

**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY
TUESDAY, MARCH 30, 2010**

Chairman Simpson called the Authority into session in the Executive Boardroom of the Authority's Administration Offices, Woodbridge, New Jersey, at 9:32 A.M.

PRESENT

Chairman James Simpson; Commissioner/Treasurer Michael DuPont; Commissioner Harold Hodes; Commissioner David Evans (joined the meeting at 9:40AM); Commissioner Raymond Pocino; Commissioner Troy Singleton; and Commissioner Ulises Diaz.

ALSO PRESENT

Executive Director Diane Gutierrez-Scaccetti; Deputy Executive Director John O'Hern; Chief Engineer Richard Raczynski; Senior Highway Engineer Lamis Malak; Finance Comptrollers Donna Manuelli, Pamela Varga and Tracey Walters; Human Resources Director Mary-Elizabeth Garrity; Internal Audit Director James Carone; Law Director George Caceres; Deputy Law Director Linda Cavanaugh; Maintenance Director John Cifelli; Operations Director Sean Hill; Purchasing Director Andrea Ward; Strategic Policy and Planning Director Marilyn Lennon; Technology and Administrative Services Director Brian Gorman; Tolls Director Robert Quirk; Assistant Tolls Director Colleen Lentini; NJ State Police Commanders Major Kevin Burke, Troop E and Major Matthew Walker, Troop D; Chief of Staff Joe Orlando; and Secretary Rose Stanko.

Also present were: General Counsel Judy Verrone and Michael Cole; General Consultant James Beattie; Governors' Authorities Unit Representative Maura Tully; NJ Department of Treasury – Steven Petrecca; Local 194 IFPTE President, Franceline Ehret; additional individuals consisting of other NJTA employees; interested organizations; the general public; and from the media: the Asbury Park Press; Star Ledger; and The Bergen Record.

NOTICE OF MEETING

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

ACTION ON MINUTES

The Secretary reported that ten days, excluding Saturdays, Sundays and holidays, have elapsed since Governor Chris Christie received the proceedings of the regular meeting of February 23, 2010; the Governor has vetoed the approval action of the Authority with respect to professional services contracts under the item numbers of: 46-10, 48-10, 51-10 and (partial) 52-10. No veto power has been exercised relative to any other items in those minutes.

At this time, Chairman Simpson commented on the amount of rapid dialogue exchanged at the last Commission Meeting and asked whether meetings are (electronically) recorded. The Secretary answered that meetings were previously not recorded but added that today's meeting

will be. He asked the Board if they had any corrections to be made to the minutes and then reviewed recording procedures of the minutes with the Secretary. She confirmed that certain substantive statements from discussion and/or personal comments which pertain to the action of the Board and Authority matters are recorded in the minutes. The Chairman recommended, with no objection from the Board, that the practice be carried forward as long as deliberation is not hindered. Continuing, the Chairman credited the Secretary with doing an outstanding job but, acknowledging the difficulty in capturing all such verbal exchanges, announced that corrections are to be made to the February 23, 2010 minutes on pages 14 and 18 as follows:

Page 14 will be corrected, so the minutes will more accurately and fairly represent the account of the severity of the traffic event that occurred and include the Chairman's remarks, inadvertently left off the record, on how the Hackensack River Bridge repair produced a huge traffic back-up which resulted in closing the Lincoln tunnel to vehicular traffic for 2-hours and led to a gridlocked Manhattan.

Page 18 will be corrected by adding: 1) the words "state and federal regulations" in the Chief Engineer's explanation of regulation requirements; and 2) Commissioner DuPont's commenting suggesting that the Authority go to the Governor and request legislative action in order to get relief from the current regulations affecting engineering procurement rules.

Upon motion made by Commissioner DuPont, seconded by Commissioner Pocino, the minutes of the February 23, 2010 meeting were approved, as corrected.

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RECUSALS

The Secretary reported that advisements of recusal had been submitted and asked for any further recusals or abstentions to be placed on record for this meeting. Those results are regarding items: 73-10, 77-10 and 83-10 for Commissioner Hodes; 74-10, 76-10, 77-10, 78-10, 84-10 for Commissioner Pocino; 74-10, and 84-10 for Commissioner Singleton; and 73-10 for Commissioner Diaz.

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

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

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

When Executive Session was adjourned at 10:10 AM, the Chairman resumed the public portion of the meeting and opened the floor for comment pertaining to the public items being presented for Board approval. There was no response.

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

PERSONNEL

67-10

Human Resources Director Garrity submitted the **Personnel Agenda**, dated March 30, 2010, and requested confirmation of the personnel matters contained therein.

The Executive Director certified the recommendations for consideration.

On motion by Commissioner DuPont, 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.

LAW

Law Director Caceres requested approval of items 68-10 through 71-10; moved together, those items are as follows:

68-10

In a memorandum dated March 4, 2010, concerning a recommendation to **Settle Formal Workers' Compensation Matter of Kenneth Philpot v. New Jersey Turnpike Authority**, Account No. 10-870-405070.

Kenneth Philpot was a Seasonal Maintenance Helper hired in May 2007 and terminated in September 2008. On May 15, 2008 Mr. Philpot sustained low back injury from moving 55 gallon drums from a table to the floor after he had painted them. The petitioner complained of back pain and was initially examined by Dr. Blanco in the Authority's Medical Section who prescribed Flexeril and told the petitioner to return if need be. At the urging of his attorney, the petitioner sought unauthorized treatment and was examined by Dr. John Gaffney who diagnosed post traumatic lumbar spine sprain and strain, lumbar radiculopathy, lumbar fibromyositis syndrome and chronic pain in the lumbar spine. Dr. Gaffney also ordered an MRI which revealed degenerative changes and multi level diffuse disc bulging from L2-3 through L5-S1. After receiving Dr. Gaffney's report, MRI results, and in answer to a motion by petitioner's attorney, the Authority referred the petitioner to Dr. Andrew Glass for a neurosurgical evaluation. Dr. Glass diagnosed right foraminal disc herniation at L2-3 and central disc herniations at L4-5 and L5-S1. In addition, Dr. Glass concluded in his report that the injury was causally responsible for

aggravating the degenerative changes in the petitioner's lumbar spine. Petitioner also underwent a course of physical therapy.

The petitioner is represented by Petro, Cohen and Matarazzo from Northfield, NJ. The Authority is defended by Special Counsel Curt Cox of Kamensky, Cohen and Associates located in Pennington, NJ. The matter is venued in the district office of Atlantic City before Judge Taglialatella.

Permanency findings by Dr. Kenneth Peacock on behalf of the respondent, opined 5% permanent partial total of the lumbar spine. Permanency findings on behalf of the petitioner, performed by Dr. John Gaffney, opined 60% permanent partial total of the lumbar spine. On November 13, 2009 the petitioner's attorney made a settlement demand of 30% of permanent partial total which equates to an award of \$41,996.40. Special Counsel countered with 27.5% or \$37,838.40, to which petitioner's attorney agreed. Taking into account that there is no proof the multi-level disc herniations were pre-existing, and the fact that Dr. Glass, the authorized evaluating physician causally relates the injury to aggravating and exacerbating the petitioner's degenerative disc changes, Special Counsel believes this to be the most favorable outcome for the Authority. It is Special Counsel's belief that if the case were to be tried in this venue, the Authority would be exposed to a potentially higher award by judicial judgment.

The Law Department has reviewed this matter and agrees with the recommendation of the Special Counsel, the Authority's third party workers' compensation administrator and the Assistant Director, HR, Safety & Benefits. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$37,838.40.

69-10

In a memorandum dated March 18, 2010, concerning **Ratification of Action Taken for Acquisition of Property Interests Required for the New Jersey Turnpike Authority Interchange 6-9 Widening Program**, Acquisition of 22 Properties, 2009 Capital Construction Program.

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

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

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

I. New Acquisitions: The Authority has determined that the sixteen (16) properties listed below are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. The Authority then entered into good faith negotiations with the owners and their respective counsel as appropriate for the purchase of same based on this appraised value and in compliance with the laws governing its powers of eminent domain. Negotiations continued and a settlement of all terms was agreed upon. The following is a description of each property for which the parties have finalized negotiated terms of sale:

1) Turnpike Design Section 6, ROW Section 4J

Parcel Series 1085, Block 25, Lots 4.01 and 4.02 (Partial Taking)

263 Ward Street, Township of East Windsor, County of Mercer

Owner: Local 827 IBEW AFL-CIO

Amount: \$ 534,125.00 for purchase of property

The property currently consists of two separate tax lots with Lot 4.01 being approximately 4,996 acres in size which is improved with a 10,888 square foot office building and associated parking lots, and Lot 4.02 consisting of approximately 4.997 acres of vacant land (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a fee simple interest in 2.037 acres of Lot 4.01 to be designated as Parcel 1085A; (2) a fee simple interest in .278 acres of Lot 4.01 to be designated as Parcel 1085C; (3) a temporary construction easement for use in constructing improvements to the property necessitated by the acquisition which temporary construction easement will impact 2.681 acres of Lot 4.01 designated as Parcel C1085A; and (4) a fee simple interest in all of Lot 4.02, which parcel consists of 4.997 acres designated as Parcel 1085B. In addition the Authority has agreed to perform certain site improvements at its own cost.

2) Turnpike Design Section 4, ROW Section 4G

Parcel Series 988, Block 30, Lot 20 (Partial Taking)

Hickory Way (Rear), Robbinsville Township, Mercer County

Owner: Robert J. Caspi (only heir at law of Steven Caspi)

Amount: \$500.00

The property currently consists of 0.126 acres of vacant land (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.051 acres of the Property to be designated as Parcel 988; and (2) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of a noise wall and appurtenances, impacting 0.042 acres of the Property to be designated as Parcel C988.

3) Turnpike Design Section 6, ROW Section 4J

Parcel No. 1098, Block 15.01, Lot 1 (Partial Taking)

379 Monmouth Street, East Windsor Township, Mercer County

Owner: Julika, Inc.

Amount: \$ 55,000.00

The property currently consists of 8.009 acres of land improved with a 138,000 square –foot Holiday Inn Hotel (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.088 acres of the Property to be designated as Parcel 1098.

4) Turnpike Design Section 6, ROW Section 4J

Parcel Series 1097, Block 18, Lot 5 (Partial Taking)

384 Monmouth Street (Hampton Inn), East Windsor Township, Mercer County

Owner: Bhavi Motel, LLC.

Amount: \$ 112,800.00

The property currently consists of 3.311 acres of land improved with an eighty (80) room Hampton Inn Hotel and associated parking areas (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.174 acres of the Property to be designated as Parcel 1097; and (2) a construction easement consisting of the permanent right to enter upon the remaining land of the owner or its assigns with personnel, equipment and materials for the purpose of constructing or reconstructing a rock slope protection and appurtenances within the right of way from the proposed easement area along with the permanent right to access and perform maintenance and

repairs upon the rock slope protection and appurtenances from the easement area as far as the line marked "Construction and Easement Line", impacting 0.084 acres of the Property to be designated as Parcel C1097.

- 5) Turnpike Design Section 4, ROW Section 4G
Parcel No. C986, Block30, Lot 8.20 (Partial Taking)
13 Hickory Way, Robbinsville Township, Mercer County
Owner: Gerard Stechmann and Marie Stechmann
Amount: \$ 550.00

The property currently consists of 0.799 acres of land improved with a 3,744 square-foot, single-family residence (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of a noise wall and appurtenances, impacting 0.037 acres of the Property to be designated as Parcel C986.

- 6) Turnpike Design Section 8, ROW Section 4L
Parcel Series 1211, Block 4, Lot 1.03 (Partial Taking)
311-315 Half Acre Road, Township of Cranbury, Middlesex County
Owner: Deka/Rock/ Exit 8A Limited Partnership
Amount: \$130,000.00

The property currently consists of a 69,586 acre irregular shaped tract located in the Light Industrial Zone and is improved with two warehouse buildings (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in a 0.2430 acre (10,585 sq. ft.) triangular portion of the site located at the southwest corner of the site along Half Acre Road to be designated as Parcel 1211; and (2) a proposed permanent drainage easement and a permanent slope easement of 0.397 acre triangular space immediately to the north of the 0.243 proposed acquisition to be designated as Parcel Nos. D1211 and E1211.

- 7) Turnpike Design Section 2 ROW Section 3E
Parcel No. C288, Block 107, Lot 10.03 (Partial Taking)
489 Ward Avenue, Chesterfield Township, Burlington County
Owner: Nicholas A. D'Angelo, Jr. and Maureen S. D'Angelo
Amount: \$ 3,000.00

The property currently consists of 0.87 acres of land improved with a two-story, 3,080 square foot, office/warehouse building (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a temporary construction easement consisting of the right to access land are with vehicles and equipment for use during the construction of the proposed SUNOCO utility relocation work, impacting 0.029 acres of the Property to be designated as Parcel C288.

