



AGENDA

NEW JERSEY TURNPIKE AUTHORITY

November 29, 2011

James S. Simpson, Chairman
Veronique Hakim, Executive Director

AGENDA
NEW JERSEY TURNPIKE AUTHORITY

NOVEMBER 29, 2011
(Tuesday)

9:30 A.M.

James S. Simpson	Chairman
Ronald Gravino	Vice Chairman
Michael R. DuPont	Treasurer
Harold L. Hodes	Commissioner
Raymond M. Pocino	Commissioner
Ulises E. Diaz	Commissioner
Daniel Becht	Commissioner
Veronique Hakim	Executive Director
John O'Hern	Deputy Executive Director

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PUBLIC SESSION AGENDA MEETING CALLED TO ORDER

PUBLIC COMMENT

1. *HUMAN RESOURCES*

2. *LAW*

3. *ENGINEERING*

4. *PURCHASING*

5. *GENERAL BUSINESS*

MOTION TO ENTER EXECUTIVE SESSION

RESUME PUBLIC SESSION

ADJOURNMENT

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HUMAN RESOURCES

376-11-2011 **Roster/Confirmation of Personnel Matters**

LAW

377-11-2011 **Ratification of Action Taken and Authorization for the Acquisition of Property Interests and Payment of Related Expenses Required for the New Jersey Turnpike Authority Interchange 6-9 Widening Program, Acquisition of Three (3) Properties, Payment of Damages to Two (2) Property Owners and Payment of Relocation Expenses to One (1) Property Owner**
2009 Capital Construction Program
Amount: \$2,540,685.25 (\$1,554,325.00 was previously approved, an additional \$986,360.25 is required)

Delegated Authority was previously authorized under Agenda Item Nos. 142-07 and Item 148-09, and subsequently clarified in Agenda Item No. 315-09-2011. These agenda items delegated authority to the Executive Director to take all steps necessary to acquire property interests necessary for construction of the Interchange 6 - 9 Widening Project, with the assistance of and upon recommendation of the Departments of Law and Engineering, General Counsel and other Authority consultants, and in accordance with applicable law and subject to final approval by the Commissioners. This agenda item seeks ratification of those actions taken under the delegated authority described above, as well as authorization for actions not yet taken relative to the above Program.

378-11-2011 **Request for Authorization for the Executive Director to Execute a Reimbursement Agreement with the East Windsor Municipal Utility Authority (EWMUA) for Utility Work Related to the Interchange 6 to 9 Widening Program**

East Windsor Municipal Utility Authority (EWMUA) has requested the New Jersey Turnpike Authority (Authority) install a 14" HDPE water main under the New Jersey Turnpike in the vicinity of Wyckoff Mills Road in East Windsor Township, Mercer County as a betterment to EWMUA. EWMUA has agreed to reimburse the Authority for the costs associated with this water main installation passing a Township Resolution for a total reimbursement cost not to exceed \$1,100,000, including construction, engineering design and construction management costs.

379-11-2011 **Authorization to Enter into MOA with DOT for Management of Outdoor Advertising Assets and to Amend Authority's Agreement with AllVision LLC**

The Authority currently has an agreement with AllVision LLC to manage the Authority's outdoor advertising assets ("AllVision Agreement"). The AllVision Agreement permits the Authority to include under the agreement outdoor advertising sites owned by other State entities. DOT has requested that the Authority manage DOT's outdoor advertising assets. Authorization is requested to allow the Executive Director to enter into a Memorandum of Agreement with DOT for the management of DOT's outdoor advertising assets through the AllVision Agreement, and to execute an amendment to that Agreement to reflect these additional sites. In exchange for its services, the Authority will retain 20% of the revenue it receives under the AllVision Agreement relating to the DOT sites.

