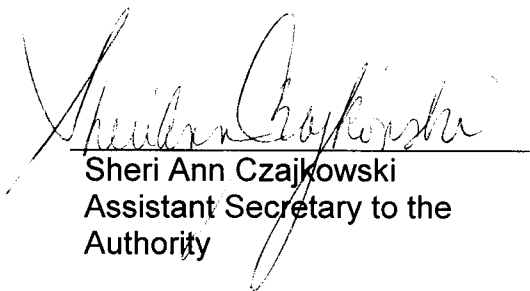


**CERTIFICATION
OF
NEW JERSEY TURNPIKE AUTHORITY**

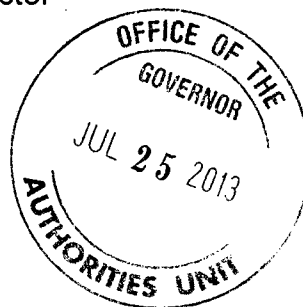
I, Veronique Hakim, hereby certify that I am the Executive Director of the New Jersey Turnpike Authority and as such **Executive Director** certify that the attached copy of PROCEEDINGS OF THE NEW JERSEY TURNPIKE AUTHORITY is a true and correct copy of the Minutes of the July 24, 2013 Regular Meeting of the Authority.

IN WITNESS THEREOF, I have hereunto set my hand and affixed the official seal of the New Jersey Turnpike Authority this 24th day of July, 2013.

ATTEST:


Sheri Ann Czajkowski
Assistant Secretary to the
Authority


Veronique Hakim,
Executive Director



Corporate Seal

Date: July 24, 2013

Received in the Governor's Office on July 24, 2013
(hand delivered)

Received by:

Lashana Kirk
Print Name


Signature

Veto Period Ends:

August 7, 2013
(Write in the date the veto period ends)

**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY
BOARD MEETING**

Wednesday, July 24, 2013

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Chairman James Simpson called the Authority into session in the Executive Boardroom of the Authority's Administration Offices, Woodbridge, New Jersey, at 9:30 a.m.

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PRESENT

Present were Chairman James Simpson, Vice Chairman Ronald Gravino (via telephone), Treasurer Michael DuPont; Commissioner Harold Hodes; Commissioner Ulises Diaz; Commissioner Daniel Becht; and Commissioner Walden (via telephone). Commissioner Raymond Pocino was absent. The meeting commenced at 9:30 a.m.

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ALSO PRESENT

Executive Director Veronique Hakim; Chief Operating Officer John O'Hern; Chief Engineer – Richard Raczynski; General Counsel Bruce Harris; Chief Financial Officer Donna Manuelli; Human Resources Director Mary-Elizabeth Garrity; Director of Internal Audit James Carone; Director of Maintenance Joseph Lentini; Acting Director of Operations Henry Eibel; Director of Procurement and Materials Management Andrea Ward; Chief Information Officer Barry Pelletteri; Electronic Toll Collection Director Dennis Switaj; Director of Tolls Robert Quirk; Deputy Troop Commander Eric Heitmann, State Police Troop D; and Assistant Secretary to the Authority Sheri Ann Czajkowski.

Also present were: Governors' Authorities Unit Representatives Amy Herbold; Ryan Feeney State Treasurer's Office; additional individuals consisting of other NJTA employees; interested organizations; the general public; and from the media: The Star Ledger, and The Asbury Park Press.

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NOTICE OF MEETING

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

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ACTION ON MINUTES

The Executive Director reported that ten days, excluding Saturdays, Sundays and holidays, have elapsed since Governor Chris Christie received the proceedings of the regular meeting of June 25, 2013; he did not exercise his power to veto any items in those minutes.

Upon motion made by Treasurer DuPont and seconded by Commissioner Becht the minutes of the meeting was unanimously approved.

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RECUSALS

The Executive Director reported recusals or abstentions submitted for the record:

- **Chairman Simpson: 293-07-2013**
- **Commissioner Hodes: 286-07-2013**

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PUBLIC COMMENT

- ooo0ooo
- **FRAN EHRET, PRESIDENT of LOCAL 194**

Ms. Ehret spoke about the recent Asbury Park Press article, which had referenced an item published on the blog, Toll Road News. Toll Road News reported, among other things, that the Authority had the highest annual toll revenue in 2012.

Ms. Ehret stated that Authority union employees are a dedicated workforce that has proven itself again and again in events such as snow storms and Super Storm Sandy. Although employees on both roads continue to make sure the roads are safe and well-maintained, they have not received a wage increase in three (3) years, and work under difficult conditions such as the recent heat wave. Ms. Ehret noted that the air conditioning system failed at different toll locations during the heat wave.

Ms. Ehret stated that the Authority has significant toll revenue and other public agencies have given their employees wage increases. So it is time for the Authority's hardworking and dedicated employees to receive a wage increase.

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COMMISSIONER'S COMMENTS

Chairman Simpson stated that he visited Exit 7A during the heat wave and the air conditioning system was not fully functional. He made a subsequent visit to the location and the system had been fixed. Chairman Simpson asked Ms. Ehret to advise the Maintenance Department if she has concerns about specific toll facilities.

Chairman Simpson stated that the Asbury Park Press article about the Authority's profitability was inaccurate.

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HUMAN RESOURCES

Director of Human Resources Mary-Elizabeth Garrity requested approval of item number 273-07-2013. Moved is the item as follows:

273-07-2013

Human Resources Director Garrity submitted the **Personnel Agenda**, dated July 24, 2013, and requested confirmation of the personnel matters contained therein. The Executive Director certified the recommendations for consideration.

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

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LAW

General Counsel Bruce Harris requested approval of item numbers 274-07-2013 through 283-07-2013. Moved as a group those items are as follows:

274-07-2013

In a memorandum dated July 9, 2013, **Ratification of Action taken for the Acquisition of Property Interests Required for the New Jersey Turnpike Authority Interchange 6-9 Widening Program, Acquisition of Two (2) Property Interests, 2009 Capital Construction Program, in an amount of \$1,642,411.04 (\$3,319,000.00 was previously approved, for a total of \$4,961,411.04),** was approved.

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

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

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

I. Resolution of Eminent Domain Proceedings: The Authority has determined that the properties listed below are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. With respect to the below properties, the Authority had contacted the property owners and entered into good faith negotiations with said owners and their counsel for the purchase of same based on the appraised value and in compliance with the laws governing its powers of eminent domain. Eminent Domain proceedings were filed as the last resort. The following describes the resolution of the matters:

1. Turnpike Section 3, ROW Section 3F

Parcel Series 321C, Block 2725, Lot 5 (Partial Taking)

4580 Crosswicks-Hamilton Square Road, Township of Hamilton, Mercer County

Owners: David J. DiStefano, Jr. & Deborah A. DiStefano

Amount: \$468,511.04 (\$224,000.00 was previously approved for the property acquisition, an additional \$244,511.04 is required for payment of Final Judgment amount plus interest)

The Authority's Commissioners previously approved the acquisition of the required property interests through Eminent Domain under Agenda Items Nos. 198-06-2011 and 240-09. After filing condemnation and despite further negotiations, the parties were unable to reach a settlement. A bench trial was held and a Final Judgment was entered in the amount of \$435,771.00 plus interests in the amount of \$32,740.04.

2. Turnpike Section 4, ROW Section 4G

Parcel Series R973, Block 40, Lot 2.01 (Partial Taking)

100 West Manor Way, Robbinsville Township, Mercer County

Owners: 100 West Manor Way, LLC

Amount: \$ 4,492,900.00 (\$3,095,000.00 was previously approved, and additional \$1,397,900 is required)

The Authority's Commissioners previously approved the acquisition of the required property interests through Eminent Domain under Agenda Items No. 146-09 in the amount of \$605,000.00. After the area to be taken was increased, additional approval was obtained from the Authority's Commissioners to amend the taking under Agenda Item No. 170-10 for an additional \$2,490,000 totaling \$3,095,000.00. After substantial negotiations and with the assistance of the Court just prior to trial, the parties were able to reach a settlement by way of Consent Order in the amount of \$4,492,900.00.

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

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Acres properties pursuant to N.J.S.A. 13:1D-52, et seq. and N.J.A.C. 7:35-26.1, et seq.

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

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

275-07-2013

In a memorandum dated July 9, 2013, **Ratification of Action Taken and Authorization for the Acquisition of Property Interests Necessary for the Interchanges 9, 10 and 11 Improvements Project, Garden State Parkway, Township of Middle, County of Cape May, Project No.: 39023022, in an amount of \$491,231.12,** was approved.

The New Jersey Turnpike Authority, in conjunction with the New Jersey Department of Transportation ("NJDOT"), the Federal Highway Administration ("FHWA") and Cape May County, is proceeding with its plans for the construction of the Interchanges 9, 10 and 11 Improvements Project (the "Project") in the Township of Middle, Cape May County.

This Project includes improvements to Interchanges 9, 10 and 11, which are at-grade signalized intersections that connect the Garden State Parkway with surface streets. The Project would eliminate the at-grade signalized intersections and upgrade this segment of the Parkway to a fully access-controlled highway, giving preference to through traffic by providing ramp connections only at selected public roads and prohibiting at-grade intersections and direct private driveway connections with the Parkway. This will improve both pedestrian and motorist safety. The Authority estimates that the total cost of the Project will be \$125 million, and anticipated FHWA funding for this project is approximately \$37.5 million.

The acquisition of property interests necessary for the Project in a timely manner is critical to the success of the Project. In light of this, under Agenda Item No. 129-04-2012, the Commissioners authorized the Executive Director to take all steps necessary to prepare for the acquisition of those property interests necessary for the Project, with the final action being submitted to the Commissioners for ratification.

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 necessary property interest. The Authority has entered into good faith negotiations with the owners or their respective counsel as appropriate for the purchase of same or the settlement of any claims related to the acquisition based on this appraised value and in compliance with the laws governing its powers of eminent domain.

I. **Settled Eminent Domain Proceedings**

The following property acquisitions have been settled after the filing of condemnation proceedings:

- 1. Parcel No. 4586
Owner: Seven Oceans Hospitality, Inc.
38 East Mechanic Street
Block 226.01, Lot 33
Township of Middle, Cape May County, New Jersey
Amount: \$880,000.00 (\$520,400.00 previously authorized; an additional \$359,600.00 is requested)

The Property consists of approximately 8.105 acres of land and is improved with a motor inn. The Authority must acquire (1) a fee acquisition of 0.006 acres of land located on the southeastern property line of the Property near the intersection of the Garden State Parkway and East Mechanic Street; (2) a permanent slope easement located along the frontage of the Property along the western boundary of the Garden State Parkway right of way containing approximately 0.172 acres of land; (3) a permanent drainage easement located at the northeast corner of the Property containing approximately 0.103 acres of land; and (4) a temporary construction easement located on the southeastern property line of the Property near the intersection of the Garden State Parkway and East Mechanic Street containing approximately 0.278 acres of land. The acquisition of this property through condemnation was previously authorized under Agenda Item No. 092-03-2013 for the purchase price of \$520,400. After the sellers presented a counter-appraisal of \$1,505,000.00, further negotiations were held and the parties agreed to a purchase price of \$880,000 to settle the condemnation proceedings.

