


**CERTIFICATION
OF
NEW JERSEY TURNPIKE AUTHORITY**

I, John M. Keller, hereby certify that I am the Executive Director of the New Jersey Turnpike Authority and as such, certify that the attached copy of PROCEEDINGS OF THE NEW JERSEY TURNPIKE AUTHORITY is a true and correct copy of the Minutes of the February 28, 2023 Meeting of the Authority.

IN WITNESS THEREOF, I have hereunto set my hand and affixed the official seal of the New Jersey Turnpike Authority **this 2nd day of March, 2023.**

ATTEST:



Kim Schurman
Secretary to the Authority



John M. Keller
Executive Director

Corporate Seal

Date: March 2, 2023

Received in the Governor's Office March 2, 2023

Received by:

Print Name

Signature

Veto Period Ends:

March 16, 2023
(Write in the date the veto period ends)



State of New Jersey

OFFICE OF THE GOVERNOR
P.O. BOX 001
TRENTON, NJ 08625-0001

PHILIP D. MURPHY
GOVERNOR

NOREEN M. GIBLIN, ESQ.
DEPUTY CHIEF COUNSEL

TO: Kim Schurman Schurman@njta.com
FROM: Dawn Ottavi, Authorities Unit, Office of the Governor
DATE: March 6, 2023
RE: New Jersey Turnpike Authority Minutes

This email is confirmation that the Authorities Unit received the **corrected** minutes from the February 28, 2023 board meeting on March 2, 2023. The calculated veto date is March 16, 2023.

Thank you.

Attachment

cc: Thomas Holl

PROCEEDINGS OF MEETING OF NEW JERSEY TURNPIKE AUTHORITY
BOARD OF COMMISSIONERS
Tuesday, February 28, 2023

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Chair Gutierrez-Scaccetti called the meeting of the Authority's Board of Commissioners (the Board) into session in the Executive Boardroom of the Authority's Headquarters Building at 1 Turnpike Plaza in Woodbridge, New Jersey, at 9:09 a.m.

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Pledge of Allegiance

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PRESENT

Present were Chair Gutierrez-Scaccetti, Vice Chair Ulises Diaz, Treasurer Michael DuPont, Commissioner Ronald Gravino, Commissioner John Minella and Commissioner Raphael Salermo (by tele-conference). The meeting commenced at 9:09 a.m.

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ALSO PRESENT

Executive Director John Keller, Deputy Executive Director James Carone, Chief Financial Officer Donna Manuelli; Chief Engineer Michael Garofalo, Chief Information Officer Jose Dios; Acting Director of Law Ann Christine Monica (by tele-conference); Director of Human Resources Mary Elizabeth Garrity; Director of Internal Audit Donna Wilser, Director of Operations Kevin Dunn; Acting Director of Procurement and Materials Management Janet Rzepka, Director of Tolls John Labella; Director of Community and Government Relations Shawn Taylor; New Jersey State Police Major Michael Krzyzkowski, Troop D; and Secretary to the Authority Kim Schurman.

Also present were: Outside Counsel, Judy Verrone, Esq., of DeCotiis, FitzPatrick, Cole & Gibling, LLP, Governors' Authorities Unit Representatives, Thomas Holl, and Deputy DOT Commissioner Joseph Bertoni (by tele-conference).

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NOTICE OF MEETING

This is a regular meeting of the New Jersey Turnpike Authority. Adequate notice of this meeting has been provided in accordance with Chapter 231, P.L. 1975 in that notice has been given to The Star Ledger and the Asbury Park Press, as well as numerous other newspapers, posted in the main lobby of the Authority's Administration Offices at 1 Turnpike Plaza, Woodbridge, prominently posted on the New Jersey Turnpike Authority's website at www.njta.com and on various social media platforms, including Facebook and Twitter, and notice has been forwarded to the Secretary of State, Trenton, New Jersey. Additionally, Authority public meetings will be held in-person and telephonically. Information and instructions regarding telephonic access to the meetings by the public has been posted on the Authority's website.

