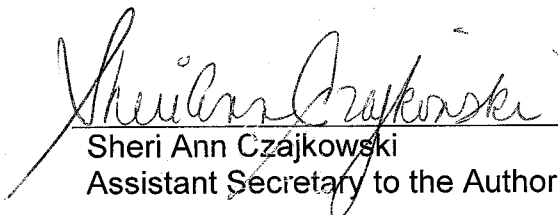


**CERTIFICATION
OF
NEW JERSEY TURNPIKE AUTHORITY**

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 January 31, 2012 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 2nd day of February, 2012.

ATTEST:


Sheri Ann Czajkowski
Assistant Secretary to the Authority


Veronique Hakim,
Executive Director

Corporate Seal

Date: February 2, 2012

**Received in the Governor's Office on February 2, 2012
(hand delivered)**

Received by:

Phyllis Venceller
Print Name

Phyllis Venceller
Signature

Time:

3:53 pm 2/3/12

Veto Period Ends:

February 17, 2012
(Write in the date the veto period ends)

PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY
COMMISSION MEETING
TUESDAY, JANUARY 31, 2012

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

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ALSO PRESENT

Executive Director Veronique Hakim; Deputy Executive Director John O'Hern; Chief Engineer Richard Raczynski; Acting Director of Law Phillip Espinosa; Electronic Toll Collection Director Dennis Switaj; Chief Financial Officer Donna Manuelli; Human Resources Director Mary-Elizabeth Garrity; Director of Internal Audit James Carone; Assistant Director of Maintenance Joseph Lentini; Director of Operations Sean Hill; Purchasing Director Andrea Ward; Acting Director of Technology and Administrative Services Wayne Bruzek; Assistant Director of Tolls James Roberts; NJ State Police Troop D Captain Frank McVey, and Assistant Secretary to the Authority Sheri Ann Czajkowski.

Also present were: Governors' Authorities Unit Representative Brandon Minde; Ryan Feeney, Manager of Public Finance State Treasurer's Office; additional individuals consisting of other NJTA employees; interested organizations; the general public; and from the media: The Star Ledger, The Bergen Record 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 special meeting of November 29, 2011 and the regular meeting of December 14, 2011; he did not exercise his power to veto any items in those minutes.

Upon motion made by Commissioner Hodes and seconded by Commissioner Diaz the minutes of the meeting was unanimously approved.

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RECUSALS

The Executive Director reported that advisements of recusal had been submitted and asked for any further recusals or abstentions to be placed on record for this meeting. Those results are regarding the following items:

Chairman Simpson: 021-01-2012, 022-01-2012 and 037-01-2012
Commissioner Hodes: 003-01-2012 and 023-01-2012
Commissioner Pocino: 009-01-2012 through 024-01-2012

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EXECUTIVE DIRECTOR'S REMARKS

Last week, the Authority convened a Safety Summit. Approximately 100 employees and State Police representatives met to highlight and reinvigorate the importance of roadway safety for our motorists and our employees. There are four (4) E's to Highway Safety -- Enforcement, Engineering, Emergency Incident Response Management, and Education. State Police gave a presentation about enforcement measures that can and will be taken to improve roadway safety. Engineering explained how the improvements that are being done to our roadways as a result of the Capital Program are making the roadways safer for our motorists and employees. Operations explained how it works to refine its incident response management processes to clear traffic quickly and prevent secondary accidents. Finally, the Safety Section and Maintenance showed the need for continuing safety education for motorists and our employees. The Safety Summit was the starting point of keeping us focused on the need to make traveling the Turnpike and Parkway as safe as possible for our motorists.

We continue to see an increase in E-ZPass accounts. In January, 10,000 new accounts were opened. The Authority is pleased to announce that ETC and Patron Services have arranged for HMS Host to expand the "E-ZPass on the Go" Program, so that E-ZPass can now be purchased at all of our Service Areas on the Parkway and Turnpike. This is a Customer Service improvement.

Agenda Item 038-01-2012 is a contract with Kapsch to allow the Authority to purchase the next generation E-ZPass equipment and technology. This contract was competitively bid and procured by the E-ZPass Interagency Group and the Authority will get the benefit of significant cost savings from it. Under the old contract, transponders cost \$20.95 each. Under the Kapsch contract, transponders will cost \$8.90 each.

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PUBLIC COMMENT

Chairman Simpson opened the floor to public comment on matters relating to the current agenda and all other matters.

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Richard Wiesen

Mr. Wiesen spoke regarding flooding issues at Beaver Brook Damn located at approximately 79.5 near the Turnpike. Mr. Wiesen has previously appeared at NJTA Board Meetings to state that he and his neighbors continue to have water issues. He claimed they have not received any updates regarding the water issues. According to Mr. Wiesen, the homeowners in this area first began experiencing water problems with a heavy rain storm on August 15, 2011 and then there was flooding with Hurricane Irene about two (2) weeks later. The Township is taking no responsibility for the damage. The Turnpike and the Township claim that the water issues are not caused by the Turnpike roadway or the construction in the area. Mr. Wiesen stated that he feels that no one is providing him and his neighbors with answers. Mr. Wiesen stated, however, that Denise DeSante of NJTA is always responsive to him and that ED Hakim has met with him to discuss the matter.

Chairman Simpson asked Mr. Wiesen if August 15th was the first time he ever had water on his property. Mr. Wiesen indicated that there have been floods; however, yes, the first time water entered his property was August 15th.

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Ashok Antala

Mr. Antala reiterated the issues raised by Mr. Wiesen. Mr. Antala requested answers for the cause of the water issues and what is going to be done to address the flooding. The water issue is getting worse daily and homeowners feel that flooding will recur. Mr. Antala said his children are still fearful of being in the home when it rains.

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HUMAN RESOURCES

Director of Human Resources Mary-Elizabeth Garrity requested approval of item 001-01-2012. Moved is the item as follows:

001-01-2012

Human Resources Director Garrity submitted the **Personnel Agenda**, dated January 31, 2012, and requested confirmation of the personnel matters contained therein. The Executive Director certified the recommendations for consideration.

On motion by Vice Chairman Gravino and seconded by Commissioner Pocino 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

Acting Director of Law Philip Espinosa requested approval of items 002-01-2012 through 008-01-2012. Moved as a group those items are as follows:

002-01-2012

In a memorandum dated January 20, 2012, **a Recommendation for the Ratification of Action Taken and Authorization for the Acquisition of Property Interests Required for the New Jersey Turnpike Authority Interchange 6-9 Widening Program for the Acquisition of Six (6) Properties, Payment of Damages and Relocation Expenses to One (1) Property Owner 2009 Capital Construction Program, in the amount of \$2,135,942.80 (\$2,097,673.89 was previously approved, an additional \$51,368.91 is required)**, was approved.

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

The acquisition of the necessary property interests is critical to the success of the Widening Program. In light of same, the Commissioners of the New Jersey Turnpike Authority authorized the Executive Director to take all steps necessary to prepare for the acquisition of property rights needed through final construction of the Widening Program with final action being brought to the Commissioners for ratification under Agenda Item No. 315-09-2011.

This Agenda Item seeks Authorization to acquire certain property interests and pay certain expenses related to same, as well as ratify final action taken as to other property interests as follows:

I. Negotiated Acquisitions, Payment of Damages and Relocation Expenses Related to the Acquisition of Required Property Interests: The Authority has determined that the properties listed below are necessary for the Widening Program. To that end, the Authority had an appraisal prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. The Authority then entered into good faith negotiations with the owner and its 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. Negotiations continued and a settlement of all terms was agreed upon. The following is a description of the properties for which the parties have finalized negotiated terms of sale and damages or expenses incurred related to same:

- 1) Turnpike Design Section 3, ROW Section 3F
Parcel No. 313, PA313 & C313, Block 2724, Lot 58 (**Partial Taking**)
4641 Crosswicks-Hamilton Square Road, Hamilton Township, Mercer County
Owners: Edward F. and Genevieve A. Ossowski
Amount: \$245,000.00 (**\$258,100.00 previously approved for condemnation**)

The Authority's Commissioners previously approved the acquisition of the above property through eminent domain in Agenda Item No. 240-09. This Agenda Item seeks authorization to approve the purchase through negotiated settlement.

- 2) Turnpike Design Section 8, ROW Section 4L
 Parcel No. C1225, Block 55, Lot 2.9 **(Partial Taking)**
 10 Pleasant Hill Road, Monroe Township, Middlesex County
 Owner: APF WO 13, LP
 Amount: \$ 1,500.00 **(\$800.00 previously approved for property acquisition through eminent domain; additional \$700.00 is required for a 12 month extension of the Temporary Construction Easement)**

The Authority's Commissioners previously approved the acquisition of the above property in Agenda Item No. 311-09-2011 through eminent domain. This agenda item seeks authorization to approve the purchase of the property through negotiated settlement for the additional amount of \$700.00.

- 3) Turnpike Design Section 8, ROW Section 4L
 Parcel No. 1221, Block 3, Lot 1.02 **(Partial Taking)**
 259 Prospect Plains Road, Cranbury Township, Middlesex County
 Owner: Matrix 259 LCE G, LLC
 Amount: \$ 941,590.00 **(\$925,000.00 previously approved for property acquisition; additional \$16,590.00 is required for a 6-month extension of the Temporary Construction Easement)**

The Authority's Commissioners previously approved the acquisition of the above property in Agenda Item No. 377-11-2011 through negotiated settlement. This agenda item seeks authorization to approve the purchase of the property through negotiated settlement for the additional amount of \$16,590.00.

- 4) Turnpike Design Section 7, ROW Section 4K
 Parcel Series 1152, Block 15, Lot 1 **(Partial Taking)**
 330 Wyckoff Mills Road, Township of East Windsor, Mercer County
 Owner: Windsor Mills, LLC
 Amount: \$ 50,540.00 **(\$31,340.00 previously approved for property acquisition; additional \$19,200.00 is required to settle the property acquisition and for a 6 month extension of the Temporary Construction Easement)**

The Authority's Commissioners previously approved the acquisition of the above property in Agenda Item No. 123-10. This agenda item seeks authorization to approve the purchase of the property through negotiated settlement for the additional amount of \$19,200.00.

- 5) Turnpike Design Section 3, ROW Section 3F
 Parcel No. 343, Block 2733, Lot 4.01 **(Partial Taking)**
 185 Merrick Road, Hamilton Township, Mercer County
 Owners: Donald Giquinto and Kimberly Giquinto
 Amount: \$ 681,270.66 **(\$670,000.00 previously approved for property acquisition; an additional \$11,270.66 is required for reimbursement of relocation expenses)**

The Authority's Commissioners previously approved the acquisition of the above property in Agenda Item No. 223-10. This agenda item seeks authorization to reimburse the property owners for relocation expenses incurred as a result of same and consistent with applicable relocation statutes and regulations in the amount of \$11,270.66.

- 6) Turnpike Design Section 8, ROW Section 4L
 Parcel No. C1231, Block 55, Lot 9.06 **(Partial Taking)**
 30 Abeel Road, Monroe Township, Middlesex County
 Owner: 30 Abeel Road, LLC
 Amount: \$4,200.00 **(\$2,100.00 previously approved for property acquisition; additional \$2,100.00 is required for 12-month extension of the Temporary Construction Easement)**

The Authority's Commissioners previously approved the acquisition of the above property in Agenda Item No. 157-05-2011 through negotiated settlement. This agenda item seeks authorization to approve the extension of the temporary construction easement for 12 months for an additional amount of \$2,100.00.