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- 380-11-2011 **Authorization to Sign Litigation Settlement Agreement with Tri-State Transportation Campaign**
Authorization is requested to allow the Executive Director to execute a settlement agreement with Tri-State Transportation Campaign ("Tri-State") and the Department of Environmental Protection ("DEP") to settle the appeal by Tri-State of DEP's issuance of various permits to the Authority for the Parkway Widening Project. This appeal is currently pending in the New Jersey Superior Court, Appellate Division. Terms of the settlement agreement were reached in consultation with the Engineering Department. Under this settlement agreement, the Authority admits no liability, but agrees to post its DEP permit applications for capital improvement projects in the next 10 years on the Authority's website; to provide certain traffic data to Tri-State semi-annually for a period of 10 years; and to study the creation of additional park and ride facilities on the Parkway. In exchange, Tri-State agrees to release the Authority and DEP from any and all claims arising out of the Garden State Parkway Widening Project.
- 381-11-2011 **Request for Authorization to enter into an Interagency Agreement with the New Jersey Department of Transportation and the County of Ocean for Design and Construction Coordination with respect to the Garden State Parkway Shoulder Restoration Program between Mileposts 83 and 100; the Improvements to Exits 83, 88/89 and 91; and the Widening Impacts to Route 9/NJ166, NJ Route 34, and NJ Route 88.**

The agreement will also allow the Authority, its agents, contractors, and employees' access to NJDOT rights of way to perform work associated with the Garden State Shoulder Restoration Program, which includes improvements to Authority facilities that intersect US 9/NJ 166, NJ 34, NJ 70, and NJ 88.
- 382-11-2011 **Recommendation for Authority to Enter Into Agreement with Sayreville**
Agreement between the New Jersey Turnpike Authority and the Borough of Sayreville wherein the Authority agrees to equally share in the cost of repaving a portion of Chevalier Ave that is located directly under the Garden State Parkway. This project is estimated to cost \$55,000, and the Authority's cost would be no more than \$27,500.

ENGINEERING

COMPETITIVE PROCUREMENTS

A. *ORDER FOR PROFESSIONAL SERVICES (OPS)*

383-11-2011 **Recommendation to Issue Order for Professional Services No. P3421**

Atkins North America, Inc. (formerly PBS&J)
Program Management Services
Garden State Parkway Widening Program – Phase III
Ten Year Capital Program Fund No. 39028031
Engineer's Estimate: \$7,700,000.00
Fee: \$6,900,000.00

The Program will widen the Parkway and improve interchanges in both the northbound and southbound directions and coordinate with the proposed improvements at Interchanges 41 and 44. In order to facilitate the Final Design of the Program, the Authority will be engaging five Engineering firms including a Program Manager and four Design Engineers. This Order for Professional Services will provide program management services including the coordination, oversight and reporting activities required to facilitate the Final Design phase of the Program. Extensive coordination will be required due to the involvement of several consulting engineers, the ongoing improvements at Interchanges 41 and 44, and conformance to the secured program permits.

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PURCHASING

COMPETITIVE PROCUREMENTS

A. STATE CONTRACTS

384-11-2011 **IBM Hardware and Software Maintenance**
IBM
R- 88812
Budget Code: 010 00 833 121020
State Contract 70265 Expiring 8/31/14
Cost: \$153,663.41

Under this 18-month contract, IBM will provide software maintenance for the IBM operating software and hardware systems. The Authority purchased new IBM hardware earlier this year, which provides more computing power at lower operating costs. The IBM hardware and software are used to operate among others systems, the PeopleSoft modules which are currently being upgraded. The cost to maintain all IBM systems for the requested 18-month period beginning on January 1, 2012 is \$117,151.95 for hardware and \$36,511.46 for software, totaling \$153,663.41. The current cost represents a \$19,040.02 savings (based on a 12-month comparison) even though some IBM equipment, such as our XIV SANs, is no longer under warranty and will also be included in this maintenance agreement.