Secretary to the Authority Schurman takes Roll Call and the Following Were Present:

- 1. Vice Chair Diaz
- 2. Treasurer DuPont
- 3. Commissioner Gravino
- 4. Commissioner Minella
- 5. Commissioner Salerno (by tele-conference)
- 6. Chair Gutierrez-Scaccetti

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EXECUTIVE SESSION

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

- Litigation

The motion was made by Treasurer DuPont and seconded by Vice Chair Diaz and, after the voice vote, the motion was duly adopted by the Board of Commissioners of the New Jersey Turnpike Authority.

Executive Session was adjourned at 9:32 a.m. A motion was made by Treasurer DuPont and seconded by Vice Chair Diaz to resume the public portion of the meeting at 9:35 a.m.

Secretary to the Authority Schurman takes Roll Call and the Following Were Present:

- 1. Vice Chair Diaz
- 2. Treasurer DuPont
- 3. Commissioner Gravino
- 4. Commissioner Minella
- 5. Commissioner Salerno (by tele-conference)
- 6. Chair Gutierrez-Scaccetti

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ACTION ON MINUTES

The Secretary to the Authority reported that ten days, excluding Saturdays, Sundays and holidays, have elapsed since Governor Philip D. Murphy received the proceedings of the regular meeting of January 31, 2022; he did not exercise his power to veto any items in those minutes.

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

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RECUSALS

The Secretary to the Authority reported recusals or abstentions submitted for the record:

- Vice Chair Diaz and Commissioner Gravino are recused on Agenda Item 060-02-2023

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PUBLIC COMMENT (in Person)

Murray Bodin

Mr. Bodin thanked the leadership at the Authority for improving safety. Mr. Bodin further thanked all the staff who has helped him through the years.

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PUBLIC COMMENT (remote by tele-conference)

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None

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EXECUTIVE DIRECTOR COMMENTS

Executive Director Keller commented that last night was the first significant snow event of the season and he wanted to thank all of the snow team and contractors for clearing the roadway and keeping them safe for our customers.

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CHAIR COMMENTS

Chair Gutierrez-Scaccetti also thanked the team for making sure we could all get to the Board Meeting safely this morning.

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HUMAN RESOURCES

Director of Human Resources, Mary-Elizabeth Garrity requested approval of item number 033-02-2023. Moved is the item as follows:

033-02-2023

Director of Human Resources, Mary-Elizabeth Garrity submitted the **Personnel Agenda**, dated February 28, 2023, and requested confirmation of the personnel matters contained therein. The Executive Director certified the recommendations for consideration.

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

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ROLL CALL

DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ-SCACCETTI
YES	YES	YES	YES	YES	YES

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LAW

Acting Director of Law, Ann C. Monica, requested approval of item number 034-02-2023. Moved are the items as follows:

034-02-2023

In a memorandum dated February 16, 2023, **Authorization to enter into an agreement with the New Jersey Department of Transportation (DOT) for the relocation of an NJTA access easement, Section 7, Parcel A605**, was approved.

In connection with a NJDOT project involving Routes 1 and 9T, the NJDOT has requested that the Authority relocate one of its access easements that it uses to access its tolls facilities. The Authority has agreed to cooperate with NJDOT to allow transfer of various parcels in furtherance of the Project. NJDOT and the Authority will work cooperatively to identify suitable relocation of an access road which will meet the Authority's needs.

The agreement will require the Authority to transfer various property interests to the NJDOT, and the NJDOT to cause the transfer of certain property interests to the Authority so as to support the NJDOT project in the area of Turnpike Exit 15X relating to Routes 1 and 9T, ultimately resulting in a relocated easement entry onto Authority property. Access to Authority toll facilities for Authority employees will be maintained at all times. The transfers of properties between the Authority and the NJDOT will be pursuant to the agreement between the parties which allows transfers of property between them with total appraised values not to exceed \$500,000 to be transferred at no cost. The NJDOT would obtain or cause to obtain all necessary permits and licenses prior to commencing any work.

Accordingly, it is recommended that the Executive Director be authorized to execute an agreement substantially as set forth above. It is further recommended that the Executive Director be authorized to take such further actions and execute such additional documents as are consistent with the authorizations granted herein.