- 7) Turnpike Design Section 8, Turnpike ROW Section 4L
 Parcel Series 1220, Block 3, Lot 1.01 (**Partial Taking**)
 257 Prospect Plains Road, Township of Cranbury, County of Middlesex
 Owner: Keystone Cranbury East, LLC c/o ProLogis
 Amount Damages: \$211,842.14 (**\$210,333.89 previously approved for damages; additional \$1,508.25 is required for payment of damages**)

The Property currently consists of 74.369 acres of land improved with a 1,000,000 square foot multi-tenanted warehouse distribution building. Pursuant to a Right of Entry Agreement entered into by Keystone Cranbury East, LLC c/o ProLogis and the New Jersey Turnpike Authority on July 21, 2010, the Authority agreed to pay actual and reasonable costs for ProLogis obtaining approvals for and constructing an on-site temporary parking area to replace 40 trailer parking spaces to be temporarily lost during the relocation of the Colonial Pipeline. To date, five (5) invoices have been submitted and approved totaling \$210,233.89. The sixth (6th) invoice in the amount of \$1,508.25 is being presented for approval by the Commissioners.

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

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

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

003-01-2012

In a memorandum dated January 18, 2012, an **Informational Item Only regarding Evergreen Orchard Farm, LLC et als. v. ConeTec, Inc., Colonial Pipeline Company, and H.N.T.B. Corporation v. New Jersey Turnpike Authority et als., Superior Court of New Jersey Law Division – Mercer County, Docket No. L-1942-10**, was approved.

This matter involves an incident involving the Authority's project manager for the Interchange 6-9 Widening Program, H.N.T.B., Corp, and its soil boring sub-consultant ConeTec, Inc., wherein during ConeTec's excavation work it pierced Colonial's pipeline causing damage to the pipeline and the underlying property. Pursuant to its professional services contract with the Authority, H.N.T.B. defended and indemnified the Authority during the underlying litigation. The litigation was settled and the Authority was asked to sign a mutual release and settlement agreement. The Authority was not responsible for any payment to any parties with respect to this matter either in defending itself or paying for damages. This informational item serves to advise the Authority Commissioners that the Authority's Executive Director executed the release and that the matter was resolved without any monetary liability assessed to the Authority.

004-01-2012

In a memorandum dated January 19, 2012, **Authorization to Declare Property Surplus to the Authority's Needs and to Convey Said Property to the Township of Robbinsville, Intersection of State Route 130 and Voelbels Road, Portion of Lot 4, Block 20, Portion of Parcel J, Area: 0.201 + acre fee parcel and 0.110 + acre temporary construction easement, Robbinsville Township, Mercer County, in the amount of \$55,000.00**, was approved.

In 1960, the New Jersey Highway Authority acquired Block 20 Lot 4 (the "Property") in the Township of Robbinsville from the State of New Jersey through a land swap agreement. The Property is a vacant tract of land that contains 9.663 ± acres at the intersection of Route 130 and Voelbels Road ("Intersection"). The Turnpike's Interchange 7A is approximately 5 miles from the intersection. Recently, the Authority has been approached by the Township of Robbinsville requesting that the Authority convey to it a portion of the Property required for Intersection improvements. In accordance with the Authority's surplus property Policy, the Law Department has circulated information regarding Parcel J for review by the Authority's Engineering, Operations, Maintenance, and outside Engineering Consultant. Each have reviewed the information with regard to Parcel J and have all certified that the Authority no longer requires the property and does not see any future use of the property by the Authority. Furthermore, the

Authority's Real Estate consultant has also determined that the property requested falls within an exception to the competitive bidding process of the Authority's Surplus Property Policy as the property required by Robbinsville is undersized and severely impaired. Finally, the Authority's real estate consultant has reviewed the appraisal provided by Robbinsville along with the amount offered by Robbinsville and found it to accurately reflect the fair market value.

Accordingly, it is recommended that Authorization be given to declare Parcel J as surplus to the Authority's needs. It is further recommended that the Executive Director be authorized to take any other steps necessary to prepare for the sale of this parcel to the Township of Robbinsville in accordance with the Authority's Surplus Property Policy upon review and approval of such action by the Law Department and General Counsel.

005-01-2012

In a memorandum dated January 19, 2012, **Authorization to Approve Settlement in the Matter of Thaler v. New Jersey State Police, et al., Superior Court of New Jersey, Docket No. MER-L-2663-09, Account No. 653010, Project No. 04008022, in an amount of \$63,750.00**, was approved.

As with the related matter, Albright v. New Jersey Turnpike Authority, this matter arises from an accident that occurred on October 18, 2007. Plaintiff, Rina A. Thaler ("Thaler") was injured in a motor vehicle collision on the New Jersey Turnpike Northbound. Thaler was a passenger in the backseat of a black Nissan Armada, owned and operated by Laurie Heller, ("Heller"). Heller was operating her vehicle in the left lane of the Turnpike, traveling northbound.

The facts of this matter are identical to those in Albright v. Turnpike Authority. This was an accident involving a Troop Car in pursuit of another speeding vehicle and the car in which Plaintiff was an occupant.

Trooper Fajardo merged into the right lane and sped up to pass Heller's vehicle. Simultaneously, Heller merged her vehicle into the right lane, forcing Trooper Fajardo to slam on his brakes and abruptly turn into the left lane in order to avoid a collision with Heller's vehicle. The evasive action by Trooper Fajardo caused him to lose control, hit the left median and then impact Heller's vehicle. The force of the collision caused the Heller vehicle to swerve off of the highway and caused extensive damage to the vehicle. As a result of the accident, Plaintiff suffered permanent injuries.

Plaintiff Thaler's demands were in excess of \$200,000. After extensive negotiations, however, the parties have agreed to settle this matter for the Authority's contribution of \$63,750.

Accordingly, the Law Department recommends that the Commissioners authorize full and final settlement of the matter, as set forth above, in an amount not to exceed \$63,750. This settlement will conclude all claims by Plaintiff Thaler against the Authority in this matter. Authorization is also recommended to allow the Executive Director to take all such actions and to execute any and all documents, after review and approval by the Law Department and General Counsel, necessary to conclude this litigation.

006-01-2012

In a memorandum dated January 19, 2012, **Authorization to Approve Settlement in the Matter of Albright v. New Jersey Turnpike Authority, et al., Federal District Court, New Jersey, Docket No. 08-CV-04486 (JHR-AMD), in an amount of \$170,000.00, Account No. 653010, Project No. 04008022**, was approved.

This matter arises from an accident that occurred on October 18, 2007. Plaintiff, Jamie Albright ("Albright") was injured in a motor vehicle collision on the New Jersey Turnpike Northbound. Albright was a passenger in the backseat of a black Nissan Armada, owned and operated by Laurie Heller, ("Heller"). Heller was operating her vehicle in the left lane of the Turnpike, traveling northbound.

This was an accident involving a Troop Car in pursuit of another speeding vehicle and the car in which Plaintiff was an occupant. As a result of the accident, Albright suffered numerous, permanent injuries including fractured ribs and spine fracture. She has been in physical therapy and pain management treatment since the accident, which has included facet and nerve block injections.

Initially, Plaintiff Albright's demands were in excess of \$1 million. After extensive negotiations, however, the parties have agreed to settle this matter with the Authority's settlement payment of \$170,000.

Accordingly, the Law Department recommends that the Commissioners authorize full and final settlement of the matter, as set forth above, in an amount not to exceed \$170,000. This settlement will conclude all claims by Plaintiff Albright against the Authority in this matter. Authorization is also recommended to allow the Executive Director to take all such actions and to execute any and all documents, after review and approval by the Law Department and General Counsel, necessary to conclude this litigation.

007-01-2012

In a memorandum dated January 18, 2012, **Authorization to Renew Excess Workers Compensation and Employers Liability Insurance, Program Effective: February 1, 2012, Operating Account No. 10890-441040**, was approved.

The New Jersey Turnpike Authority (the "Authority") maintains Excess Workers Compensation insurance (statutory) and Employers Liability insurance (\$2,000,000 each accident and each employee for disease) with a self-insured retention ("SIR") of \$750,000. The policy will expire on February 1, 2012. In 2009, a Request for Proposal was issued and a professional services procurement process was conducted in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.1(b) and Executive Order No. 37. Risk Strategies Company ("Risk Strategies") was selected as broker for this insurance program for a three-year period commencing February 1, 2010. The Authority entered into an Agreement with Risk Strategies effective February 1, 2010 for Insurance Brokerage Services for Excess Workers Compensation Insurance and Employers Liability Insurance for such three-year period. The February 1, 2012 – February 1, 2013 policy period will be the third and last year of their broker contract.

Risk Strategies was requested to solicit a minimum of three (3) competitive quotations for the renewal. Risk Strategies approached the following five (5) insurers, including the incumbent Arch Insurance Company ("Arch"), for renewal quotations for coverage with terms and conditions as expiring: Arch; Ace American Insurance Company; Midwest Employers Casualty Company; New York Marine and General Insurance Company; and Safety National Group.

Only two (2) of the insurers provided a quote utilizing the SIR of \$750,000: Arch, and New York Marine. The other insurers approached were only willing to provide a quotation utilizing a \$1 million SIR. With respect to the \$750,000 SIR (as expiring), New York Marine quoted a deposit premium of \$647,000 based upon a rate of \$.4185 per \$100 of payroll, subject to audit, with minimum premium of \$647,000 for coverage as expiring, including TRIA. The better quote was with Arch who quoted a deposit premium of \$461,760 based upon a rate of \$.2987 per \$100 of payroll, subject to audit, with minimum premium of \$369,408 for coverage as expiring, including TRIA.

Of the insurers who provided alternative quotations with a \$1 million SIR, Arch's quote was also most competitive, with a deposit premium of \$379,828 based upon a rate of \$.2457 per \$100 of payroll, subject to audit, with minimum premium of \$303,862 for coverage as expiring, including TRIA. Ace provided a quotation with a deposit and minimum premium of \$575,000 based on a rate of \$.3720 per \$100 of payroll. Midwest Employers, rather than the requested statutory workers compensation coverage, provided \$25,000,000 coverage, which resulted in a much higher deposit and minimum premium of \$1,250,000, based on a rate of \$.8086. New York Marine & General Insurance Company quoted a minimum and deposit premium of \$503,000 based upon a rate of \$0.3254 per \$100 of payroll, subject to audit for coverage as expiring, including TRIA.

After review and discussion with the Assistant Director, Human Resources, regarding increasing the SIR from \$750,000 (as expiring) to \$1,000,000, it was determined that notwithstanding the reduced premium, retaining the \$750,000 SIR would be in the Authority's best interest. It is therefore recommended that renewal of the Excess Workers Compensation and Employers Liability insurance be placed with Arch Insurance Company for a deposit premium of \$461,760, subject to audit for the February 1, 2012 – 2013 policy period, with minimum premium of \$369,408.

It is therefore requested that the Executive Director be authorized to award the renewal of the insurance policy with Arch Insurance Company as outlined above, with coverage to be bound subject to the Governor's veto period. It is further requested that the Executive Director be authorized to take all such actions and to execute all such documents to effectuate the authority set forth above.