- 8) Turnpike Design Section 5, ROW Section 4H
Parcel Nos. 1046, E1046 & C1046, block 44, Lot 34.01 (Partial Taking)
282 Sharon Road, Robbinsville Township, Mercer County
Owner: Wendy Pinto and Anthony
Amount: \$ 17,000.00 (\$7,000 in additional funds only, \$10,000 was previously approved in February for condemnation action)

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

- 9) Turnpike Design Section 1, ROW Section 3D
Parcel Series 202, Block 43, Lot 2.04 (Partial Taking)
1177 Jacksonville Road, Mansfield Township, Burlington County
Owner: John T. Pietras and Sophie T. Pietras
Amount: \$ 1,100.00

The property currently consists of 8.182 acres of vacant land (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Columbus Road, impacting 0.030 acres of the Property to be designated as Parcel E202; and (2) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Columbus Road, impacting 0.060 acres of the Property to be designated as Parcel 2E202; and a drainage easement consisting of the right to construct and maintain drainage pipes and appurtenances and the right to maintain the flow of surface drainage and discharge said water on lands of the owner on the southwesterly side of Columbus Road, impacting 0.010 acres of the Property to be designated as Parcel D202.

10) Turnpike Design Section 6, ROW Section 4J

Parcel Series 1105, Block 20.01, Lot 8

(Reimbursement for Cost of Underground Storage Tank Removal and Well Monitoring)

530 Route 33 East, East Windsor Township, Mercer County

Owner: 530 Route 33, East Windsor, LLC (c/o Lehigh Gas Corp.)

Amount: \$118,000.00

The property consists of 0.73 acre rectangular lot improved with a one-story 2,262 square foot three-bay service garage with associated improvements (the "Property"). After approval by the Authority's Commissioners, the NJTA acquired a fee simple interest in the entirety of the Property in March of 2009. Pursuant to the agreed upon terms, the Authority agreed upon a purchase price for the property and further agreed to reimburse the Owner, Lehigh Gas Co., for the costs of removal of the Underground Storage Tank and the resulting well monitoring. The majority of this work has been done and reimbursement at this time is appropriate. The above sum represents the cost of said work (\$113,069.71) with a small additional amount anticipated to cover the cost of future monitoring.

11) Turnpike Design Section 5, ROW Section 4H

Parcel Series 1027B, Block 44, Lot 33 (Partial Taking)

Between Walters Road and Block 44, Lot 34 along the Northbound New Jersey Turnpike

Township of Robbinsville, Mercer County

Owner: Township of Robbinsville

Amount: \$145,200.00

The property consists of a 37.30 acre, vacant tract with an irregular configuration zoned RR-Rural Residential (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 3.665 acre strip of land from the frontage along the New Jersey Turnpike to be designated as Parcel 1027B; (2) a utility easement in 1.757 acre for the relocation of the existing Colonial pipeline to be designated as Parcel RUE1027B; (3) a temporary construction easement in 0.663 acre with a maximum duration of three (3) months to be designated as Parcel RC1027B; (4) a temporary construction easement in 1.180 acre with a maximum duration of three (3) months to be designated as Parcel 2C1027B.

12) Turnpike Design Section 5, ROW Section 4H

Parcel Series 1027D, Block 44, Lot 34 (Partial Taking)

South of Sharon Road along the Northbound New Jersey Turnpike

Township of Robbinsville, Mercer County

Owner: Township of Robbinsville

Amount: \$ 24,000.00

The property consists of a 28.43 acre, vacant tract with an irregular configuration zoned RR-Rural Residential (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.177 acre strip of land from the frontage along Sharon Road to be designated as Parcel 1027D; (2) a slope easement consisting of the right to form and maintain slopes on the land for grading and draining at the Sharon Road frontage impacting 0.355 acres to be designated as Parcel E1027D; (3) a utility easement in 0.719 acre for the relocation of the existing Colonial pipeline to be designated as Parcel UE1027D; (4) a utility easement in 0.003 acre abutting Parcel UE1027D at the Sharon Road frontage to be designated as Parcel 2UE1027D; and (5) a temporary construction easement in a 0.625 acre abutting Parcel UE1027D with a maximum duration of three (3) months to be designated as Parcel RC1027D.

13) Turnpike Design Section 5, ROW Section 4H

Parcel Series 1027C, Block 22.01, Lot 1 (Partial Taking)

Sharon Road, Township of Robbinsville, Mercer County

Owner: Township of Robbinsville

Amount: \$ 52,800.00

The property consists of a 0.910 of vacant land part of the municipal roadway system serving as a buffer/island separating Sharon Road and Bresnahan Road (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.173 acres of the Property to be designated as Parcel 1027C; (2) a slope easement consisting of the right to form and maintain slopes on the land for grading and draining Sharon Road and Bresnahan Road, impacting 0.355 acres of the Property to be designated as Parcel E1027C; and (3) a drainage easement consisting of the right to construct and maintain a drainage pipe, outfall and conduit outlet protection, impacting 0.037 acres of the Property to be designated as Parcel D1027C.

14) Turnpike Design Section 6, ROW Section 4J

Parcel No. 1078, Block 30, Lot 14 (Partial Taking)

50 Cedarville Road, East Windsor Township, Mercer County

Owner: Mary Van Handel

Amount: \$ 49,125.00

The property consists of 28.666 acres of land improved with a two-story dwelling (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.069 acres of the Property to be designated as Parcel 1078; (2) a utility easement consisting of the right to install and maintain the Colonial pipeline, impacting 0.350 acres of the Property to be designated as Parcel UE1078; and (3) a

temporary construction easement consisting of the right to store construction equipment, materials, and stockpile excavated materials for use during the construction of the Colonial Pipeline, impacting 0.444 acres of the Property to be designated as Parcel C1078. The settlement amount includes the cost of damage to firewood caused by the above acquisitions.

15) Turnpike Design Section 2 ROW Section 3E

Parcel Series 249, Block 130, Lot 2 (Partial Taking)

Old York Road, (Southside of Georgetown Road), Bordentown Township, Burlington County

Owner: John Malison, Joseph Malison and Laura Bowne Barry

Amount: \$ 200,000.00

The property consists of a 46.30 acres of land improved with a residential dwelling (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a utility easement consisting of the right to construct and maintain a utility easement for Sunoco Pipeline, impacting 1.438 acres of the Property to be designated as Parcel UE249; (2) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of the proposed utility, impacting 0.615 acres of the Property to be designated as Parcel C249; and (3) a temporary construction easement consisting of the right to access land and area and also Dunn's Mills Road with vehicles and equipment for use during the construction of the proposed utility, impacting 1.090 acres of the Property to be designated as Parcel 2C249.

16) Turnpike Design Section 7, ROW Section 4K

Parcel Series 1164, Block 12, Lot 1

Hightstown-Cranbury Station Road, Cranbury Township, Middlesex County

Owner: Cranbury Brickyard, L.L.C.

Amount: \$44,000.00 Reimbursement for Cost of Investigation and Remediation
(Purchase Price of \$196,600.00 previously approved March, 24, 2009)

The property consists of approximately 20.94 acres of vacant, unimproved land (the "Property"). The NJTA acquired a fee simple interest in the entirety of the Property in March of 2009. This site had previously been used for testing of military munitions. As a result of same, in addition to the purchase price, the Authority agreed to reimburse the Owner, Cranbury Brickyard LLC., for the costs of testing to determine the extent of any remaining unexploded munitions and to provide for the removal of same. The majority of the work has been done and the site is considered safe. Reimbursement at this time is appropriate. The above sum represents the cost of said work (\$41,000.00) with an additional amount (\$3,000.00) necessary to cover final costs of testing and clean up.

II. New Eminent Domain Proceedings. The Authority has determined that the six (6) properties listed herein are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. Authority to condemn was previously provided by the Commissioners on Block 30, Lot 6.02, Mansfield Township, however, a change in the pipeline alignment required that the original offer be withdrawn and a revised offer made. While the taking is substantially the same, this offer includes payment for additional easements. The actions being filed with respect to the Burlington County properties are "friendly condemnation" actions, i.e. actions filed with the consent of the property owner. With respect to the remaining parcels, the Authority had contacted the respective property owners and entered into good faith negotiations with said owners and their respective counsel for the purchase of same based on the appraised value and in compliance with the laws governing its powers of eminent domain. Eminent Domain proceeding are being filed as the last resort. The following is a description of said property:

1) Turnpike Design Section 4, ROW Section 4G

Parcel Series 977, Block 37, Lots 1, 3, 8 & 9 (Partial Taking)

Potts Road, Robbinsville Township, Mercer County

Owner: John Gervasoni

Amount: \$585,000.00

The property currently consists of a total of 74.532 acres of vacant farmland (Lot 1 consists of 11.076 acres; Lot 3 consists of 46.408 acres; Lot 8 consists of 8.00 acres; and Lot 9 consists of 9.048 acres) (in its entirety the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.875 acres of the Property to be designated as Parcel 977A; (2) a fee simple interest in 1.003

acres of the Property to be designated as Parcel 977C; (4) a fee simple interest in 2.970 acres of the Property to be designated as Parcel 977D; (5) a utility easement consisting of the right to install and maintain Colonial Pipeline, impacting 0.475 acres of the Property to be designated as Parcel UE977A; (6) a utility easement consisting of the right to install and maintain Colonial Pipeline, impacting 0.475 acres of the Property to be designated as Parcel UE977B; (7) a utility easement consisting of the right to install and maintain Colonial Pipeline, impacting 0.541 acres of the Property to be designated as Parcel UE977C; (8) a utility easement consisting of the right to install and maintain Colonial Pipeline, impacting 2.013 acres of the Property to be designated as Parcel UE977D; (9) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of subsurface Colonial Pipeline and appurtenances, impacting 0.475 acres of the Property to be designated as Parcel C977A; (10) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of subsurface Colonial Pipeline and appurtenances, impacting 0.475 acres of the Property to be designated as Parcel C977B; (11) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of subsurface Colonial Pipeline and appurtenances, impacting 0.541 acres of the Property to be designated as Parcel C977C; (12) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of subsurface Colonial Pipelines and appurtenances, impacting 1.927 acres of the Property to be designated as Parcel C977D; and (13) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of subsurface Colonial Pipeline and appurtenances, impacting 0.172 acres of the Property to be designated as Parcel 2C977D.

2) Turnpike Design Section 1, ROW Section 3D

Parcel Series 210, Block 30, Lot 8.01 (Partial Taking)

757 Mansfield Road West, Mansfield Township, Burlington County

Owner: William J. Jones and Corinne E. Jones

Amount: \$ 92,200.00

The property currently consists of 17.651 acres of land improved with a two-story Colonial dwelling and a large rear garage (the "Property"). NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 2.128 acres of the Property to be designated as Parcel 210A; (2) a fee simple interest in 0.037 acres of the Property to be designated as Parcel 210B; (3) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Mansfield Road West, impacting 0.113 acres of the Property to be designated as Parcel E210; (4) an aerial easement for aerial utility lines, impacting 0.042 acres of the Property to be designated as Parcel AE210; (5) a utility easement consisting of the right to install and maintain pipelines for Sunoco Incorporated, impacting 1.239 acres of the Property to be designated as Parcel UE210; (6) a utility easement consisting of the right to install and maintain a pipeline for Colonial Pipelines Company, impacting 1.178 acres of the Property to be designated as Parcel 2UE210; (7) a drainage easement consisting of the right to construct and maintain drainage appurtenances, impacting 0.003 acres of the Property to be designated as Parcel D210; (8) a drainage easement consisting of the right to construct and maintain drainage appurtenances and also the right to maintain the flow of surface drainage from the cross drain and discharge said water on lands of the owner on the northwesterly side of Mansfield Road West, impacting 0.016 acres of the Property to be designated as Parcel 2D210; (9) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of the proposed pipeline, impacting 1.244 acres of the Property to be designated as Parcel C210; (10) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of the proposed pipeline, impacting 0.914 acres of the Property to be designated as Parcel 2C210; and (11) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of a proposed driveway, impacting 0.029 acres of the Property to be designated as Parcel 3C210.

3) Turnpike Design Section 6, ROW Section 4J

Parcel No. 1100, Block 15.01, Lot 3 (Partial Taking)

419 Monmouth Street, East Windsor Township, Mercer County

Owner: Monmouth at Woodside Realty, LLC

Amount: \$ 45,000.00

The property currently consists of 14.636 acres of vacant land (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a utility easement consisting of the right to install and maintain the Colonial Pipeline, impacting 1.709 acres of the Property to be designated as Parcel RUE1100; (2) a utility easement consisting of the right to construct, place, maintain and repair above ground JCP&L and NJ Bell, or their successors, services, service line utility facilities and appurtenances, impacting 0.069 acres of the Property to be designated as Parcel 2UE1100; (3) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of New Jersey Turnpike SNO Roadway, impacting 0.023 acres of the Property to be designated as Parcel E1100; (4) an aerial easement to carry above ground service line utility facilities and appurtenances, impacting 0.035 acres of the Property to be designated as Parcel AE1100; and (5) a temporary construction easement consisting of the right to store construction equipment, materials and stockpile excavated material for use during the construction of the Colonial Pipeline, impacting 1.835 acres of the Property to be designated as Parcel RC1100.

- 4) Turnpike Design Section 1, ROW Section 3D
Parcel Series 181, Block 800.04, Lot 1 (Partial Taking)
Mill Lane, Mansfield Township, Burlington County
Owner: Burlington County, Board of Chosen Freeholders
Amount: \$ 1,250.00

The property currently consists of 2.18 acres of vacant, unimproved land (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) an aerial easement to carry the New Jersey Turnpike across the Property and also including the right to attach fiber optic cables to the proposed bridge structure within the limits of said aerial easement impacting approximately 0.066 acres to be designated as Parcel AE181; (2) an aerial easement to carry the New Jersey Turnpike across the property impacting approximately 0.066 acres to be designated as Parcel 2AE181; (3) an easement consisting of the right to install and maintain the Transcontinental Gas Pipeline impacting approximately 0.016 acres to be designated as Parcel UE181; (4) a slope easement impacting approximately 0.043 acres to be designated as Parcel E181; (5) a temporary construction easement impacting approximately 0.031 acres to be designated as Parcel C181; and (6) a temporary construction easement impacting approximately 0.026 acres to be designated as Parcel 2C181.