On motion by Commissioner Minella and seconded by Treasurer DuPont the Board unanimously approved item numbers 034-02-2023; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ROLL CALL

DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ-SCACCETTI
YES	YES	YES	YES	YES	YES

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ENGINEERING

Chief Engineer Michael Garofalo requested approval of item numbers 035-02-2023 through 044-02-2023. Moved are the items as follows:

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PUBLIC BID SOLICITATIONS – AWARD OF CONTRACTS

035-02-2023

In a document dated February 8, 2023, Recommendation to Award Contract No. P200.604, Garden State Parkway, Carbro Constructors Corp., Culvert Repairs, Interchange 100, R-176428, Budget Code: 5000010005, Amount: \$10,832,507.00, was approved.

This contract will provide for the repair of four existing Corrugated Metal Pipe (CMP) culverts at Parkway Interchange 100 utilizing steel arch pipe liners, specifically the existing 161" x 101" arch CMP under Parkway Southbound Roadway and Ramp 100SBE at Milepost 101.14S, the existing 161" x 101"

arch CMP under the median between Parkway Northbound and Southbound Roadways at Milepost 101.40, the existing 123" x 81" arch CMP under the Parkway Southbound Roadway and Ramp 100ASBE at Milepost 101.61S, and the existing 123" x 81" arch CMP under the Parkway Ramps 100ASBE/100ASBX at Milepost 101.63R. The work also involves the repair of concrete headwalls, reconstruction of existing storm drainage features in the vicinity of the culverts, and stream channel repairs. All work is expected to be substantially completed by May 2025.

Nine bid proposals were received on January 31, 2023 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal in the amount of \$10,832,507.00 may be compared to the second low bidder in the amount of \$10,868,000.00. The low bid was significantly lower than the Engineer's Estimate in the amount of \$16,613,420.00 likely due to the specific means and methods which the low bidder will employ for temporary sheeting, culvert steel liner installations, and maintenance and protection of traffic. The low bidder's overall familiarity of the work based on similar successfully completed projects likely also contributed to the significant difference between the low bid and the Engineer's Estimate. The low bidder, Carbro Constructors Corp. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.604 be awarded to the low bidder, Carbro Constructors Corp. of Warren, New Jersey, in the amount of \$10,832,507.00. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids 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.

036-02-2023

In a document dated January 31, 2023, **Recommendation to Award Contract No. T200.715, New Jersey Turnpike, Stavola Contracting Co., Inc., Roadway Resurfacing, Milepost 0 to 122 (2023), R-176431, Budget Code: 0390036009, Amount: \$5,542,959.69**, was approved.

This contract will provide for pavement removal and resurfacing of asphalt surface course pavement with warm mix asphalt along Northbound and Southbound Turnpike mainline roadways, ramps, shoulders, maintenance U-turns, toll plazas and other incidental work at various locations from Milepost 0 to 122 in Salem, Gloucester, Camden, Burlington, Mercer, Middlesex, Union, Essex, Hudson and Bergen Counties. All work on the contract is expected to be substantially completed by July 2023.

Four bid proposals were received on January 19, 2023 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$5,542,959.69, may be compared to the Engineer's Estimate in the amount of \$5,224,300.00. The low bidder, Stavola

Contracting Co., Inc. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T200.715 be awarded to the low bidder, Stavola Contracting Co., Inc. of Tinton Falls, New Jersey in the amount of \$5,542,959.69. 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.

037-02-2023

In a document dated February 9, 2023, **Recommendation to Award Contract No. P500.725, Garden State Parkway, Hall Building Corp., Construction of Pre-Engineered Metal Building Trades Shop at Barnegat Tolls, Milepost 68.94 NB, R-176505, Budget Code: 0390014000, Amount: \$1,380,869.00**, was approved.

This contract will provide for the construction of a new 40'x 60' pre-engineered metal building at the Barnegat Toll Plaza, Milepost 68.94 NB. The work also includes mechanical and electrical work for the building, a motorized gate and various site work items including the milling and resurfacing of the existing parking lot. All work is expected to be substantially completed by April 2024.