008-01-2012

In a memorandum dated January 19, 2012, **Authorization for the Executive Director to Execute a Master License Agreement between the New Jersey Turnpike Authority (the "Authority") and the Office of Information Technology ("OIT") to allow for the co-location of OIT's equipment on Authority property**, was approved.

The Office of Information Technology ("OIT") is currently involved in a microwave project to provide a redundant microwave path from Essex County to Hamilton Township along the Turnpike corridor (the "Project"). In connection with the Project, OIT has requested to locate certain equipment on cell towers on the Turnpike located in Woodbridge Township at Milepost 129.1 and in Cranbury Township at Milepost 71.7.

In order to accommodate OIT's need for location of equipment on Authority towers for their Project in a timely manner, the Authority and OIT will enter into a Master License Agreement

incorporating many of the same terms and conditions as are imposed on commercial wireless companies. The Authority, however, has agreed to waive rental fees associated with OIT's use of the equipment and towers on its property that it would normally receive from commercial carriers.

As with all Master Agreements with the Authority, the term is for thirty (30) years from the date set forth therein, and allows OIT to use agreed upon locations as set forth above for the transmission of data. The Authority is authorized to negotiate directly both the Master Agreement and anticipated Individual Site License Agreements with OIT pursuant to N.J.S.A. 27:23-9.

Based on the above, it is recommended that the Commissioners authorize the Executive Director to execute the Master Agreement containing terms substantially as set forth above. In addition, it is recommended that the Executive Director be authorized to execute any and all Individual Site Agreements in connection therewith after review and approval by the Law Department and General Counsel.

On motion by Commissioner Pocino and seconded by Commissioner Diaz, the Authority unanimously approved items numbered 002-01-2012 through 008-01-2012; 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 number 009-01-2012 through 024-01-2012. Moved is the items as follows:

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AWARD OF CONTRACTS

009-01-2012

In a document dated January 4, 2012, a Recommendation to Award Contract No. T100.197 for the New Jersey Turnpike to Joseph M. Sanzari, Inc. for Bridge Repairs and Resurfacing, Milepost 0 to 122, the Newark Bay - Hudson County Extension and the Pearl Harbor Memorial Turnpike Extension, Maintenance Reserve Fund No. 03010001 and Ten Year Capital Program Fund No. 39001010, in an amount of \$10,149,864.00, was approved.

This is the second of two bridge deck repair contracts for 2012, with bridge deck repairs concentrated in the southern sector of the Turnpike between Interchanges 1 and 9 and the Pearl Harbor Memorial Turnpike Extension. The work generally involves selective replacement of complete deck panels, concrete spall repairs, joint repairs, and replacement of existing asphalt wearing surface, substructure concrete spall repairs, reconstruction of bearing areas, bearing replacements, miscellaneous steel repairs, substructure waterproofing and related incidental items. The work will also include substructure and steel repairs Turnpike wide.

Five bid proposals were received on December 20, 2011 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$10,149,864.00, may be compared to the second low bid proposal in the amount of \$10,247,888.00. Joseph M. Sanzari, Inc. has previously performed similar bridge repair work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T100.197 be awarded to the low bidder, Joseph M. Sanzari, Inc. of Hackensack, New Jersey, in the amount of \$10,149,864.00, allocated as follows: Fund 39001010 - \$1,981,000.00 and Fund 03010001 - \$8,168,864.00 in 2012. 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.

010-01-2012

In a document dated January 12, 2012, a Recommendation to Award Contract No. P100.204 for the Garden State Parkway to Joseph M. Sanzari, Inc. for Bridge Repairs and Resurfacing, Milepost 126 to 172, Maintenance Reserve Fund No. 03020001 and Ten Year Capital Program Fund No. 39001010, in an amount of \$7,449,656.00, was approved.

This is the second of two Parkway bridge repair contracts to be awarded for the 2012 construction season, concentrated in the northern sector of the Parkway between Milepost 126 and

172. The work generally involves selective replacement of complete deck panels, parapet replacement, concrete spall repairs, joint repairs, replacement of existing asphalt wearing surface and miscellaneous substructure repairs.

Four bid proposals were received on January 10, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$7,449,656.00, may be compared to the second low bid proposal in the amount of \$7,968,450.00. Joseph M. Sanzari, Inc. has previously performed similar bridge repair work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P100.204 be awarded to the low bidder, Joseph M. Sanzari, Inc. of Hackensack, New Jersey, in the amount of \$7,449,656.00, allocated as follows: Fund 39001010 - \$622,000.00 and Fund 03020001 - \$6,827,656.00 in 2012. 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.

011-01-2012

In a document dated January 12, 2012, a **Recommendation to Award Contract No. T200.242 for the New Jersey Turnpike to Schifano Construction Corp. for Resurfacing of Various Service Areas, Milepost 0 to 118, Ten Year Capital Program Fund No. 39005013, in an amount of \$6,995,911.00**, was approved.

This contract will provide for pavement removal and resurfacing with Hot Mix Asphalt Pavement at various service areas along the New Jersey Turnpike from Milepost 0 to 118 and other related miscellaneous work.

Seven bid proposals were received on January 11, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$6,995,911.00, may be compared to the second low bid proposal in the amount of \$7,525,513.00. Schifano Construction Corp. has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T200.242 be awarded to the low bidder, Schifano Construction Corp. of Middlesex, New Jersey, in the amount of \$6,995,911.00. 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).

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

012-01-2012

In a document dated January 11, 2012, a **Recommendation to Award Contract No. P200.245 for the Garden State Parkway to Northeast Remsco Construction, Inc. for Culvert Repairs at Milepost 118.5 to 121.5, Ten Year Capital Program Fund No. 39002003, in an amount of \$6,145,182.50**, was approved.

This contract will provide for the rehabilitation of major storm drainage culverts crossing under the Garden State Parkway which were exhibiting signs of advanced and extensive deterioration and in risk of collapse. Work will consist of removal of debris, silt and sediment, installation of sheet piling, reinforcement with steel ribbing and shotcrete re-lining.

Five bid proposals were received on January 10, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$6,145,182.50, may be compared to the second low bid proposal in the amount of \$6,613,150.00. Northeast Remsco Construction, Inc. has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.245 be awarded to the low bidder, Northeast Remsco Construction, Inc. of Farmingdale, New Jersey, in the amount of \$6,145,182.50. 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.

013-01-2012

In a document dated December 28, 2011, a **Recommendation to Award Contract T600.102C for the New Jersey Turnpike to Agate Construction Co., Inc. for the Installation of Variable Message Signs at New and Existing Locations on the Turnpike, Ten Year Capital Program Fund No. 39006019, in an amount of \$15,421,164.31**, was approved.

The work to be performed under this contract involves installation of state-of-the-art technology Variable Message Signs (VMS) at new and existing locations in replacement of the Turnpike's existing Emergency Speed Warning/Speed Limit (ESW/SL) signs. A total of 34 VMS and 34 VSLS are proposed to be mounted on 34 new sign structures on the Turnpike from Milepost 1.50 to 107.25. The proposed work includes removal of existing signs and sign structures, constructing foundations for standard sign structures, installation of overhead VMS sign support structures, installation and testing of VMS/VSLS, installation of roadway safety features and associated electrical and ITS works. All work under this construction contract shall be performed within 22 months from March 1, 2012 through December 31, 2013.

Five bid proposals were received on December 21, 2011 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$15,421,164.31, may be compared to the second low bid proposal in the amount of \$16,184,101.60. Agate Construction Co., Inc. has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T600.102C be awarded to the low bidder, Agate Construction Co., Inc. of Ocean View, New Jersey, in the amount of \$15,421,164.31. 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.

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FINAL ACCEPTANCE

014-01-2012

In a document dated December 21, 2011, a **Recommendation for Final Acceptance, Contract T600.223 to M. L. Ruberton Construction Co., Inc. for the Replacement of Service Area Signs at Various Locations on the Turnpike, Ten Year Capital Program Fund No. 39006014, in the amount due to the contractor of \$23,653.88**, was approved.

This contract involved replacement of ground mounted sign structures, installation of service area sign panels and construction of guide rails at seven locations on the Turnpike between Milepost 4.2 and 116.6E in Salem, Gloucester, Burlington and Bergen Counties, New Jersey. The contract was awarded on December 15, 2010 to the low bidder, M. L. Ruberton Construction Co., 1512 Mays Landing Road, Hammonton, NJ 08037, in the total amount of \$324,255.00.

During the course of the contract, there was one Change Order for a total decrease of \$202.57, adjusting the final total amount of this contract to \$324,052.43.

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 (4F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Law Department advises that there are no liens outstanding against the Contractor.

We concur and recommend that Contract T600.223 be accepted, and that final payment in the amount of \$23,653.88 be made to the Contractor.

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ORDER FOR PROFESSIONAL SERVICES (OPS)

015-01-2012

In a document dated January 10, 2012, a **Recommendation to Issue Order for Professional Services No. A3305-1 to T.Y.LIN International Group for Design Services, Guide Sign Improvements on the New Jersey Turnpike and Garden State Parkway, Ten Year Capital Program Fund No. 39006014, in an amount of \$11,850,000.00**, was approved.

The work to be performed under the referenced Order for Professional Services will consist of preparation of detailed design documents for guide sign improvements to enhance

traffic safety and bring all guide signage into compliance with the current edition of the Authority's Design Manual and the FHWA's "2009 Manual on Uniform Traffic Control Devices". Work under this OPS will include field surveys, coordination with utility companies, soil borings and geotechnical reports, sign foundation design, design new guide signs (panels and structures), the Programmatic replacement/removal of existing guide sign panels, replacement of aluminum sign structures (deemed structurally deficient), removal of existing sign structures and where necessary, its associated lighting systems, and other related work defined in the RFEOI's Scope of Services.

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 50 engineering firms were prequalified and eligible under Profile Codes: A250 – Fully Controlled Access Highways and A252 – Complex Interchanges. Eight firms submitted EOIs by the closing date of October 14, 2011.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking: 1) T.Y.LIN International Group; 2) McCormick Taylor; and 3) The Louis Berger Group, Inc. These three firms were requested to submit Technical and sealed Fee Proposals. The Committee reviewed and evaluated each firm's Technical Proposal and final scoring resulted in T.Y.LIN International Group being the highest technically ranked firm. The fee submitted by T.Y.LIN International 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. A3305-1 be issued to the firm of T.Y.LIN International Group of Hackettstown, New Jersey not to exceed the amount of \$11,850,000.00. 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 (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses.

016-01-2012

In a document dated January 5, 2012, a **Recommendation to Issue Order for Professional Services No. T3406 for the New Jersey Turnpike to WSP-Sells for Engineering Services for the 2012 New Jersey Turnpike Authority Bridge Inspection Program, Turnpike Main Bridge Inspection – Part B, Special Project Reserve Fund No. 04010018, in an amount of \$1,940,000.00**, was approved.

This OPS provides for the inspection of the Authority's bridge structures in accordance with the requirements of the 2012 New Jersey Turnpike Bridge Inspection Program, Turnpike – Part B. This segment of the program includes inspection of 205 bridges located in Turnpike Maintenance Districts 1, 2, 3, 6 and 7; FHWA Structure Inventory and Appraisal Form Updates; New Jersey Turnpike Authority Bridge Prioritization System inspection/data collection; LRFR load ratings using the AASHTO Virtis program; on-call special inspection and related design assignments.

