individually for each assignment undertaken by the consultants.

It is, therefore, recommended that OPS No. A3178 be issued to the firm of Hatch Mott MacDonald of Millburn, New Jersey and OPS No. A3179 be issued to the firm of Dewberry-Goodkind Inc. of Bloomfield, New Jersey, for a two-year duration with a one-year extension option, in the maximum amount of \$400,000 each. These awards are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by these awardees pursuant to Public Law 2005, Chapter 51 and having no objection to same.

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152-08

In his memorandum dated June 16, 2008, concerning the recommendation to **Issue Supplement A to Order for Professional Services No. P3106 – Chas. H. Sells Inc.** – Design Services for Contract No. P100.053, Parkway Southern Bridge Deck Repairs and Resurfacing Parkway Milepost 0 to Milepost 121, Maintenance Reserve Fund No. 03020001.

Order for Professional Services (OPS) No. P3106 was issued at the February 2007 Commission Meeting in the amount of \$435,000 to provide design services for Contract No. P100.053. This contract provided for the development of a \$4,000,000 bridge deck repair and resurfacing program along the Parkway's southern sector.

Supplement A provides for additional design services, as requested by the Authority, which include the development of bid documents for an additional bridge deck repair and resurfacing contract (P100.074). This second contract was required based on repair work deferred from Contract No. 84-1290 and the geographic location of the structures. The second contract also required unanticipated coordination with two other consultants to incorporate plans and specifications developed for parapet anchor bolt replacement on Str. Nos. 3.9N and 25.4S and damaged beam replacement on Str. No. 112.1NO. The preparation of bid documents for a second bridge deck repair and resurfacing contract, and the coordination and incorporation of the

bid documents from the other consultants required additional design services not anticipated within the original OPS. The total bid amount of the two construction contracts is \$6,000,000.

The fee of \$32,325 submitted by Chas. H. Sells, Inc. for these additional services has been reviewed, and is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that OPS No. P3106A be issued to Chas. H. Sells, Inc. in the amount of \$32,325 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$435,000 to \$467,325. 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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153A-08 through 153D-08

Respectively, the following are recommendations of **Contracts for Formal Acceptance and Final Payment:**

<u>CONTRACT NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
<u>GSP Contract 84-1268-2</u>	Colonnelli Brothers, Inc. Rehabilitation, Concrete Median Barriers Parkway Milepost 148.3 to Milepost 160.2 Union, Essex, Passaic and Bergen Counties 2004 Bond Issue Fund No. 07800002	\$ 50,000.00
<u>GSP Contract 84-1291</u>	Joseph M. Sanzari Inc. Northern Bridge Repairs Parkway MP 128.4 to MP 169.2 Middlesex, Union, Essex, Passaic and Bergen Counties Maintenance Reserve Fund No. 03020001	\$117,720.00
<u>TPK Contract R-1318B</u>	H.B.C. Company, Inc. I-95 High Mast Lighting Turnpike MP 117.9 to MP 122.0 Bergen County Construction Fund No. 06510058	\$ 25,000.00
<u>TPK Contract R-1489</u>	PKF-MARK III, Inc. Pile Rehabilitation Stream Crossings, Turnpike Maintenance District No. 1 Turnpike MP 0 to MP 8 Salem and Gloucester Counties Construction Fund No. 06510059	\$400,266.40

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

On motion by Commissioner Evans, seconded by Commissioner DuPont, the Authority approved the twenty-two (22) item engineering agenda; and 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 procured according to public laws, and requested approval.

At this time, General Counsel Hoffman addressed the Board and invoked the "rule of necessity" for item 154D-08. Since a vote cannot be delayed due to the time sensitive importance

of awarding these contracts and with only the current six (6) Authority Board Members a conflict will always be present, he opined that, for item 154D-08, the conflict be lifted by “rule of necessity” and voting be permitted to complete the needed quorum.