Four bid proposals were received on February 1, 2023 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal in the amount of \$1,380,869.00 may be compared to the Engineer's Estimate in the amount of \$1,433,510.00. The low bidder, Hall Building Corp. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P500.725 be awarded to the low bidder, Hall Building Corp. of Farmingdale, New Jersey in the amount of \$1,380,869.00. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids 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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ORDER FOR PROFESSIONAL SERVICES (OPS)

038-02-2023

In a document dated February 7, 2023, **Recommendation to Issue Order for Professional Services No. P3862, Garden State Parkway, Aptim Environmental & Infrastructure, Inc., Supervision**

of Construction Services for Contract No. P200.604, Culvert Repairs, Interchange 100, R-176506, Budget Code: 5000010005, Amount: \$1,960,000.00, was approved.

This Order for Professional Services will provide supervision of construction services for Contract No. P200.604, Culvert Repairs, Interchange 100. These services include construction inspection, material testing, record keeping, preparation of pay estimates, and other services required to ensure compliance with the contract documents.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$2,000,000.00. The solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and sixty-two (62) engineering firms were prequalified and eligible under Profile Code B153, Roadway Construction Inspection. Fifteen (15) firms submitted EOIs by the closing date of January 11, 2023.

Subsequent to the scoring of EOIs by the Review Committee, Fee Proposals were requested from the top three technically ranked firms. The firms in the order of ranking are: 1) Aptim Environmental & Infrastructure, LLC; 2) Tectonic Engineering Consultants, Geologists & Land Surveyors, DPC, Inc.; and 3) NAIK Consulting Group, P.C. The fee submitted by Aptim Environmental & Infrastructure, LLC has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. P3862 be issued to the firm of Aptim Environmental & Infrastructure, LLC of Lawrenceville, New Jersey, in an amount not to exceed \$1,960,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.28 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

039-02-2023

In a document dated February 24, 2023, **Recommendation to Issue Order for Professional Services No. T3900, New Jersey Turnpike, HNTB Corporation, Program Manager and Environmental Services for New Jersey Turnpike Newark Bay - Hudson County Extension Bridge Replacements and Capacity Enhancements Program, R-176433, Budget Code: 5000056001, Amount: \$168,000,000.00,** was approved.

In order to facilitate the Newark Bay–Hudson County Extension Bridge Replacements and Capacity Enhancements (Program), the Authority will be engaging multiple engineering firms including a Program Manager and multiple final Design Engineers over the next decade. The Program limits along the 8.1-mile corridor are from Interchange 14 in Newark (Milepost N0.0), exclusive of the toll plaza, to

the eastern terminus of the Authority's jurisdiction at Jersey Avenue (Milepost N8.1) in Jersey City. The Program includes replacement of all 29 bridge structures due to their age, condition, current vehicle loading and seismic considerations, as well as operational and capacity improvements with consideration of public input, environmental regulations and permitting requirements. This Order for Professional Services will provide for the Program Manager and comprehensive environmental services, including coordination, oversight and reporting activities required to facilitate the Final Design phase of the Program, preparation and submission of permit applications to various regulatory agencies, and extensive community outreach.

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 assignment, and the cost exceeds \$2,000,000.00. As there are no specific qualification codes for this type of assignment, a Request for Letters of Qualifications (LOQs) was posted on April 19, 2022 to the Authority's website, and on April 22, 2022 to the International Bridge, Tunnel and Turnpike Association's (IBTTA) website inviting LOQs from consulting firms interested in pursuing this Order for Professional Services. Two firms submitted LOQs by the closing date of May 10, 2022, namely AECOM Technical Services, Inc. and HNTB Corporation.

Upon review of the LOQs by the Review Committee, the two firms were determined to have met the qualifications stipulated and were requested to submit Technical and Fee Proposals. The Review Committee reviewed and evaluated each firm's Technical Proposal, and it was determined that oral presentations would be required by both firms. Final scoring resulted in HNTB Corporation being the highest technically ranked firm. The fee submitted by HNTB Corporation has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. T3900 be issued to the firm of HNTB Corporation of Parsippany, New Jersey, in an amount not to exceed \$168,000,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.68 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

040-02-2023

In a document dated February 8, 2023, **Recommendation to Issue Order for Professional Services No. T4042, New Jersey Turnpike, Johnson, Mirmiran & Thompson, Inc., Supervision of Construction Services for Contract No. T200.715, Roadway Resurfacing, Milepost 0 to 122 (2023), R-176507, Budget Code: 0390036009, Amount: \$1,445,000.00**, was approved.