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 34 engineering firms were prequalified and eligible under Profile Code D280C – Bridges, NBIS Program, Complex. Seven firms submitted EOIs by the closing date of December 1, 2011.

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) WSP-Sells; 2) Greenman-Pedersen, Inc.; and 3) TranSystems Corporation. The fee submitted by WSP-Sells 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. T3406 be issued to the firm of WSP-Sells of Hamilton, New Jersey, not to exceed the amount of \$1,940,000.00, allocated as follows: \$1,800,000.00 in 2012 and \$140,000.00 in 2013. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.80, based on a 10% allowance for profit and an overhead rate of 154.5% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. 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).

017-01-2012

In a document dated January 11, 2012, a **Recommendation to Issue Order for Professional Services No. P3418 for the Garden State Parkway to Johnson, Mirmiran & Thompson for Supervision of Construction Services for Contract No. P200.245 for Culvert Repairs from Milepost 118.5 to 121.5, Ten Year Capital Program Fund No. 39002003, in an amount of \$790,000.00**, was approved.

This Order for Professional Services provides for supervision of construction for the referenced contract. This contract will provide for the rehabilitation of major storm drainage culverts crossing under the Garden State Parkway which were exhibiting signs of advanced and extensive deterioration and in risk of collapse. Work will consist of removal of debris, silt and sediment, installation of sheet piling, reinforcement with steel ribbing and shotcrete re-lining.

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 60 engineering firms were prequalified and eligible under Profile Code B153 – Roadway Construction Inspection. Eleven firms submitted EOIs by the closing date of December 14, 2011.

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) Johnson, Mirmiran & Thompson; 2) HAKS Engineers, Architects and Land Surveyors, P.C.; and 3) Greenman-Pedersen, Inc. The fee submitted by Johnson, Mirmiran & Thompson 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. P3418 be issued to the firm of Johnson, Mirmiran & Thompson of Trenton, New Jersey, not to exceed the amount of \$790,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.2 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by 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).

018-01-2012

In a document dated January 18, 2012, a **Recommendation to Issue Order for Professional Services No. A3422 to Gannett Fleming, Inc. for On-Call Engineering Services for Turnpike and Parkway Roadways, Various Funding Sources, in an amount of \$4,000,000.00**, was approved.

The Authority requires the professional services of an on-call engineering consultant to assist the Engineering Department on a variety of tasks on an as-needed basis. The services will generally consist of transportation planning, civil engineering, structural design and evaluation, and construction coordination and inspection.

The Order for Professional Services is for a two-year term commencing on or about April 1, 2012 with an option for the Executive Director to approve one, one-year extension, provided the fee ceiling is not exceeded in the prior two years. The total authorized fee is \$4,000,000.00 and each individual task order assignment must be less than \$250,000.00. Each task will be authorized via the Work Request Authorization Form (WRAF) Process under various budgets.

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 ten engineering firms were prequalified and eligible under Profile Codes: A092 – Bridges: Miscellaneous Repairs; A093-Bridges: Deck Replacements and Rehabilitations; A250-Fully Controlled Access Highways; A257-Roadside Safety Features; A300-Roadway Lighting Systems; D470-Surveying: Topographic; D471-Surveying: Property and Right-of-Way; D490-Transportation Planning: Location and Alignment Studies; B153-Roadway Construction Inspection; B154-Roadway Resurfacing Inspection; B155-Bridge Construction Inspection; B157-Bridge Deck Repair/Replacement Inspection; D470-Surveying: Topographic; D471-Surveying: Property and right-of-way; and D490-Transportation Planning: Location and Alignment Studies. Six firms submitted EOIs by the closing date of November 22, 2011.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking: 1) Stantec Consulting Services, Inc.; 2) Gannett Fleming, Inc.; and 3) Arora & Associates, P.C. These three firms were requested to submit Technical Proposals. The

Committee reviewed and evaluated each firm's Technical Proposal and determined that presentations were not necessary. The final scoring resulted in Gannett Fleming, Inc. being the highest technically ranked firm. A fee proposal was not required to be submitted because the fee for each task will be negotiated independently in conjunction with the Work Request Authorization Form (WRAF) process.

It is, therefore, recommended that Order for Professional Services No. A3422 be issued to the firm of Gannett Fleming, Inc. of South Plainfield, New Jersey, not to exceed the amount of \$4,000,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.8 for design related services and 2.5 for construction inspection related services, 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).

019-01-2012

In a document dated December 30, 2011, a **Recommendation to Issue Order for Professional Services No. T3425 for the New Jersey Turnpike to Jacobs Engineering Group, Inc. for the Supervision of Construction Services for Contract No. T100.197 for Bridge Deck Repairs and Resurfacing, Milepost 0 to 122, the Pearl Harbor Memorial Turnpike Extension and the Newark Bay-Hudson County Extension, Maintenance Reserve Fund No. 03010001, in an amount of \$1,060,000.00**, was approved.

This Order for Professional Services provides for construction supervision of the referenced contract. Contract No. T100.197 includes bridge repairs mainly concentrated in the southern sector of the Turnpike between Interchanges 1 and 9 and the Pearl Harbor Memorial Turnpike Extension. The work generally involves selective replacement of complete deck panels, concrete spall repairs, joint repairs, and replacement of existing asphalt wearing surface, substructure concrete spall repairs, reconstruction of bearing areas, bearing replacements, miscellaneous steel repairs, substructure waterproofing and related incidental items.

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 63 engineering firms were prequalified and eligible under Profile Codes B156 – Bridge Repair Inspection and B157 – Bridge Deck Repair/Replacement Inspection. Five firms submitted EOIs by the closing date of October 21, 2011.

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) Jacobs Engineering Group, Inc.; 2) Johnson, Mirmiran & Thompson; and 3) Dewberry-Goodkind, Inc. The fee submitted by Jacobs Engineering Group, Inc. has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. T3425 be issued to the firm of Jacobs Engineering Group, Inc. of Morristown, New Jersey, not to exceed the amount of \$1,060,000.00, allocated as follows: \$850,000.00 in 2012 and \$210,000.00 in 2013. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.5 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 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).

020-01-2012

In a document dated December 15, 2011, a **Recommendation to Issue Supplement A to Order for Professional Services No. P3300 for the Garden State Parkway to Jacobs Engineering Group, Inc., Order for Professional Services No. P3300 for Design Services for Contract No. P200.201 for Shoulder Restoration and Improvements, Milepost 93.5 to 99.5, Ten Year Capital Program Fund No. 39022023, in an amount of \$580,000.00**, was approved.

This Order for Professional Services was issued at the August 2010 Commission

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Meeting in the amount of \$8,985,000.00 to provide design services consisting of preparation of contract documents for providing full width left and right shoulders along the Parkway.

The Garden State Parkway (GSP) is designated as an emergency evacuation route from its southern terminus in Cape May County to Interchange 98 where it provides a connection to I-195 via Route 138. The NB and SB bridges over the Manasquan River fall within these limits and are to be widened as part of the current work of OPS P3300. During the weekend of August 27, 2011, rains associated with Hurricane Irene brought record flooding estimated as a 500-year storm to many sections of the GSP. At Milepost 95.9 near the Manasquan River bridges, these floodwaters overtopped the GSP mainline and resulted in closure of both the NB and SB roadways. Due to the importance of keeping the Parkway open during emergencies, and because the flooded section was within the current project limits, Jacobs was requested by the Authority to evaluate design options that would prevent similar flooding of the Parkway at this location in the future, thus maintaining the integrity of this State designated emergency evacuation route. Consequently, Jacobs recommended replacement of the two existing bridges over the Manasquan River along with raising the roadway profile approximately three feet, additional retaining walls to limit wetland impacts, and revisions to the NJDEP approved environmental permits.

Supplement A will compensate Jacobs for additional design services requested by the Authority to revise previously completed design work at Milepost 95.9 near the Manasquan River and safeguard the future operation of this Emergency Evacuation Route.

Jacobs Engineering Group, Inc. submitted a proposal in the amount of \$580,000.00 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. P3300 be issued to Jacobs Engineering Group, Inc., not to exceed the amount of \$580,000.00, with compensation on the same basis as the original Order for Professional Services. The addition of this amount increases the total authorized fee from \$8,985,000.00 to \$9,565,000.00. 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.

On motion by Commissioner Diaz and seconded by Vice Chairman Gravino, the Authority unanimously approved items numbered 009-01-2012 through 020-01-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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MISCELLANEOUS

Commissioner DuPont joined the meeting by telephone to vote on the following three items:

021-01-2012

In a document dated January 11, 2012, a **Recommendation to Enter Into Agreement No. 32-11 with the New Jersey Department of Transportation for NJ Route 440 Realignment under Structure No. N2.01, with no cost to the New Jersey Turnpike Authority**, was approved.

Approval is requested for a Memorandum of Agreement with NJDOT. This Agreement is required for the realignment of NJ Route 440 where Turnpike Structure No. N2.01 (Newark Bay Bridge) crosses over this roadway in the city of Bayonne, Hudson County. The alignment is required for infrastructure security improvements. The construction will be performed by the Authority under Contract No. A100.196, Construction Management/General Contracting Services for the New Jersey Turnpike Authority Security Program, which was approved by the Commissioners at the September 2011 Board Meeting. Under the Agreement, the Authority will pay for all costs associated with the realignment construction project, including design costs, utility relocation costs and construction management costs. The NJDOT will perform plan reviews; permit access to the site; provide support in obtaining environmental permits, utility relocations and obtaining right of way; and monitor construction, including providing advice to the Authority's Construction Manager.

Accordingly, it is requested that the Board of Commissioners delegate to the Executive Director the authority to execute Agreement No. 32-11 with the New Jersey Department of Transportation pursuant to the terms outlined 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 procurement is authorized under N.J.A.C. 19:9-2.2(d)(3), promulgated under N.J.S.A. 27:23-1, et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine), which exempt contracts with the Federal or any state government or any agency or political subdivision thereof from public bid requirements.

Meeting in the amount of \$8,985,000.00 to provide design services consisting of preparation of contract documents for providing full width left and right shoulders along the Parkway.

The Garden State Parkway (GSP) is designated as an emergency evacuation route from its southern terminus in Cape May County to Interchange 98 where it provides a connection to I-195 via Route 138. The NB and SB bridges over the Manasquan River fall within these limits and are to be widened as part of the current work of OPS P3300. During the weekend of August 27, 2011, rains associated with Hurricane Irene brought record flooding estimated as a 500-year storm to many sections of the GSP. At Milepost 95.9 near the Manasquan River bridges, these floodwaters overtopped the GSP mainline and resulted in closure of both the NB and SB roadways. Due to the importance of keeping the Parkway open during emergencies, and because the flooded section was within the current project limits, Jacobs was requested by the Authority to evaluate design options that would prevent similar flooding of the Parkway at this location in the future, thus maintaining the integrity of this State designated emergency evacuation route. Consequently, Jacobs recommended replacement of the two existing bridges over the Manasquan River along with raising the roadway profile approximately three feet, additional retaining walls to limit wetland impacts, and revisions to the NJDEP approved environmental permits.

Supplement A will compensate Jacobs for additional design services requested by the Authority to revise previously completed design work at Milepost 95.9 near the Manasquan River and safeguard the future operation of this Emergency Evaluation Route.