- 2. Parcel No. 4589
Owner: Randy Anthony
215 Brighton Road
Block 223, Lot 11
Township of Middle, Cape May County
Amount: \$72,631.12 (\$500.00 previously authorized; an additional \$72,131.12 is requested)

The Property consists of approximately 0.241 acres of land and is improved with a single-family house. The Authority must acquire a temporary construction easement over an area of approximately 0.014 acres of land. The acquisition of this property through condemnation was previously authorized under Agenda Item No. 469-12-2012 for the purchase price of \$500.

During the condemnation proceedings, the Seller claimed that the Project would result in significant loss of value to the Property, as upon completion of the Project, Brighton Road would be converted from a quiet residential street to become the new service road leading to the on-

ramp to the Garden State Parkway. This claim was supported by a counter-appraisal prepared on behalf of Seller. Following argument on this issue before the condemnation commissioners, a settlement was reached for 70.175% of the alleged loss of value, or \$72,631.12

3. Parcel No. 4588

Owner: Janet Dougherty

211 Brighton Road

Block 223, Lot 12

Township of Middle, Cape May County

Amount: \$60,000.00 (\$500.00 previously authorized; an additional \$59,500.00 is requested)

The Property consists of approximately 0.253 acres of land and is improved with a single-family house. The Authority must acquire a temporary construction easement over an area of approximately 0.019 acres of land. The acquisition of this property through condemnation was previously authorized under Agenda Item No. 469-12-2012 for the purchase price of \$500.

During the condemnation proceedings, the Seller submitted identical arguments in support of a claim loss of value as were submitted by the owner of Parcel No. 4589, Seller's next-door neighbor, regarding the change in character of Brighton Road. This claim was supported by a counter-appraisal prepared on behalf of Seller. Following argument on this issue before the condemnation commissioners, a settlement was reached for 70.175% of the alleged loss of value, or \$60,000.00.

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

II. Conservation Easements

As required by the New Jersey Department of Environmental Protection ("NJDEP") and the United States Army Corps of Engineers ("USACOE"), the environmental permits issued for the Project required the Authority to encumber the following parcels with deeds of conservation easement in favor of NJDEP:

Block 7.02, Lot 6 and Block 7.03, Lot 1

Township of Middle, Cape May County, New Jersey

The purchase of this Property, which consists of approximately 16.8 acres located in Middle Township, from EREH, LLC and Evergreen Environmental LLC, was previously authorized under Agenda Item No. 439-11-2012. Prior to the purchase, a portion of the Property was converted to wetlands subject to the requirements of the state and federal environmental

permits for the Project. As required by said permits, upon closing, the Authority recorded a conservation easement on the Property in favor of the NJDEP.

Parcel 4593X-5

Township of Middle, Cape May County, New Jersey

This Property, containing 54,742 square feet or 1.257 acres of land, of which 0.21% is located within a mapped tidelands area, comprises a portion of the Authority's Garden State Parkway right of way. As required by the state and federal environmental permits for the Project, the Authority recorded a conservation easement on the Property in favor of the NJDEP.

The Law Department, in consultation with the Authority's Real Estate Manager/Consultant and outside General Counsel, recommends that the Authority settle the eminent domain proceedings and record the conservation easements upon the terms and conditions as set forth above. Accordingly, it is requested that the Authority's Commissioners authorize the Executive Director to settle the above eminent domain proceedings in accordance with the terms set forth above and ratify the Executive Director's actions in recording the above conservation easements.

276-07-2013

In a memorandum dated July 9, 2013, **Ratification of Action Taken and Authorization for the Acquisition of Two (2) Property Interests and Payment of Related Expenses Required for the Interchange 105 Improvements Project, Garden State Parkway, Boroughs of Tinton Falls and Eatontown, Monmouth County, Project No.: 30378106, in an amount of \$13,300.00,** was approved.

The New Jersey Turnpike Authority is proceeding with its plans for the construction of the Interchange 105 Improvements on the Garden State Parkway ("GSP"), which includes reconstruction of the interchange at Hope Road and NJ Route 36 and the construction of a new southbound connection from the GSP to Wayside Road (the "Project"). The acquisition of property interests necessary for the Project in a timely manner is critical to the success of the Project. In light of this, under Agenda Item No. 395-10-2012, the Commissioners authorized the Executive Director to take all steps necessary to prepare for the acquisition of those property interests necessary for the Project, with the final action being submitted to the Commissioners for ratification.

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 necessary property interest. The Authority has entered into good faith negotiations with the owners or their respective counsel as appropriate for the purchase of same or the settlement of any claims related to the acquisition based on this appraised value and in compliance with the laws governing its powers of eminent domain.

I. Negotiated Sales:

The following is a description of properties for which the parties have negotiated the purchase price for the acquisition of the required property interests:

1. Parcel No. UE4660

Owner: Comfort Inn & Suites, formerly owned by Akron Hospitality Group, LLC

3 Center Plaza

Block 115, Lot 3.03

Borough of Tinton Falls, Monmouth County, New Jersey

Amount: \$3,300.00

The property currently consists of approximately 4.64 acres of land and is improved by a 3-story approximately 85,000 \pm square foot mid-scale motel consisting of 96 rental rooms. The Authority must acquire a utility easement impacting approximately 0.029 acres of the property, which will run parallel to Hope Road.

2. Parcel Nos. UE4661 & C4661

Owner: Hope Road Realty, LLC

730 Hope Road

Block 115, Lot 3.01

Borough of Tinton Falls, Monmouth County, New Jersey

Amount: \$10,000.00

The property currently consists of approximately 1.25 acres of land and is improved with an approximately 13,000 \pm square foot Class B office building. The Authority must acquire the following interests in the subject property: (1) a utility easement impacting approximately 0.027 acres of the property designated as UE4661, which will run parallel to Hope Road; and (2) a temporary construction easement impacting approximately 0.035 acres for a period of 6 months and designate as C4661.

The Law Department, in consultation with the Authority's Real Estate Manager/Consultant and outside General Counsel, recommends that the Authority acquire the above property interests upon the terms and conditions as set forth above. Accordingly, it is requested that the Authority's Commissioners authorize the Executive Director, with the assistance of the Law Department, Engineering Department, outside General Counsel and other Authority consultants, to take all steps necessary to acquire the above property interests for the amount set forth herein and to satisfy those other costs required to be paid at closing, said costs not to exceed Ten Thousand Dollars (\$10,000) per transaction.

277-07-2013

In a memorandum dated July 9, 2013, **Ratification of Action Taken and Authorization for Entry Into a Lease Agreement with the City of Somers Point for Access to Property and**

Payment of Related Expenses Related to the Great Egg Harbor River Bridge Project, Township of Upper, Cape May County and City of Somers Point, Atlantic County, Project No.: 39021036, in an amount of \$82,500.00, was approved.

The Authority is proceeding with its plans to construct the Great Egg Harbor River Bridge Project, which includes the replacement of the existing southbound bridges carrying the Garden State Parkway over the Great Egg Harbor Bay (Structure No. 28.OS) and Drag Channel (Structure No. 28.5S) (the "Project"). It is important to note that the Great Egg Harbor Bridge passes over Drag Island which is partially owned by the City of Somers Point ("City") and appears on the City's Recreational and Open Space Inventory ("ROSI"), and that the Project requires access to that portion of Drag Island owned by the City for construction and mitigation purposes.

Authorization was obtained from the Authority's Commissioners for the Executive Director with the assistance of the Law and Engineering Departments to take all steps necessary for the acquisition of property required for the Project under Agenda Item No. 398-10-2012. Specifically, authorization was granted to obtain access rights from the City for Tax Block 2903, Lot 1, which property is owned by the City located on a portion of Drag Island. As indicated above since the property is owned by the City and is on its ROSI, the Authority had to negotiate with both the City and the New Jersey Department of Environmental Protection ("NJDEP"). Additionally, the Authority complied with all applicable statutes and regulations regarding Green Acres including N.J.S.A. 13:1D-52, et seq. and N.J.A.C. 7:35-26.1, et seq. After a series of meetings and negotiations with the City and NJDEP, the Authority was able to negotiate a lease agreement which would allow the Authority access to the required property for a period up to 2 and one-half years for \$70,000 ("Agreement"). The Agreement also provides reimbursement to the City in amount not to exceed \$12,500 for legal and engineering expenses related to the Project.

As time is of the essence for the Project, the Executive Director executed the Agreement on June 28, 2013, pursuant to the delegated authority granted by Agenda Item No. 398-10-2012. Accordingly, it is requested that the Authority's Commissioners ratify the actions taken by the Executive Director as outlined herein.

278-07-2013

In a memorandum dated July 9, 2013, **Authorization to Declare Property Surplus to the Authority's Needs, New Jersey Turnpike, Parcels 74X3, 76X2, 80AX, 80X2, 80X3, 80X4, 81X1, 81X2 and 82X, Block 50, Lot 1, 84 Henry Street, Town of Secaucus, Hudson County,** was approved.

Certain property known as Parcels 74X3, 76X2, 80AX, 80X2, 80X3, 80X4, 81X1, 81X2 and 82X, located in the Town of Secaucus, Hudson County, consists of approximately 2.1 acres

of vacant land located at 84 Henry Street (the "Property"). The Property is not being used by the Authority and inquiries have been made to the Authority regarding the Property's availability for sale.

In accordance with the Authority's Surplus Property Policy, the Law Department has circulated information regarding the property to the Chief Engineer, the Director of Maintenance, the Director of Operations and the Authority's Engineering Consultant, HNTB Corporation, for review. Each has reviewed the information regarding the Property and all have certified that the Authority no longer requires the property and does not see any future use of the Property by the Authority.

Accordingly, it is recommended that authorization be given to declare Parcels 74X3, 76X2, 80AX, 80X2, 80X3, 80X4, 81X1, 81X2 and 82X as surplus to the Authority's needs. It is further recommended that the Executive Director be authorized to take any steps necessary to prepare for the sale of the Property in accordance with the Authority's Surplus Property Policy, upon review and approval of such action by the Law Department.

279-07-2013

In a memorandum dated July 9, 2013, **Authorization to Declare Property Surplus to the Authority's Needs, Garden State Parkway Section 2, Parcels 4630X, 4631AX, 4631BX, 4632X, 4633X, 4634X, 4635X, 4636X and 4637X, Total Area: 20,725 square feet, Township of Nutley, Essex County, New Jersey**, was approved.

Authorization is sought to declare certain properties referenced above, also known as Block 8601, Lots 2,3,4,5,6,7,8,9 & 10 on Section 2 of the Township of Nutley tax map located in Essex County, New Jersey, surplus to the Authority's needs and to convey to several adjacent property owners. The properties consist of an aggregate 20,750 square feet located in the Authority's right-of-way (ROW). This conveyance is in resolution of a long-standing encroachment of Authority ROW along the southbound side of the Garden State Parkway (GSP) in the vicinity of Linn Road in Nutley Township. There are nine property owners whose residential westerly property boundary fronts Linn Road and easterly boundary is contiguous with the subject GSP ROW. The encroachment, which is located beyond the Authority's ROW fence line, poses a liability to the Authority. As part of a global settlement with all adjoining property owners, the Law Department recommends that the Authority declare the above referenced parcels as surplus and convey title to the adjoining property owners. In exchange, the property owners have agreed to pay for legal fees as well as associated engineering, surveying and recording fees.

In accordance with the Authority's Surplus Property Policy, the Law Department has circulated information regarding the property to the Chief Engineer, the Acting Assistant Director of Maintenance, the Acting Director of Operations and the Authority's Engineering Consultant, HNTB Corporation, for review. Each has reviewed the information regarding the above

(NJTA Board Meeting – 07/24/2013)

referenced parcels, and all have certified that the Authority no longer requires the properties and does not see any future use of the properties by the Authority.