- 5) Turnpike Design Section 1, ROW Section 3D
Parcel Series 181B, Block 45.03, Lot 1 (Partial Taking)
1200 Florence Road, Mansfield Township, Burlington County
Owner: Burlington County, Board of Chosen Freeholders
Amount: \$ 4,050.00

The property currently consists of approximately 6.427 acres of land and is improved with a two story office building which is partially utility by Rutgers University Exterior Service (the "Property"). The NJTA must acquire the following interest in the property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in .007 acres of the Property to be designated as Parcel 181B; (2) a slope easement consisting of the right to form and maintain slopes on the land for grading, drainage, and support of Florence Road impacting approximately 0.012 acres of the Property to be designated as Parcel E181B; (3) a slope easement consisting of the right to form and maintain slopes on the land for grading, drainage, and support of Florence Road impacting approximately 0.092 acres of the Property to be designated as Parcel 2E181B; and (4) a temporary construction easement for use during the construction of the proposed driveway improvements impacting 0.269 acres of the Property to be designated as Parcel C181B.

- 6) Turnpike Design Section 1, ROW Section 3D
Parcel Series 209, Block 30, Lot 6.02 (Partial Taking and Revised Taking)
1244 Hedding Road, Mansfield Township, Burlington County
Owner: Susan and David Sharples
Amount: \$ 38,500.00 (additional \$10,500.00 only, \$28,000 was previously approved)

The property currently consists of 4.355 acre of land improved with a single-family residence and outbuildings (the "Property"). The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interests": (1) a fee simple interest in 0.735 acres of the Property to be designated as Parcel 209; (2) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Hedding Road, impacting 0.313 acres of the Property to be designated as Parcel E209; (3) a utility easement consisting of the right to construct and maintain a temporary electric line and permanent gas line, impacting 0.178 acres of the Property to be designated as Parcel UE209; (4) a drainage easement consisting of the right to construct and maintain a drainage pipe and appurtenances, impacting 0.085 acres of the Property to be designated as Parcel D209; (5) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of a proposed driveway and the removal of the existing driveway, impacting 0.149 acres of the Property to be designated as Parcel C209; and (6) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of proposed utilities, impacting 0.015 acres of the Property to be designated as Parcel 2C209.

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

All actions taken by the Executive Director have been necessary for the purchase of the properties listed above including the satisfaction of certain other costs required by law to be paid

at closing. All actions taken by the Executive Director have been reviewed and approved by the Law Department and General Counsel.

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

70-10

In a memorandum dated March 18, 2010, concerning **Ratification of Action Taken To Date and Approval of Action Required for Acquisition of Property Interests Required for the New Jersey Turnpike Authority Interchange 6 to Interchange 9 Widening Program; Which Include Properties Previously Designated as "Preserved Farmland" Pursuant to N.J.S.A. 4:1C-11**, Acquisition of Eleven (11) Properties, 2009 Capital Construction Program.

The New Jersey Turnpike Authority (the "Authority") is proceeding with its plans to widen the Turnpike between Interchange 6 in Mansfield Township, Burlington County and Interchange 9 in East Brunswick Township, Middlesex County (the "Widening Program"). The roadway will be widening 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 the property in fee, of easements or other property rights needed to begin Phase 1 construction of the Widening Program with final action being brought to the Commissioners for ratification.

Since that time the Authority has initiated action with respect to the following properties, portions of which have been designated as farmland within an Agricultural Development Area ("ADA") and/or "Preserved Farmland" pursuant to and as regulated by the Agriculture Development and Retention Act, N.J.S.A. 4:1C-11 et seq., and the State Agricultural Development Committee rules, N.J.A.C. 2:76-1.1, the Act's implementing regulations. The NJTA has complied with the procedures required for acquisition of both the ADA designated property or Preserved Farmland as set forth in the Agricultural Retention and Development Act at N.J.S.A. 4:1C-18 and has begun the process to acquire those properties located in Burlington, Mercer and Middlesex Counties necessary to the Widening Program. The affected property in Middlesex County is designated ADA property only and not Preserved Farmland. As such, it has been included in the processes as forth in the aforementioned statutes but is not required to be part of the Governor's Declaration. All of the parcels listed below have the "Preserved Farmland" designation.

The breakdown of the property is as follows:

Total Taking in Fee: 11.655 acres (8.051 acres of which have been designated "Preserved Farmland")

Total Acreage of Permanent Easements: 11.594 acres (11.208 acres of which have been designated "Preserved Farmland")

Temporary Construction Easements: 12.168 acres (11.576 acres of which have been designated "Preserved Farmland")

The NJTA initiated the process with informal discussions with the affected parties in 2006. The NJTA filed its initial Notice of Intent with the State Agricultural Development Committee ("SADC") and the County Agricultural Boards of Burlington, Mercer and Middlesex Counties (hereafter collectively referred to as "CADB") on October 6, 2006 pursuant to N.J.S.A. 41C-19 and N.J.A.C. 2:76-7.2. Thereafter, the NJTA conducted a series of preliminary meetings with the SADC and the CADBs. As a result of those meetings and in compliance with the joint request of the SADC and the CADBs, the Authority initiated a comprehensive program of on-site meetings with the owners of preserved farmland impacted by the Widening Program. From those meetings the Authority developed a comprehensive farmland impact report that was submitted to the SADC and the CADBs.

Subsequent to the issuance of this report, the CADBs held hearings in which each determined that the Widening Program impacts to the preserved farmland in its jurisdiction did not cause any unreasonable adverse effect to the State agricultural preservation and development policies. The SADC held a similar hearing and reached the same finding of no adverse effect. As required by the legal process, the SADC transmitted its finding and recommendation to then Governor Jon Corzine for his action. In reliance on the CADBs and the SADC findings of no adverse effects, the Governor issued a declaration on July 7, 2009 which mandated that pursuant to N.J.S.A. 4:1C-25 and based on the recommendation of the SADC, he supported the "intended action of the New Jersey Turnpike Authority to exercise the power of eminent domain over certain parcels of preserved farmland in Burlington and Mercer, as needed for the project to widen the New Jersey Turnpike from Interchange 6 to Interchange 9". His declaration further confirmed that this project was necessary for the public health, safety and welfare of the State of New Jersey and that there was no immediately apparent feasible alternative to this action.

Since the issuance of the Governor's Declaration, the Authority has proceeded with the acquisitions of these properties and is prepared to move to final action.

I. Settled SADC Acquisitions: The Authority has determined that the parcels listed below portions of which have been designated Preserved Farmland are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. The Authority then entered into good faith negotiations with the owners and their respective counsel as appropriate for the purchase of same based on this appraised value and in compliance with the laws governing its powers of eminent domain. Negotiations continued and a settlement of all terms was agreed upon. However, due to the fact that the parcels include property that has been designated as "Preserved Farmland", the parties have agreed that

Eminent Domain proceedings must be filed as that is the most efficient method by which to release the preservation easement and satisfy other statutory processes. The matters listed below are considered "friendly condemnation" actions as the terms of sale have been agreed upon and the parties have consented to the filing of the condemnation action. The following describes each property for which the parties have finalized negotiated terms of sale and agreed to the filing of said condemnation actions:

1) Turnpike Design Section 1, ROW Section 3D

Parcel Series 186, Block 51.01, Lot 1 (Partial Taking)

Mansfield Road West, Mansfield Township, Burlington County

Owner: Lawrence Durr and Carol Durr

Amount: \$62,500.00 (BCADB: \$6,817.00; Owner: \$55,683.00)

The property currently consists of 9.344 acres of vacant preserved farmland (the "Property"). The Property's development rights were sold to the County of Burlington on October 29, 2003 for \$405,111.00 (for both Lots 1 and 3.01) in a deed of easement recorded in Deed Book 6112, Page Number 807. The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 1.193 acres of the Property (including 0.097 acres in the farmland preservation easement) to be designated as Parcel 186A; (2) a fee simple interest in 0.013 acres of the Property (all of which is located outside of the farmland preservation easement) to be designated as Parcel 186B; (3) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Mansfield Road West, impacting 0.241 acres of the Property (including 0.124 acres within the farmland preservation easement) to be designated as Parcel E186B; and (4) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of the relocated pipelines, impacting 0.700 acres of the Property (including 0.604 acres within the farmland preservation easement) to be designated as Parcel C186A.

2) Turnpike Design Section 1, ROW Section 3D

Parcel Series 215, Block 30, Lot 7.01 (Partial Taking)

720 Mansfield Road West, Mansfield Township, Burlington County

Owner: Residuary Estate of Anna Hoagland

Amount: \$40,000.00 (BCADB: \$28,000.00; Owner: \$12,000.00)

The property currently consists of 48.106 acres of vacant preserved farmland (the "Property"). The Property's development rights were sold to the County of Burlington on August 14, 2002 for \$1,043,889.00 (for Block 30, Lot 7.01 and Block 4, Lot 12.01) in a deed of easement recorded in Deed Book 5996, Page Number 524. The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a utility easement consisting of the right to install and maintain a pipeline for Sunoco Incorporated, impacting 1.030 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel UE215; (2) a utility easement consisting of the right to install and maintain a pipeline for Colonial Gas Company, impacting 1.086 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 2UE215; (3) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of proposed pipeline, impacting 1.030 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel C215; and (4) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of proposed pipeline, impacting 1.340 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 2C215.

3) Turnpike Design Section 1, ROW Section 3D

Parcel Series 198, Block 33.01, Lot 10.02 (Partial Taking)

1258 Jacksonville Road, Mansfield Township, Burlington County

Owner: Gary W. Underwood and Kathleen B. Underwood

Amount: \$63,315.00 (BCADB: \$38,335.00; Owner: \$24,980.00)

The property currently consists of 73.75 acres of preserved farmland improved with a single-family residence with a garage, shed and stable (the "Property"). The Property's development rights were sold to the County of Burlington on October 2, 1998 for \$322,640.50 (includes Block 46, Lot 1.01) in a deed of easement recorded at Deed Book 5637, Page Number 133. The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.059 acres of the Property (including 0.048 acres within the farmland preservation easement) to be designated as Parcel 198B; (2) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Jacksonville Road, impacting 0.039 acres of the Property (all of which is located outside of the farmland preservation easement) to be designated as Parcel E198B; (3) a utility easement consisting of the right to install and maintain a pipeline for Sunoco Pipeline L.P., impacting 1.111 acres of the Property (including 1.067 acres within the farmland preservation easement) to be designated as Parcel UE198B; (4) a utility easement consisting of the right to install and maintain a pipeline for the Colonial Pipeline Company, impacting 1.171 acres of the Property (including 1.155 acres within the farmland preservation easement) to be designated as Parcel 2UE198B; (5) a temporary construction easement consisting of the right to perform construction related activity

for use during the construction of the gas pipelines, impacting 1.027 acres of the Property (including 1.015 acres within the farmland preservation easement) to be designated as Parcel C198B; (6) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of the gas pipelines, impacting 1.324 acres of the Property (including 1.302 acres within the farmland preservation easement) to be designated as Parcel 2C198B; and (7) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of a driveway, impacting 0.016 acres of the Property (including 0.013 acres within the farmland preservation easement) to be designated as Parcel 3C198B.

4) Turnpike Design Section 1, ROW Section 3D

Parcel Series 198, Block 46, Lot 1.01 (Partial Taking)

Jacksonville Road, Mansfield Township, Burlington County

Owner: Gary W. Underwood and Kathleen B. Underwood

Amount: \$54,085.00 (BCADB: \$28,809.00; Owner: \$25,276.00)

The property currently consists of 30 acres of vacant preserved farmland (the Property). The Property's development rights were sold to the County of Burlington on October 2, 1998 for \$322,640.50 (includes Block 33.01, Lot 10.02) in a deed of easement recorded at Deed Book 5637, Page Number 133. The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.266 acres of the Property (including 0.059 acres within the farmland preservation easement) to be designated as Parcel 198A; (2) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Jacksonville Road, impacting 0.309 acres of the Property (including 0.265 acres within the farmland preservation easement) to be designated as Parcel E198A; (3) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Jacksonville Road, impacting 0.005 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 2E198A; (4) an aerial easement to carry overhead utility wires for electric, telephone and cable television, impacting 0.094 acres of the Property (including 0.085 acres within the farmland preservation easement) to be designated as Parcel AE198A; (5) a utility easement consisting of the right to install and maintain a utility pipeline for Colonial Pipeline Company, impacting 0.710 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel UE198A; (6) a utility easement consisting of the right to install and maintain a utility pipeline for Sunoco Pipeline L.P., impacting 0.698 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 2UE198A; (7) a drainage easement consisting of the right to construct and maintain drainage pipes and appurtenances, impacting 0.036 acres of the Property (including 0.032 acres within the farmland preservation easement) to be designated as Parcel D198A; (8) a drainage easement consisting of the right to construct and maintain drainage pipes and appurtenances, impacting 0.037 acres of the Property (including 0.020 acres within the farmland preservation easement) to be designated as Parcel 2D198A; (9) a drainage easement consisting of the right to construct and maintain drainage pipes and appurtenances, impacting 0.089 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 3D198A; (10) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of proposed drainage improvements, impacting 0.042 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel C198A; (11) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of proposed gas pipeline construction, impacting 0.683 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel R2C198A; (12) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of proposed gas pipeline, impacting 0.671 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 3C198A; and (13) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of proposed driveway, impacting 0.041 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 4C198A.