Jacobs Engineering Group, Inc. submitted a proposal in the amount of \$580,000.00 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. P3300 be issued to Jacobs Engineering Group, Inc., not to exceed the amount of \$580,000.00, with compensation on the same basis as the original Order for Professional Services. The addition of this amount increases the total authorized fee from \$8,985,000.00 to \$9,565,000.00. 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.

On motion by Commissioner Diaz and seconded by Vice Chairman Gravino, the Authority unanimously approved items numbered 009-01-2012 through 020-01-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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MISCELLANEOUS

Commissioner DuPont joined the meeting by telephone to vote on the following three items:

021-01-2012

In a document dated January 11, 2012, a **Recommendation to Enter Into Agreement No. 32-11 with the New Jersey Department of Transportation for NJ Route 440 Realignment under Structure No. N2.01, with no cost to the New Jersey Turnpike Authority**, was approved.

Approval is requested for a Memorandum of Agreement with NJDOT. This Agreement is required for the realignment of NJ Route 440 where Turnpike Structure No. N2.01 (Newark Bay Bridge) crosses over this roadway in the city of Bayonne, Hudson County. The alignment is required for infrastructure security improvements. The construction will be performed by the Authority under Contract No. A100.196, Construction Management/General Contracting Services for the New Jersey Turnpike Authority Security Program, which was approved by the Commissioners at the September 2011 Board Meeting. Under the Agreement, the Authority will pay for all costs associated with the realignment construction project, including design costs, utility relocation costs and construction management costs. The NJDOT will perform plan reviews; permit access to the site; provide support in obtaining environmental permits, utility relocations and obtaining right of way; and monitor construction, including providing advice to the Authority's Construction Manager.

Accordingly, it is requested that the Board of Commissioners delegate to the Executive Director the authority to execute Agreement No. 32-11 with the New Jersey Department of Transportation pursuant to the terms outlined 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 procurement is authorized under N.J.A.C. 19:9-2.2(d)(3), promulgated under N.J.S.A. 27:23-1, et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine), which exempt contracts with the Federal or any state government or any agency or political subdivision thereof from public bid requirements.

022-01-2012

In a document dated January 17, 2012, a **Recommendation to Enter Into Agreement No. 35-11 with the New Jersey Department of Transportation for Design/Construction Coordination Agreement for Security Fence Installation under Route 9 Bridges over the Raritan River, Supplemental Capital Fund No. 08027018 & 08027018R, in an amount of \$440,000.00**, was approved.

The New Jersey Department of Transportation (NJDOT) has requested that the Authority install security fencing under the Route 9 Northbound Edison Bridge and Route 9 Southbound Vieser Bridge adjacent to GSP Bridge No. 127.2N. As the Authority has installed security fencing around the land piers of the Governor Alfred E. Driscoll Bridge (GSP Bridge No. 127.2N), under Contract No. A100.183, approved by the Board on February 23, 2011, it will be mutually advantageous and cost effective for the Authority to accommodate the NJDOT's request for the adjacent Route 9 bridges under Contract No. A100.183. Staff, therefore, recommends that the Board approve a Design/Construction Coordination Agreement between the Authority and NJDOT. This agreement provides for the construction of security fencing, access gates, and protective guiderail under the Route 9 Bridges under Contract No. A100.183 and provides that the Authority will be reimbursed by NJDOT for construction and construction supervision costs associated with the additional work. A Change of Plan for this additional work will be prepared by The Louis Berger Group and reviewed and approved by the NJDOT. Costs to be incurred by the Authority and reimbursed by NJDOT under this Agreement are estimated not to exceed \$440,000.00.

Accordingly, it is requested that the Board of Commissioners delegate to the Executive Director, the authority to execute Agreement No. 35-11 with the New Jersey Department of Transportation pursuant to the terms outlined 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 procurement is authorized under N.J.A.C. 19:9-2.2(d)(3), promulgated under N.J.S.A. 27:23-1, et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine), which exempt contracts with the Federal or any state government or any agency or political subdivision thereof from public bid requirements.

On motion by Treasurer DuPont and seconded by Vice Chairman Gravino, the Authority unanimously approved items numbered 021-01-2012 through 022-01-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

023-01-2012

In a document dated January 18, 2012, a **Recommendation to Request Additional Funding for George Harms Construction Company, Inc. for Emergency Repair Contract No. P200.258 for Slope Stabilization and Shoulder Restoration along GSP SB ramp from NJ Route 440 and Smith Street, 2008A Note Construction Fund No. 30000040, in an amount of \$1,250,000.00**, was approved.

This contract was awarded to George Harms Construction Company, Inc. at the September 27, 2011 Commission Meeting on an emergency basis. This work is being performed on a time and material basis and the estimated cost when approved on September 27, 2011 was approximately \$1,000,000.00. This emergency work is required as the Ramp from NJ 440 southbound to the Gardens State Parkway southbound had shown signs of significant cracking along the shoulder that, upon further inspection, revealed that an approximate 40 foot embankment slope had begun to fail. Because of this roadway condition and embankment slope failure, immediate action was required.

Contract documents were prepared by the Design Engineer utilizing existing as-built information and reasonable engineering judgment. Upon mobilization by the Contractor and commencement of work, several items were encountered that were not contemplated when the original contract and cost estimate were prepared. Access to the work area could not be secured from the adjacent property, thus requiring the contractor to perform all work from the top of the embankment of the existing ramp. This impacted a local traffic ramp which is temporarily closed for the duration of the work requiring an approximate six month detour for local traffic. It was also discovered that the existing drainage system, which was critical to the design, was not as shown on the plans. Further, the existing slope could not be reconstructed as designed because the slope material was unsuitable for reuse as it failed to meet the Authority's embankment specification. As a result of these significant items, it was necessary to modify the design.

Through a series of working meetings with Engineering Department staff, Engineer,

Contractor and Design Engineer the original plans were reevaluated with various alternatives considered in order to minimize the additional cost. Ultimately this resulted in significant revisions to the design that included: reconstruction of the embankment slope; revisions to the proposed drainage system; modifications to the king pile and sheeting wall; additional maintenance and protection of traffic; and roadway modifications with expanded limits of reconstruction, milling and paving. Based on these changes, the additional work is estimated to be approximately \$1,250,000.00.

It is, therefore, recommended that Contract No. P200.258 be increased in the amount of \$1,250,000.00. The addition of this amount increases the total estimated cost from \$1,000,000.00 to \$2,250,000.00. This contract was awarded in accordance with N.J.S.A. 27:23-6.1, and N.J.A.C. 19:9-2.2(d) (2), as the exigency of the situation did not allow sufficient time to advertise and award bids by public bidding.

On motion by Treasurer DuPont and seconded by Commissioner Diaz, the Authority unanimously approved item number 023-01-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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**ACKNOWLEDGE REPORTS OF
ENGINEERING EXPENDITURES UNDER DELEGATED AUTHORITY**

024-01-2012

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

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

On motion by Commissioner Diaz and seconded by Commissioner Becht, the Authority unanimously accepted the reports contained in item 024-01-2012 and received same for file.

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PURCHASING

Director of Purchasing Andrea Ward requested approval of item numbers 025-01-2012 through 037-01-2012. Moved as a group those items are as follows:

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PUBLIC BIDS SOLICITATIONS

025-01-2012

In a document dated January 19, 2012, a **Recommendation for the Removal and Disposition of Liquid Hazardous and Non-Hazardous Waste Removal On the Garden State Parkway and New Jersey Turnpike to All State Power Vac, Inc., RM-90038, Budget Code 0400085065001004010019, in an annual anticipated expenditure of \$251,575.00**, was approved.

Authorization is requested to award a one-year contract for the collection, transportation and disposal of liquid/ hazardous and non-hazardous waste material at facilities on both Authority roadways. Bidders were required to quote prices for seven items of liquid waste removal (approximately 167,500 gallons), including but not limited to, gasoline, oil/diesel and latex paint plus hourly rates for use of a vacuum truck and emergency service when using the vacuum truck. Requests for bids were distributed to six vendors. On December 13, 2011 two bids were received as follows:

	<u>Total Price</u>
Allstate Power Vac, Inc., Rahway, NJ	\$251,575.00
Clean Venture Inc., Elizabeth, NJ	\$438,150.00
Department Estimate: \$225,000.00	

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 one year contract to All State Power Vac, Inc., Rahway, NJ in a total amount not to exceed \$251,575.00.

026-01-2012

In a document dated January 19, 2012, a Recommendation for **Liquid De-icing to Innovative Municipal Products US, Inc.**, RM-89419, Budget Code 01002900426020, with an anticipated annual expenditure of \$224,000.00, was approved.

Authorization is requested to award a one-year contract for the purchase of approximately 200,000 gallons of liquid chemical/brine deicing materials for use on both roadways. The deicing materials are required for the clearing of ice and snow not the roadway/bridges when the temperature falls below freezing. Bidders were required to quote unit prices per gallon. The bid was divided into six Zones to adequately supply all parts of the Turnpike and Parkway. Bidders could quote prices on any or all Zones. The bid was fully advertised and the three vendors listed in the Authority's database for the referenced commodity were notified of the procurement. On December 22, 2011, three bids were received. Bid results are on the attached summary pages.

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 one year contract to Innovative Municipal Products US Inc., Glenmont, NY to provide liquid chemical/brine deicing materials for all six Zones in a total amount not to exceed \$224,000.00, subject to funding availability at the time of order.

RM-89419– LIQUID CHEMICAL BRINE DEICING MATERIALS
Department Estimate: \$300,000.00

	Innovative Municipal Products US, Inc. Glenmont, NY	Peckham Materials Corp Athens, NY	Chemical Equip. Labs, Inc. Havertown, PA	
Turnpike				
<u>Zone 1</u>	<u>Gallons</u>	<u>Unit Price</u>	<u>Unit Price</u>	<u>Unit Price</u>
District 1	11,000	\$1.12	No Bid	\$1.30
District 2	16,000	\$1.12	No Bid	\$1.30
District 3	11,000	\$1.12	No Bid	\$1.30
Total	38,000	\$42,560.00	No Bid	\$49,400.00
<u>Zone 2</u>				
District 4A	10,500	\$1.12	\$1.34	\$1.30
District 4	10,500	\$1.12	\$1.32	\$1.30
District 5A	10,500	\$1.12	\$1.30	\$1.30
District 5	14,000	\$1.12	\$1.29	\$1.35
Total	45,500	\$50,960.00	\$59,640.00	\$59,850.00
<u>Zone 3</u>				
District 6	9,000	\$1.12	\$1.26	\$1.35
District 7	10,500	\$1.12	\$1.26	\$1.35
District 8	16,000	\$1.12	\$1.25	\$1.35
Total	35,500	\$39,760.00	\$44,570.00	\$47,925.00
Parkway				
<u>Zone 4</u>	<u>Gallons</u>	<u>Unit Price</u>	<u>Unit Price</u>	<u>Unit Price</u>
District 1	9,000	\$1.12	\$1.27	\$1.35
District 2	4,500	\$1.12	\$1.27	\$1.35
Essex Tolls	4,500	\$1.12	\$1.27	\$1.35
District 2U	4,500	\$1.12	\$1.27	\$1.35
Total	22,500	\$25,200.00	\$28,575.00	\$30,375.00
<u>Zone 5</u>				
District 3	4,500	\$1.12	\$1.30	\$1.35
Chevalier #1	4,500	\$1.12	\$1.30	\$1.35
Chevalier #2	4,500	\$1.12	\$1.30	\$1.35
District 4	9,000	\$1.12	\$1.30	\$1.35
Asbury	4,500	\$1.12	\$1.30	\$1.35
Herbertsville	4,500	\$1.12	\$1.30	\$1.35
Total	31,500	\$35,280.00	\$40,950.00	\$42,525.00

Zone 6

Pleasant Plains	4,500	\$1.12	No Bid	\$1.35
District 5	4,500	\$1.12	No Bid	\$1.35
Bass River	4,500	\$1.12	No Bid	\$1.35
District 6	4,500	\$1.12	No Bid	\$1.35
Great Egg	4,500	\$1.12	No Bid	\$1.35
District 7	4,500	\$1.12	No Bid	\$1.35
Total	27,000	\$ 30,240.00	No Bid	\$ 36,450.00

Total Gallons 200,000

Total Bid Amounts	\$224,000.00	\$173,735.00	\$266,525.00
	(6 Zones)	(4 Zones)	(6 Zones)

027-01-2012

In a document dated January 19, 2012, a **Recommendation for Office Supplies, Furniture and Small Electronics to Clinton Business Products, Inc. (SBE), RM-90121 (SBE Set- Aside), Budget Code 01000825420030, with an anticipated annual expenditure of \$100,000.00,** was approved.