Accordingly, it is recommended that authorization be given to declare Parcels 4630X, 4631AX, 4631BX, 4632X, 4633X, 4634X, 4635X, 4636X and 4637X as surplus to the Authority's needs. It is further recommended that the Executive Director be authorized to take any other steps necessary for the conveyance of these parcels to the adjoining property owners, pursuant to the terms set forth above, and to execute any documents in furtherance thereof, in accordance with the Authority's Surplus Property Policy.

280-07-2013

In a memorandum dated July 9, 2013, **Authorization for the Executive Director to Execute a Memorandum of Agreement (MOA) with the Port Authority of New York and New Jersey (PANYNJ) for the Replacement of the Goethals Bridge over the Turnpike Mainline and Connections to Turnpike Interchange 13, City of Elizabeth, County of Union**, was approved.

This agenda item seeks authorization for the Executive Director to execute a MOA with the PANYNJ relative to the PANYNJ's anticipated replacement of the Goethals Bridge (the "Bridge"). The Bridge currently spans the Turnpike mainline on its west approach and interconnects with Turnpike Interchange 13. As such, the parties agree that it would be prudent to enter into an agreement that would set forth their respective responsibilities with respect to the design and construction of the new Bridge as it affects the Turnpike's facilities. The Bridge replacement project is anticipated to take approximately 5 years to complete. The MOA will address issues including, but not limited to design review, monitoring of construction activities within the Authority's jurisdiction, maintenance and protection of traffic, reimbursement of the Authority's costs, land transfers and rights-of entry. As final design has not been completed, the type and extent of the land transfers has yet to be defined. Once the details are finalized, the specific land transfers will be presented to the Authority's Commissioners for authorization.

Accordingly, it is requested that the Authority's Commissioners authorize the Executive Director, with the assistance of the Law Department, Engineering Department, outside General Counsel and other Authority consultants, to execute an MOA with the PANYNJ with terms substantially similar to those set forth above. It is further recommended that the Commissioners authorize the Executive Director to execute any such other documents and take any such other actions as are deemed necessary to effectuate the intent of this authorization.

281-07-2013

In a memorandum dated July 9, 2013, **Request for Authorization to Enter into a Memorandum of Agreement with the Motor Vehicle Commission Regarding Suspension of**

Motor Vehicle Registrations of Toll Violators, was approved.

Pursuant to N.J.S.A. 27:23-38, the Chief Administrator of the Motor Vehicle Commission (“MVC”) has the authority to revoke or suspend any driver’s license or motor vehicle registration certificate for a violation of any of the provisions of the Turnpike Authority Act, which includes the requirement that tolls be paid, N.J.S.A. 27:23-25, as well as the requirement that toll violators pay “a reasonable administrative fee established by the authority.” N.J.S.A. 27:23-34.3.

Under Agenda Item No. 131-04-2012, the Authority’s Board of Commissioners authorized the Executive Director to enter into an MOU with MVC instituting a one-year pilot program whereby MVC would suspend the motor vehicle registration of New Jersey motorists who owe the Authority \$1000 or more in unpaid tolls and related administrative fees and the Authority would reimburse MVC for its costs incurred as a result.

This pilot program, which began in the spring of 2012, has been extremely successful. As of June 30, 2013, three hundred (300) vehicle registrations have been suspended, and the Authority has collected more than \$158,000 in unpaid tolls and over \$66,000 in unpaid administrative fees and entered into binding restitution agreements with toll violators to pay additional unpaid tolls and administrative fees in excess of \$450,000 over the next twelve months. MVC has to date billed the Authority \$14,400 for its costs under this program.

Given the success of this program, the Law Department recommends that it be continued past the one-year expiration date and that the \$1000 threshold be reduced to permit the suspension of toll violators who owe the Authority any significant sum in accordance with applicable law.

Accordingly, it is requested that the Board of Commissioners delegate to the Executive Director the authority to execute an MOA with MVC pursuant to the terms set forth above, and to approve reimbursement payments to the MVC for MVC’s costs under the program, in an amount not to exceed \$50,000 per year. It is further recommended that the Commissioners authorize the Executive Director to execute any such other documents and take any such other actions as are deemed necessary to effectuate the intent of this authorization.

282-07-2013

In a memorandum dated July 1, 2013, **Authorization to Settle Formal Workers’ Compensation Matter - James Freund v. N.J. Turnpike Authority, Account No. 10-870-405070 in an amount of \$48,726.00**, was approved.

Petitioner James Freund is a Parkway Division Maintenance Person 1 hired in September 1998. This recommended settlement will resolve two (2) formal Claim Petitions filed in 2010 which aggravated prior job injuries that occurred in September 2003 and May 2004.

The petitioner is represented by Petro, Cohen & Matarazzo located in Cherry Hill, NJ. The Authority is defended by Special Counsel Denis P. Kelly of Gilmore & Monahan located in

Toms River, NJ. The matter is venued in the district office of Toms River before the Honorable Judge John P. Roche.

Permanency evaluation on behalf of the petitioner was performed by Dr. Gaffney. Permanency evaluation on behalf of the respondent was performed by Dr. Peacock.

After the case was conferenced among all parties, the Judge of Compensation recommended a settlement award of 37.5% partial total disability with an Abdullah Credit of 30% for the prior injury. This equates to a new money award of \$48,726.00. Special Counsel is requesting settlement authority for same. The Authority's Third Party Administrator concurs with this settlement request.

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 \$48,726.00.

This settlement will be payable under Account No. 10-870-405070.

283-07-2013

In a memorandum dated July 1, 2013, **Authorization to Settle Formal Workers' Compensation Matter - Kevin Smith v. N.J. Turnpike Authority, Account No. 10-870-405070 in an amount of \$67,841.06**, was approved.

Petitioner Kevin Smith was a Turnpike Division Toll Plaza Supervisor hired in October 1984 and retired effective April 1, 2011. This recommended settlement will resolve a formal Claim Petition filed in 2010 for an injury which occurred on or about July 22, 2010.

The petitioner is represented by Schenck, Price, Smith & King located in Florham Park, NJ. The Authority is defended by Special Counsel John Geaney of Capehart, Scatchard located in Mount Laurel, NJ. The matter is venued in the district office of Elizabeth before the Honorable Judge Nicholas Ruggiero.

Permanency evaluations on behalf of the petitioner were performed by Dr. Wong and Dr. Maio. Permanency evaluations on behalf of the respondent were performed by Dr. Blumenthal and Dr. Lomazow.

After ongoing negotiations, the Judge of Compensation proposed a settlement award of 33 1/3% partial total disability with a 5% credit for pre-existing condition. This equates to an award of \$67,841.06. Special Counsel is requesting settlement authority for same. The Authority's Third Party Administrator concurs with this settlement request.

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 \$67,841.06.

This settlement will be payable under Account No. 10-870-405070.

On motion by Treasurer DuPont and seconded by Commissioner Becht, the Authority unanimously approved item numbers 274-07-2013 through 283-07-2013; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ENGINEERING

Chief Engineer Richard Raczynski requested approval of item numbers 284-07-2013 through 302-07-2013.

Chairman Simpson thanked Rich Raczynski and COO John O'Hern for bringing agenda item 285 to fruition so quickly. Two (2) years ago, Chairman Simpson asked Raczynski and O'Hern to review areas where guiderail is not mandatory but could provide significant safety benefits by preventing crossover accidents. Preventing crossover accidents by installing guiderails is a statewide safety initiative that the State started several years ago. Chairman Simpson said the Authority's ability to take this project from conception to construction in just two (2) years speaks volumes about the efforts of the Engineering Department and the Authority as a whole. Moved are the items as follows:

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PUBLIC BID SOLICITATIONS – AWARD OF CONTRACTS

284-07-2013

In a document dated June 26, 2013, Recommendation to Award Contract No. T100.275 for the New Jersey Turnpike to Anka Painting Company, Inc. for the Repainting Structural Steel and Miscellaneous Bridge Improvements, Ten Year Capital Program Fund No. 39001034, in an amount of \$9,105,000.00, was approved.

The work performed under this contract includes blast cleaning and zone painting of weathering structural steel; blast cleaning and repainting of structural steel; cleaning of bridge drainage systems; and other incidental work such as steel repairs, replacement of deck joint seals, substructure membrane waterproofing, on various structures of the Turnpike from Mileposts 98 to E117.

Four bid proposals were received on June 12, 2013 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$9,105,000.00, may be compared to the engineer's estimate in the amount of \$9,917,627.00. The low bidder, Anka Painting Company, Inc. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T100.275 be awarded to the low bidder, Anka Painting Company, Inc., of Palisades Park, New Jersey, in the amount of \$9,105,000.00.

(NJTA Board Meeting – 07/24/2013)

This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

The General Consultant, HNTB Corporation, concurs with this recommendation.

285-07-2013

In a document dated July 10, 2013, **Recommendation to Award Contract A200.301 to Griffin Sign, Inc. for the Safety Improvements at Traversable Medians along the New Jersey Turnpike and Garden State Parkway, Ten Year Capital Program Fund No. 39002016, in an amount of \$2,672,135.00**, was approved.

The work to be performed under this contract involves safety improvements at traversable median locations along the New Jersey Turnpike and Garden State Parkway, where the median width is less than 60 feet having no positive crossover protection. The proposed work includes guide rail installation, guide rail end terminals, installation of roadway safety features and associated earthwork. All work under this construction contract shall be performed by December 31, 2013.

Two bid proposals were received on July 9, 2013 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$2,672,135.00, may be compared to the second low bid proposal in the amount of \$3,109,667.00. Griffin Sign, Inc. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. A200.301 be awarded to the low bidder, Griffin Sign, Inc., of Cinnaminson, New Jersey, in the amount of \$2,672,135.00. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

286-07-2013

In a document dated June 27, 2013, **Recommendation to Award Contract T300.188 for the New Jersey Turnpike to PKF Mark III, Inc., Improvements to Interchange 10, Bridge Widening and Pavement Reconstruction, MP 88.10, Ten Year Capital Program Fund No.**

39003035, in an amount of \$12,114,928.45, was approved.

This contract provides for improvements to Turnpike Interchange 10 at Milepost 88.10. The work to be performed includes the widening of Ramps TS and WT to two lanes, the realignment of Ramp TL, and lengthening the deceleration lane for Ramp WT on Route I-287 southbound.

Thirteen bid proposals were received on June 27, 2013 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$12,114,928.45, may be compared to the second low bid proposal in the amount of \$12,774,386.55. PKF Mark III, Inc. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T300.188 be awarded to the low bidder, PKF Mark III of Newtown, Pennsylvania, in the amount of \$12,114,928.45. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

287-07-2013

In a document dated July 3, 2013, **Recommendation to Issue a Type 3 Change Order to Contract No. T100.034 for the New Jersey Turnpike to Ferreira Construction Co., Inc. and Tutor Perini Corporation, A Joint Venture for the Newark Bay Bridge Structure No. N2.01, Bridge Deck Reconstruction and Miscellaneous Structural, Roadway and Lighting Improvements, Mileposts N0.00 to N6.00, Supplemental Capital Fund No. 08027023, in an amount of \$3,000,000.00,** was approved.