Moved as a group, items 154A-08 through 154G-08 are as follows:

154A-08 through 154C-08

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

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

<u>BIDDERS BIDS</u>		<u>COMMODITY</u>	<u>VENDOR</u>	<u>COST</u>
<u>INVITED</u>	<u>REC'D</u>			
2	2	Crack Seal Material	Solar Compounds Corp. Linden, NJ	\$50,000
Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (RM 527, Re-bid)				
12	3	Sign Stands	Atlas Flasher & Supply Co. Inc. Mickleton, NJ	\$55,000
Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (RM 533)				
13	2	Guardrail Concrete Median Barrier Sign Stands	Eastern Metal/USA Sign Elmira, NY	\$49,205
Original contract terms may be extended for two additional one-year terms each under the same prices, terms and conditions, at the sole discretion of the Authority. (PR-44756 & 44757)				

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154D-08

Results of Bidding, Establish Two Separate Accounts and Delegate Authority to Executive Director – Snow Plowing and Salting Services, Requisition Memorandum (RM) 564.

RESULTS OF BIDDING on Service Agreements for snow plowing and salting services on the New Jersey Turnpike and Garden State Parkway for the three-year period beginning November 1, 2008 through April 30, 2011. The bid quotations are based on the hourly rates for the number of trucks and awards are based on total prices. Bids for these items 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 and N.J.A.C. 19:9-2.2. 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 having no objection to same.

Original contract term may be extended for two additional one-year terms under the same terms and conditions, at the sole discretion of the Authority. The price for any such succeeding contract years will be adjusted yearly based on the CPI as designated in the average Consumer

Price Index for combined New York/Northern New Jersey and Philadelphia/Southern New Jersey areas. However, the maximum increase permitted for any years shall be 5%.

Bidders Invited: 21; Bids Received: 11. Recommendations are as follows:

PARKWAY CONTRACTS:

Joseph M. Sanzari

- Contract LN-08-08: Exit 155 (Clifton Commuter Lot)
- Contract LC-09-08: Red Bank Tolls
- Contract LS-0-08: Belmar Tolls
- Contract SPN-02-08: Milepost (MP) 147 to Milepost 160

Tarheel Enterprises Inc.

- Contract LN-09-08: Essex Toll Plaza
- Contract SPN-04-08: MP 138 TO MP 150
- Contract SPC-01-08: MP 135 TO MP 142

Joe Carrelha

- Contract LC-03-08: Cheesquake Service Area

Stavola Contracting Co.

- Contract LC-08-08: MP 109 Bus Station
- Contract SPC-05-08: MP 120 Asbury Tolls

Eagle Paving Corp.

- Contract LC-10-08: Monmouth Service Area
- Contract LS-01-08: Brick Township Tolls
- Contract SPL-02-08: New Interchange 89 Tolls
- Contract LS-02-08: Toms River Tolls
- Contract LS-04-08: Forked River Service Area
- Contract LS-05-08: Lacey Tolls
- Contract SPS-01-08: MP 80 to MP 93

Mathis Construction Co. Inc.

- Contract LS-06-08: Barnegat Tolls
- Contract LS-07-08: New Gretna Tolls
- Contract LS-08-08: Atlantic City Service Area

Tuckahoe Sand & Gravel Inc.

- Contract LS-12-08: Cape May Toll Plaza

A. Macchione Brothers Inc.

- Contract SPN-01-08: MP 160 to MP 173

TURNPIKE CONTRACTS:

Contract SPC-2-08, Contract SPD-2-08, Contract SPF-1-08, Contract SPE-2-08 and Contract SPE-1-08. The bid for these contract areas on the Turnpike is rejected and will be re-bid immediately to establish contracts in time for the 2008/2009 snow season.

ESTABLISH TWO SNOW REMOVAL CONTRACT ACCOUNTS: Authorization is also requested to establish two (2) Snow Removal Contract Accounts for the Turnpike and Parkway Divisions, respectively, for all snow removal services on both roadways. The establishment of these accounts would facilitate prompt payment to the snow removal contractors. Payments would be made from the respective Division's Snow Removal Contract Accounts based on

approved hourly rates per actual service. The anticipated annual expenditures for the 2008 Winter Season is \$1,700,000 for all Turnpike contracts and \$2,000,000 for all Parkway contracts. The anticipated expenditure is subject to funding availability at the time of service.

DELEGATED AUTHORITY: Authorization is further requested to delegate to the Executive Director the ability to increase the authorized amounts of the Snow Removal Contract Accounts on an “as needed” basis for the remainder of the 2008 Winter Season in an amount not to exceed 15% of the anticipated annual expenditures of the Snow Removal Contract Accounts.