Authorization is requested to award a one-year contract for the purchase of office supplies and furniture for all Departments. Bidders were required to quote a discount on the following: 1) Electronic Items (total anticipated annual expenditure: \$84,000); 2) Furniture (total anticipated annual expenditure: \$16,000; 3) Media Items (total anticipated annual expenditure: \$21,000) and 4) Miscellaneous Items (total anticipated annual expenditure \$28,500), based off of two catalogs, namely United Stationers 2012 and S.P. Richards 2012. The bid was fully advertised and the six vendors listed in the Authority's database for the referenced goods and services were notified of the procurement. On December 15, 2011, six bids were received. (Actual unit discounts can be obtained from the Purchasing Department.) Bid results are as follows:

Bidder

**Total Annual Expenditure
Based on Authority
Estimate of Goods Needed**

Clinton Business Products Inc., Clinton, NJ (S/WBE)	\$ 88,800.00
Corporate Diversity Solutions, Inc., Ridgewood, NJ	\$ 90,610.00
CMF Business Supplies, Inc., South Plainfield, NJ	\$ 93,300.00
Supply Saver Corporation, Neptune, NJ	\$101,655.00
Johnson Business Products, Inc., Secaucus, NJ	\$104,700.00
Ergospace Design Inc., Hillsborough, NJ	\$130,710.00

Department Estimate: \$150,000.00

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). Furthermore, the Authority designated this contract as an SBE Set-Aside Contract as defined by the New Jersey Department of the Treasury in accordance with N.J.S.A. 52:32-17 et seq. and N.J.A.C. 17:14-1.1. 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.

Clinton Business Products, Inc., Clinton, NJ was the lowest responsible bidder. Although the bid of Clinton Business Products was \$88,800.00 based on the Authority's current estimate of its annual need for office supplies and furniture,, the Office Services Division has requested that the authorized contract amount for 2012 be \$100,000, to allow for any potential unanticipated needs. Accordingly, authorization is requested to award a one-year contract for office supplies and furniture to Clinton Business Products, Inc., Clinton, NJ in a total anticipated expenditure not to exceed \$100,000.00.

028-01-2012

In a document dated January 19, 2012, a **Recommendation for the Removal and Disposal of Liquid Hazardous and Non-Hazardous Waste Material to US Environmental Inc., Contract No. 1119-2, RM-90065. Budget Code 0004085065001004010019, in an amount of \$35,000.00,** was approved.

At the February 23, 2011 Commission Meeting (Agenda Item 064-02), the Board of

Commissioners authorized the award of a contract to US Environmental Inc. to collect, transport and dispose of liquid hazardous and non-hazardous waste material at facilities on both Authority roadways. The contract, extended on two occasions, is due to expire on April 21, 2012 and funds have been depleted. During 2011, there was an increase in the use of Multi-Phase Extraction ("MPE") events because they were determined to be extremely effective in the ongoing remediation activities. These activities resulted in an increase in the liquid waste disposal costs above and beyond that which was anticipated. Based on current expenditures and anticipated future expenditures through April 2012, the Engineering Department has requested an increase of \$35,000.00. Given the effectiveness of the MPE Events, staff anticipates decreased long term remedial costs to the Authority.

The underlying bid solicitation was procured 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).

Accordingly, approval is requested to increase the authorized amount of Contract No. 1119-2 by \$35,000.00 for a new authorized amount of \$212,880.00.

029-01-2012

In a document dated January 31, 2012, a **Recommendation for Safety and First Aid Supplies to Durawear Glove & Safety Co., Inc., Contract No. 1154-2, RM-90468, Budget Code 010 22020, in an amount of \$10,000.00**, was approved.

At the April 28, 2009 Commission Meeting (Agenda Item 110B-09), the Board of Commissioners approved the award of a contract to Durawear Glove and Safety Co., Inc. for the supply of Safety and First Aid Supplies. These items include, but are not limited to, first aid creams, eye wash, face shields, safety gloves, vests and glasses for use by Authority personnel. This contract is due to expire May 28, 2012 and funds have been depleted. The Maintenance Department has requested that the authorized amount be increased by \$10,000.00 to purchase these necessary safety items through the expiration of the contract.

The underlying bid solicitation was conducted 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).

Accordingly, approval is requested to increase the authorized amount of Contract No. 1154-2 by \$10,000.00 for a new authorized amount of \$61,000.00.

030-01-2012

In a document dated January 17, 2012, a **Recommendation for a Broom Sweeper to H. A. Dehart & Son, Inc., R-90147, Budget Code 0800154015699908007021, in an amount of \$451,970.00 (2 Sweepers at \$225,985.00 each)**, was approved.

At the June 28, 2011 Commission Meeting (Agenda Item 216-06), the Board of Commissioners approved the award of a contract to H. A. DeHart & Son, Inc. for the purchase of five single-engine broom sweepers for roadway maintenance. The contract included a 3-year open-end option to purchase additional sweepers at the same terms and conditions.

Authorization is requested to purchase two additional sweepers under the open-end option provision. These are replacements for older model equipment that have outlived their useful life. In addition, the replaced sweepers will be sold at public surplus sale if available buyers are found. The vendor agreed to retain the 2011 unit price of \$225,985.00 per sweeper.

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). In addition, H.A. DeHart & Son is compliant with Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008).

Accordingly, authorization is requested to award a contract to H.A. DeHart & Son, Inc. for two broom sweepers in a total amount not to exceed \$451,970.00.

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STATE CONTRACTS

031-01-2012

In a document dated January 31, 2012, a **Recommendation for the SMARTNET Network Maintenance Renewal to ePlus Technology, Inc., R-90129, Budget Code 00010833121020, State Contract No. 73979 Exp. 5/31/12, in an amount of \$1,435,003.47 (3 years)**, was approved.

The Technology and Administrative Services (TAS) Department has requisitioned a maintenance contract for 24/7 support for all Cisco hardware and software for the next three

years. The Cisco system supports the Authority's fiber network which spans the entire length of both roadways. The fiber network carries data, through the fiber optic cables and associated hardware. In addition, the fiber network is present at every Authority facility, including Administration buildings, Maintenance yards, Service Areas, State Police facilities, Toll Plazas, and Microwave towers and is vital to operations and communications between the Authority and partners such as New Jersey State Police and the Department of Transportation.

The maintenance and optimization support services can be procured through NJ State Contract No. 73979 with the Western States Contracting Alliance ("WSCA"). Staff reviewed the referenced WSCA contract, entitled "Data Communications Equipment and Associated OEM Maintenance and Training", and found the terms and conditions acceptable. Furthermore, the WSCA contract provides access to several technology providers, and therefore requires agencies to seek multiple quotes to ensure the most competitive pricing. Quotes were solicited from the following three authorized Cisco dealers:

<u>Vendor</u>	<u>Total Amount</u>
ePlus Technology, Inc., Hamilton, NJ - Authorized Cisco Dealer	\$ 1,435,003.47
Cisco Systems, Inc., San Jose, CA – Manufacturer	\$ 1,505,867.84
Trans Tec LLC, Parsippany, NJ - Authorized Cisco Dealer	\$ 1,594,448.32

ePlus Technology, Inc. is the most competitive. This contract will be procured in accordance with N.J.S.A. 27:23:6-1 and N.J.A.C. 19:9-2.5(a), which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. Accordingly, authorization is requested to award the referenced State Contract to ePlus Technology, Inc. Hamilton, NJ in an amount not to exceed \$1,435,003.47.

032-01-2012

In a document dated January 31, 2012, a **Recommendation for Telephone System Annual Maintenance to NEC Corporation of America, R-90005, Budget Code 00010833121020, State Contract No. 64067 Exp. 1/31/17, in an amount of \$226,648.03,** was approved.

The Authority installed private branch exchange ("PBX") telephone related systems at various locations over the last six years. The Technology and Administrative Services Department has requisitioned a one-year contract for the annual maintenance and support of the PBX, including Telephone, Voice Mail and Call Accounting Systems. This support contract will provide the Authority with onsite personnel to perform daily administrative tasks, troubleshooting, patch installation, and system updates. The maintenance coverage also provides 24/7 support and includes a 4-hour response time for after hour emergencies and a 24-hour response time for non-emergency events.

Staff reviewed the new State Contract entitled "Telecommunications Equipment – Wired" and found the terms and conditions acceptable. This contract was procured 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).

Accordingly, authorization is requested to award the referenced State Contract to NEC Corporation of America, Irving, TX, for one year in an amount not to exceed \$226,648.03.

033-01-2012

In a document dated January 31, 2012, a **Recommendation for Heavy Duty Truck Parts from Lawson Products Inc., Contract No. 1428, RM-89692, Budget Code 01010540428020, State Contract No. 73736 Exp. 3/17/12, in an amount of \$10,000.00,** was approved.

At the October 25, 2011 Commission Meeting (Agenda Item 371-10), the Board authorized an award of contract to Lawson Products, Inc. for the supply of heavy duty truck parts through NJ State Contract No. 1492 in the amount of \$45,000. These parts are used for repairs on all roadway equipment and snow plows. The contract is due to expire March 17, 2012 and funds have been depleted. The Maintenance Department has requested an increase of \$10,000.00 in order to purchase parts through the term of the contract.

This contract was procured 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). Accordingly, approval is requested to increase the authorized amount of Contract No. 1492 by \$10,000.00 for a new authorized amount of \$55,000.00.

034-01-2012

In a document dated January 31, 2012, a **Recommendation for General and Automotive Fasteners from GKY Industries Inc., Contract 1045, RM-89555 and Priddy Inc., Contract 1046, RM-89556, Budget Code 01010540428020, 02010541, State Contract No.**

72732 Exp. 11/30/12 and State Contract No. 72738 Exp. 11/30/12, in amounts requested of \$30,000.00 and \$50,000.00, for a total amount of \$80,000.00, was approved.