It is recommended that a Type 3 Change Order be issued to Contract No. T100.034 to provide for the installation of a temporary shoulder use Lane Control System (LCS) on the Newark Bay-Hudson County Extension (NBHCE) between Interchange 14 and 14C in the eastbound direction. The work includes constructing the LCS infrastructure, communication systems, line striping and highway safety improvements.

This work was requested by the Authority's Operations Department as part of preparations by the Authority to operate a third travel lane on the eastbound NBHCE. The third lane is required to handle additional traffic volumes when traffic detours for the New Jersey Department of Transportation's (NJDOT) Pulaski Skyway rehabilitation contract is implemented. This third lane will be accomplished by using the right shoulder as a travel lane during peak traffic periods, and then as a shoulder during non-peak traffic periods. The LCS system is required to

operate the shoulder for this dual function purpose.

The schedule for the Pulaski Skyway rehabilitation project requires the LCS preparatory work commence in the near future. The recommendation to construct this work under Contract No. T100.034 is based on the short timeframe required to complete these repairs, the location of this work within the limits of T100.034, and the need to minimize impacts to Turnpike motorists by coordinating ongoing reconstruction activities with the proposed repair work.

Ferreira Construction Co., Inc. and Tutor Perini Corporation, a Joint Venture was awarded Contract No. T100.034 in April 2010. The Engineer's Estimate for the proposed work is approximately \$3,000,000.00.

It is, therefore, recommended that this Type 3 Change Order to Contract No. T100.034 be authorized in an amount not to exceed \$3,000,000.00 to Ferreira Construction Co., Inc. and Tutor Perini Corporation, a Joint Venture. It is anticipated that all costs will be reimbursed by the NJDOT.

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ORDER FOR PROFESSIONAL SERVICES (OPS)

288-07-2013

In a document dated July 3, 2013, **Recommendation to Issue Order for Professional Services No. T3450 for the New Jersey Turnpike to Stone & Webster, Inc. for the Supervision of Construction Services for Contract No. T300.188, Improvements to Interchange 10, Bridge Widening & Pavement Reconstruction, MP 88.10, Ten Year Capital Program Fund No. 39003035, in an amount of \$1,610,000.00**, was approved.

This Order for Professional Services will provide for construction supervision for Contract No. T300.188. This contract provides for improvements to Turnpike Interchange 10 at Milepost 88.1. The work to be performed includes the widening of Ramps TS and WT to two lanes, the realignment of Ramp TL and lengthening the deceleration lane for Ramp WT on Route I-287 Southbound.

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 \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and fifty-one (51) engineering firms were prequalified and eligible under Profile Codes: B-153, Roadway Construction Inspection and B-155, Bridge Construction Inspection. Nine firms submitted EOIs by the closing date of June 5, 2013.

Subsequent to the scoring of EOIs by the Review Committee, Fee Proposals were requested from the top three firms. The firms in the order of ranking are: 1) Stone & Webster, Inc.; 2) Jacobs Engineering Group, Inc.; and 3) Dewberry Engineers, Inc. The fee submitted by Stone & Webster, Inc. has been reviewed, negotiated, and is considered to be fair and reasonable

for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. T3450 be issued to the firm of Stone & Webster, Inc. of Trenton, New Jersey, not to exceed the amount of \$1,610,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.25 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 the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order No. 134) and Executive Order No. 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

289-07-2013

In a document dated July 1, 2013, **Recommendation to Issue Order for Professional Services No. P3453 for the Garden State Parkway to Churchill Consulting Engineers for Engineering Services for the 2013 New Jersey Turnpike Authority Bridge Inspection Program, Inspection of GSP Microwave Towers, Mileposts 13 to 166, Maintenance Reserve Fund No. 03010005, in an amount of \$285,000.00**, was approved.

This OPS provides for the inspection and report preparation for 15 of the Authority's microwave towers located along the Garden State Parkway between Mileposts 13 and 166 in accordance with the requirements of the 2013 New Jersey Turnpike Main Bridge Inspection Program.

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 \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 14 engineering firms were prequalified and eligible under Profile Codes: A130, Communication Systems: Telephone/Radio/Microwave/Fiber Optic, or D280R, Bridges: NBIS Program, Routine, and registered as an SBE by the Division of Minority and Women Business Development / Department of Treasury. One firm, Churchill Consulting Engineers, submitted an EOI by the closing date of June 17, 2013.

In accordance with the current procurement regulations, if fewer than three Expressions of Interest (EOI) are deemed complete, the EOI solicitation may be rewritten and/or re-solicited, or the procurement may continue with fewer than three firms, as determined by the Executive Director in consultation with the Chief Engineer. The Engineering Department obtained approval from the Executive Director to continue the procurement and requested a Fee Proposal from Churchill Consulting Engineers. Churchill Consulting Engineers' Fee Proposal was reviewed and

compared with the Engineer's Estimate and has been negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. P3453 be issued to the firm of Churchill Consulting Engineers of Berlin, New Jersey, not to exceed the amount of \$285,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.37, based on a 10% allowance for profit and an overhead rate of 115.4% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order No. 134) and Executive Order No. 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

290-07-2013

In a document dated July 8, 2013, **Recommendation to Issue Order for Professional Services Nos. P3460, P3461, T3462 and T3463 for the Final Design Services for the Facilities Improvement Program Maintenance Districts – new/rehabilitated buildings and site improvements, Garden State Parkway and New Jersey Turnpike, Ten Year Capital Program Fund No. 39005013, for Order for Professional Services No. P3460 – Parkway North to TY Lin International in an amount of \$6,200,000.00; Order for Professional Services No. P3461 – Parkway South to The RBA Group, Inc. in an amount of \$8,000,000.00; Order for Professional Services No. T3462 – Turnpike North to Michael Baker Jr., Inc. in an amount of \$8,900,000.00; and Order for Professional Services No. T3463 – Turnpike South to Gannett Fleming, Inc. in an amount of \$7,450,000.00**, was approved.

Through a single procurement process the Authority will engage four design consultants to provide professional engineering and architectural services as part of the overall Facilities Improvement Program. Design consultant responsibilities include final design services and the preparation of contract documents and other ancillary activities associated with the construction of new buildings and the rehabilitation and /or replacement of 51 buildings. Building types to be constructed / rehabilitated include multi-use, salt storage and vehicle storage facilities at maintenance districts on both roadways.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and

twenty-four (24) engineering firms were prequalified and eligible under Profile Codes Profile Codes A060: Architecture: New Buildings and A061: Architecture: Renovations and three of the four following codes A062: Building Mechanical System; A063: Buildings Electrical Systems; A064: Building Structural Systems and C196: Soil & Groundwater Remediation Design. Ten firms submitted EOIs by the closing date of April 29, 2013.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking: 1) T. Y. Lin International 2) Gannett Fleming, Inc. 3) Michael Baker Jr., Inc. 4) The RBA Group, Inc. 5) The Louis Berger Group, Inc. and 6) STV, Inc. These six firms were requested to submit Technical and sealed Fee Proposals. The Committee reviewed and evaluated each firm's Technical Proposal. Based on the Technical Proposal Evaluations, and in accordance with the "Procedure for Multi-Project Solicitation – Complex" guidelines, Fee Proposals from the four highest ranking firms namely, Gannett Fleming, Inc., Michael Baker Jr., Inc., The RBA Group, Inc. and T. Y. Lin International were opened. The assignment of design sections to these four firms was established based on the consultants' rank and specified preferred section, along with a "best fit" of the firms qualifications to a specific design section. The Fee Proposals submitted by the four highest ranking firms have been reviewed and negotiated, and are considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that: (1) Order for Professional Services No. P3460 be issued to the firm of T. Y. Lin International of Hamilton, NJ, not to exceed the amount of \$6,200,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.8, based on a 10% allowance for profit and an overhead rate of 154.5% , or, the firm's overhead rate as determined by Federal Audit Regulation procedure, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

(2) Order for Professional Services No. P3461 be issued to the firm of The RBA Group, Inc. of Parsippany, NJ, not to exceed the amount of \$8,000,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.5, based on a 10% allowance for profit and an overhead rate of 127.2% , or, the firm's overhead rate as determined by Federal Audit Regulation procedure, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These

professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

(3) Order for Professional Services No. T3462 be issued to the firm of Michael Baker, Jr. Inc. of Hamilton, NJ, not to exceed the amount of \$8,900,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.8, based on a 10% allowance for profit and an overhead rate of 154.5% , or, the firm's overhead rate as determined by Federal Audit Regulation procedure, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

(4) Order for Professional Services No. T3463 be issued to the firm of Gannett Fleming, Inc. of South Plainfield, NJ, not to exceed the amount of \$7,450,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.8, based on a 10% allowance for profit and an overhead rate of 154.5% , or, the firm's overhead rate as determined by Federal Audit Regulation procedure, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

291-07-2013

In a document dated July 3, 2013, **Recommendation to Issue Order for Professional Services No. A3496 to SJH Engineering, P.C. for the Supervision of Construction Services for Contract No. A200.301 - Safety Improvements at Traversable Medians along the New Jersey Turnpike and Garden State Parkway, Ten Year Capital Program Fund No. 39002016, in an amount of \$590,000.00,** was approved.

This Order for Professional Services will provide construction supervision services for the referenced contract. The work to be performed under this contract involves safety improvements at traversable median locations along the New Jersey Turnpike and Garden State Parkway, where the median width is less than 60 feet having no positive crossover protection. The proposed work includes guide rail installation, guide rail end terminals, installation of roadway

safety features and associated earthwork.

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 \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and fifty-six (56) engineering firms were prequalified and eligible under Profile Code: B-153 – Roadway Construction Inspection. Four firms submitted EOIs by the closing date of June 14, 2013.

Subsequent to the scoring of EOIs by the Review Committee, Fee Proposals were requested from the top three firms. The firms in the order of ranking are: 1) SJH Engineering, P.C.; 2) KS Engineers, P.C.; and 3) Greenman-Pedersen, Inc.. The fee submitted by SJH Engineering, P.C. has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. A3496 be issued to the firm of SJH Engineering, P.C. of Princeton, New Jersey, not to exceed the amount of \$590,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.35 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order No. 134) and Executive Order No. 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

292-07-2013

In a document dated July 2, 2013, **Recommendation to Issue Order for Professional Services No. P3502 for the Garden State Parkway to Dresdner Robin Environmental Management Inc. for the Environmental Compliance Activities at the Atlantic City, Forked River, Monmouth and Cheesequake Service Areas, Non-departmental Operating Budget: 010-00-892-446050, in an amount of \$555,000.00,** was approved.

The Authority requires the professional services of an environmental engineering consultant to provide operation, maintenance and compliance monitoring of groundwater remediation systems, groundwater compliance monitoring and reporting, and necessary remedial investigations/actions at the above referenced service areas on the Garden State Parkway in accordance with current New Jersey Department of Environmental Protection regulations. The scope also includes remedial investigations and remedial actions as may be needed to further enhance and ensure the most effective remediation of the sites. The solicitation is for a four year

term commencing on or about September 1, 2013.

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 \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and seven engineering firms were prequalified and eligible under Profile Codes: C195 – Soil and Groundwater Remedial Investigation; C196 – Soil and Groundwater Remediation Design; and C197 – Remediation Systems: Operation and Maintenance and Compliance Monitoring. Seven firms submitted EOIs by the closing date of June 5, 2013.