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154E-08

In the memorandum dated July 11, 2008, concerning a recommendation to **Ratify Rejection of Sole Bid Proposal and Re-bid Contract** and a recommendation to **Award a Public Bid Proposal Contract – Amerigas Propane** – Liquefied Propane Gas, RM 550.

The Maintenance Department requisitioned approximately 18,000 gallons of liquefied propane gas for the remediation system at the Clara Barton Service (Service Area 1S) on the New Jersey Turnpike. The contract was publicly advertised and requests for bids were sent to four vendors. The bid opening took place on June 24, 2008. Only one bid proposal was received from MGS Corporation, Hackensack, NJ (“MGS”). The Purchasing Department reviewed the sole bid proposal and found that MGS submission was non-responsive. MGS did not quote a per gallon unit price as required. Instead this bidder stated at the bottom of the bid page that the daily average price for propane was to be tabulated based on the Oil Price Information Service for date of delivery plus the quoted per gallon price. Staff acknowledged that requiring only a unit price was inadequate for pricing this commodity and determined that the specifications were flawed. Given that the propane gas is needed without delay at the Clara Barton Service Area (S/A 1S) to facilitate NJDEP mandated environmental remediation, it was necessary to reject the sole bid proposal submitted by MGS Corporation and to re-bid the contract with revised specifications in time for this months Commission Meeting. Accordingly, authorization is requested to ratify these actions.

The subsequent bid opening for RM 550 occurred on July 11, 2008. The bid proposal submitted by Amerigas Propane, was the only fully compliant bidder. A one-year Contract Agreement for the purchase of approximately 18,000 gallons of liquefied propane gas for the remediation system at Turnpike Service Area 1S (Clara Barton). The award is based on the lowest quoted up-charge. Bids for these items were procured, and authorization is being sought to award contracts to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected bidder pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same.

Accordingly, recommendation is made to award this contract agreement to the sole fully compliant bidder, Amergas Propane, Villas, NJ in the amount not to exceed \$36,000, subject to funding availability at the time of ordering. Original contract term may be extended for two additional one-year terms under the same terms and conditions, in the sole discretion of the Authority.

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154F-08

In the memorandum dated July 2, 2008, concerning a recommendation to **Award a Contract Price Agreement, RM 491 – Guardian Fence Company Inc.** – Fencing and Component Parts, under an Interagency Procurement Cooperative Purchase.

The Maintenance Department requisitioned an annual price agreement for fencing and related materials to construct chain link fences and in-house repairs on fences along the Garden State Parkway and the New Jersey Turnpike. Staff was in the process of advertising a public bid contract when we found that the Port Authority of NY & NJ (“Port Authority”) recently awarded a contract for the identical fence materials. The Port Authority’s Contract No. 4600007272 with Guardian Fence commenced on June 10, 2008 and is for a two year period. The Port Authority, at its own discretion, could extend the Contract for up to 120 days. Unit prices remain fixed for a six-month period and may be adjusted at a six-month interval based on the commodities price index clause described in the contract. (No price adjustment will be permitted for the extension period.) Furthermore, Paragraph 17 of the Port Authority’s Contract encourages its vendors to extend the terms and conditions of the Contract under separate agreements, to other government and quasi governmental entities.

The Authority’s Maintenance staff reviewed the Port Authority’s Contract and determined that it was comprehensive with respect to required line items and the prices (even with the proposed price adjustments) are reasonable. In addition, the terms and conditions are not in conflict with the Authority’s requirements. Thus, Staff concluded that it was in the Authority’s best interest to take advantage of the pricing terms offered to the Port Authority for fencing and component parts. Purchasing Staff contacted Guardian Fence and the vendor has agreed to honor the unit prices, terms and conditions of the Port Authority’s Contract. The annual expenditure for the annual price agreement is \$90,000. The Authority may take advantage of the Port Authority’s Contract with Guardian Fence pursuant to N.J.A.C. 19:9-2.5(a) under the Authority’s enabling legislation N.J.S.A. 27:23-1 et seq.

Accordingly, authorization is requested to award a price agreement for a two-year supply of fencing and components parts to Guardian Fence Company, Inc. of Newark, NJ, in an amount not to exceed \$90,000, subject to funding availability at time of ordering, as outlined above.