This Order for Professional Services will provide supervision of construction services for Contract No. T200.715, Roadway Resurfacing, Milepost 0 to 122 (2023). These services include construction inspection, material testing, record keeping, preparation of payment estimates, and other services required to ensure compliance with the contract documents.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$2,000,000.00. The solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and sixty (60) engineering firms were prequalified and eligible under Profile Codes: B153, Roadway Construction Inspection and B154, Roadway Resurfacing Inspection. Three firms submitted EOIs by the closing date of January 26, 2023.

Subsequent to the scoring of EOIs by the Review Committee, Fee Proposals were requested from the three technically ranked firms. The firms in the order of ranking are: 1) Johnson, Mirmiran & Thompson, Inc.; 2) Greenman-Pedersen, Inc.; and 3) Arora and Associates, P.C. The fee submitted by Johnson, Mirmiran & Thompson, Inc. has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. T4042 be issued to the firm of Johnson, Mirmiran & Thompson, Inc. of Trenton, New Jersey, in an amount not to exceed \$1,445,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.35 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

041-02-2023

In a document dated February 9, 2023, **Recommendation to Issue Order for Professional Services Nos. P4111 and T4112, Garden State Parkway and New Jersey Turnpike, KS Engineers, P.C. - OPS No. P4111, Colliers Engineering & Design, Inc. – OPS No. T4112, Order for Professional Services No. P4111, Supervision of Construction Services for Contract No. P500.725, Construction of Pre-Engineered Metal Building Trades Shop at Barnegat Tolls, Milepost 68.94 NB, R-176508, Budget Code: 0390014000, Amount: \$430,000.00, and, Order for Professional Services No. T4112, Supervision of Construction Services for Contract No. T500.643-1, Roof Replacement at Interchange 14 Toll Canopy and TMD6 Landscape Shop, R-176509, Budget Code: 0390012004, Amount: \$390,000.00**, was approved.

Through this single procurement process the Authority will select two consultants to furnish supervision of construction services for Contract Nos. P500.725 and T500.643-1.

OPS No. T4111 will provide supervision of construction services for Contract No. P500.725, Construction of Pre-Engineered Metal Building Trades Shop at Barnegat Tolls, Milepost 68.94 NB. OPS No. T4112 will provide supervision of construction services for Contract No. T500.643-1, Roof Replacement at Interchange 14 Toll Canopy and TMD6 Landscape Shop. These services will include construction inspection, material testing, record keeping, preparation of payment estimates, and other services required to ensure compliance with the contract documents.

These assignments are classified as "Simple Projects" since the scopes of work are clearly defined and not likely to change during the course of the project, and the cost of each is less than \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and forty-six (46) engineering firms were prequalified and eligible under Profile Codes: B151, Construction Management and B159, Building Construction & Renovations Inspection. Three firms submitted EOIs by the closing date of January 20, 2023.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking of the three firms: 1) KS Engineers, P.C.; 2) Colliers Engineering & Design, Inc.; and 3) Gannett Fleming, Inc. The three firms were requested to submit sealed Fee Proposals, which were received and have been reviewed. The Fee Proposal of the highest technically ranked firm, KS Engineers, P.C., for OPS No. P4111 (their preferred OPS) was negotiated and revised, which resulted in a reduction of their original Fee Proposal. Subsequently, a review of the Fee Proposal of the second highest technically ranked firm, Colliers Engineering & Design, Inc., for OPS No. T4112 resulted in acceptance of their original Fee Proposal. Both fees are considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. P4111 be issued to the firm of KS Engineers, P.C. of Mount Laurel, New Jersey, not to exceed the amount of \$430,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.25 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses.

It is further recommended that Order for Professional Services No. T4112 be issued to the firm of Colliers Engineering & Design, Inc. of Red Bank, New Jersey not to exceed the amount of \$390,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.35 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses.