Subsequent to the scoring of EOIs by the Review Committee, Fee Proposals were requested from the top three firms. The firms in the order of ranking are: 1) Dresdner Robin Environmental Management, Inc.; 2) Matrix New World Engineering, Inc.; and 3) T&M Associates. The fee submitted by Dresdner Robin Environmental Management, Inc. has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. P3502 be issued to the firm of Dresdner Robin Environmental Management, Inc. of Jersey City, New Jersey, not to exceed the amount of \$555,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.70, based on a 10% allowance for profit and an overhead rate of 145.45% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order No. 134) and Executive Order No. 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

293-07-2013

In a document dated July 3, 2013, **Recommendation to Issue Order for Professional Services No. T3503 for the New Jersey Turnpike to HAKS for the Supervision of Construction Services for Contract No. T100.275 for the Repainting Structural Steel and Miscellaneous Bridge Improvements, Ten Year Capital Program Fund No. 39001034, in an amount of \$1,433,939.00**, was approved.

This Order for Professional Services provides for construction supervision of the referenced contract. The work performed under this contract includes blast cleaning and zone painting of weathering structural steel; blast cleaning and repainting of structural steel; cleaning bridge drainage systems; and other incidental work such as steel repairs, replacement of deck joint seals and substructure membrane waterproofing, on various structures of the Turnpike from

Milepost 98 to E117.

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 \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and thirty-one (31) engineering firms were prequalified and eligible under Profile Codes: B156, Bridge Repair Inspections and B158, Bridge Repainting Inspections. Four firms submitted EOIs by the closing date of June 20, 2013.

Subsequent to the scoring of EOIs by the Review Committee, Fee Proposals were requested from the top three firms. The firms in the order of ranking are: 1) HAKS, 2) Greenman-Pedersen, Inc., and 3) Hardesty & Hanover. The fee submitted by HAKS has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. T3503 be issued to the firm of HAKS of Iselin, New Jersey, not to exceed the amount of \$1,433,939.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.11 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 the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order No. 134) and Executive Order No. 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

294-07-2013

In a document dated July 10, 2013, Recommendation to Issue Supplement B to Order for Professional Services No. T3116 for the New Jersey Turnpike to Dewberry-Goodkind, Inc. for Interchange 6 – 9 Widening Program, Section No. 6, Design Engineer, Ten Year Capital Program Fund No. 39018001, in an amount of \$475,000.00, was approved.

This Order for Professional Services was issued at the August 2007 Commission Meeting in the amount of \$19,250,000.00 to provide professional engineering services associated with final design and preparation of contract documents, and other ancillary activities and services required for the final design of Section No. 6 of the New Jersey Turnpike Interchange 6-9 Widening Program. Supplement A was authorized in August 2010, in the amount of \$3,650,000.00, to provide for additional design services required for various out of scope tasks. During Final Design Dewberry was requested by the Authority to prepare two additional contracts, including the advanced grading contract to accelerate construction; the proposed Interchange 8 Toll Plaza Building be designed to achieve LEED certification; and non-standard toll plaza design at

(NJTA Board Meeting – 07/24/2013)

Interchange 8 to facilitate future open road tolling, additional retaining walls to minimize environmental and right-of-way impacts, a u-turn alternative analysis, and extensive coordination with East Windsor Township, Colonial Pipeline Company, and other local utilities that could not have been anticipated

This Supplement will provide for design services relating to real estate parcels with pending court trials and post design coordination for Contract Nos. T869.120.603 and T869.120.605 that could not have been anticipated at the time of Supplement A. Additional post design services include preparation of change of plan documents for a fiber optic line lateral connection to the new Interchange 8 toll plaza, as well as revisions to electronic toll collection equipment, at the request of the Authority based on updated standards.

Dewberry submitted a revised proposal in the amount of \$475,000.00 to provide the required services. The proposal has been reviewed, negotiated, and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that Supplement B to Order for Professional Services No. T3116 be issued to Dewberry not to exceed the amount of \$475,000.00, with compensation on the same basis as the original Order for Professional Services. The addition of this amount increases the total authorized fee from \$22,900,000.00 to \$23,375,000.00. 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.

295-07-2013

In a document dated July 2, 2013, **Recommendation to Issue Supplement A to Order for Professional Services No. T3423 for the New Jersey Turnpike to Greenman-Pedersen, Inc. for Design Services for Contract No. T100.256 for Bridge Deck Repairs and Resurfacing, Mileposts 83 to 122 and the Newark Bay-Hudson County Extension (NBHCE); and Contract No. T100.257 for Bridge Repairs and Resurfacing, Mileposts 0 to 122, NBHCE and the Pearl Harbor Memorial Turnpike Extension (PHMTE), Maintenance Reserve Fund No. 03010001, in an amount of \$310,000.00,** was approved.

This Order for Professional Services was issued at the October 2012 Commission Meeting in the amount of \$2,930,000.00 to provide professional engineering services.

This Supplement A will compensate Greenman-Pedersen, Inc. for additional design services requested by the Authority associated with the preparation of two construction contracts to address inner roadway improvements within the limits of Interchange 6 to 9 from Mileposts 49.4 to 70.8. Greenman-Pedersen will be developing the contract drawings associated with bridge repairs at the 24 SNI/NSI crossings within the referenced mileposts. Shop drawing review and construction consultation is also included within the proposed fee.

Supplement A will also compensate Greenman-Pedersen, Inc. for additional design services requested by the Authority to design underdeck access to the Authority's Oak Island

Viaduct structures where coordination is required with NJDEP, Conrail and the Authority's Security Program. The development of access to the railroad track bound structures will permit construction, maintenance forces and NBIS inspection access from the Int. 14 SOT Ramp to the ten southern spans of Structure Nos. 105.18, 105.18NO and 105.18SO. Access to this area was eliminated when Conrail installed an additional track.

Greenman-Pedersen, Inc. submitted a revised proposal in the amount of \$310,000.00 to provide the required services. The proposal has been reviewed, negotiated, and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that Supplement A to Order for Professional Services No. T3423 be issued to Greenman-Pedersen, Inc., not to exceed the amount of \$310,000, with compensation on the same basis as the original Order for Professional Services. The addition of this amount increases the total authorized fee from \$2,930,000.00 to \$3,240,000.00. 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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NON-COMPETITIVE PROCUREMENTS

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MISCELLANEOUS

296-07-2013

In a document dated June 26, 2013, **Authorization to Purchase Wetlands Mitigation Bank Credits – Agreement # 77-13 for the Garden State Parkway to Evergreen Environmental LLC to Purchase Wetland Mitigation Bank Credits for Contract No. P300.225, Interchange 41 and 44 Improvements, Mileposts 41.0 to 42.3 and 43.8 to 44.3, Ten Year Capital Program Fund No. 39023006 and 39023009, in an amount of \$572,000.00,** was approved.

This Agreement will provide for the purchase of 1.43 freshwater wetland mitigation bank credits at a total cost of \$572,000.00 to mitigate impacts to wetlands. The Freshwater Wetland Permit will require construction of a mitigation site or purchase of wetland credits from within the local watershed. Purchasing of wetland credits is found to be the most cost effective method of mitigation for this project. In consultation with the New Jersey Department of Environmental Protection, Evergreen Environmental LLC is the only firm in Watershed Management Area 15 with available credits approved by the regulatory agencies.

Evergreen Environmental submitted a proposal which was reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

Accordingly, it is requested that the Board of Commissioners delegate to the Executive Director the authority to execute Agreement No. 77-13, in an amount not to exceed \$572,000.00, allocated as follows: \$228,800.00 fund 39023006 and \$343,200.00 fund 39023009 with

Evergreen Environmental LLC pursuant to the terms set forth above. It is further recommended that the Commissioners authorize the Executive Director to execute any such other documents and take any such other actions as are deemed necessary to effectuate the intent of this authorization. This contract was procured under the sole source procurement authorization of N.J.A.C. 19:9-2.2(d)(l), promulgated under N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation. A resolution, as required by N.J.A.C. 19:9-2.2(d)(l), is attached hereto.

RESOLUTION FOR SOLE SOURCE PROCUREMENT
WETLAND MITIGATION BANK CREDITS

WHEREAS, Construction Contract No. P300.225 Interchange 41 and 44 Improvements Milepost 41.0 to 42.3 and 43.8 to 44.3 ("Improvements") will impact wetlands in Watershed Management Area 14 and;

WHEREAS, the New Jersey Department of Environmental Protection Freshwater Wetland permit will require construction of a mitigation site or the purchase of wetland credits from a wetland mitigation bank within the local watershed to mitigate impacts to wetlands by the Improvements and;

WHEREAS, as of June 4, 2013 there are no approved wetlands mitigation banks in Watershed Management Area 14 and;

WHEREAS, the New Jersey Department of Environmental Protection has an allowance that permits linear projects to aggregate impacts across multiple watersheds when providing mitigation and;

WHEREAS, the New Jersey Department of Environmental Protection has agreed to the Authority's proposal to utilize wetland mitigation bank credits in neighboring Watershed Management Area 15 and;

WHEREAS, as of June 4, 2013, the Great Egg Harbor River Mitigation Bank operated by Evergreen Environmental LLC located in Williamstown, Gloucester County is the only approved wetland mitigation bank in Watershed Management Area 15 by the New Jersey Department of Environmental Protection; and

WHEREAS, the Engineering Department has determined that the purchasing of wetland credits is found to be the most cost effective method of mitigation and will allow for the Improvements to proceed on schedule; 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 for the required product exists.

NOW, THEREFORE, BE IT RESOLVED THAT the Authority's Commissioners hereby authorize and approve the award to Evergreen Environmental LLC for wetland mitigation credits in an amount not to exceed \$572,000, as a sole source exception to procurement by public advertisement permitted by N.J.A.C. 19:9-2.2(d)1 promulgated under the Authority's enabling legislation, N.J.S.A. 27:23-6.1.

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FINAL ACCEPTANCE

297-07-2013

In a document dated June 26, 2013, **Recommendation for Final Acceptance, Contract T100.106 to Gardner M. Bishop, Inc. for Bridge Deck Repairs and Resurfacing, Mile 83 to Mile 122 and the Newark Bay-Hudson County Extension, in Amount Due Contractor of \$20,000.00,** was approved.

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This contract involved replacing deteriorated concrete bridge deck slabs and safety walks; fabrication and erection of structural steel; construction of new deck slabs and barrier parapet; repairing deck spalls; repairing and reconstructing deck joints; repairing headers; removing asphalt surfacing; placing new membrane; resurfacing approach roadways and bridge decks; repairing sidewalk, parapet and curb surfaces; repairs to existing drainage facilities and electrical facilities; pavement striping; emergency and routine repairs under cost plus compensation; maintenance and protection of traffic measures; and other incidental work on various structures of the New Jersey Turnpike from Mileposts 83 to 122 and the Newark Bay-Hudson County Extension in Union, Middlesex, Essex, Hudson and Bergen Counties, New Jersey. The contract was awarded December 2009 to the low bidder, Gardner M. Bishop, Inc., White Plains, NY in the total amount of \$10,164,345.00.

During the course of the contract, there were five Change Orders for a total increase of \$3,657,987.43 adjusting the final total amount of this contract to \$13,822,332.43.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (22F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Contractor has certified that there are no liens outstanding against the Contractor.

We concur and recommend that Contract T100.106 be accepted, and that final payment in the amount of \$20,000.00 be made to the Contractor.