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154G-08

In the memorandum dated June 30, 2008, concerning a recommendation to **Award a Sole Source Contract – L-3 Communications Mobile-Vision Inc.** – Video and Emergency Equipment for State Police Vehicles, PR 48739.

New Jersey State Police (Troops D and E) requisitioned the purchase of video and emergency equipment (monitors, mounts and light grills) to be installed in the 2008 Ford Crown Victoria troop vehicles. The parts are required in order to make proper installation of the current video systems that will be recycled from older State Police vehicles and installed in the new vehicles. The Division of New Jersey State Police has requested the equipment be obtained from L-3 Communications Mobile-Vision, Inc. (“Mobile-Vision”), which is the sole source provider.

Mobile-Vision designed, developed and manufactured the MV-7 in-car video system and is the only authorized distributor in New Jersey for this equipment. In addition, this is an exceptional circumstance as the components are necessary for operating the in-car video systems installed in the State Police fleet vehicles, which provide safety to the motoring public as well as the State Police. Moreover, the parts are exclusive to Mobile-Vision (patents pending), and this vendor is the holder of copyrights and trademarks for the accompanying software. No other vendor is capable of providing the parts for the MV-7 in-car video system. Thus, it is recommended that this purchase be procured without public advertisement as a sole source exception to the public bidding laws and consistent with Executive Order No. 37.

Accordingly, authorization is requested to issue a Purchase Order to L-3 Communications Mobile-Vision Inc., Boonton, New Jersey, in an amount not to exceed \$44,752.50. The award will be made under the sole source procurement authorization of N.J.A.C. 19:9-2.2(d)1 as promulgated under N.J.S.A. 27:23-6.1. The award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the vendor pursuant to Public Law 2005, Chapter 51 and having no objection to same. A resolution, as required by N.J.A.C. 19:9-2.2(d)1 and Executive Order No. 37, follows as **Resolution 154G-08:**

RESOLUTION FOR SOLE SOURCE PROCUREMENT
Purchase Order to L-3 Communications Mobile-Vision Inc.

WHEREAS, the New Jersey State Police (Troops D and E) requested that a Purchase Order be issued for parts, removal and installation of Video and Emergency Equipment for the MV-7 Video System (“Video System”) in its vehicle fleet; and

WHEREAS, in order to maintain the Video System, its parts, removal and installation must be procured from the manufacturer and supplier, L-3 Communications Mobile-Vision, Inc. (“Mobile-Vision”); and

WHEREAS, Mobile-Vision designed and developed the MV-7 Video System currently installed in all Authority Troop vehicles, and is the only authorized provider of parts and services in New Jersey; and

WHEREAS, the essential parts of the MV-7 Video System are exclusive to Mobile-Vision (with patents pending), and the software are copyrighted by this vendor; and thus can not be supplied by any other vendor;

WHEREAS, the Video System is crucial to State Police vehicle operations which provide safety to the motoring public as well as the State Police; and

WHEREAS, the cost of the parts, removal and installation of the Video System will be in an amount, not to exceed, \$44,752.50; and

WHEREAS, the Authority's regulations pursuant to N.J.A.C. 19:9-2(d)1 promulgated under N.J.S.A. 27:23-6.1 permits sole source procurement when only one source of the required service exists.

NOW, THEREFORE, BE IT RESOLVED THAT the Authority's Commissioners hereby authorize and approve a Purchase Order be issued to L-3 Communications Mobile-Vision Inc., for the parts, removal and installation of the in-car video system as outlined herein, in an amount not to exceed \$44,752.50 as a sole source exception to procurement by public advertisement as permitted by N.J.A.C. 19:9-2.2(d)1; N.J.S.A. 27:23-6.1; and Executive Order No. 37.

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

On motion by Commissioner Hodes, seconded by Commissioner Evans, the Authority approved the seven (7) item purchasing agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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GENERAL BUSINESS

Electronic Toll Collection Director Switaj requested approval of items 155-08 and 156-08.

Those items are as follows:

155-08

In the memorandum dated July 10, 2008, concerning the recommendation to **Issue Supplement Q to the Professional Services Agreement – ACS State and Local Solutions Inc.** – Installation and Testing of Thirty-Three (33) Front Violation Enforcement System (VES) Cameras in Newly Built-Out E-ZPass Lanes, New Jersey Turnpike, Electronic Toll Collection, Funding Project No. 06510065.