The issuance of these OPS' are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardees, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and 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., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

042-02-2023

In a document dated February 7, 2023, **Recommendation to Issue Supplement A to Order for Professional Services No. T3843, New Jersey Turnpike, Michael Baker International, Inc.,**

Design Services for Contract No. T100.600, Bridge Repairs and Resurfacing, Milepost 0 to 92, and the Pearl Harbor Memorial Turnpike Extension (2023), R-176440, Budget Code: 0390000008, Original OPS Amount: \$ 1,361,000.00, Amount of Supplement A: \$125,000.00, Revised OPS Amount: \$ 1,486,000.00, was approved.

This Order for Professional Services was issued at the October 26, 2021 Commission Meeting, in the amount of \$1,361,000.00. It provides for design services for bridge inspection, condition evaluation and preparation of contract documents for bridge deck repairs, resurfacing and miscellaneous structural repairs on the southern portion of the Turnpike.

Supplement A will provide for emergency inspection, fast-track design and post-design services which are beyond the current authorized scope of work for the repair of damage to structural steel caused by an over height vehicle impact to Turnpike Str. No. 60.51B (Int. 7A Ramps ET/TW over I-195). The requested work includes the issuance of a Change of Plan (COP) to Contract No. T100.560 for the performance of the repairs. The costs associated with the COP are insurance cost recoverable.

It is, therefore, recommended that Supplement A to Order for Professional Services No. T3843 be issued to Michael Baker International, Inc. not to exceed the amount of \$125,000.00 with compensation on the same basis as the original Order for Professional Services. The addition of this amount increases the total authorized fee from \$1,361,000.00 to \$1,486,000.00. The original contract was procured pursuant to N.J.S.A. 52:34-9.1, et seq., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

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FINAL ACCEPTANCES

043-02-2023

In a document dated February 8, 2023, **All work performed on each of the construction contracts listed below have been completed in accordance with the contract documents and to the satisfaction of the Engineering Department. Accordingly, it is recommended that these contracts be deemed complete and approved for Final Acceptance. The table below lists each contract and includes pertinent Change Order and financial information including the final payment amount due the Contractor upon Final Acceptance**, was approved.

Contract No.	Contractor	Award Total Amount	No. of Change Orders	Additions/ Reductions	Final Total Contract Amount	Final Payment Amount
A100.196	Tishman Construction Corporation of NJ	\$79,225,000.00	4	(\$22,714,088.60)	\$56,510,911.40	\$0.00
P500.486	Shorelands Construction, Inc.	\$2,580,268.65	5	\$846,578.00	\$3,426,846.65	\$34,268.47
T300.489	Joseph M. Sanzari, Inc.	\$21,186,840.50	6	\$386,138.84	\$21,572,979.34	\$215,729.79
T200.509	PKF-Mark III, Inc.	\$9,170,407.00	3	(\$148,280.08)	\$9,022,126.92	\$313,220.96
P200.522	Kyle Conti Construction, LLC	\$24,488,888.00	3	\$552,990.13	\$25,041,878.13	\$250,418.78
P200.566	Daidone Electric, Inc.	\$2,268,000.00	2	\$20,035.55	\$2,288,035.55	\$24,828.35
Total						\$838,466.35

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultant and the Chief Engineer. All required contract documents including the Engineer's Final Certifications, Maintenance Bonds, Affidavit of Prevailing Wage and the Final Payment certificates have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Contractors have certified that there are no liens outstanding against the Contractors. Accordingly, it is recommended that each contract listed above be accepted and final payment in the amounts shown above be made to the Contractors.

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

044-02-2023

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

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

On motion by Commissioner Minella and seconded by Treasurer DuPont the Board unanimously approved item nos. 035-02-2023 through 043-02-2023; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda. The Authority unanimously accepted the reports contained in item number 044-02-2023 and received same for file.