298-07-2013

In a document dated June 26, 2013, **Recommendation for Final Acceptance, Contract P300.165 to Green Construction, Inc. for the Garden State Parkway for Operational and Access Improvements at Interchanges 141 and 145, Paving, Lighting, Traffic Signal and Sign Structure, Ten Year Capital Program Fund No. 39003035, in an Amount Due Contractor of \$70,413.61**, was approved.

This contract involved work at Interchange 141 at Vauxhall Road in Union Township, Union County and at Interchange 145 in the City of East Orange, Essex County. The improvements at Interchange 141 included widening and realigning the southbound exit ramp, signalization of the modified intersection at Vauxhall Road, and removal of the existing median along Vauxhall Road. Work at Interchange 145 included widening Ramp G, striping improvements on the Garden State Parkway northbound in the vicinity of the Central Avenue and the Erie Lackawanna overpasses, removal of the existing sign structure and construction of a new overhead sign structure between the toll plaza from northbound Garden State Parkway and the I-280 Ramps. The contract was awarded May 2011 to the low bidder, Green Construction, Inc., South River, NJ, in the total amount

of \$2,983,821.38.

During the course of the contract, there were two Change Orders for a total increase of \$536,858.94 adjusting the final total amount of this contract to \$3,520,680.32.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (14F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Contractor has certified that there are no liens outstanding against the Contractor.

We concur and recommend that Contract P300.165 be accepted, and that final payment in the amount of \$70,413.61 be made to the Contractor.

299-07-2013

In a document dated June 26, 2013, **Recommendation for Final Acceptance, Contract P500.158B to Breaker Electric, Inc. for the Installation of PNC Bank Arts Center Amphitheater Improvements-Phase II, Ten Year Capital Program Fund No. 39005013, in an Amount Due Contractor of \$4,932.60,** was approved.

This contract involved relocating various electrical panels, conduit and wiring serving the amphitheater facility, from a room below the stage to a storage room behind the stage. Existing panels and wiring were removed and replaced with new electrical panels, conduit and wiring. Temporary generator and feeders were required during this transition. The work was located at the PNC Bank Arts Center in Holmdel, New Jersey. The contract was awarded September 2010 to the low bidder, Breaker Electric, Inc., Clarksburg, NJ, in the total amount of \$456,288.00.

During the course of the contract, there were three Change Orders for a total increase of \$126,695.00 adjusting the final total amount of this contract to \$582,983.00.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (7F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Contractor has certified that there are no liens outstanding against the Contractor.

We concur and recommend that Contract P500.158B be accepted, and that final payment in the amount of \$4,932.60 be made to the Contractor.

300-07-2013

In a document dated July 3, 2013, **Recommendation for Final Acceptance, Contract T300.227 to South State, Inc. for the Improvements at Interchange 2 Milepost 12.9**

Woolwich Township Gloucester County, Ten Year Capital Program Fund No. 39009036, in an Amount Due Contractor of \$427,471.05, was approved.

This contract involved the reconstruction, widening, and signalization of the ingress/egress at NJ Turnpike Interchange 2 and Route U.S. 322, exclusive left turn lanes on the Route U.S. 322 eastbound and westbound approaches, and a right turn lane along Route U.S. 322 eastbound. The contract was awarded October 2011 to the low bidder, South State, Inc., Bridgeton, NJ, in the total amount of \$3,486,897.97.

During the course of the contract, there was one Change Order for a total increase of \$225,408.57 adjusting the final total amount of this contract to \$3,712,306.54.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (11F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Contractor has certified that there are no liens outstanding against the Contractor.

We concur and recommend that Contract T300.227 be accepted, and that final payment in the amount of \$427,471.05 be made to the Contractor.

301-07-2013

In a document dated July 3, 2013, **Recommendation for Final Acceptance, Contract T869.120.501 to IEW Construction Group, Inc. for the Interchange 6 to 9 Widening Program, NSO/SNO Roadways, Grading, Drainage, Paving, Structures & Signing, Milepost 65.6 to 66.7, Ten Year Capital Program Fund No. 39018001, in an Amount Due Contractor of \$213,000.00, was approved.**

This contract involved the construction of two new outer roadways, each consisting of three 12' lanes and a 12' right shoulder, two proposed culvert extensions and the construction of retaining walls, sign structures, drainage and stormwater management facilities and signing from Mileposts 65.6 to 66.7 in the Township of East Windsor in Mercer County, New Jersey. The contract was awarded May 2009 to the low bidder, IEW Construction Group, Inc., Trenton, NJ, in the total amount of \$15,125,200.65.

During the course of the contract, there were 8 Change Orders for a total increase of \$1,491,282.75 adjusting the final total amount of this contract to \$16,616,483.40.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond Waiver, Affidavit of Prevailing Wage and the Final Payment Certificate (37F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the

Contractor has certified that there are no liens outstanding against the Contractor.

We concur and recommend that Contract T869.120.501 be accepted, and that final payment in the amount of \$213,000.00 be made to the Contractor.

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ACKNOWLEDGE REPORTS OF
ENGINEERING EXPENDITURES UNDER DELEGATED AUTHORITY

302-07-2013

The Board acknowledges the reports of Engineering Expenditures Under Delegated Authority as indicated below:

- Construction Contract Progress Report
- Change Order Summary
- Utility Order Report

On motion by Commissioner Becht and seconded by Treasurer DuPont, the Authority unanimously approved item no. 286-07-2013, and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

On motion by Treasurer DuPont and seconded by Commissioner Becht, the Authority unanimously approved item no. 293-07-2013, and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

On motion by Treasurer DuPont and seconded by Commissioner Diaz, the Authority unanimously approved item nos. 284-07-2013 through 301-07-2013 (excluding 286 and 293), and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda. The Authority unanimously accepted the reports contained in item number 302-07-2013 and received same for file.

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PROCUREMENT ("PMM")

Director of Purchasing Andrea Ward requested approval of item numbers 303-07-2013 through 315-07-2013.

Chairman Simpson commented on the Authority's procurement of a brine system. Brine is a liquid solution of water and salt. It can be applied to roadways in the winter as a pre-storm treatment to prevent icing of roadways. He noted that it makes sense for state agencies to uniformly maintain their roadways during winter weather. NJDOT has long used brine to pre-treat its roadways in the winter season. Last winter, NJDOT and the Authority worked together on a brine pilot project on the Parkway. ED Hakim stated that the program was successful and the Authority will be including the use of brine as a permanent part of its winter weather operation.

Moved as a group those items are as follows:

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PUBLIC BIDS SOLICITATIONS

303-07-2013

In a document dated July 9, 2013, **a Request for Tire and Rubber Debris Removal (Re-Bid) to Freehold Cartage, Inc., RM-99368, Budget Code: Various, in an amount of \$98,000.00 (Two-Year Base Contract)**, was approved.

Authorization is requested to award a contract for tire and rubber debris removal from the Authority's roadways. Bidders were required to bid unit and total price for transporting and recycling/disposal/re-use of specified tons of tire and rubber debris from 10 locations on both roadways. The bid was fully advertised and six vendors listed in the Authority database for the referenced commodity were notified of the procurement. Unit prices can be obtained from the Procurement and Materials Management Department. On June 18, 2013, a sole bid was received as follows:

<u>Vendor</u>	<u>Total Price</u>
Freehold Cartage, Inc. Freehold, NJ	\$98,000.00
Departmental Estimate: \$100,000.00 (2-Year contract)	

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). Freehold Cartage, Inc. is in compliance with Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008).

Accordingly, authorization is requested to award a two-year contract for tire and rubber debris removal to Freehold Cartage, Inc. of Freehold, NJ, in an amount not to exceed \$98,000.00, subject to funding availability at the time of order. Authorization is further requested for the Executive Director to approve each of the two, one-year extensions upon satisfactory performance by the vendor.

304-07-2013

In a document dated July 9, 2013, **a Request for Mott and Alamo Mower Parts to Montage Enterprise, Inc., RM-100261, Budget Code: Various, in an amount of \$45,785.23**, was approved.

Authorization is requested to award a contract for Mott and Alamo mower parts for roadway maintenance. Bidders were required to bid unit and total prices for 29 line items of supplies including, but not limited to, filters, bearings, belts and couplings. Bidders were also required to bid a discount off miscellaneous parts. The bid was fully advertised and the nine vendors listed in the Authority database for the commodity were notified of the procurement. Unit

prices can be obtained from the Procurement and Materials Management Department. On June 18, 2013 bids were received as follows:

<u>Vendor</u>	<u>Total Price</u>
Montage Enterprise, Inc., Blairstown, NJ	\$ 45,785.23
Cherry Valley Tractor Sales, Marlton, NJ	\$ 50,059.10
Storr Tractor Company, Branchburg, NJ	\$ 65,527.24

Departmental Estimate: \$55,000.00

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award a contract to Montage Enterprise Inc., in an amount not to exceed \$45,785.23, subject to funding availability at the time of ordering. Authorization is further requested for the Executive Director to approve each of the two, one-year extensions upon satisfactory performance by the vendor.

305-07-2013

In a document dated July 9, 2013, a Request for First Aid and Safety Supplies Re-Bid to The Olympic Glove and Safety Co., Inc., RM-99119, Budget Code: Various, in an amount of \$85,794.12, was approved.

Authorization is requested to award a contract for first aid and safety supplies required for inventory/stock. These items will be used by Authority personnel involved in assignments requiring protective gears. Bidders were required to bid unit and total prices for 127 line items including, but not limited to, first-aid kits, raingear, boots, gloves, safety glasses, respirators and hardhats. The bid was fully advertised and the ten vendors listed in the Authority's database for the commodity were notified of the procurement. Unit prices can be obtained from the Procurement and Materials Management Department. On June 20, 2013, bids were received as follows:

<u>Vendor</u>	<u>Total Price</u>
The Olympic Glove and Safety Co., Inc., Elmwood Park, NJ	\$ 85,794.12
A & A Glove and Safety Inc., Collingswood, NJ	\$ 88,308.40
Durawear Glove and Safety, Co., Flemington, NJ	\$ 92,432.03
Fremont Industrial Corp., Westbury, NY	\$ 94,153.24
W. W. Grainger Inc., Trenton, NJ	\$132,951.37

Departmental Estimate: \$95,000.00

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award a contract for first aid and safety supplies to The Olympic Glove and Safety Co., Inc. in an amount not to exceed \$85,794.12 subject to funding availability at the time of ordering. Authorization is further requested for the Executive Director to approve each of the two, one-year extensions upon satisfactory performance by the vendor.

306-07-2013

In a document dated July 9, 2013, **a Request for Tree Trimming and Removal Services to Andy Matt, Inc. and Downes Tree Service Co., Inc., RM-98724, Budget Code: Various, in amounts of: Andy Matt Inc. \$ 359,000.00 and Downes Tree Service Co., Inc. \$744,675.00, for a Total Amount Requested of \$1,103,675.00**, was approved.

Authorization is requested to award a contract for tree trimming and removal services on the Authority's right-of-ways. The services are required to maintain clear zones along the Turnpike and Parkway and to provide hazard-free unobstructed traversable roadside areas. Clear zones are also required to comply with the AASHTO Roadside Design Guide Manual. The bid was divided into five regions: A) North-Turnpike; B) South-Turnpike; C) North-Parkway; D) Central-Parkway; and E) South-Parkway. For purpose of award, bidders were required to bid hourly rates for four items of services:

- 1) Tree trimming/removal - Standard Crew Hours
- 2) Tree trimming/removal - Emergency Crew Hours;
- 3) Log Truck; and
- 4) Crane.