5) Turnpike Design Section 1, ROW Section 3D

Parcel Series 195, Block 47.01, Lot 4 (Partial Taking)

1289 Jacksonville Road, Mansfield Township, Burlington County

Owner: John F. Hoefling and Eileen M. Hoefling

Amount: \$5,000.00 (BCADB: \$1,134.00; Owner: \$3,866.00)

The property currently consists of 111.501 acres of preserved farmland improved with a two-story residence with a garage, shed and barn (the Property). The Property's development rights were sold to the County of Burlington on July 15, 2000 for \$565,017.00 in a deed of easement recorded at Deed Book 5981, Page Number 15. The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.018 acres of the Property (all of which is located outside of the farmland preservation easement) to be designated as Parcel 195; and (2) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Jacksonville-Hedding Road, impacting 0.234 acres of the Property (including 0.088 acres within the farmland preservation easement) to be designated as Parcel E195.

II. SADC Eminent Domain Proceedings. The Authority has determined that the parcels listed below portions of which have been designated Preserved Farmland are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. The NJTA was unable to finalize the terms of sale with the fee owner. As such, it is necessary to institute condemnation proceedings to acquire the property and simultaneously condemn the farmland preservation interest of the SADC/CADB.

The following is a description of said property:

1) Turnpike Design Section 1, ROW Section 3D

Parcel Series 186D, Block 30, Lot 6.01 (Partial Taking)

Hedding Road, Mansfield Township, Burlington County

Owner: Lawrence Durr and Carol Durr

Amount: \$52,600.00 (SADC/BCADB: \$13,608.00; Owner: \$38,992.00)

The property currently consists of 28.72 acres of vacant preserved farmland (the "Property"). The Property's development rights were sold to the County of Burlington on October 29, 2003 for \$116,680.50 in a deed of easement recorded in Deed Book 6112, Page Number 784. Subsequently, a Cost Sharing Grant Agreement was executed between the SADC and the County of Burlington, recorded in Deed Book 6287, Page Number 926 which allocates a percentage of the County's share of the proceeds to the SADC in the event of a condemnation of the farmland preservation easement. The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 1.288 acres of the Property (all of which is located outside of the farmland preservation easement) to be designated as Parcel 186D; (2) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Hedding Road, impacting 0.134 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel E186D; (3) a drainage easement consisting of the right to construct and maintain a drainage pipe and appurtenances, impacting 0.019 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel D186D; (4) a utility easement consisting of the right to install and maintain a pipeline for Sunoco Incorporated, impacting 0.757 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel UE186D; (5) a utility easement consisting of the right to install and maintain a pipeline for Colonial Gas Company, impacting 0.770 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 2UE186D; (6) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of proposed pipeline, impacting 0.736 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel C186D; and (7) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of proposed pipeline, impacting 1.128 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 2C186D.

2) Turnpike Design Section 1, ROW Section 3D

Parcel Series 191, Block 5, Lot 2.01 (Partial Taking)

Old York Road, Mansfield Township, Burlington County

Owner: Marguerite S. Winzinger and John Winzinger, Jr.

Amount: \$151,700.00 (BCADB: \$84,239.00; Owner: \$67,461.00)

The property currently consists of 72 acres of vacant preserved farmland (the "Property"). The Property's development rights were sold to the County of Burlington on July 12, 2002 for \$293,400.00 (for both Lots 2.01 and 2.03) in a deed of easement recorded in Deed Book 5980, Page Number 966. Subsequently, on October 26, 2006, an amendment to the original deed of easement was recorded in Deed Book 6445, Page Number 89 (for both Lots 2.01 and 2.03) which corrected the description of the lands subject to the easement and conveyed additional compensation of \$22,896.86. The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 7.575 acres of the Property (including 6.789 acres within the farmland preservation easement) to be designated as Parcel 191; and (2) a temporary construction easement consisting of the right to store equipment and materials and to perform construction related activity for use during the construction of drainage improvements, impacting 0.031 acres of the Property (all of which is located outside of the farmland preservation easement) to be designated as Parcel C191.

3) Turnpike Design Section 5, ROW Section 4H

Parcel Series 1028A & 1028B, Block 22, Lot 4 (Partial Taking)

241 Sharon Road, Robbinsville Township, Mercer County

Owner: Dakota Realty, LLC

Amount: \$5,950.00 (MCADB: \$3,234.00; Owner: \$2,716.00)

The property currently consists of 73.848 acres of preserved farmland utilized as a tree nursery (the "Property"). The Property's development rights were sold to the County of Mercer on March

24, 2005 for \$359,200.00 in a deed of easement recorded in Deed Book 5021, Page Number 226. The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.049 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 1028A; (2) a fee simple interest in 0.009 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 1028B; (3) a slope easement consisting of the right to form and maintain slopes for grading and draining Sharon Road, impacting 0.008 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel E1028A; (4) a protective easement consisting of the permanent right to enter upon remaining lands of the owner or its assigns with personnel, equipment and materials for the purpose of constructing or reconstructing a retaining wall and appurtenances within the right of way from the proposed easement area along with the permanent right to access and perform maintenance and repairs upon the retaining wall and appurtenances from the easement area. Now or in the future, where physically accessible, the grantor shall permit the Authority or its assigns and their designees the right of ingress and egress across the easement for the purpose of access to the adjacent structure and appurtenances thereto after proper notification, impacting 0.114 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel PE1028A; (5) a slope easement consisting of the right to form and maintain slopes for grading and draining Bresnahan Road, impacting 0.192 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel E1028B; and (6) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner with personnel, materials and equipment in order to construct a retaining wall and appurtenances, impacting 0.019 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel C1028A.

4) Turnpike Design Section 5, ROW Section 4H

Parcel Series 1028C, Block 43, Lot 1 (Partial Taking)
407 Gordon Road, Robbinsville Township, Mercer County

Owner: Dakota Realty, LLC

Amount: \$7,500.00 (MCADB: \$4,585.00; Owner: \$2,915.00)

The property currently consists of 83.8536 acres of vacant preserved farmland (the "Property"). The Property's development rights were sold to the County of Mercer on April 30, 1999 for \$406,850.00 (includes Block 42, Lot 1) in a deed of easement recorded in Deed Book 3588, Page Number 1. The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a utility easement consisting of the right to construct and maintain a utility easement for Colonial Pipeline and appurtenances, impacting 1.485 acres of the Property (including 1.161 acres within the farmland preservation easement) to be designated as Parcel UE1028C; (2) a utility easement consisting of the right to install and maintain utility guy wire and anchor, impacting 0.003 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 2UE1028C; (3) a slope easement consisting of the right to form and maintain slopes for grading and draining Walters Road and Gordon Road, impacting 0.021 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel E1028C; (4) a temporary construction easement consisting of the right to access land and area for the construction of a Petroleum Pipeline, impacting 1.521 acres of the Property (including 1.093 acres within the farmland preservation easement) to be designated as Parcel C1028C; and (5) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner with personnel, materials and equipment for use during construction of drainage inlets, pipes and appurtenances, impacting 0.042 acres of the Property (all of which is located within the farmland preservation easement) to be designated as Parcel 2C1028C.

5) Turnpike Design Section 5, ROW Section 4H

Parcel Series 1037H, Block 43, Lots 1, 4, 4.01, 6, 7 & 9 (Partial Taking)

619, 649 & 659 Windsor-Perrineville Road and 920 & 970 Old York Road, East Windsor Township, Mercer County

Owner: Randall Peck and Laura Peck

Amount: \$30,000.00 (SADC: \$22,758.00; Owner: \$7,242.00)

The property currently consists of 68.057 acres of preserved farmland (the "Property"). The owner acquired the Property by deed from the State of New Jersey, State Agricultural Committee, on March 31, 2004 for \$285,000.00 (also includes Lots 10, 12 & 13) in a deed recorded in Deed Book 4772, Page Number 290. The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.717 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel R1037H; (2) a utility easement consisting of the right to install and maintain Colonial Pipeline, impacting 0.771 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel RUE1037H; (3) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner with personnel, materials and equipment in order to construct a petroleum pipeline and appurtenances, impacting 0.623 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel RC1037H; (4) a permanent easement fill for flood control purposes, specifically the acquisition of the owner's right to place embankment, or to grade elevation or to contour the flood fringe area without consent of the New Jersey Turnpike Authority or to erect any permanent buildings or structures; but to allow its use for recreational, landscaping or other passive use which does not decrease the storage capacity of the Flood Fringe Area, impacting 0.085 acres of the Property (all of which is located within the farmland preservation area) to be

designated as Parcel F1037D; (5) a permanent easement fill for flood control purposes, specifically the acquisition of the owner's right to place embankment, or to grade elevation or to contour the flood fringe area without consent of the New Jersey Turnpike Authority or to erect any permanent buildings or structures; but to allow its use for recreational, landscaping or other passive use which does not decrease the storage capacity of the Flood Fringe Area, impacting 0.079 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel F1037E; (6) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner in order to construct grading, top soiling and seeding, impacting 0.106 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel C1037E; (7) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner in order to construct grading, top soiling and seeding, impacting 0.001 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel C1037F; and (8) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner in order to construct grading, top soiling and seeding, impacting 0.065 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel C1037G.

6) Turnpike Design Section 5, ROW Section 4H

Parcel Series 1037A, 1037B & 1037C, Block 43, Lots 10, 12 & 13 (Partial Taking)

585, 589 & 603 Perrineville Road, East Windsor Township, Mercer County

Owner: Randall Peck and Laura Peck

Amount: \$16,000.00 (SADC: \$12,138.00; Owner: \$3,862.00)

The property currently consists of 4.416 acres of vacant preserved farmland (the "Property"). The owner acquired the Property by deed from the State of New Jersey, State Agricultural Committee, on March 31, 2004 for \$285,000.00 (also includes Lots 1, 4, 4.01, 6, 7 & 9) in a deed recorded in Deed Book 4772, Page Number 290. The NJTA must acquire the following interests in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.123 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel R1037A; (2) a fee simple interest in 0.024 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel 1037B; (3) a fee simple interest in 0.048 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel 1037C; (4) a slope easement consisting of the right to form and maintain slopes for grading and draining Perrineville Road, impacting 0.014 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel E1037A; (5) a slope easement consisting of the right to form and maintain slopes for grading and draining Perrineville Road, impacting 0.049 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel E1037B; (6) a utility easement consisting of the right to install and maintain Colonial Pipeline, impacting 0.264 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel RUE1037A; (7) a utility easement consisting of the right to install and maintain Colonial Pipeline, impacting 0.104 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel RUE1037B; (8) a utility easement consisting of the right to construct, reconstruct, operate, inspect, renew, replace, improve, maintain, redesign, alter, relocate, extend and remove overhead and ground facilities, and as may be deemed necessary or convenient by the Grantee or its assigns, for electric, CATV and communication purposes, for the use and benefit of the land and/or adjacent lands beyond the property, impacting 0.034 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel 2UE1037B; (9) a utility easement consisting of the right to construct, reconstruct, operate, inspect, renew, replace, improve, maintain, redesign, alter, relocate, extend and remove overhead and ground facilities, and as may be deemed necessary or convenient by the Grantee or its assigns, for electric, CATV and communication purposes, for the use and benefit of the land and/or adjacent lands beyond the property, impacting 0.013 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel UE1037C; (10) a utility easement consisting of the right to construct, reconstruct, operate, inspect, renew, replace, improve, maintain, redesign, alter, relocate, extend and remove overhead and ground facilities, and as may be deemed necessary or convenient by the Grantee or its assigns, for electric, CATV and communication purposes, for the use and benefit of the land and/or adjacent lands beyond the property, impacting 0.018 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel 2UE1037C; (11) a utility easement consisting of the right to install and maintain utility guy wire and anchor, impacting 0.003 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel 3UE1037C; (12) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner with personnel, materials and equipment in order to construct a petroleum pipeline and appurtenances, impacting 0.883 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel RC1037B; (13) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner with personnel, materials and equipment in order to construct a petroleum pipeline and appurtenances, impacting 0.128 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel C1037C; (14) a temporary construction easement consisting of the right to enter upon the remaining lands of the owner with personnel, materials and equipment for use during the construction of drainage inlets, pipes and appurtenances, impacting 0.011 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel 2C1037C; (15) a permanent easement fill for flood control purposes, specifically the acquisition of the owner's right to place embankment, or to grade elevation or to contour the flood fringe area without consent of the New Jersey

Turnpike Authority or to erect any permanent buildings or structures; but to allow its use for recreational, landscaping or other passive use which does not decrease the storage capacity of the Flood Fringe Area, impacting 0.002 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel F1037A; (16) a permanent easement fill for flood control purposes, specifically the acquisition of the owner's right to place embankment, or to grade elevation or to contour the flood fringe area without consent of the New Jersey Turnpike Authority or to erect any permanent buildings or structures; but to allow its use for recreational, landscaping or other passive use which does not decrease the storage capacity of the Flood Fringe Area, impacting 0.001 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel 2F1037A; (17) a permanent easement fill for flood control purposes, specifically the acquisition of the owner's right to place embankment, or to grade elevation or to contour the flood fringe area without consent of the New Jersey Turnpike Authority or to erect any permanent buildings or structures; but to allow its use for recreational, landscaping or other passive use which does not decrease the storage capacity of the Flood Fringe Area, impacting 0.007 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel F1037B; (18) a permanent easement fill for flood control purposes, specifically the acquisition of the owner's right to place embankment, or to grade elevation or to contour the flood fringe area without consent of the New Jersey Turnpike Authority or to erect any permanent buildings or structures; but to allow its use for recreational, landscaping or other passive use which does not decrease the storage capacity of the Flood Fringe Area, impacting 0.018 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel 2F1037B; and (19) a permanent easement fill for flood control purposes, specifically the acquisition of the owner's right to place embankment, or to grade elevation or to contour the flood fringe area without consent of the New Jersey Turnpike Authority or to erect any permanent buildings or structures; but to allow its use for recreational, landscaping or other passive use which does not decrease the storage capacity of the Flood Fringe Area, impacting 0.012 acres of the Property (all of which is located within the farmland preservation area) to be designated as Parcel F1037C.