All exit lanes on the New Jersey Turnpike are equipped with rear Violation Enforcement System (VES) cameras including the manual cash exit lanes. Dedicated E-ZPass exit lanes are also equipped with front VES cameras. The New Jersey Turnpike Authority recently converted thirty three (33) dedicated manual cash exit lanes to dedicated E-ZPass exit lanes. Prior to the installation of this E-ZPass equipment, these cash lanes did not require front VES cameras. Front VES cameras are necessary in E-ZPass lanes in order to pursue tractor trailer violations by capturing the image of the tractor trailer's front cab license plate. Rear license plates on the trailer are typically out of camera range or, in the case of leased tractor trailers typically do not yield the name and address of the registered owner of the vehicle.

Therefore, it is recommended that Supplement Q be issued to ACS State and Local Solutions Inc. under its Professional Services Agreement to install and test front VES cameras in the aforementioned thirty three (33) lanes. The cost for this effort is estimated not to exceed \$475,900.

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156-08

In the memorandum dated July 16, 2008, concerning the recommendation to **Issue Supplement R to the Professional Services Agreement – ACS State and Local Solutions Inc.** – Purchase Transponders from Mark IV IVHS, Inc. on Behalf of the New Jersey E-ZPass Program, Electronic Toll Collection.

At its meeting of December 10, 2007, the New Jersey Turnpike Authority approved the award of a purchase order to Mark IV IVHS, Inc. (Mark IV) for the supply of approximately 120,000 various transponder (“tags”) types for use under the New Jersey E-ZPass Program for the calendar year ending December 31, 2008. This purchase was in accordance with the terms of the Amendment to the Irrevocable Offer with Mark IV (hereinafter I/O).

Under the contract with ACS State and Local Solutions Inc. (ACS), the New Jersey Turnpike Authority is required to purchase the transponders and supply them to ACS for distribution to New Jersey E-ZPass customers. However, the transponders are actually shipped directly to the Newark Customer Service Center managed by ACS. ACS accepts the shipment, verifies the quantities and provides the Authority with a receiving sheet. A match of the Mark IV invoice to the receiving sheet is made and payment is issued to Mark IV. If any problems are encountered with the shipment staff resolves the issues with either Mark IV or ACS. At times this can be difficult as the tags are never physically received by the Authority; staff must rely on information from both Mark IV and ACS.

Therefore, in order to make this process more efficient, it is recommended that ACS be authorized to place all transponder tag orders with Mark IV effective June 1, 2008. ACS will make payment to Mark IV for the transponders and will invoice the Authority for the transponders at the prices set forth in the I/O with Mark IV. There will be no mark-up on the transponders by ACS. NJTA staff will determine the quantities required and will randomly audit the entire process.

The purchase of transponders is charged to Account No. 10000-117920. As transponders are drawn from inventory they will be charged to the operating fund or the supplemental capital fund as appropriate. Total 2008 purchases will not exceed the amount authorized at the December 10, 2007 Commission Meeting. Authorization for future year’s purchases will be requested of the Commission on an annual basis prior to the placement of the order with ACS.

It is therefore recommended that Supplement R be issued to ACS for the purchase of transponders for use under the New Jersey E-ZPass Program.

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

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved items 155-08 and 156-08; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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Deputy Executive Director Scaccetti identified the recommendations in items 157-08 and 158-08 and requested approval.

Those items are as follows:

157-08

In the memorandum dated July 11, 2008, concerning the recommendation to **Enter into an Interagency Memorandum of Agreement (MOA) with the New Jersey Department of Health** – to Provide Health Service Inspections on the New Jersey Turnpike and the Garden State Parkway, Budget Code 010-00-44030-810.

The New Jersey Turnpike Authority entered into an agreement with the New Jersey Department of Health for the inspection, investigation and related health services for all food service facilities located on the New Jersey Turnpike and Garden State Parkway. These services are required by law. The most recent agreement became effective on June 30, 2005 for (3) three years, and expired on June 30, 2008. The total amount allocated for combined services was not to exceed \$709,216.00.