385-11-2011 **IBM Non-Operating System Software Maintenance**
En Pointe Technologies
R-88833
Budget Code: 010 00 833 121020
State Contract 77562, Expiring 6/30/15
Cost: \$82,739.52

Under this 18-month contract, SHI will provide software maintenance for the IBM (non-operating) software systems. The TAS Department utilizes IBM software in support of the Authority's Oracle databases including the PeopleSoft modules, "Filenet" (document archiving) and traffic prediction tools. The cost of this maintenance is \$84,029.80 for the 18-month period beginning on January 1, 2012. The current cost represents a \$21,020.32 saving (based on a 12-month comparison). Under the New Jersey State Contract, En Pointe Technologies is the authorized provider of the IBM software for non-operating systems.

386-11-2011 **Vehicle Safety Warning Lights**
East Coast Emergency Lighting
Contract No. 1189
State Contract 74184 Expiring 4/30/12
Authorized Amount: \$175,000.00
Amount Requested: \$100,000.00
New Authorized Amount: \$275,000.00

Under this contract, East Coast Emergency Lighting supplies the Authority with safety warning lights for New Jersey State Police (Troop D) vehicles and Authority vehicles, such as pickup trucks and cargo vans. Additional funds are requested to purchase safety warning lights for Authority vehicles and incoming State Police vehicles.

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B. EMERGENCY PROCUREMENT

387-11-2011 **Emergency Generator Rental, Repairs and Parts**
Cooper Electric Supply Company

R 88706

Budget Code: 040 02 583 650010 Project 04010027

Cost: \$55,000.00

Authorization is requested to ratify an award of contract to Cooper Electric Supply made under the emergency exception to the public bidding laws. On September 28, 2011, the stand-by emergency generator located at the Cifelli STMC failed to operate. Given the necessity of the emergency generator at that facility (potential immobilization which would significantly impact State Police, the Authority, and NJDOT operations), the Maintenance Department secured the services of Cooper Electric Supply to repair the generator. While the repairs services were ongoing, the Authority rented a temporary back-up generator from Cooper Electric Supply. As part of repair the Authority's generator, the vendor had to purchase parts. The total cost for the repair services, parts, and rental of the temporary back-up generator is \$55,000.00.

GENERAL BUSINESS

388-11-2011 **Authorization to Publish Notice of the 2012 Schedule of Commission Meetings**

389-11-2011 **Recommendation to Execute Amendment No. 7 to the Operating Agreement of the E-ZPass Group**

390-11-2011 **Recommendation to extend the Direct Pay Letter Of Credit with JPMorgan Chase Bank**

Authorization is requested to extend the existing \$93.5 million Direct Pay Letter of Credit which supports the 2009A bonds until February 10, 2015 under the existing reimbursement agreement. The current letter of credit expires on 2/10/2012. The fee payable to the bank under the extension will be 80 basis points per annum or \$749,000 per year. This represents a decrease from our current fee of 100 basis points per annum or \$935,000. This is a savings of \$186,000 per year. Also the Executive Director is authorized to enter into any amendments to the existing reimbursement agreement which may be necessary. In addition to the fees payable to JPMorgan Chase Bank, authorization is requested to pay any reasonable attorney's fee in connection with the transaction.

391-11-2011 **Recommendation to Authorize Annual Assessment for the Governor's Authorities Unit for Fiscal Year 2012**

Authorization is requested to pay the annual assessment for the Governor's Authorities Unit in the amount of \$55,937.20. This assessment covers the period July 1, 2011 to June 30, 2012.

392-11-2011 **Financial Summary**

Financial Summary for the ten (10) months ended October 31, 2011.

393-11-2011 **Resume of All Fatal Accidents**

Garden State Parkway and New Jersey Turnpike: Period 01/01/2011 through 10/10/2011: both with 2010-2011 Yearly Comparisons through October, 2011.

394-11-2011 **New Jersey State Police Troop D Activity Reports**

For October, 2011, with 2010 – 2011 Yearly Comparisons.

PRESENTATIONS