In January 2009, the Authority awarded contracts to GKY Industries, Inc. and Priddy Inc., respectively, to supply general and automotive fasteners (including plow bolts, cap screws, nuts, washers, cotter pins and, sheet metal screws) for roadway vehicles. The Inventory Division has requested that Contract No. 1045 awarded to GKY Industries Inc. be increased by \$30,000.00 and Contract No. 1046 awarded to Priddy Inc. be increased by \$50,000.00 to continue the supply of automotive parts essential to safe operation of the Authority's vehicles. The State Contracts have been extended through November 30, 2012 and the authorized amounts are near depletion.

These contracts were procured 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).

Accordingly, approval is requested to increase the authorized amount of Contract No. 1045 with GKY Industries, Inc. by \$30,000.00 for a new authorized amount of \$180,000.00 and Contract No. 1046 with Priddy Inc. by \$50,000.00 for a new authorized amount of \$100,000.00.

035-01-2012

In a document dated January 31, 2012, a Recommendation for Crushed Stone and Gravel to Scorer Sand and Stone (WBE), RM-89726, Budget Code 01010520431010, State Contract No. 80192 Exp. 10/31/13, in an amount of \$50,000.00, was approved.

The Maintenance Department has requisitioned a contract for crushed stoned, sand and gravel for roadway maintenance. These Items can be procured through New Jersey State Contract No. 80192 entitled "Road and Highway Building Materials" with Scorer Sand and Stone. Staff reviewed the referenced State Contract and found the unit prices for the materials competitive/acceptable. In addition, Scorer Sand and Stone previously provided the said items to the Authority in a satisfactory manner.

This contract was procured 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, authorization is requested to award a one-year contract to Scorer Sand and Stone for crushed stone, sand and gravel, in the amount of \$50,000.00, subject to availability of funding at the timer of ordering.

036-01-2012

In a document dated January 13 2012, a Recommendation for Automated Call Distribution System Upgrade to NEC Corporation of America to Rescind Contract No. 83293, was approved.

At the September 7, 2011 Commission Meeting (Agenda Item 296-08), the Board of Commissioners authorized the award of contract to NEC Corporation of America ("NEC") for the installation of an Automated Call Distribution ("ACD") system at the Cifelli STMC in the amount of \$142,266.56. The upgraded ACD system was to enhance the STMC's current telephone call distribution system by more efficiently routing and managing incoming calls. In accordance with the terms of the contract, the Technology and Administrative Services ("TAS") staff conducted a trial run of the new ACD system in December 2011. TAS staff found that NEC's system did not function as promised, and was a different system than expected. The major discrepancy and "deal breaker" was the lack of redundancy in the system. This deficiency is crucial to the Authority's smooth telephone operations especially during the winter season. Thus, TAS staff concluded that the upgraded ACD system proposed by NEC was unacceptable. NEC agreed to remove the trial system, at no cost to the Authority.

Accordingly, it is recommended that the Authority rescind Contract No. 83293 with NEC Corporation of America. TAS staff is considering alternative ACD systems.

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PROFESSIONAL SERVICES

037-01-2012

In a document dated January 31, 2012, a Recommendation for Long-Term Licenses Of Outdoor Advertising Locations on the New Jersey Turnpike, RFP-1001, to Elray Outdoor Advertising with a minimum revenue for 20 years of \$1,094,775.00 and Clear Channel Outdoor with a minimum revenue for 20 years of \$1,600,000.00, was approved.

In April 2010, the Board of Commissioners approved the award of a competitively procured contract to Allvision LLC ("Allvision") to manage its billboard portfolio. Pursuant to this

contract award, the Authority and Allvision executed an Agreement for Outdoor Advertising Management Services effective April 14th 2011, for a term of five years, with the Authority's option to extend for an additional five-year term (the "Outdoor Advertising Agreement").

Under the Outdoor Advertising Agreement, Allvision will solicit and negotiate sublicense agreements with outdoor advertising operators for the placement of advertising on the Authority's billboard structures. These solicitations will be done publicly, through an RFP process, in accordance with Authority requirements and specifications, and the Authority has the sole discretion to review, approve and execute any sublicense agreements solicited and negotiated by Allvision.

Two Authority billboard contracts expired in February 2011, with CBS Outdoor, Fairfield, NJ and in June 2011 with Clear Channel Outdoor, New York, NY. These billboards have been operating on a month-to-month basis until new contracts are awarded. The Authority currently has eight (8) existing billboard locations in its portfolio. In order to generate higher income for the Authority, Allvision has applied to upgrade all existing locations to digital formats. These two (2) locations do not qualify for digital upgrades due to NJDOT spacing laws. RFP 1001 solicited firms to operate static billboards for these two locations.

On October 21, 2011, a Request for Proposals ("RFP") was advertised in the Star Ledger, The Trenton Times, and posted on the websites of the Authority and the State of New Jersey. Also, RFPs were mailed to fifty-five (55) firms. The Authority received proposals from two (2) firms:

- Clear Channel Outdoor, New York, NY ("Clear Channel")
- Elray Outdoor Advertising, Brooklyn, NY ("Elray")

The procurement of this professional services contract was conducted in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.1(b), Executive Order No. 129 (McGreevey, 2004) and Executive Order No. 37 (Corzine 2006). The Purchasing Department reviewed the proposals for compliance with administrative and legal requirements of the RFP. Then, Allvision reviewed the proposals with respect to operational and cost criteria. The proposals were evaluated based on the weighted criteria set forth in the RFP:

1. Present value of proposed Lump Sum Payments, 28%.
No deduction of construction costs from Lump Sum Payments was allowed.
2. Present value of Annual Base License Fees, 28%
3. Proposed Percentage Fee (percentage of Net Revenues, as defined in the Lease Agreement): 28%
4. Qualifications, based on the information required by Subsection C in RFP, 16%

After evaluation of the proposals, Allvision recommends awarding contracts to:

1) Elray Outdoor Advertising -Location 1- W/S NJ Turnpike Eastern Spur Milepost 111.7

Elray was the only bidder for this location and had a weighted score of 67 out of 100. Currently, this location generates \$24,000.00 a year for the Authority. Elray has proposed a lump sum payment of \$125,000.00 and a yearly rent to \$45,000.00 with increases every five years. The term of the agreement is twenty (20) years. Elray operates over 20 faces in New Jersey.

2) Clear Channel Outdoor Advertising - Location 2 -W/S NJ Turnpike Western Spur Milepost 113.2

Clear Channel and Elray submitted proposals for Location 2. Clear Channel was the winner for this location with its score of 89 compared to Elray's score of 68. Currently, Clear Channel is paying \$52,000.00 a year for this location and has proposed to increase the rent to \$60,000.00 a year along with a lump sum payment of \$250,000.00. The term of the agreement is twenty (20) years. Clear Channel is one of the largest and successful billboard companies in the United States.

The total minimum anticipated revenue to the Authority from Elray for Location 1 is at least \$1,094,775.00. The potential advertising revenue to Elray is \$2,226,030.00. The total minimum anticipated revenue to the Authority from Clear Channel for Location 2 is at least \$1,600,000.00. The potential advertising revenue to Clear Channel is \$1,720,805.00.

The Authority has the sole discretion of extending each contract, under the same terms and conditions, for one additional fifteen (15) year term. If this option is exercised, the Authority will receive an additional lump sum of seven (7) times the highest yearly cash flow during the term of the agreement. These awards are also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee(s)

pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 and having no objection to same.

Accordingly, authorization is requested to delegate to the Executive Director the authority to enter into agreements with Elray Outdoor Advertising for Location 1 and with Clear Channel Outdoor for Location 2, pursuant to the terms outlined above, and to execute any such other documents and take any such other actions as are deemed necessary to effectuate the intent of this authorization.

It is anticipated that Allvision, pursuant to the terms of the Outdoor Advertising Agreement, will procure additional contracts of a similar nature for the other Authority billboard assets in the near future. To avoid delays, which could reduce revenue to the Authority, it is further requested to delegate to the Executive Director the authority to approve any additional outdoor advertising license agreements procured by Allvision under the Outdoor Advertising Agreement that relate to the Authority's current non-digital billboards. Reports of such agreements, and the anticipated revenue to the Authority, will be provided at a future scheduled Commission Meeting.

On motion by Vice Chairman Gravino and seconded by Commissioner Becht, the Authority unanimously approved items numbered 025-01-2012 through 037-01-2012; 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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ELECTRONIC TOLL COLLECTION

Director of ETC Dennis Switaj requested approval of item number 038-01-2012. Moved is the item as follows:

038-01-2012

In a document dated January 23, 2012, **Authorization to Execute Interagency Group Contract with Kapsch TrafficCom IVHS for Certain Electronic Toll Collection Equipment**, was approved.

The New Jersey Turnpike Authority (Authority) is a member of the Interagency Group (IAG), a consortium of twenty-four toll agencies in fourteen states dedicated to the goal of a seamless electronic toll collection system. This system, known as E-ZPass, allows tolls to be collected at the facilities of all 24 member agencies using one in-vehicle device, which is associated with a single account.

Each IAG Member uses the same Kapsch TrafficCom IVHS (formerly Mark IV) technology, and each IAG Member has its own contract with Kapsch TrafficCom IVHS ("Kapsch"). Although the contracts are separate, the contracts of each member agency are materially the same. The Authority's contract with Kapsch TrafficCom IVHS (Kapsch) expires on February 16, 2012.

Authorization is requested for the Executive Director to execute a new contract with Kapsch to be the provider of electronic toll collection technology, associated subsystems, components, and other services necessary for the Authority's continued participation in the regional electronic toll collection system. This contract will be for a ten (10) year term. For at least four (4) years of the agreement, Kapsch will be the exclusive provider of such technology and services to the Authority.

This contract was competitively and publicly procured by the IAG. The key feature of the E-ZPass system is interoperability – the use of the same technology across state lines. Therefore, the IAG – and not the individual agencies – was charged with the procurement process which resulted in the selection of Kapsch. Based on the terms negotiated by the IAG, member agencies will each sign identical individual contracts with Kapsch for procurement of their E-ZPass equipment. In other words, the IAG contract with Kapsch is a cooperative purchasing agreement to which the Authority will become a party.

In March 2008, on behalf of the IAG, the Triborough Bridge and Tunnel Authority publicly released the RFP to Furnish and Provide Electronic Toll Collection Technology and Associated Subsystem Components and Services for the Operation of the E-ZPass System. Four responses were received in December 2008 from the following companies: TransCore, Mark IV, Kapsch and Skymeter. The IAG Selection Committee reviewed the proposals and determined that the Skymeter proposal was not responsive, but that the other three proposals were responsive.

The IAG Selection Committee made an initial review of the three responsive proposals, which included initial scoring, oral presentations by the proposers who exceeded a certain score

and rescoring. The top two proposers, Mark IV and TransCore, were then selected for validation testing, to permit them to demonstrate the ability of their proposed systems to comply with the IAG's minimum technical requirements and their own performance claims, and to operate without any impact on the performance of the existing E-ZPass installations and customers. Validation testing was conducted by IAG from Spring 2010 to Spring 2011.

In November 2010, proposer Mark IV was acquired by proposer Kapsch, which succeeded to the terms of the Mark IV (now Kapsch) proposal. During this time, the IAG's Selection Committee Negotiation Team conducted negotiations with both Mark IV (now Kapsch) and TransCore, which culminated in the submission of BAFOs by both proposers in April 2011.

Upon review of the BAFOs, the IAG's Selection Committee re-evaluated the proposals using the same scoring process as earlier, and recommended that Kapsch, the proposer with the highest scores and lowest costs, be selected. In July 2011, this selection was approved by the full IAG.