The New Jersey Department of Health has proposed a new (3) year agreement which would become effective July 1, 2008 and expire on June 30, 2011. The total cost for inspection services will not exceed \$782,726.00. The estimated cost allocated to the New Jersey Turnpike is \$411,000, which is recoverable in accordance with the Turnpike Authority's contracts with HMSHost Corporation and Sun Company, Inc. The balance is for all facilities located along the Garden State Parkway. The new contract covers health inspection services at (20) twenty Service Area Facilities, (1) one Traffic Management Center Building Cafeteria, all concessions and the back stage kitchen at the PNC Bank Arts Center, and (4) four Heritage Festivals at the PNC Bank Arts Center.

Accordingly, authorization is requested to approve the MOA between the New Jersey Turnpike Authority and the New Jersey Department of Health for the inspection of food facilities on the New Jersey Turnpike and the Garden State Parkway in an amount not to exceed \$782,726.00 for a thirty-six (36) month term commencing on July 1, 2008 through June 30, 2011 which costs will be allocated in appropriate budget years.

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158-08

In the memorandum dated July 16, 2008, concerning the recommendation to **Enter into Memorandum of Agreement (MOA) with South Jersey Transportation Authority (SJTA)** – for Participation in the New Jersey Turnpike Authority's (NJTA) Health Benefits Program.

At the request of the Chairman, staff of the NJTA and staff of the SJTA have diligently worked to develop a plan to allow employees of SJTA to participate in the NJTA Health Benefits Program. This action is recommended as it will provide an opportunity for SJTA to take advantage of significant cost savings associated with NJTA's account structure, while maintaining

the level of health benefits currently provided to SJTA employees. In addition, the agreement maintains a separate funding structure for SJTA for more efficient reconciliation of invoices. No funds of the NJTA are necessary for implementation of this recommendation. An MOA which sets forth the terms and conditions of SJTA's participation in the NJTA Health Benefits Program is submitted for Commissioners review. Labor Counsel concurs in this recommendation and prepared the MOA.

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

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved items 157-08 and 158-08; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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Acting Executive Director Rotter identified the recommendations in items 159-08 and 160-08 and requested approval.

Those items are as follows:

159-08

In the memorandum dated July 10, 2008, concerning the recommendation to **Enter into Successor Collective Bargaining Agreement with IFPTE Local 196** – for the Period July 1, 2007 through June 30, 2011.

A successor collective bargaining agreement between IFPTE Local 196 ("Local 196") and the New Jersey Turnpike Authority ("Authority") was submitted for consideration. The Local 196 successor collective bargaining agreement is a four (4) year contract with a term of July 1, 2007 through June 30, 2011. Made a part hereof is an executive summary noting the major features of the agreement.

One of the most important features of the successor collective bargaining agreement is that retroactive to January 1, 2008, members of Local 196 will share the costs of health benefits. Specifically, retroactive to January 1, 2008, members of Local 196 will contribute \$600 per year for the administration of their health benefits and by the end of the contracts they will contribute \$900 per year.

Staff believes that the terms of the agreement are fair and reasonable to both the employees represented by the Local 196 and the Authority. Local 196 has informed the Authority that its members have ratified the terms of the new agreement. Special Labor Counsel joins in recommending that the Authority approve this agreement.

Therefore, approval of a successor collective bargaining agreement between Local 196 and the Authority for the four (4) year period of July 1, 2007 through June 30, 2011 is respectfully requested. Authorization is also sought to permit the Acting Executive Director to execute the agreements on behalf of the Authority.

Executive Summary
IFPTE Local 196
Successor Collective Bargaining Agreement

On July 2, 2008, Local 196 and the Authority reached an agreement on a successor collective bargaining agreement for the period of July 1, 2007 through June 30, 2011, subject to ratification by the membership of the union and approval by the Authority's Board of Commissioners.

The key provisions of the successor collective bargaining agreements are:

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

2. **WAGE INCREASE:**

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

The wage increase is the same as that the State negotiated with its unions and as that the Authority negotiated with its unions Local 97, Local 193, Local 193C, Local 194, Local 196, Chapter 12, Local 200, and AFSCME Local 3914.