The above referenced properties have not been designated nor 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 are 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 and approve the required action necessary to finalize acquisition of the properties set forth above.

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The following matters constitute the Public Session agenda:

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LAW

71-10

In a memorandum dated March 16, 2010 concerning a recommendation to **Enter Into Three (3) Cooperative Agreements with Ocean County for Design and Construction Work at Separate Garden State Parkway Locations:** Interchange 83 – New Collector/Distributor Road and Bridge and Ramp Modifications; Interchanges 88 / 89 – New Collector and/or Distributor Roads, Ramps and Bridges; and Interchange 91 – New Structure carrying Burnt Tavern Road over the Parkway, Completion of New Exit and Entrance Ramps and Ramp Modifications, Project No. 31023029 at \$850,000; Project No. 31023030 at \$1,000,000; and Project No. 98000030 at \$8,500,000.

The Authority has three cooperative agreements with Ocean County for improvements at Interchanges 83, 88/89 and 91 on the Garden State Parkway. The agreements were executed by the former Highway Authority during the period 1997 through 2001. The improvements to these interchanges are included in the Authority's Capital Improvement Program. As a result of changes in traffic conditions and revised design standards, the intent of these agreements has changed and it is recommended that the changes be memorialized. Accordingly, both parties have agreed that it is in their mutual best interest to terminate the current agreements and enter into new agreements that would reflect the existing traffic conditions and revised design standards, which will allow for the construction of the improvements to these three interchanges. The details of the new agreements are summarized as follows:

Interchange 83

The County will be responsible for the preliminary design permitting, right-of-way and final design and construction of a by-pass road between NJ Route 166 and Indian Head Road in the southeast quadrant of Interchange 83. The Authority will include, as part of the Garden State Parkway Mainline Shoulder Widening Project, replacement of the bridges over Indian Head Road to provide wider and longer structures. These improvements will accommodate the future County roadway widening of Indian Head Road at this location. The County and the Authority will separately bear their respective project costs.

Interchange 88

This interchange is currently only accessible by traffic to and from the north. The Interchange 88 Improvement Project will complete the interchange to allow for full access to Route 70 and will consolidate Interchanges 88 and 89 through the construction of service roads along northbound and southbound roadways. The County will be responsible for preliminary design and permitting for the project, which the Authority will reimburse up to \$850,000 upon receipt of environmental permits. The Authority will be responsible for final design and construction of the improvements, which are currently estimated at \$50 million. The County will commit up to \$2 million for construction of ancillary ramps within the interchange, which will strictly benefit the County's roadway network. Each party will be responsible for right-of-way within their jurisdiction.

Interchange 91

This interchange is currently only accessible by traffic to and from the north and this project will complete the interchange by providing ramps to and from the south. The construction cost is estimated at \$45 million, which will be the responsibility of Ocean County as part of a federally funded initiative. The County will be responsible for the construction of all improvements except for the Burnt Tavern Road Bridge over the Garden State Parkway which will be replaced at the Authority's estimated expense of \$8,000,000 under a separate public contract. The Authority will reimburse the County up to \$1 million for preliminary design and permitting upon receipt of environmental permits for the project. The Authority will also reimburse the County up to \$8.5 million

for improvements to various existing and proposed ramps, which will be of strict benefit to the Authority. Each party will be responsible for right-of-way within their jurisdiction.

In summary, Ocean County and the New Jersey Turnpike Authority will bear their respective costs for Interchange 83. At Interchange 88, the Authority will reimburse the County \$850,000 for preliminary design and permitting, and the County will contribute \$2 million toward the estimated \$50 million cost of construction. At Interchange 91, the County is the lead agency for the estimated \$45 million construction of the project and the Authority will reimburse the County for up to \$1 million for preliminary design and environmental permitting; \$8.5 million for various ramp construction; and the Authority will be responsible for the design and construction of the replacement of the Burnt Tavern Road Bridge, which will be included in a separate public contract.

On motion by Commissioner DuPont, seconded by Commissioner Hodes, the Authority unanimously approved the four (4) Law items; and authorized and/or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ENGINEERING

Chief Engineer Raczynski requested approval of Items 72-10 through 84-10, with no deferrals, and Addendum Item 90-10. He noted that Item 77-10 is the largest construction contract to date for the Turnpike Interchanges 6 to 9 Widening; and Item 82-10 is a very important professional services contract for coordination of the shoulder restoration and improvements project significant to safety on the Garden State Parkway between mileposts 83 and 100. Moved as a group, those items are as follows:

72-10

In a memorandum dated March 10, 2010, concerning the recommendation to **Extend Feeder Road Maintenance Cost Sharing Agreement Between the New Jersey Turnpike Authority and the State of New Jersey**, Supplemental Capital Fund No. 08007015.

On June 18, 2009 the New Jersey Turnpike Authority entered into an Agreement with the State of New Jersey to provide reimbursement to the State for reconstruction, maintenance and repair of Feeder Roads.

The existing Agreement provided funding to the State for the period of January 1, 2009 to June 30, 2010. Authorization is requested to extend this Agreement for an additional year from July 1, 2010 to June 30, 2011, the State's fiscal year.

The Agreement will provide for reimbursement to the State for reconstruction, maintenance and repair of Feeder Roads on 20 New Jersey Turnpike Interchanges and 36 Interchanges on the Garden State Parkway. These Feeder Roads involve approximately 280 lane miles at a cost of approximately \$28,575 per lane mile. Reimbursement to the State for the one year period will be \$8,001,000. The State agrees to maintain the Feeder Roads at Authority Interchanges in a state of good repair sufficient to support the safe and efficient access and egress onto the New Jersey

Turnpike and Garden State Parkway.

It is, therefore, recommended that the Executive Director be authorized to extend this Agreement as described above for one year in the amount of \$8,001,000.

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73-10

In a memorandum dated March 18, 2010, concerning the recommendation to **Execute Utility Order 1267-T – PSE&G (Gas)**, Design Section 1, Interchange 6; **Utility Order 1271-T – JCP&L / First Energy (Distribution)**, Design Section 6 - Interchange 8; and **Utility Order 1272-T – Verizon - New Jersey Inc.**, Design Section 6 - Interchange 8, New Jersey Turnpike, Interchange 6 to Interchange 9 Widening Program, 2009 Capital Construction Program No. 31018001 and Future Bond Issue.

Existing facilities belonging to the referenced utilities will be directly impacted by the construction of various contracts within Design Sections 1 and 6 of the Widening Program. The Authority will reimburse these utility companies for the relocation of the existing facilities, including the cost of materials, inspection and associated activities. Below is a brief summary of each Utility Order.

PSE&G Gas - A Utility Order is required to perform utility relocation of an existing PSE&G Gas facility that will be directly impacted by the construction of Contract No. T869.120.103 of the Widening Program. This relocation includes the replacement of approximately 2,000 feet of an existing 4-inch gas main with an 8-inch main. The existing main is bridge-attached to the Columbus-Hedding Road (MP 51.0) structure as it crosses over the Turnpike mainline. The proposed gas main will be directionally drilled under the Turnpike, eliminating a gas main attached to an Authority structure. While the Authority will reimburse PSE&G Gas for the cost of materials, engineering, construction, inspection and associated activities, the increase in size from a 4-inch to 8-inch main is considered a betterment with the cost differential being the responsibility of PSE&G.

JCP&L / First Energy – Distribution - The Authority will reimburse this Utility company for the cost of materials and inspection of all work for relocations required in the vicinity of Route 33, various county and local roads, the proposed Interchange 8 Toll Plaza building, Pump Station No. 7 and the IBEW Building. The relocations will be performed by the Authority's contractors for Contract Nos. T869.120.602, T869.120.603, T869.120.604 and T869.120.605.

Verizon – New Jersey, Inc. - The Authority will reimburse this Utility company for the relocation and associated activities required in the vicinity of Route 33, various county and local roads, the proposed Interchange 8 Toll Plaza building, Pump Station No. 7 and the IBEW Building. Installation of all conduits and manholes will be performed by the Authority's contractors for Contract Nos. T869.120.602, T869.120.603, T869.120.604 and T869.120.605; installation of all other devices associated with this relocation work will be performed by the Utility company.

The cost of these Utility Orders were provided by the referenced utilities and are based on the final improvements and known conditions at this time. The cost proposals were reviewed by the Engineering Department and are considered reasonable and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order 1267-T in an amount not to exceed \$965,000; Utility Order 1271-T, in an amount not to exceed \$976,000; and Utility Order 1272-T in an amount not to exceed \$5,112,000.

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74-10

In a memorandum dated March 12, 2010, concerning the recommendation **Award Contract T200.151 – Joseph M. Sanzari Inc.** – New Jersey Turnpike, Resurfacing, Milepost (MP) 74 to MP 122, Middlesex, Union, Essex, Hudson and Bergen Counties, Maintenance Reserve Fund No. 03010002.

This contract will provide for the resurfacing of asphalt concrete surface course pavement along Mainline Turnpike roadways, ramps, shoulders, toll plazas and other incidental work. All work is expected to be completed in 2010.

Ten bid proposals were received on March 11, 2010 for the above publicly advertised contract. The low bid proposal, in the amount of \$5,195,060, may be compared to the second low bid proposal in the amount of \$5,445,505. The low bidder, Joseph M. Sanzari, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T200.151 be awarded to the low bidder, Joseph M. Sanzari, Inc. of Hackensack, New Jersey, in the amount of \$5,195,060. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine 2006). The General Consultant, HNTB Corporation, concurs with this recommendation.

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75-10

In a memorandum dated March 18, 2010, concerning the recommendation to **Issue Order for Professional Services No. T3314 – HAKS Engineers** – New Jersey Turnpike, Supervision of Construction Services, for **Contract No. T200.150**, Resurfacing, Milepost 0 to 74; and **Contract No. T200.151**, Resurfacing, Milepost 74 to 122, Maintenance Reserve Fund No. 03010002.

This Order for Professional Services (OPS) will provide supervision of construction services for the referenced two contracts. The work includes resurfacing the asphalt pavement surface course on Turnpike mainline roadways, ramps, toll plazas, and related incidental items. The contracts are scheduled to be completed in 2010.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$1,000,000. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 61 engineering firms were prequalified and eligible under Profile Code B154 – Roadway Resurfacing Inspection. Three firms submitted EOIs by the closing date of February 3, 2010.

For Complex projects, the current procurement policy stipulates the Review Committee evaluate the EOIs to develop the "short list" of firms to receive the RFP. The procurement policy further stipulates that if only three or four EOIs were submitted and deemed complete, all firms shall receive a Request for Proposal. Accordingly, the three firms were requested to submit Technical and sealed Fee Proposals. The firms are: 1) HAKS Engineers; 2) KS Engineers, P.C.; and 3) T&M Associates. The Review Committee reviewed and evaluated each firm's Technical Proposal. Final scoring resulted in HAKS Engineers being the highest technically ranked firm. The fee submitted by HAKS Engineers has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. T3314 be issued to the firm of HAKS Engineers of Newark, New Jersey, in the not to exceed amount of \$1,495,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.35 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardees, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firms were selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8 and Executive Order No. 37 (Corzine 2006).

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76-10

In a memorandum dated March 11, 2010, concerning the recommendation to **Award Contract No. P500.158A – Breaker Electric Inc.** – Garden State Parkway, Installation of PNC Bank Arts Center Amphitheater Electrical Improvements – Phase I, MP 116.0 Northbound, Township of Holmdel, Monmouth County, 2009 Capital Construction Program No. 31005013 and Future Bond Issue.

This contract will provide for the replacement and relocation of the main electrical services for the PNC Bank Arts Center Amphitheater. The work will consist of installation of a prefabricated enclosure for new electrical distribution equipment, the installation of this electrical equipment, and the connection of this new equipment to the existing distribution system in the amphitheater. The work to be performed under this contract is scheduled to commence immediately upon the completion of the 2010 event season.

Five bid proposals were received on March 9, 2010 for the above publicly advertised contract. The low bid proposal, in the amount of \$394,200.50, may be compared to the second low

bid proposal in the amount of \$449,988.83. The low bidder, Breaker Electric, Inc., has not previously performed work for the Authority but is considered competent to complete this contract. The firm is prequalified by the NJ Department of Treasury, Division of Property Management and Construction and has completed projects for many public entities.