Thus, further to the IAG procurement and selection of Kapsch as the vendor to furnish and provide electronic toll collection technology and associated subsystem components and services for the operation of the E-ZPass system, the Authority intends to contract with Kapsch for such goods and services pursuant to the terms and conditions set forth in the contract negotiated by the IAG.

Under Kapsch's pricing proposal, the Authority will pay \$8.90 per E-ZPass interior transponder, a significant reduction from the current contract. Indeed, in January of 2011, the cost to the Authority to purchase 100,000 interior transponders would have been \$2.1 million. Under this new contract, the cost would be \$890,000, a savings of \$1.21 million. Other transponder models have similar savings. Staff estimates that over the ten-year term of the proposed contract with Kapsch, the costs of the goods and services provided will be approximately \$100 million.

The Authority will place orders for all goods and services, including E-ZPass transponders, directly with Kapsch under the new contract. This is more efficient than the previous practice of having the Authority's E-ZPass operator ACS State and Local Solutions, Inc. order E-ZPass transponders and seek reimbursement from the Authority. The Authority anticipates purchasing approximately 350,000 E-ZPass transponders of all types in 2012, at an estimated cost of \$3.5 million. These purchases will be charged to Account No. 010-220020 and, as transponders are drawn from inventory, they will be charged to the operating fund.

Therefore, authorization is requested for the Executive Director to execute a ten (10) year contract, of which four (4) years are exclusive, with Kapsch TrafficCom IVHS to be the provider of electronic toll collection technology and associated subsystems, components and other services necessary for the continued operation of a regional electronic toll collection system. Authorization is further requested for 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, including placing orders for such goods and services to be provided under the terms of the contract, according to the needs of the Authority, up to an amount not to exceed \$10 million per calendar year, with a total amount not to exceed \$100 million over the term of the contract.

This contract procurement is authorized under N.J.A.C. 19:9-2.2(d)(3), promulgated under N.J.S.A. 27:23-1, et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine), which exempt contracts with the Federal or any state government or any agency or political subdivision thereof from public bid requirements. 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), and having no objection to same. As this contract is expected to exceed \$10 million, notification of this procurement and proposed award was provided by the Authority to the Office of the State Comptroller, which has authorized this contract award.

On motion by Vice Chairman Gravino and seconded by Commissioner Pocino the Authority unanimously approved item 038-01-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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FINANCE

Chief Financial Officer Donna Manuelli requested approval of item numbers 039-01-2012 and 040-01-2012. Moved is the item as follows:

039-01-2012

Chief Financial Officer Donna Manuelli presented the **Financial Summary** for the eleven (11) months ended November 30, 2011.

040-01-2012

Chief Financial Officer Donna Manuelli presented the **Financial Summary** for the twelve (12) months ended December 31, 2011.

On motion by Vice Chairman Gravino and seconded by Commissioner Hodes the Authority unanimously approved items numbered 039-01-2012 and 040-01-2012; 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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Director of Operations Sean Hill requested approval of item numbers 041-01-2012 through 043-01-2012. Chairman Simpson commented that the Safety Summit is a positive program because accidents are on the rise. Chairman Simpson asked again if the accident rate had to do with construction. ED Hakim stated that the Authority and State Police monitor construction zones and data shows that there has not been an increase in accidents in the construction zones.

Chairman Simpson indicated that the State is focused on safety and everyone is doing their part to make the roadways safer. Commissioner Becht commented that he drives our roadways on a daily basis and his observation is the motorists are driving too fast and that likely is contributing to accidents. Becht indicated that all efforts to educate motorists on speeding should be made. ED Hakim stated that the Authority needs to change the behavior of motorists and it will attempt to do so by rolling out motorist education programs.

Moved are the items as follows:

041-01-2012

In a document dated January 20, 2012, a **Recommendation to pay annual membership dues to Transcom, Budget Code 10-890-445900, in an amount of \$258,291.00,** was approved.

Transcom is an organization which provides a forum for the reconciliation of operating procedures, improved agency communications and the coordination of construction projects within the metropolitan area. The New Jersey Turnpike Authority is a member of Transcom, and its membership helps ensure the mobility and safety of the traveling public through the tri-state area through communication and the enhanced utilization of the member agencies existing traffic and transportation management systems.

As per the signed membership agreement between the New Jersey Turnpike and Transcom, ratified by the Board on September 29, 2009 and which expires December 31, 2013, the Authority is required to pay annual membership dues for operating costs. The annual payment to Transcom for 2012 is \$258,291.

On motion by Commissioner Hodes and seconded by Commissioner Pocino the Authority unanimously approved item number 041-01-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

042-01-2012

In a memorandum dated January 20, 2012, a **Recommendation to Authorize 2012 Assessments to Ambulance Squads and Fire Departments providing services on the New Jersey Turnpike Authority and the Garden State Parkway in 2012, Budget Code 10-710-442060, in an amount of \$580,000.00,** was approved.

The New Jersey Turnpike Authority (the "Authority") utilizes the services of approximately 80 first aid squads and 80 fire departments that are on-call and provide emergency services to the Authority's patrons on the New Jersey Turnpike and the Garden State Parkway. These organizations are further supported by other organizations in a mutual aid capacity. It has been

the policy of the Authority to financially assist these first aid squads and fire departments on an semi-annual basis because, as the owner and operator of these two roadways, the Authority itself does not have qualified emergency personnel and apparatus to provide these critical, life-saving services to its patrons.

Previously approved by the Board, the First Aid squads are provided \$90 per call plus a \$500 semi-annual standby assessment and the Fire Departments are provided \$160 per piece of apparatus plus a \$300 semi-annual standby assessment. Organizations providing mutual aid are not provided an assessment for stand-by, but are provided an assessment of \$90 per call or \$160 per number of apparatus.

Accordingly, it is recommended that the Authority be authorized to work with the First Aid Squads and Fire Departments providing services on the New Jersey Turnpike and Garden State Parkway under the terms set forth above in an amount not to exceed \$580,000 for the year 2012.

On motion by Commissioner Pocino and seconded by Commissioner Diaz the Authority unanimously approved item number 042-01-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

043-01-2012

Director of Operations Sean Hill requested acceptance of the Resume of All Fatal Accidents for the Garden State Parkway and New Jersey Turnpike: Period 01/01/11 through 12/31/11; both with 2010-2011 Yearly Comparisons through December, 2011.

On motion by Commissioner Pocino and seconded by Commissioner Diaz, the Authority unanimously accepted the reports contained in item 043-01-2012 and received same for file.

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STATE POLICE

Captain Frank McVey requested approval of item number 044-01-2012. Captain McVey stated that although fatalities increased in 2011, personal injury accidents decreased. It should be noted that 2010 was a year of record low fatalities. McVey stated that the fatality numbers indicate that immediate action is required with education and enforcement. McVey stated that education goes hand-in-hand with enforcement, if the motorist has to go to court and pay a ticket, the next time the motorist will be more likely to obey the law. McVey stated that fatalities can be reduced. Statistics show that motorists have 50% greater chance of dying in an accident if they are not wearing seat belts. 30% of fatalities are DWI related. State Police is launching a high visibility, saturation program where two (2) days per months all Troopers will be on the road.

Captain McVey indicated that the highest fatality day is Super Bowl Sunday. This Sunday from 5 p.m. till 1 a.m. twenty-four (24) additional Troopers will be on both roadways monitoring motorists and keeping our roadway safe. Chairman Simpson appreciated Captain McVey's passion regarding traffic enforcement and commended the efforts of the State Police.

Moved is the item as follows:

044-01-2012

Captain McVey requested acceptance of the New Jersey State Police Troop D Activity Reports, For December, 2011, with 2010 – 2011 Yearly Comparisons.

On motion by Commissioner Diaz and seconded by Commissioner Becht, the Authority unanimously accepted the reports contained in item 044-01-2012 and received same for file.

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EXECUTIVE DEPARTMENT

Deputy Executive Director John O'Hern requested approval of item number 045-01-2012. Chairman Simpson thanked DED O'Hern for his visibility on the roadways during inclement weather. DED O'Hern said he is on the road during snow storms to thank the employees for their fine efforts. Moved is the item as follows:

045-01-2012

In a memorandum dated January 27, 2012, a **Recommendation for the Assignment of Exxon Mobil Corporation and PMG New Jersey II, LLC to operate the fuel service and convenience stores at Colonia Service Areas**, was approved.

On or about December 1, 1999, Exxon Mobil Corporation ("Exxon") entered into an Agreement of Future Business ("Agreement") with the New Jersey Highway Authority, which was subsequently consolidated with the Authority on July 9, 2003. The Agreement, which expires on August 31, 2013, relates to Exxon's operation of two (2) fuel service facilities, which are located on private property but have direct access to the Garden State Parkway ("Parkway"). Specifically, the Exxon fuel service stations are located on private property at about mile post 132.7 on the northbound side of the Parkway in Iselin and at about milepost 133.6 on the southbound side of the Parkway in Colonia.

Prior to the Agreement of Future Business, the Authority neither had a contractual relationship with Exxon regarding the operation of the fuel service stations nor received any revenue from Exxon. Under the agreement, the Authority granted Exxon permission to construct and operate convenience stores at the locations. In exchange, Exxon remits to the Authority a percentage of its earnings from the two stations. The Authority annually receives approximately \$370,000 from Exxon.

Recently, Exxon approached the New Jersey Turnpike Authority ("Authority") and requested permission to assign the remaining period of the Agreement to PMG New Jersey II, LLC ("PMG"). Staff supports the assignment because, with the assistance of General Counsel, staff negotiated into the proposed assignment agreement that the terms and conditions of the Agreement will remain in full force in effect after its expiration date even if the parties have not negotiated a new agreement. An agreement on such a provision is valuable to the Authority because it allows the Authority to retain a contractual relationship with the operator of these two fuel service stations. General Counsel has reviewed this matter and concurs with staff's recommendation to assign the agreement with the condition that the terms and conditions of the Agreement will remain in full force in effect after its expiration date even if the parties have not negotiated a new agreement. It is therefore respectfully requested that the Executive Director be delegated the authority to execute all documents necessary to effectuate the assignment of the Agreement from Exxon to PMG consistent with staff's recommendation.

On motion by Commissioner Hodes and seconded by Vice Chairman Gravino the Authority unanimously approved item number 045-01-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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EXECUTIVE SESSION

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

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

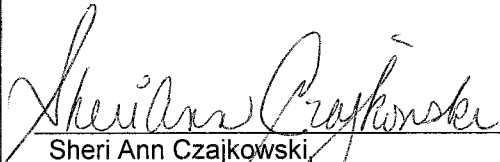
The motion was made by Commissioner Hodes and seconded by Vice Chairman Gravino, and, after the voice vote, the motion was duly adopted by the Board of Commissioners of the New Jersey Turnpike Authority.

Executive Session was adjourned at 10:49 a.m.; Chairman Simpson resumed the public portion of the meeting.

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The motion to adjourn was made by Chairman Simpson, Commissioner Pocino and seconded by Commissioner Hodes and, after the voice vote, the motion was duly adopted. The Authority adjourned at 10:53 a.m., to meet on Tuesday, February 28, 2012, at 9:30 A.M.

ATTEST:



Sheri Ann Czajkowski
Assistant Secretary to the Authority



Veronique Hakim, Executive Director

Corporate Seal

Date: February 2, 2012