3. **HEALTH BENEFITS:**

a) For the Point of Service and HMO Plans, members of Local 196 shall pay the following:

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

b) Effective October 1, 2008, the Prescription Medicine co-payment at the retail level will be \$3 for generic drugs, \$10 for brand name where there is no generic equivalent or the doctor certifies that the employee is medically unable to take a generic version of the medication, and \$25 for brand name drugs when there is a generic equivalent. This prescription co-payment is the same as that the Authority negotiated with Local 97, Local 193, Local 193C, Local 194, Local 196, Chapter 12, and AFSCME Local 3914.

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160-08

In the memorandum dated July 16, 2008, concerning the recommendation **Enter into Successor Collective Bargaining Agreement with IFPTE Local 200** – for the period September 24, 2007 through September 23, 2011.

A successor collective bargaining agreement between the IFPTE Local 200 (“Local 200”) and the New Jersey Turnpike Authority (“Authority”) was submitted for consideration. The Local 200 successor collective bargaining agreement is a four (4) year contract with a term of period of September 24, 2007 through September 23, 2011. Made a part hereof is an executive summary noting the major features of the agreement.

One of the most important features of the successor collective bargaining agreement is that retroactive to January 1, 2008, members of Local 200 will share the costs of health benefits. Specifically, retroactive to January 1, 2008, members of Local 200 will contribute \$600 per year for the administration of their health benefits and by the end of the contracts they will contribute \$900 per year.

Staff believes that the terms of the agreement are fair and reasonable to both the employees represented by Local 200 and the Authority. Local 200 has informed the Authority that its members have ratified the terms of the new agreement. Special Labor Counsel joins in recommending that the Authority approve this agreement.

Therefore, approval of a successor collective bargaining agreement between Local 200 and the Authority for the four (4) year period of September 24, 2007 through September 23, 2011 is respectfully requested. Authorization is also sought to permit the Acting Executive Director to execute the agreement on behalf of the Authority.

Executive Summary
IFPTE Local 200
Successor Collective Bargaining Agreement

On June 27, 2008, Local 200 and the Authority reached an agreement on a successor collective bargaining agreement for the period of September 24, 2007 through September 23, 2011, subject to ratification by the membership of the union and approval by the Authority's Board of Commissioners.

The key provisions of the successor collective bargaining agreements are:

1. TERM: Four (4) years -- September 24, 2007 through September 23, 2011
2. WAGE INCREASE:

6/25/07	3.0%	6/25/09	3.5%
6/25/08	3.0%	6/25/10	3.5%

The wage increase is the same as that the State negotiated with its unions and the Authority negotiated with its unions -- Local 97, Local 193, Local 193C, Local 194, Local 196, Local 196, Chapter 12, and AFSCME Local 3914.

3. HEALTH BENEFITS:
 - a) For the Point of Service and HMO Plans, members of Local 200 shall pay the following:

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

b) Effective October 1, 2008, the Prescription Medicine co-payment at the retail level will be \$3 for generic drugs, \$10 for brand name where there is no generic equivalent or the doctor certifies that the employee is medically unable to take a generic version of the medication, and \$25 for brand name drugs when there is a generic equivalent. This prescription co-payment is the same as that the Authority negotiated with Local 97, Local 193, Local 193C, Local 194, Local 196, Local 196, Chapter 12, and AFSCME Local 3914.

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved items 159-08 and 160-08; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

At this time, Chairman Kolluri commended Diane Scaccetti, John O'Hern and Ken Rotter and thanked them for their hard work through the negotiation process with all the Authority's unions. He cited the result as very productive and in keeping with the Governor's objectives.

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161-08

Labor Relations Director O'Hern requested approved of the recommendation contained in the memorandum dated July 15, 2008 concerning **Amending the Vacation, Sick and Administrative Leave Policy, Section 601**

The New Jersey Turnpike Authority originally adopted the Vacation, Sick and Administrative Leave Policy, Section 601, at the June 30, 1992 Commission Meeting.

This proposed amendment deletes the terminal leave option for employees. Employees who are on terminal leave as of the effective date of this amendment will not be affected by this amendment. This amendment does not supersede existing collective bargaining agreements. A

copy of the proposed amendment was submitted for review. The Law Department and Outside Counsel have reviewed the policy and concur with the recommended revisions.

Accordingly, authorization is requested to adopt the revised Vacation, Sick and Administrative Leave Policy.

On motion by Commissioner Hodes, seconded by Commissioner DuPont, the Authority unanimously approved amending the Vacation, Sick and Administrative Leave Policy, Section 601 and authorized, as presented; and received and filed the memoranda.