Award is based on the lowest total cost per region. The bid was fully advertised and the 11 vendors listed in the Authority's database for the referenced services were notified of the procurement. On May 30, 2013, three bidders submitted the following bids:

A. <u>PARKWAY NORTH (MP141.5-172.3)</u>					
<u>Bidder</u>	<u>Item 1</u>	<u>Item 2</u>	<u>Item 3</u>	<u>Item 4</u>	<u>Total Bid Price</u>
	(488 Hours)	(24 Hours)	(56 Hours)	(40 Hours)	
Asplundh Tree Expert Co. Dover, DE	\$235.43	\$363.68	\$106.55	\$228.67	\$138,731.76
Andy Matt Inc., Mine Hill, NJ	\$247.00	\$337.00	\$119.00	\$193.00	\$143,008.00
Downes Tree Service Co. Inc. Hawthorne, NJ	\$275.00	\$275.00	\$100.00	\$150.00	\$152,400.00

B. PARKWAY CENTRAL (MP 141.5-106)

<u>Bidder</u>	<u>Item 1</u> (496 Hours)	<u>Item 2</u> (24 Hours)	<u>Item 3</u> (64 Hours)	<u>Item 4</u> (40 Hours)	<u>Total Bid Price</u>
Asplundh Tree Expert Co.	\$235.43	\$363.68	\$106.55	\$228.67	\$141,467.60
Andy Matt Inc.	\$247.00	\$337.00	\$119.00	\$193.00	\$145,936.00
Downes Tree Service Co. Inc.	\$275.00	\$275.00	\$100.00	\$150.00	\$155,400.00

C. PARKWAY SOUTH (MP 106.0 – 0.0)

<u>Bidder</u>	<u>Item 1</u> (465 Hours)	<u>Item 2</u> (24 Hours)	<u>Item 3</u> (60 Hours)	<u>Item 4</u> (48 Hours)	<u>Total Bid Price</u>
Asplundh Tree Expert Co.	\$235.43	\$363.68	\$106.55	\$228.67	\$135,572.43
Downes Tree Service Co. Inc.	\$335.00	\$335.00	\$100.00	\$150.00	\$177,015.00

D. TURNPIKE – SOUTH (MP 0.0 – 67.2 AND PA EXTENSION)

<u>Bidder</u>	<u>Item 1</u> (1,088 Hours)	<u>Item 2</u> (48 Hours)	<u>Item 3</u> (136 Hours)	<u>Item 4</u> (84 Hours)	<u>Total Bid Price</u>
Asplundh Tree Expert Co.	\$235.43	\$363.68	\$106.55	\$228.67	\$307,303.56
Downes Tree Service Co. Inc.	\$335.00	\$335.00	\$125.00	\$175.00	\$412,260.00

E. TURNPIKE – NORTH (MP 67.2 – 122 AND HUDSON COUNTY EXTENSION)

<u>Bidder</u>	<u>Item 1</u> (736 Hours)	<u>Item 2</u> (32 Hours)	<u>Item 3</u> (80 Hours)	<u>Item 4</u> (72 Hours)	<u>Total Bid Price</u>
Asplundh Tree Expert Co.	\$235.43	\$363.68	\$106.55	\$228.67	\$209,902.48
Andy Matt Inc.	\$247.00	\$337.00	\$119.00	\$193.00	\$215,992.00
Downes Tree Service Co. Inc.	\$335.00	\$335.00	\$100.00	\$150.00	\$276,080.00
Departmental Estimate: \$1,300,000.00					

Asplundh Tree Expert Co. ("Asplundh") submitted the total lowest prices for each region. This bidder however listed four exceptions to the specifications. The Law Department, in consultation with Maintenance and Procurement staff, reviewed Asplundh's exceptions and concluded that its first exception, to bill for cranes on a "portal to portal" basis, is a material deviation from the published specifications requiring bid rejection. This exception changed the pricing terms mandated by the Authority. The "portal to portal" payment term could result in payment to Asplundh beyond the Authority's 8-hour business window, thus allowing Asplundh a financial advantage over conforming bids. Also, since the crane transportation costs are unknown, Asplundh's actual total bid cannot be calculated and could exceed the other bids. The exception form states in pertinent part: "... any proposed ... exceptions that are deemed to be a material deviation from the specifications shall be a mandatory cause for rejection of the bid ...". Thus, it is recommended that Asplundh's bids for all regions be rejected.

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Andy Matt, Inc. is the second low bidder for three Areas: Parkway North, Parkway Central and Turnpike North. Maintenance staff inspected Andy Matt Inc.'s equipment and crew capability and determined that Andy Matt, Inc. can fully perform according to specifications for Parkway North and Turnpike North. However, Maintenance staff deemed it in the best interests of the Authority that Parkway Central should be awarded to Downes Tree Service Co., Inc., the next low bidder for Parkway Central. Maintenance staff concluded that Andy Matt, Inc. does not have enough equipment and crews to be able to handle three regions simultaneously, as required by the specifications, should Authority circumstances warrant such an effort. Also, the Turnpike Central region is the farthest from Andy Matt, Inc.'s facility and could compromise the response time by this bidder if the Authority issues a call-out for all three regions. Downes Tree Service Co., Inc. should also receive award of Parkway South and Turnpike South as the second low and fully compliant bidder.

Bids were procured, and authorization is being sought to award these contracts in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). These awards are also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award two contracts for tree trimming and removal services to: 1) Andy Matt Inc. for Parkway North and Turnpike North in a total amount not to exceed \$359,000.00, and 2) Downes Tree Service Co. Inc. for Parkway Central, Parkway South and Turnpike South in a total amount not to exceed \$744,675.00, both subject to funding availability at the time of service. Authorization is further requested for the Executive Director to approve each of the two, one-year extensions upon satisfactory performance by the vendors.

307-07-2013

In a document dated July 9, 2013, **a Request for 20-Ton-Tandem Axle Trailers 3-Year Option to Stephan L. Green Trailers, Inc., R-101811, Budget Code: 040 00 500 156555 04007026, in an amount of \$221,000.00 (\$17,000 per unit)**, was approved.

On March 25, 2013, the Authority awarded a contract to Stephan L. Green Trailers, Inc. for the purchase of a tandem axle trailer. The contract included a 3-year option to purchase additional trailers which conform to the original specifications for three additional model years. The vendor retained the same unit prices as in the original contract (\$17,000.00 per trailer). The Maintenance Department is requesting 13 additional tandem axle trailers. The additional trailers will be used to transport brine pre-treatment tank spray systems in order to pre-treat the roadway prior to a snow storm.

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2,

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promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This contract is in compliance with Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008).

Accordingly, authorization is requested to award a contract to Stephan L. Green Trailers, Inc. in a total amount not to exceed \$221,000.00.

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STATE CONTRACTS AND FEDERAL CONTRACTS

308-07-2013

In a document dated July 8, 2013, **a Request for the Repair of Generators and Electrical Switching Apparatus to EMR Power Systems, LLC, RM-101133, Contract No. 1626 (Modification), Budget Code: Various, State Contract No. 78056 expiring 11/30/2013, in an amount of \$11,500.00,** was approved.

On February 10, 2012, the Authority awarded Contract No. 1626 to EMR Power Systems, LLC for the repair of generators and electrical switching apparatus. These services are necessary for the maintenance and repair of all standby generators at Authority facilities. The State Contract is valid through November 30, 2013. The Maintenance Department has requested that Contract No. 1626 be increased by \$11,500.00 as additional funds are required to purchase this service through the remaining term of the contract.

The contract was procured under New Jersey State Contract No. 78056 in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant to N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permit the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, approval is requested to increase the authorized amount of Contract No. 1626 with EMR Power Systems, LLC by \$11,500.00, for a new total authorized amount of \$46,500.00 subject to funding availability at the time of order.

309-07-2013

In a document dated July 8, 2013, **a Request for Phire Enterprise Software License to SHI International Corp., R-101468, Budget Code: 00 010 830 121020, State Contract No. 77560 expiring 6/30/2015, in an amount of \$64,000.75,** was approved.

Under this contract, SHI International Corp. will supply the Phire Enterprise software to support the Authority's PeopleSoft financial and human resources system. The Phire software works with PeopleSoft software to manage all changes developed in a test environment and migrate those changes to the production environment in a controlled, auditable fashion. The contract will include the Phire software license, migration, change requests, maintenance and consulting services.

This contract will be procured under State Contract No. 77560 in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant to N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permit the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. The State Contract is valid through June 30, 2015.

Accordingly, authorization is requested to award a contract to SHI International Corp. for the Phire license software in an amount not to exceed \$64,000.75.

310-07-2013

In a document dated July 9, 2013, **a Request for Integrated Environmental Monitoring Software and Accessories to Dell Marketing, LP, R-101686, Budget Code: 00 040 830 650010 04000031, State Contract No. 70256 expiring 08/31/2014, in an amount of \$61,766.13,** was approved.

Under this contract, Dell Marketing, LP will supply the integrated environmental monitoring software which will monitor the statistics from the air conditioning and power systems, on Authority's data centers. The software will be installed on all environmental controls and devices and provide "real time" information at the Statewide Traffic Management Center's data center and will include a 3-year software maintenance, and a 3-year StruxureWare Data Center Software support contract. Previously, the software and monitoring devices were procured separately by different departments, and the referenced software will integrate the monitoring by the ITS Department.

This contract will be procured under State Contract No. 70256 in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant to N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permit the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. The State Contract is valid through August 31, 2014.

Accordingly, authorization is requested to award a contract to Dell Marketing, LP for the referenced software in a total amount not to exceed \$61,766.13.

311-07-2013

In a document dated July 9, 2013, **a Request for Streaming Video Support to Dell Marketing, LP, R-101730, Budget Code: 00 040 830 650010 04000037, State Contract No. 77003 expiring 6/30/2015, in an amount of \$350,000.00,** was approved.

Under this contract Dell Marketing, LP will provide "Wink Forge" hardware, software and support services to stream Authority and NJDOT's video cameras onto Authority and NJ511 websites. The contract allows the Authority the ability to customize a branded video player and provides unlimited support for web application development as well as mobile apps for Android,

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IOS and Windows devices and software.

This contract will be procured under State Contract No. 77003 in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant to N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permit the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. The State Contract is valid through June 30, 2015.

Accordingly, authorization is requested to award a contract to Dell Marketing, LP to provide "Wink Forge" hardware, software and support services in a total amount not to exceed \$350,000.00.

312-07-2013

In a document dated July 9, 2013, **a Request for Accubrine ABS-2 System to W E Timmerman Co., Inc., R-101803, Budget Code: 040 00 500 156555 04007026, State Contract No. 82737 expiring 9/30/2015, in an amount of \$811,433.00,** was approved.

Under this contract, W E Timmerman Co., Inc. will provide seven Accubrine additive blending systems ("ABS-2") with storage tanks used to pre-treat the Authority's roadways prior to snow storms. The pre-treatment reduces the accumulation of snow and ice. Maintenance staff will utilize this product at three locations on the New Jersey Turnpike and four locations on the Garden State Parkway. The unit price is \$115,919.00 per system.

This contract will be procured under State Contract No. 82737 in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant to N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permit the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. The State Contract is valid through October 30, 2015.

Accordingly, authorization is requested to award a contract to W E Timmerman Co., Inc. for seven, Accubrine ABS-2 with storage tanks in a total amount not to exceed \$811,433.00.