It is, therefore, recommended that Contract No. P500.158A be awarded to the low bidder, Breaker Electric, Inc. of Clarksburg, New Jersey, in the amount of \$394,200.50. 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 for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine 2006). The General Consultant, HNTB Corporation, concurs with this recommendation.

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77-10

In a memorandum dated March 18, 2010, concerning the recommendation to **Award Contract No. T869.120.103 – George Harms Construction Co. Inc.** – New Jersey Turnpike, Interchanges 6 - 9 Widening Program, Grading, Drainage, Paving, Structures, & Lighting, Interchange 6 Ramps and NSO/SNO Roadways, MP 50.5 to MP 51.5, Township of Mansfield, Burlington County, 2009 Capital Construction Program No. 31018001 and Future Bond Issue.

This contract includes the construction of the mainline outer roadways from Milepost 50.5 to 51.5 and ramps connecting the mainline and the Pearl Harbor Memorial Turnpike Extension. Additionally, this contract includes eight bridges, eight overhead sign structures and 24 retaining walls. Construction is anticipated to commence in the second quarter of 2010.

Nine bid proposals were received on March 17, 2010 for the above publicly advertised contract. The low bid proposal, in the amount of \$111,064,242.49, may be compared to the second low bid proposal in the amount of \$129,277,722.00. The low bidder, George Harms 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. T869.120.103 be awarded to the low bidder, George Harms Construction Co., Inc. of Howell, New Jersey, in the amount of \$111,064,242.49. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine 2006). The General Consultant, HNTB Corporation, concurs with this recommendation.

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78-10

In a memorandum dated March 10, 2010, concerning the recommendation **Award Contract No. T869.120.502 – Rencor Inc.** – New Jersey Turnpike, Interchanges 6 to 9 Widening Program, Grading, Drainage, Paving & Structures, NSO/SNO Roadways, MP 62.0 to MP 63.4, Township of Robbinsville, Mercer County, 2009 Capital Construction Program No. 31018001 and Future Bond Issue.

This contract involves the construction of the mainline outer roadways in the southern portion of Design Section 5 including a proposed U-Turn structure, reconstruction of the Gordon Road and Sharon Road overpasses and two mainline structures over Assunpink Creek. This contract also includes two stormwater management basins, seven sign structures, one noise barrier and retaining walls. Construction is anticipated to commence in the second quarter of 2010 and be completed in the second quarter of 2013.

Eleven bid proposals were received on March 4, 2010 for the above publicly advertised contract. The low bid proposal, in the amount of \$38,885,144.25, may be compared to the second low bid proposal in the amount of \$40,409,000.60. The low bidder, Rencor, Inc., has not previously performed work for the Authority but is considered competent to complete this contract. Rencor, Inc. is also prequalified with the New Jersey Department of Transportation for work of similar complexity and is currently the prime contractor on a project for the US Army Corps of Engineers in excess of \$16 million.

It is, therefore, recommended that Contract No. T869.120.502 be awarded to the low bidder, Rencor, Inc. of Somerville, New Jersey, in the amount of \$38,885,144.25. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine 2006). The General Consultant, HNTB Corporation, concurs with this recommendation.

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79-10

In a memorandum dated March 18, 2010, concerning the recommendation **Issue Order for Professional Services No. P3269 – Stantec Consulting Services Inc.** – Garden State Parkway, Design Services and Environmental Permitting, Improvements at Parkway Interchange 125, 2009 Capital Construction Program No. 31023024 and Future Bond Issue.

This Order for Professional Services (OPS) will provide professional services to facilitate the preliminary engineering, final design and environmental permitting required for the construction of interchange improvements considered necessary to accommodate projected future traffic

volumes at Interchange 125 in the Borough of Sayreville, Middlesex County. The anticipated increase in traffic volumes will be generated by the redevelopment of the former National Lead Site in accordance with the Sayreville Economic Redevelopment Agency's plan for the Borough.

This assignment is classified as a "Complex Project" since the project cost exceeds \$1,000,000. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 21 engineering firms were prequalified and eligible under Profile Codes: A250 - Fully Controlled Access Highways; A252 - Complex Interchanges; A256 - Toll Plazas; C190 - Preparation of EIS and EA's; and D491 - Transportation Planning: Alternative Analyses. Ten firms submitted EOIs by the closing date of January 29, 2010.

Subsequent to the scoring of EOIs by the Review Committee, the top three firms were requested to submit Technical and sealed Fee Proposals. The firms are: 1) Stantec Consulting Services, Inc.; 2) HNTB Corporation; and 3) T & M Associates. The Review Committee reviewed and evaluated each firm's Technical Proposal and the final scoring resulted in Stantec Consulting Services, Inc. being the highest technically ranked firm. The fee submitted by Stantec Consulting Services, Inc. has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3269 be issued to the firm of Stantec Consulting Services, Inc. of Rochelle Park, New Jersey in the not to exceed amount of \$4,354,000. 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. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8, and Executive Order No. 37 (Corzine 2006).

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80-10

In a memorandum dated March 18, 2010, concerning the recommendation to **Issue Order for Professional Services No. P3289 – TranSystems Corporation** – Garden State Parkway, Design Services for Contract No. P100.194, Substructure and Miscellaneous Repairs, MP 28 to MP 123, 2008A Note Construction Fund No. 30000023.

This Order for Professional Services (OPS) will provide for design services and preparation of construction contract documents for the substructure and miscellaneous repairs for bridges between Milepost 28 and 123 on the Garden State Parkway. The construction contract is anticipated to be awarded in May 2011.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 50 engineering firms were prequalified and eligible under Profile Code A092 – Bridges: Miscellaneous Repairs. Thirteen firms submitted EOIs by the closing date of January 25, 2010.

Subsequent to the scoring of EOIs, Fee Proposals were requested from three firms. The firms in order of ranking are: 1) TranSystems Corporation; 2) Fay, Spofford & Thorndike; and 3) Arora and Associates, P.C. The fee submitted by TranSystems Corporation has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3289 be issued to the firm of TranSystems Corporation of Paramus, New Jersey, in the not to exceed amount of \$982,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.78, based on a 10% allowance for profit and an overhead rate of 152.7% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected 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 firms were selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8 and Executive Order No. 37 (Corzine 2006).

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81-10

In a memorandum dated March 12, 2010, concerning the recommendation to **Issue Order for Professional Services No. P3292 – LS Engineering Associates Corporation** – Engineering Services for the 2010 New Jersey Turnpike Bridge Inspection Program; and Garden State Parkway - Sign Structure and Culvert Inspections, MP 17 to MP 171, Special Project Reserve Fund No. 04010018, Small Business Enterprise (SBE) Set-Aside.

This Order for Professional Services (OPS) provides for the inspection of the Authority's 140 sign structures and 53 non-NBIS culverts on the Parkway between Mileposts 17 and 171 in accordance with the requirements of the 2010 New Jersey Turnpike Bridge Inspection Program. Also included are on-call special inspection and related design assignments, and submittal of inspection reports.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and nine engineering firms were prequalified and eligible under Profile Code D280R – Bridges: NBIS Program, Routine, and registered as an SBE by the Division of Minority and Women

Business Development/Department of Treasury. Four firms submitted EOIs by the closing date of February 23, 2010.

Subsequent to the scoring of EOIs, Fee Proposals were requested from three firms. The firms in order of ranking are: 1) LS Engineering Associates Corporation; 2) Churchill Consulting Engineers; and 3) Naik Consulting Group, P.C. The fee submitted by LS Engineering Associates Corporation has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3292 be issued to the firm of LS Engineering Associates Corporation of Montville, New Jersey, in the maximum amount of \$468,000, allocated as follows: \$400,000 in 2010 and \$68,000 in 2011. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.45, based on a 10% allowance for profit and an overhead rate of 122.7% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. 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. These professional services were procured, and the recommended firms were selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8 and Executive Order No. 37 (Corzine 2006).

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82-10

In a memorandum dated March 18, 2010, concerning the recommendation to **Issue Order for Professional Services No. P3328 – Dewberry-Goodkind Inc.** – Garden State Parkway, Program Manager Services, Shoulder Restoration and Improvements, MP 83 to MP 100, 2009 Capital Construction Program No. 31022023 and Future Bond Issue.

This Order for Professional Services (OPS) provides for the management, oversight, reporting, coordination and other related engineering services required to manage the final design phase of the shoulder restoration and improvement program along the Parkway from Milepost 83 to 100, and full design oversight of the Interchange 88 improvements. In addition, this OPS will coordinate the final design of improvements to Interchanges 83 and 91, which are within the limits of the shoulder improvement program.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$1,000,000. In general OPS' are solicited based on Profile Codes dependent on the specific scope of work. Since Profile Codes do not exist for the procurement of Program Manager Services, a request for qualifications for these services was required. The Request for Letters of Qualifications (LOQ) was advertised on the Authority's web-site for all interested firms in December 2009. Three firms submitted LOQ's by the closing date of January 7, 2010.

Subsequent to review of the LOQs by the Review Committee, all three firms were deemed qualified and based on the unique scope of services required for qualification as Program Manager and minimum number of LOQs received, all were requested to submit Technical and sealed Fee Proposals. The firms are: 1) Dewberry-Goodkind, Inc.; 2) HNTB Corporation; and 3) Post, Buckley, Schuh & Jernigan, Inc. The Review Committee reviewed and evaluated each firm's Technical Proposal and oral presentations were held on February 23, 2010. Final scoring resulted in Dewberry-Goodkind, Inc. being the highest technically ranked firm. The fee submitted by Dewberry-Goodkind, Inc. has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3328 be issued to the firm of Dewberry-Goodkind, Inc. of Bloomfield, New Jersey in the not to exceed amount of \$7,700,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.43, based on a 10% allowance for profit and an overhead rate of 121% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8, and Executive Order No. 37 (Corzine).

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83-10

In a memorandum dated February 1, 2010, concerning the recommendation to **Issue Supplement M to Order for Professional Services No. A3053 – HNTB Corporation** – New Jersey Turnpike, General Consulting Engineers for the New Jersey Turnpike Authority, Design Services for Interchange 16E-18E Improvements, Reconstruction of Structure No. E112.58A, 2008A Note Construction Fund No. 30000018.

Order for Professional Services (OPS) No. A3053 was issued to HNTB Corporation at the August 2005 Commission Meeting, to provide for professional engineering services as the General Consulting Engineer for the New Jersey Turnpike Authority over a five year term. Supplement H was authorized in December 2008 in the amount of \$1,016,000 to provide fast-track final design services for the reconstruction of Structure No. E112.58A. Supplement K was authorized in July 2009 in the amount of \$100,000 to provide for design services which were unanticipated in the original scope of work.

Supplement M will provide for unanticipated post design services which include: review and approval of the contractor proposed alternate demolition scheme which involved horizontal geometry revisions; preparation of a modified Stage 3A maintenance and protection of traffic plan; attending field meetings to resolve unanticipated site issues and attending construction progress

meetings at the request of the Construction Division and Resident Engineer to ensure timely responses and input to maintain the aggressive schedule of this fast-track contract.

HNTB Corporation submitted a proposal for these additional services in the total amount of \$69,000, which is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that OPS No. A3053M be issued to HNTB Corporation in the amount of \$69,000, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee for this particular task from \$1,116,000 to \$1,185,000. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

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84-10

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

| <u>CONTRACT NO.</u> | <u>CONTRACTOR</u> | <u>AMOUNT</u> |
|--------------------------|--|---------------|
| <u>Contract P100.074</u> | Agate Construction Co. Inc. Southern Bridge Deck Repairs and Resurfacing MP 0 to MP 113 Cape May, Atlantic, Burlington, Ocean and Monmouth Counties Maintenance Reserve Fund No. 03020001 | \$221,592.95 |

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

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Addendum Item

90-10

In a memorandum dated March 24, 2010, concerning a recommendation to **Issue Order for Professional Services No. A3316 – KS Engineers, P.C.** – Garden State Parkway and New Jersey Turnpike, Supervision of Construction Services, for Contract No. T600.156 - Sign Panel Replacement, MP 0.0 to MP 48.7; and Contract No. A600.157 - Advanced Sign Structure Fabrication – Overhead, 2009 Capital Construction Program No. 31006014 and Future Bond Issue.

By letter dated March 18, 2010, Governor Chris Christie informed the Turnpike Authority (Authority) that in accordance with the authorization contained in N.J.S.A. 27:23-3(F), that he exercised his veto authority of the action taken at the February 23, 2010 Commission Meeting by the Authority to approve the referenced Order for Professional Services (OPS). More specifically, Governor Christie's letter informs the Authority that it does not appear that the Authority sufficiently complied with N.J.A.C. 19:9-2.8(g)(2) in negotiating a fair and reasonable price with the highest ranked firm taking into consideration all relevant factors.

By way of background, this OPS will provide supervision of construction services for the referenced contracts. Contract No. T600.156 will consist of the replacement of existing guide sign panels with new guide signage on overhead and ground mounted sign structures. Contract

No. A600.157 will consist of the advanced fabrication and delivery of Variable Message Sign support structures.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to sixty-three (63) engineering firms prequalified and eligible under Profile Code B153 – Roadway Construction Inspection. Three firms submitted EOIs by the closing date of January 14, 2010.