**ooo0ooo
ROLL CALL**

DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ- SCACCETTI
YES	YES	YES	YES	YES	YES

ooo0ooo

PROCUREMENT AND MATERIALS MANAGEMENT ("PMM")

Acting Director of Procurement and Materials Management Janet Rzepka, requested approval of item numbers 045-02-2023 through 054-02-2023. Moved are the items as follows:

**ooo0ooo
PUBLIC BIDS**

045-02-2023

In a document dated February 21, 2023, **Pump Station, Sulzer Pumps Solutions, Inc., R-173039 (Engineering), Budget Code: 049 00 850 040C00038, Amount: \$1,518,840.00**, was approved.

Under this contract, Sulzer Pumps Solutions, Inc. will furnish three vertical propeller pumps, right-angle gear drives, internal combustion engines, and appurtenances to replace the three existing pumps at Milepost 92 Pump Station on the New Jersey Turnpike. The pump system is a long lead item, and the procurement will be installed under forthcoming Contract No. T500.719 Milepost 92 Pump Station Repairs. This future Contract will renovate the facility to a state of good repair and maintain the critical function of pumping stormwater from the Turnpike main line's low point out to the Woodbridge River. The bid was fully advertised, and the five (5) vendors listed in the Authority database for the referenced commodity were notified of the procurement. On January 31, 2023, two (2) bids were received:

<u>Vendor</u>	<u>Total Bid Price</u>
Koester Associates	\$1,478,646.00
Sulzer Pumps Solutions, Inc.	\$1,518,840.00

The Engineering and Procurement Departments reviewed both bids. The apparent low bidder, Koester Associates, excluded several items required by the technical specs, and as such the bid was deemed non-compliant.

Departmental Estimate: \$ 2,000,000.00

Bids were procured, and authorization is being sought to award this contract in accordance with *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, *N.J.A.C. 19:9-2.2*, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008) and having no objection to same.

Accordingly, authorization is requested to award a contract to Sulzer Pumps Solutions, Inc. for a total amount not to exceed \$1,518,840.00.

046-02-2023

In a document dated February 21, 2023, At a prior Board of Commissioners Meeting, the Authority awarded a contract to the vendor listed herein for the referenced equipment. The contract included a 3-year option to purchase additional equipment which conform to the original specifications for that model year and two additional model years. For the final two years of the options, the vendor is permitted to request a price increase from the Authority if there had been an overall price increase of the equipment in the later model years, provided that the vendor justified the price increase in writing to the Authority. The Operations and Procurement Departments have reviewed the following options exercised and have determined that any requested price increases were reasonable, was approved.

Original Award Meeting Date and Item No.	Description	Vendor Name	Requisition/ Budget Code	Quantity/ Unit Price		Total Amount	% Model Year Increase
June 28, 2022 120-06-2022	Tractors with Mowing Attachments/ Combination Snow/Mower	Storr Tractor Company	R-176872 (Operations)	13	\$48,281.12	\$705,641.68	0.0%
			049 00 500 156555 0490016013	1	\$77,987.12		
May 18, 2021 Public Bid/ Less than \$100K	Mastic Mixers	Asphalt Care	R-177020 (Operations) 049 00 500 156555 0490016010	2	\$85,535.25	\$171,070.50	27.8%

This contract was originally bid and awarded in accordance with *N.J.S.A. 27:23-6.1* of the Authority's enabling legislation, *N.J.A.C. 19:9-2.2*, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). The contract is in compliance with Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008).

Accordingly, authorization is requested to exercise this contract option in order to purchase the equipment listed herein, for a total amount not to exceed \$876,712.18.

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STATE/GOVERNMENT CONTRACTS

047-02-2023

In a document dated February 8, 2023, **Aluminum Stock, Garden State Highway Products, Inc., R-176645 (Operations), Budget Code: 010 00 585 423900, State Contract No. T0136 21-FOOD-01583 expiring 07/14/2024, Amount: \$156,390.00**, was approved.

Under this contract, Garden State Highway Products, Inc. will supply aluminum stock to be used by the Sign Shop. Both the Parkway and the Turnpike use the same material for regulatory signs and larger signs which can be cut down to fit all sizes and shapes. This material is the base used to attach all the logos, letters, back reflective material, numbers, and borders. This aluminum stock is available under State Contract No. T0136 21-FOOD-01583 expiring 07/14/2024.