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SOLE SOURCE

313-07-2013

In a document dated July 9, 2013, **a Request for CapEx Manager License Renewal and Maintenance to CapitalSoft, Inc., R-101467, Budget Codes: 00 010 830 121020, August 1, 2013 through July 31, 2014, in an amount of \$100,000.00,** was approved.

Authorization is requested to award of a sole source contract to CapitalSoft, Inc. for the annual maintenance of CapEx Manager software. This software is used by the Authority's Engineering Department in the web-based electronic bidding for its construction contracts. The electronic bidding process allows preparation and submission of bids electronically, the ability to

view and purchase project plans and specifications online, and access to new business opportunities.

The Authority has authorized annual awards of sole source contracts to CapitalSoft, Inc. for the license renewal and annual maintenance fees since 2007. The fee amounts have remained unchanged, at an annual cost of \$100,000. The ITS Department has requisitioned the annual software license renewal and maintenance for the period August 1, 2013 through July 31, 2014.

CapEx Software is proprietary to CapitalSoft, Inc. which is the publisher and holder of all copyrights. CapitalSoft, Inc. is the only vendor which has access to the source code needed to debug, improve, maintain and solve CapEx software problems. Thus, no other vendor is capable of providing the services required under the annual maintenance agreement. In addition, this circumstance is exceptional, as the client support and maintenance services are necessary for operating the Authority's CapEx Manager software.

Thus, it is recommended that the license renewal and maintenance for CapEx Manager software 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 award a sole source contract to CapitalSoft, Inc. for the annual license renewal and maintenance services in an amount not to exceed \$100,000.00 for the period August 1, 2013 through July 31, 2014. 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. A resolution as required by N.J.A.C. 19:9-2.2(d)1 is attached hereto.

314-07-2013

In a document dated July 9, 2013, **a Request for the Annual Software Support and Maintenance for Computerized Maintenance Management (CMM) System to Infor Public Sector Inc. (formerly Hansen Information Technologies, Inc.), RM-101818, Budget Code: 00 010 830 121020, in an amount of \$74,408.57,** was approved.

In 2005 the Authority awarded a contract to Spear Technologies, Inc. to install a computerized maintenance management ("CMM") system. This system is used to manage work force, monitor maintenance assets, and to identify overall performance statistics for the Maintenance and other operational departments. Annual software support and maintenance is required to provide enhancements, corrections and upgrades to the CMM System. The ITS Department requisitioned the annual software support and maintenance to the CMM System for the term August 1, 2013 through July 31, 2014.

The CMM System software licenses and the associated technical support services are registered, trademarked and copyrighted by Infor Public Sector, Inc. (formerly Hansen Information Technologies and successor to Spear Technologies, Inc.). Infor Public Sector, Inc.

is the only vendor which has access to the source codes needed to debug, upgrade and support the CMM System software. No other vendor is capable of providing the required modifications. In addition, this is an exceptional circumstance because the Authority relies solely on the CMM System to provide certain maintenance management functions.

Accordingly, authorization is requested to enter into a contract with Infor Public Sector, Inc. for services outlined herein, in an amount not to exceed \$74,408.57. This 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.A.C. 27:23-6.1 and Executive Order No. 37 (Corzine 2006). A resolution, as required by N.J.A.C. 19:9-2.2(d)1, is attached hereto.

**RESOLUTION FOR SOLE SOURCE PROCUREMENT
SOFTWARE ANNUAL SUPPORT AND MAINTENANCE
COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM**

WHEREAS, the Integrated Technology Services ("ITS") Department requisitioned software annual support and maintenance services to the Authority's computerized maintenance management system (CMM System); and

WHEREAS, at the October 25, 2005 Commission Meeting (Agenda Item 231G-05) the Authority awarded a contract to Spear Technologies, Inc. (succeeded by Hansen Information Technologies, Inc. and now Infor Public Sector, Inc.) to install the CMM System, which software manages work force, monitors maintenance assets and identifies overall performance statistics for the Maintenance and other operational departments; and

WHEREAS, the ITS Department requests that Infor Public Sector, Inc. provide the annual support and maintenance services to resolve software issues and to provide the Authority with enhancements, corrections and upgrades as they become available for the term August 1, 2013 through July 31, 2014; and

WHEREAS, the CMM System software licenses and the associated technical support services are registered, trademarked and copyrighted by Infor Public Sector, Inc. and consequently it is the only vendor which has access to the source codes needed to debug, upgrade and support the CMM System; and

WHEREAS, software services to the CMM System can only be procured from Infor Public Sector, Inc. and only through direct negotiations; 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 award of a contract to Infor Public Sector, Inc. for annual support and maintenance services to the CMM System in an amount not to exceed \$74,408.57, as a sole source exception to procurement by public advertisement permitted by N.J.A.C. 19:9-2.2(d)1 promulgated under the Authority's enabling legislation, N.J.S.A. 27:23-6.1.

315-07-2013

In a document dated July 12, 2013, a Request for the Maintenance and Service Agreement for Uninterruptible Power System at the Statewide Traffic Management Center to Eaton Corporation, RM-101954, Contract No. 1791 (Modification), in an amount of \$95,112.00, was approved.

At the December 19, 2012 Commission Meeting (Agenda Item 497-12-2012), the Board

of Commissioners approved award of a sole source contract to Eaton Corporation to maintain and service all the Powerware uninterruptible power systems ("UPSs") installed at the Authority's interchanges and plazas. Contract No. 1791 commenced in January 2013 for a term of three years. There are two UPSs installed at the Statewide Traffic Management Center ("STMC"). These UPSs are failing and require prompt maintenance, including battery replacement. Given the criticality of the UPSs at the STMC, ITS has requested the UPSs located in the STMC be added to the list of Authority facilities included in Contract No. 1791. Eaton Corporation personnel inspected the UPSs installed at the STMC and proposed a fee of \$95,112.00 which includes immediate battery replacement, as well as a 24/7, four-hour response time, support services, corrective maintenance and service coverage, full battery warranty (parts and labor), preventive maintenance, and monitoring software until December 31, 2015. This term for these services will coincide with that of Contract No. 1791. Thus, it is recommended that Contract No. 1791 be increased by \$95,112.00.

The contract was authorized as a sole source contract because Eaton Corporation is the proprietary owner of the Powerware brand and is the sole provider of: (1) authorized Powerware service companies; (2) factory trained technicians; (3) certified replacement parts; and (4) latest software and diagnostic tools for the maintenance and repair of all Powerware UPSs. The award was 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. 27:23-1 et seq. and Executive Order No. 37 (Corzine 2006). Eaton Corporation is in compliance Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008). In addition, Eaton Corporation has provided the Authority with satisfactory services in the past.

Accordingly, authorization is requested to increase the authorized amount of Contract No. 1791 with Eaton Corporation by \$95,112.00 to immediately provide maintenance and services of replacement battery equipment at the STMC, for a new total authorized amount of \$591,597.00, subject to funding availability at the time of ordering.

On motion by Treasurer DuPont and seconded by Commissioner Becht, the Authority unanimously approved of item numbers 303-07-2013 through 315-07-2013; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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GENERAL BUSINESS

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FINANCE

Chief Financial Officer ("CFO") Donna Manuelli requested approval of item numbers 316-07-2013. Moved is the items as follows:

316-07-2013

CFO Manuelli presented the **Financial Summary** for the six (6) months ended June 30, 2013.

On motion by Treasurer DuPont and seconded by Commissioner Becht, the Authority unanimously approved of item number 316-07-2013; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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OPERATIONS

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Acting Director of Operations Henry Eibel requested approval of item numbers 317-07-2013. Moved the item as follows:

317-07-2013

Acting Director Eibel requested acceptance of the **Resume of All Fatal Accidents** for the Garden State Parkway and New Jersey Turnpike: Period 01/01/2013 through 07/10/2013; both with 2012-2013 Yearly Comparisons through June, 2013.

- On motion by Commissioner Hodes and seconded by Treasurer DuPont, the Authority unanimously approved item number 317-07-2013; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.
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STATE POLICE

Acting Major Eric Heitmann requested for approval of item number 318-07-2013. Moved is the item as follows:

318-07-2013

Acting Major Heitmann requested acceptance of the **New Jersey State Police Troop D Activity Reports**, For June 2013, with 2012 – 2013 Yearly Comparisons.

On motion by Treasurer DuPont and seconded by Commissioner Becht, the Authority unanimously accepted the reports contained in item number 318-07-2013 and received same for file.

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EXECUTIVE DIRECTOR'S COMMENTS

ED Hakim recognized that the Maintenance, Tolls, Operations, and Engineering Departments all worked under difficult conditions with last week's heat wave and still came through for the Authority. She further acknowledged that the Authority's facilities are old, but design contracts for new maintenance facilities were approved today and recently the Board of Commissioners approved a contract to rehabilitate the Turnpike toll facilities. ED Hakim expressed her gratitude towards all the workers of the Authority.

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WILDFLOWER PRESENTATION

Landscape Specialist Gary DeFelice made a presentation about the Authority's wildflower program. The wildflower program has been in existence since 1988. But the Maintenance Department increased the program by more than 100% from 2012 to this year, with the greatest part of the increase occurring on the Turnpike. The wildflower plantings not only beautify the roadways, but reduce mowing operations. DeFelice stated that the feedback from the public has been very positive.

Commissioner Becht stated that the wildflower program helps promote the Garden State and the program is well received.

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VINCE HEIRY

Mr. Hiery addressed the Board today representing the neighborhood in the area of Exit 9 on the Turnpike in East Brunswick. The Authority is making improvements to Exit 9, including where the toll ramps intersect with Route 18. Mr. Heiry stated that the initial sound study performed for the Authority by Jacobs Engineering was inaccurate. Mr. Heiry added that trees were removed as part of the construction and this is why there are higher levels of noise.

Chief Engineer Raczynski stated that the Authority has been in contact with homeowners in this area and will plant new trees if requested by the homeowner.

Mr. Heiry stated that the homeowners had a meeting and came to a unanimous decision to request a sound barrier wall installed rather than trees because they believe that unless several hundred feet of dense trees are planted the noise levels will remain too high.

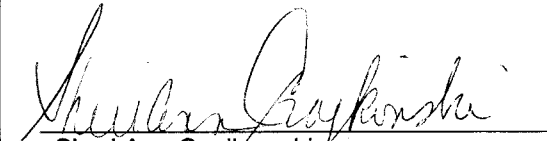
Chairman Simpson asked Mr. Heiry to put his specific complaints in writing. He also offered the Authority's engineering staff to meet with him following the meeting to discuss his concerns.

Vice Chairman Gravino added that ED Hakim, Raczynski, and he have been working closely with East Brunswick Mayor David Stahl on this matter.

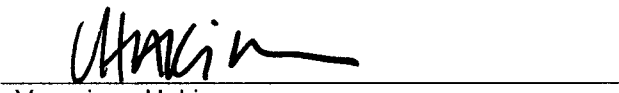
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The motion to adjourn was made by Treasurer DuPont and seconded by Commissioner Becht, and, after the voice vote, the motion was duly adopted. The Authority adjourned at 10:07 a.m., to meet on Tuesday, August 20, 2013, at 9:30 a.m.

ATTEST:



Sheri Ann Czajkowski
Assistant Secretary to the Authority



Veronique Hakim,
Executive Director

Date: July 24, 2013