At this time, Chairman Kolluri praised the Board and the Authority Staff in the good work this action represents by a further demonstration of "belt tightening".

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162-08

Finance Director Hayllar presented the financial results of the New Jersey Turnpike Authority for the five months ended May 31 and the six months ended June 30, 2008. On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority's **Financial Summary** was unanimously accepted and received for file.

The Chairman asked the Finance Director to describe the Authority's traffic and revenue patterns since January 2008. Finance Director Hayllar described a downward trend in both traffic and revenue. The Chairman then asked if the declines in traffic and revenue could bode as a problem for next year's certification required under the Bond Resolution, to which the Finance Director said yes.

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163-08

Resume of All Fatal Accidents – Garden State Parkway and New Jersey Turnpike. Submitted by Operations Director Hill, it contains a descriptive account for the Period 1/1/08 to 7/6/08 and each report also includes 2007 – 2008 Yearly Comparisons for the five months through May 2008.

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

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164-08

New Jersey State Police Troops D and E - Reports of Activities for the month ending May of 2008 with 2007 – 2008 Yearly Comparisons; was submitted by Major Walker, Troop D Commander.

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

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

There was no response.

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The motion to adjourn was made by Commissioner DuPont, seconded by Commissioner Pocino and, after the voice vote, the motion was duly adopted. The Authority adjourned at 9:55 A.M., to meet on Tuesday, August 26, 2008, at 9:30 A.M.

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

COMMUNICATIONS

Letter – dated July 2, 2008, from New Jersey Turnpike Executive Director Michael Lapolla, resigning his position as Executive Director effective with July 5, 2008.

ADDITIONAL REPORTS:

Purchases – under Resolution 40-95, Executive Directors Delegated Authority (EDDA), for the Period: May 1, 2008 – May 31, 2008; and Period: June 1, 2008 – June 30, 2008.

Utility Orders – under EDDA 117-05; Dated for July 22, 2008.

Contract Change Order Summary, Type 1 and Type 2 – Period May 9, 2008 through July 3, 2008, Dated for July 22, 2008.

Construction Progress – Period Ending July 3, 2008; Dated for July 22, 2008.

AGREEMENTS/CONTRACTS:

Agreement #1007 (Revised) – TRANSCOM – Operation and Maintenance of TRANSMIT and Regional Architecture Equipment, for the sharing of incident, construction, special event information and real-time data for transportation management, Term: 8/1/2005 through 12/31/2011, dated 12/11/07; authorized 7/23/07.

Agreement, dated 6/10/08 – Shellfish Monitoring Plan – with NJ Department of Environmental Protection (DEP), Division of Fish and Wildlife Bureau Marine Fisheries and Rutgers University Institute of Marine and Coastal Sciences; authorized 1/22/08.

Agreement, dated 6/25/08 – Fourth Amendment to McDonald's Corporation Agreement – for Vaux Hall and Brookdale Service Areas, Parkway; authorized 6/4/08.

Agreement, dated 6/6/08 – with County of Ocean, New Jersey – for Parkway Interchange 91 Improvements Project; authorized 5/31/05.

Contract No. P100.098 – George Harms Construction Co. – Emergency Repairs, Parkway Structure No. 75.3, Lacey Road ; ratified 7/22/08.

Contract No. P200.085 – Stavola Contracting Co. Inc.; authorized 4/16/08.

ORDERS FOR PROFESSIONAL SERVICES:

OPS No. P3099 – Boswell Engineering – Supervision of Construction Services; authorized 6/4/08.

OPS No. P3157 – PB Americas Inc. – Supervision of Construction Services; authorized 6/4/08.

OPS No. T3169 – Kupper Associates – Supervision of Construction Services; authorized 4/16/08.

Supplemental OPS. No. T3044A – Ammann & Whitney Consulting Engineers PC – Supervision of Construction; authorized 6/4/08.

Rose Stanko
Assistant Secretary

APPROVED:

Kris Kolluri, Chairman and NJ Department of Transportation Commissioner

Michael R. DuPont, Treasurer

Harold L. Hodes, Commissioner

David G. Evans, Commissioner

Raymond M. Pocino, Commissioner

Clive S. Cummis, Commissioner