Subsequent to the scoring of EOIs, Fee Proposals were requested from all three (3) firms. The firms in the order of ranking are: 1) Churchill Consulting Engineers, 2) KS Engineers, P.C; and 3) Arora & Associates, P.C. Churchill Consulting Engineers withdrew their Expression of Interest from further consideration for this assignment due to staff availability, as they had also submitted a proposal for OPS P3313 at the same time which would utilize the majority of the same staff. As Churchill was the highest technically ranked firm for that assignment and were the recommended proposer, they would be unable to provide the required staff necessary to perform this OPS. Therefore, negotiations commenced with the second highest technically ranked firm, KS Engineers, P.C.

As a result of Governor Christie's veto, the Authority further evaluated this procurement with more detailed focus on the hours and fees presented by the firms and undertook additional negotiations with KS Engineers, P.C. These additional negotiations resulted in a revised fee of \$401,890, which is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. A3316 be issued to the firm of KS Engineers, P.C. of Newark, New Jersey, in the maximum amount of \$401,890. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.20 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. 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. These professional services were procured, and the recommended firms were selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8 and Executive Order No. 37 (Corzine 2006).

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

On motion by Commissioner DuPont, seconded by Commissioner Hodes, the Authority approved engineering items 72-10 through 84-10 and addendum item 90-10; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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PURCHASING

Purchasing Director Ward deferred item 85J-10, identified the remaining Purchasing agenda as routine goods and services and requested approval. Moved as a group, items 85A-10 through 85I-10 and 85K-10 through 85L-10 are as follows:

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

Bid prices are on file in the Purchasing Department. Recommendation of contract award to the low bidder meeting Authority specifications is as follows:

85A-10

| <u>BIDDERS</u> | <u>BIDS</u> | | | |
|----------------|--------------|-----------------------|----------------------------------|---------------|
| <u>INVITED</u> | <u>REC'D</u> | <u>COMMODITY</u> | <u>VENDOR</u> | <u>AMOUNT</u> |
| 8 | 3 | Hopper Spreader Parts | HA DeHart & Son Thorofare, NJ | \$50,000 |

Requisition Memorandum (RM) 815; Bids Received: February 11, 2010
Requisitioned by the Inventory Division, this is for a one-year price agreement for the supply of Hopper Spreader Parts. Bidders were required to quote unit prices for 15 items listed, including but not limited to, assemblies, bearings, springs, chutes, and gearbox. Bidders were also required to provide a discount off of the Manufacturer's List Price for miscellaneous parts.

Recommend award be made to the lowest responsible bidder, H A DeHart & Son Inc., in an annual amount not to exceed \$50,000, subject to funding availability at time of service. The Authority has the sole discretion of extending the contract, under the same terms and conditions, for two additional one-year terms.

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85B-10

| <u>BIDDERS</u> | <u>BIDS</u> | | | |
|----------------|--------------|-------------------------------------|---|---------------|
| <u>INVITED</u> | <u>REC'D</u> | <u>COMMODITY</u> | <u>VENDOR</u> | <u>AMOUNT</u> |
| 9 | 2 | Ford, Mott and Alamo Mower Parts | Montage Enterprise Inc. Blairstown, NJ | \$65,000 |

RM-816; Bids Received: February 17, 2010

Requisitioned by the Inventory Division, this is for a one-year price agreement for the supply of Ford, Mott and Alamo Mower Parts. Bidders were required to quote unit prices for 62 items listed, including but not limited to, rollers, bearings, brackets, bolts, nuts, filters and springs. Bidders were also required to provide a discount off of the Manufacturer's List Price for miscellaneous parts.

Recommend award be made to the lowest responsible bidder, Montage Enterprise, Inc. in an annual amount not to exceed \$65,000, subject to funding availability at time of service. The Authority has the sole discretion of extending the contract, under the same terms and conditions, for two additional one-year terms.

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85C-10

| BIDDERS | BIDS | | | |
|---------|-------|---|---|----------|
| INVITED | REC'D | COMMODITY | VENDOR | AMOUNT |
| 6 | 2 | Liquefied Herbicide and Related Pump Equipment | Arborchem Products Mechanicsburg, PA | \$60,000 |

RM-817; Bids Received: February 16, 2010.

Requisitioned by the Inventory Division, this is for a one-year price agreement for the supply of Liquefied Herbicide and Replacement of Pumps. The Maintenance Department uses the herbicide for weed control spraying at curb lines, fence lines, and median barriers on both roadways. Bidders were required to quote unit prices on three items, namely, pallet (9 drums per pallet) of herbicide, an electric pump, and a hand pump.

Non-Compliance

A second bid proposal was received from DeAngelo Brothers, Inc. t/a Alenza of Hazelton, PA. This bidder failed to quote a price for Item 2 – the electric pump contrary to the specifications which stated that "Vendors must supply a price for every item listed. Bids not having a price in all listed items may be rejected." It should be noted that DeAngelo's Total Unit price exceeded the low bid price even with the missing item. Therefore, it is recommended that this bid proposal be rejected.

Recommend award be made to the lowest responsible bidder, Arborchem Products in an annual amount not to exceed \$60,000, subject to funding availability at time of service. The Authority has the sole discretion of extending the contract, under the same terms and conditions, for two additional one-year terms.

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85D-10

| BIDDERS | BIDS | | | |
|---------|-------|--------------------------------------|--|----------|
| INVITED | REC'D | COMMODITY | VENDOR | AMOUNT |
| 4 | 1 | Specialized Toll Electrical Parts | Route 22 Electronics Mountainside, NJ | \$50,000 |

RM-822; Bids Received: February 11, 2010

Requisitioned by the Tolls Department, this is for a one-year price agreement for the supply of Specialized Toll Electrical Parts. For purpose of award, bidders were required to quote unit prices for five line items, including but not limited to, microprocessors, digital converters, and instrumentation amplifiers. Bidders were also asked to provide prices on an additional 36 line items, such as transistors and voltage detectors. The quoted prices shall remain unchanged during the term of the contract.

Recommend award be made to the sole responsible bidder, Route 22 Electronics, in an annual amount not to exceed \$50,000, subject to funding availability at time of service. The Authority has the sole discretion of extending the contract, under the same terms and conditions, for two additional one-year terms.

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85E-10

| BIDDERS | BIDS | | | |
|---------|-------|---|------------------------------------|-----------|
| INVITED | REC'D | COMMODITY | VENDOR | AMOUNT |
| 7 | 1 | Machine Shop Services for Toll Equipment Parts | MTJ Industries New Rochelle, NY | \$130,000 |

RM-824; Bids Received: March 4, 2010.

Requisitioned by the Tolls Department, this is for a one-year price agreement for Machine Shop Services for Toll Equipment Parts. For purpose of award, bidders were required to quote unit prices for 11 line items. Each line item is associated to a drawing, which illustrates the parts required for that piece of equipment.

Recommend award be made to the sole responsible bidder, MTJ Industries, in an annual amount not to exceed \$130,000, subject to funding availability at time of service. The Authority has the sole discretion of extending the contract, under the same terms and conditions, for two additional one-year terms.

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85F-10

| BIDDERS | BIDS | | | |
|---------|-------|--|---|----------|
| INVITED | REC'D | COMMODITY | VENDOR | AMOUNT |
| 8 | 6 | Printing and/or Scanning of Engineering Plans | R. S. Knapp Company Inc. Lyndhurst, NJ | \$80,500 |

RM-835; Bids Received: March 3, 2010
(SBE Set-Aside Contract)

Requisitioned by the Engineering Department, this is a one-year Price Agreement for Printing and/or Scanning of Engineering Plans. Bidders were required to quote unit prices for three items: (1) printing 1,500,000 square feet on paper; (2) printing 5,000 square feet on Mylar;

and (3) scanning 10,000 square feet of engineering drawings. The award is based on the lowest combined total amount for the three items.

Non-Compliance

Three other bid proposals were submitted for this solicitation by National Reprographics Inc., Lawrenceville, NJ; New Jersey Legal Copy, Inc., Cherry Hill, NJ; and C.C. Warehousing & Delivery Inc., d/b/a File Bank, Oakland, NJ. However, these bidders are not registered with the Department of Treasury as SBEs as required in the specifications. Page 11 specifically states that: "Bid proposals from businesses not designated as SBEs will be rejected." Therefore, it is recommended that the proposals from National Reprographics Inc., New Jersey Legal Copy Inc. and File Bank be rejected. (It should also be noted that New Jersey Legal Copy Inc. also failed to submit a NJ Business Registration Certificate which is a mandatory requirement in the specifications.)

Recommend award be made to the lowest responsible bidder, R. S. Knapp Company, Inc., in an annual amount not to exceed \$80,500, subject to funding availability at time of service. The Authority has the sole discretion of extending the contract, under the same terms and conditions, for two additional one-year terms.

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85G-10

| <u>BIDDERS</u> | <u>BIDS</u> | | | |
|----------------|--------------|--|--|---------------|
| <u>INVITED</u> | <u>REC'D</u> | <u>COMMODITY</u> | <u>VENDOR</u> | <u>AMOUNT</u> |
| 22 | 10 | Environmental Laboratory Analytical and Field Services | New Jersey Analytical Laboratories Pennington, NJ | \$230,000 |

RM-838; Bids Received: March 10, 2010

Requisitioned by the Engineering Department, this is a one-year Price Agreement for Environmental Laboratory Analytical and Field Services. (The Authority conducts environmental remediation projects at its Toll Plazas, Maintenance Districts, and Service Areas.) Bidders were required to quote unit prices for 102 items including, but not limited to, analyzing samples from soil, water, air and asbestos, sampling equipment, and an hourly rate for a field technician. The award is based on the lowest combined total amount for all items.

Non-Compliance

Bid proposals were submitted by Chemtech Consulting Group, Inc., Mountainside, NJ and EMSL Analytical, Inc., Westmont, NJ. Both bidders, however, failed to submit a proposal bond which is a material defect. No. 7 of the Bidder Guidelines/Checklist states that the proposal bond and/or letter of surety is a mandatory requirement which: "must accompany the bid or the bid will be rejected". Thus, it is recommended that the bid proposals submitted by these two bidders be rejected.

Recommend award be made to the lowest responsible bidder, New Jersey Analytical Labs, Inc. in an annual amount not to exceed \$230,000, subject to funding availability at time of service. The Authority has the sole discretion of extending the contract, under the same terms and conditions, for two additional one-year terms.

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85H-10

| <u>BIDDERS</u> | <u>BIDS</u> | | | |
|----------------|--------------|------------------|---|---------------|
| <u>INVITED</u> | <u>REC'D</u> | <u>COMMODITY</u> | <u>VENDOR</u> | <u>AMOUNT</u> |
| 4 | 2 | Toro Mower Parts | Storr Tractor Company Branchburg, NJ | \$110,000 |

RM-839; Bids Received: March 16, 2010

Requisitioned by the Inventory Division, this is for a one-year price agreement for the supply of Toro Mower Parts. Bidders were required to quote unit prices for 136 items listed, including but not limited to, rollers, gaskets, regulators, brackets, pulleys, filters and springs. Bidders were also required to provide a discount off of the Manufacturer's List Price for miscellaneous parts. Award is based on the overall lowest total price bid, which includes the projected value of the discount off of the Manufacturers List Price.

Recommend award be made to the overall lowest responsible bidder, Storr Tractor Company, in an annual amount not to exceed \$110,000, subject to funding availability at time of service. The Authority has the sole discretion of extending the contract, under the same terms and conditions, for two additional one-year terms.

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85I-10

In a memorandum dated March 12, 2010, concerning the recommendation to **Award a**

Public Bid Contract for Routine Towing Services on the New Jersey Turnpike – Zone 9, RM

833.

At its February 23, 2010 meeting, the Board of Commissioners granted authorization to award multiple contracts to towing contractors for performing routine towing services on the New Jersey Turnpike (Agenda Item 61B-10). Specifically, for Zone 9 on the Turnpike, the Authority had sought the services of two (2) towing contractors. The Authority received bid proposals for Zone 9 from only two (2) towing contractors -- Puleio's Service Center, Inc., of North Brunswick, NJ and Mandy's Incorporated, of Edison, NJ. At the meeting, the Board of Commissioners granted authorization to award a contract to Puleio's Service Center, Inc., of North Brunswick, NJ for Zone 9 and to reject a bid proposal from Mandy's Incorporated, of Edison, NJ for performing the said services at the same location. The Board of Commissioners rejected Mandy's Incorporated because the New Jersey Department of Treasury had determined that Mandy's Incorporated was ineligible to participate in the procurement due to violation of Public Law 2005 Chapter 51 and Executive Order No. 117 (Corzine 2008).

In response to an appeal by Mandy's Incorporated, the Treasury Department reconsidered the matter and reversed its decision. Consequently, Mandy's Incorporated became eligible to participate in the Authority's procurement. Because Mandy's Incorporated was otherwise compliant with the bid specifications, it is recommended that Mandy's Incorporated be awarded a contract to perform towing services at Zone 9 on the New Jersey Turnpike at the following bid prices:

| | |
|---|---------|
| A) Class I Vehicles | \$48.00 |
| B) Straight trucks; car with trailer; or, trailer without car | \$10.00 |
| C) Tractor trailer or buses | \$25.00 |
| D) Final Weighted Price | \$83.00 |

Therefore, authorization is being sought to award this contract to Mandy's Incorporated in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine 2006). According to the State Treasurer, Mandy's Incorporated is compliant with Public Law 2005, Chapter 51 and Executive Order No. 117. Accordingly, authorization is requested to award a contract for routine towing services to Mandy's Incorporated as outlined herein.

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85J-10

ITEM DEFERRED

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85K-10

In a memorandum dated March 16, concerning the recommendation to **Increase** **Authorized Amount of Contract No. 1246 – International Salt Company LLC** – Treated Rock Salt, Budget Code: 01/02 900 461000.

At the September 23, 2009 Commission Meeting (Agenda Item 227D-09), the Board of Commissioners granted authorization to award a contract for treated rock salt for six (6) Zones on both roadways in an amount not exceed \$5,265,256.00. The contract was publicly bid in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2 and Executive Order 37 (Corzine 2006).

The term of the contract is for the period November 5, 2009 through October 15, 2010 with an option to extend for two additional one year periods under the same terms and conditions.

The 2009-2010 winter season has brought snow well beyond average winters. Consequently, the original amount authorized for Contract 1246 has been expended. The Maintenance Department is faced with outstanding invoices and is therefore requesting that Contract 1246 be increased by \$3,200,000.

Accordingly authorization is requested to increase Contract 1246 with International Salt Company, LLC, Clarks Summit, PA, by \$3,200,000 for the period through October 15, 2010. This will bring the total authorized amount of the contract to \$8,465,256.00, subject to availability at the time of ordering.

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85L-10

In a memorandum dated March 12, 2010, concerning the recommendation to **Increase Authorized Amount of Contract No. 26354 – CapitalSoft Inc.** – Software Modifications to CapEx Manager, Budget Code: 04008019.

In 2005, the Authority awarded a contract to CapitalSoft, Inc. to provide software (CapEx Software) to allow for web-based electronic bidding for construction contracts issued by the Engineering Department. This contract was awarded pursuant to the sole source exception to the public bidding laws of N.J.A.C. 19:9-2.2(d)1 as promulgated under N.J.S.A. 27:23-6.1. Since its implementation, the Engineering Staff identified several modifications that needed to be made to the CapEx Software to provide a more effective construction management system and to comply with recently enacted public bidding laws. These modifications were scheduled to be conducted in several phases. Thus, in 2006, 2007, 2008, and 2009, the Board of Commissioners granted authorization to increase the initial authorized amount to accommodate the modifications to the CapEx Software bringing the total authorized amount to \$825,000. The Engineering Department has requisitioned an increase of \$60,000 to pay for security features recently added to the electronic bidding software. The new features will permit the Authority to merge vendor profiles and issue unique vendor identification numbers to all prequalified contractors.

Accordingly, authorization is requested to increase Contract No. 26354 with CapitalSoft, Inc., Richardson, TX, for an additional \$60,000. The new total authorized amount will not exceed \$885,000.

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

On motion by Commissioner DuPont, seconded by Commissioner Hodes, the Authority unanimously approved items 85A-10 through 85I-10, and 85K-10 and 85L-10; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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GENERAL BUSINESS

86-10

Human Resources Director Garrity presented the recommendation contained in a memorandum dated March 24, 2010, concerning **Extend Agreements with Horizon Blue Cross Blue Shield; Cigna Healthcare; and Delta Dental** – to Provide Third Party Claims Administration Services for the New Jersey Turnpike Authority's Self-Funded Health Benefits Program, Account No. 10-870-405100.

At its meeting of December 31, 2004, the Board of Commissioners of the New Jersey Turnpike Authority authorized the award of contracts to Horizon Blue Cross Blue Shield; Cigna; and Delta Dental for third party claims administration and access to managed care networks for the Authority's self-funded medical, pharmaceutical, and dental plans ("health benefit plans"). These contracts became effective on April 1, 2005. On January 1, 2009, the employees of the South Jersey Transportation Authority ("SJTA") became members of the Authority's health benefit plans. The contracts will expire on March 31, 2010.

At this time, staff requests a one-year extension of these contracts. For the past ten months, the Authority has worked with the New Jersey Office of the State Comptroller ("NJOSC") as it audits many areas of the Authority's operations. Health benefits have been an area under review. Thus, staff believes that it would be prudent to allow the NJOSC to provide its recommendations, and for those recommendations to be reviewed and incorporated into a new scope of services for the renewal of the Authority's health benefit plans. Further, staff is preparing for labor negotiations; as such, it will be issuing a request for proposal to retain the services of a health benefits consultant. Extending the current contracts will provide the time necessary to work with the health benefits consultant in developing a negotiating strategy to address health benefit issues.

The extension will allow staff sufficient time to analyze the NJOSC report and then to evaluate the Authority's benefit plans in light of the NJOSC's recommendations, prepare an RFP and supporting documents, advertise the RFP, review the responses, and present a recommendation of the proposed vendor(s) to the Board of Commissioners, implement new contracts (which requires a minimum of 90 days in the event that incumbent carriers are replaced), and prepare for 2011 collective bargaining negotiations. Horizon Blue Cross Blue Shield, Cigna and Delta Dental have agreed that they will extend the current agreements under the same terms and conditions. Thus, during the extension, the administrative fee structure will not increase from current rates.

Authorization is therefore requested to extend the expiring agreements with Horizon Blue Cross Blue Shield, Cigna and Delta Dental for provision of third party claims administration from April 1, 2010 through March 31, 2011 for an amount not exceed \$2,332,570.00 for administrative fees. This "not to exceed" number assumes current enrollment.

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

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

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87-10

Finance Comptroller Manuelli presented the **Financial Summary** of the New Jersey Turnpike Authority for the two months ended February 28, 2010. She attributed an \$8 million loss to the extremely bad storms that struck the state in February. On motion by Commissioner Pocino, seconded by Commissioner Hodes, the Authority's financial report was unanimously accepted and received for file.

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88-10

Resume of All Fatal Accidents – Garden State Parkway and New Jersey Turnpike. Submitted by Operations Director Hill, they contain a descriptive summary for the Period 1/1/10 to 3/15/10, together with 2009 – 2010 Yearly Comparisons for the two months through February 2010.

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

Chairman Simpson questioned the Operations Director regarding recent accidents involving median cross-over's and asked about the status of identifying "hot spots". Director Hill advised analysis has shown that most median cross-over's have been identified as occurring in southern New Jersey. The Chairman also asked if the truck problems are being looked at and Director Hill assured him that the issues surrounding truck traffic are also being examined, and explained the recent accidents referred to.

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89-10

New Jersey State Police Troops D and E - Reports of Activities, submitted for the two months through February, 2010, including 2009 – 2010 Yearly Comparisons, were presented by Major Walker, New Jersey State Police Troop D Commander; and Major Burke, New Jersey State Police Troop E Commander.

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

Major Walker also responded to the Chairman's question regarding the issue of truck incidents on the roadways. He explained that the State Police have begun an aggressive traffic law enforcement campaign. He added that not all accidents are necessarily the trucks fault and

a program is beginning regarding truck training, education and information sessions. Chairman Simpson asked if there was any way to speak with trucker association(s) to emphasize that speeding will not be tolerated in New Jersey and expressed the hope that the aggressive enforcement program will slow the trucks down.

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Addendum Item

90-10

THIS ITEM WAS PRESENTED IN THE ENGINEERING SECTION OF THESE PROCEEDINGS.

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GENERAL BUSINESS

At this juncture, update presentations were conducted by the Toll Collections Director Quirk with Assistant Toll Collection Director Lentini; and Senior Highway Engineer Malak and Chief Engineer Raczynski. Respectively, a summary of those presentations is as follows:

Customer Service Program

As a result of a recent media article citing complaints about toll collector rudeness, Director Quirk pointed out that there was 1 rudeness complaint in approximately every 540,000 transactions but said that one complaint is one too many. In an effort to reduce the number of complaints to zero, moving forward the Authority will be increasing customer service instruction by: 1) providing training on an annual basis (at no additional cost to the Authority); 2) retrain supervisors with emphasis on their responsibility to enforce courteous behavior of toll collectors; 3) track any complaints by location to identify potential "hot spots"; 4) random integrity checks to evaluate compliance; 5) explore new ideas to instill a greater sense of professionalism; and 6) recognize exemplary employees and toll plazas.

Commissioner Diaz suggested breaking down complaints into categories. Chairman Simpson said that through separate discussion that included union representatives they will also look at whether complaints may have been concentrated on the weekends. In addition, he suggested issuing a press release based on this presentation and opined that a new name and new uniforms for the toll collectors could elevate the status of the service provided by them.

Widening Program: Garden State Parkway Milepost 30 to Milepost 80

Engineer Malak began her update by summing up that the project will add one travel lane to both north and southbound plus full right and left roadway shoulders, affecting three counties and fourteen municipalities.

Phase I: MP 63 to MP 80 and the Mullica River (MP 49.0). Currently underway, this is the most critical phase.

Phase II: MP 48 to MP 63 and the Bass River Bridge (MP 51.9). Currently in design and will be out for construction in 2011. She explained that certain environmental permits expire in 2013 so bridges in specific areas will be addressed before the roadway construction in Phase II.

Phase III: MP 30 to MP 48. Currently not yet scheduled or funded.

The senior engineer gave an overview of the program which included: 100 lane miles of new roadway; 200 lane miles of roadway resurfacing; 23 new structures; 7 acres of wetland impacts; 297 acres of threatened, endangered and critical wildlife habitat impacts; 3.5 million cubic yards of earthwork, among other points made. Total program cost estimate: \$900 Million. Broken-down cost estimates were given as well as an outline of the myriad of permits and approvals required.

State of Good Repair

Chief Engineer Raczynski reported on the 10-year budget for Annual Maintenance Reserve Projects (\$700 Million): miscellaneous structural repairs and resurfacing, bridge deck repairs and resurfacing and roadway resurfacing; and Capital Projects (\$1.7 Billion): Bridge deck reconstruction, drainage repairs and sign replacement and median barrier repairs and replacement. He said that every bridge is inspected every 2 years and about \$5 Million is spent for bridge inspection alone. Statistics included references to having about 1,000 bridge decks to maintain which equates to approximately 20 million square feet of bridge deck or 500 football fields and 70,000 square feet in miscellaneous structural repairs. The Chief Engineer outlined the work scheduled for a number of bridge, viaduct and substructure locations and noted that a lot of the work is on an accelerated schedule from 10 to 7 years.

After the formal presentation a dialogue ensued. The Chairman cited the age of the Turnpike and Parkway roadways with bridges reaching the end of their useful life. He referred specifically to the recent Matawan Bridge incident where a section of concrete fell on the roadway and expressed concern that such failures would create accidents. He asked the Chief Engineer to explain what happened and questioned whether the true needs of the Turnpike have been identified.

The Chief Engineer explained that previous inspection of the Matawan Bridge said that its decks were ok but that major repair would be due by 2011. However, the freeze and thaw of this particularly harsh winter accelerated deterioration of the concrete and with the recent storms, the voluminous amount of rain served erosion further and washed away the concrete causing total failure. He added that if we see something that needs immediate attention we have the ability to respond with contractors available to mobilize under immediate repair contracts.

Commissioner DuPont considered deck failures a rarity, said that the inspection plan was working by indentifying what has to be done and being pro-active in getting it done.

In concluding remarks, Chairman Simpson asked if there was enough money to meet the all of these needs, even with the planned widenings, and what happens with the reports that are submitted by the inspection engineers. The Chief Engineer confirmed that there is enough money now, and that the inspection reports are reviewed by the engineering department staff and by staff of the Authority's General Consultant. The seriousness of condition is identified as A through E with anything identified as A going immediately to a contract. If there is more money, he continued, then we go to B, C, D, E and take out contracts for bridge deck repair. He gave an

example of the possibility of doing 20 bridges on the northern section of the Turnpike alone. The critical areas identified in the reports then determine the make-up of the contracts needed.

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Upon conclusion of all agenda matters, Chairman Simpson opened the floor to public comment on other matters.

Franceline Ehret, President of Local 194, thanked the Director of Tolls for a balanced portrayal in the presentation report. Further, she thanked the Chairman and the Executive Director for the earlier opportunity to have discussed the issues; announced that the union has been speaking with the toll collectors regarding customer service; and to expect the cooperation of the union.

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The motion to adjourn was made by Commissioner DuPont, seconded by Commissioner Evans and, after the voice vote, the motion was duly adopted. The Authority adjourned at 11:04 A.M., to meet on Tuesday, April 27, 2010, at 9:30 A.M.

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

REPORT OF PURCHASES – under Executive Directors Delegated Authority (EDDA) Resolution 40-95, for the one-month period: February 1 through February 28, 2010.

REPORT OF UTILITY ORDERS – under EDDA 117-05, modified by EDDA 150-09; Dated for March 30, 2010.

REPORT SUMMARY OF CONTRACT CHANGE ORDERS; only for Type 1 and Type 2 – Period February 5, 2010 through March 11, 2010; Dated for March 30, 2010.

REPORT OF CONSTRUCTION PROGRESS – Period Ending March 12, 2010; Dated for March 30, 2010.


Rose Stanko
Secretary

APPROVED:

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

Michael R. DuPont, Treasurer

Harold L. Hodes, Commissioner

David G. Evans, Commissioner

Raymond M. Pocino, Commissioner

Troy Singleton, Commissioner

Ulises E. Diaz, Commissioner