This procurement, under State Contract No. T0136 21-FOOD-01583, is in accordance with *N.J.A.C. 19:9-2.5(a)*, promulgated pursuant to *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award a contract under State Contract No. T0136 21-FOOD-01583 for aluminum stock material to Garden State Highway Products, Inc. for an amount not to exceed \$156,390.00.

048-02-2023

In a document dated February 8, 2023, **Asphalt Transport Units (6), Trius, Inc., R-177019 (Operations), Budget Code: 049 00 500 156555 0490016017, State Contract No. 19-FLEET-00982 expiring 10/06/2023, Amount: \$244,565.40 (\$40,760.90 each)**, was approved.

Under this contract, Trius, Inc. will supply the Authority with six (6) 4-ton diesel heated, tandem axle, trailer mounted Asphalt Transporter Units at a unit price of \$40,760.90. This price includes options such as dump trailers, electric brakes, wash down spray system, directional arrow board and controller, fender mounted strobes, work lights, and special paint. These asphalt transport units are available under State Contract No. 19-FLEET-00982 expiring 10/06/2023.

This procurement, under State Contract No. 19-FLEET-00982 expiring 10/06/2023, is in accordance with *N.J.A.C. 19:9-2.5(a)*, promulgated pursuant to *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award a contract under State Contract No. 19-FLEET-00982 for Asphalt Transport Units to Trius, Inc. for an amount not to exceed \$244,565.40.

049-02-2023

In a document dated February 8, 2023, **Accelion Kiteworks Software License Renewal, Insight Public Sector, Inc., R-176534 (ITS), Budget Code: 010 00 830 121020, State Contract No. 20-TELE-01512 expiring 05/24/2026, Amount: \$276,784.80**, was approved.

Under this contract, Insight Public Sector, Inc. will provide the Authority with software licenses for Accelion Kiteworks. Kiteworks allows the Authority to electronically share large files with internal

personnel and external entities. This renewal is for a total of 904 user licenses to cover the period from 03/01/2023 to 02/28/2024 and is available under State Contract No. 20-TELE-01512 expiring 05/24/2026.

This procurement, under State Contract No. 20-TELE-01512 is in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant to N.J.S.A. 27:23-1 *et seq.*, the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award a contract under State Contract No. 20-TELE-01512 for Accelion Kiteworks fileshare licensing and support to Insight Public Sector, Inc. for an amount not to exceed \$276,784.80.

050-02-2023

In a document dated February 8, 2023, **IBM Power Servers, IBM Corporation, R-176975 (ITS), Budget Code: 400 00 830 156555 4000052002, State Contract No. 40047/M0483 expiring 02/28/2023, Amount: \$1,648,906.38,** was approved.

Under this contract, IBM will replace all existing IBM Power8 servers with the Power10 model. The Power8 version has reached end of life, and support on the hardware will be ending soon. These servers are used to host various line-of-business applications and web pages. A total of five (5) servers will be purchased along with all necessary OS licenses and five (5) years of support. These servers are available under State Contract No. 40047/M0483 expiring 02/28/2023.

This procurement, under State Contract No. 40047/M04083, is in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant to N.J.S.A. 27:23-1 *et seq.*, the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award a contract under State Contract No. 40047/M0483 for five (5) servers and five (5) years of support to IBM Corporation in an amount not to exceed \$1,648,906.38.

051-02-2023

In a document dated February 8, 2023, **Virtualization Servers and Data Switches, Dell Marketing, LP, R-176977 (ITS), Budget Code: 400 00 830 156555 4000052003, State Contract No. M0483/19-TELE-00656 expiring 02/28/2023, Amount: \$865,531.49,** was approved.

Under this contract, Dell Marketing, LP will provide eight (8) hyper-converged infrastructure servers and four (4) in-rack data switches to replace the Authority's current production Hyper-V virtualization environment. The current environment has outgrown its intended usage and has started to exhibit some challenges with daily operations. This new system has been designed to accommodate all the Authority's current virtualized platform computing needs as well as to handle future projects. These servers are available under State Contract No. M0483/19-TELE-00656 expiring 02/28/2023.

This procurement, under State Contract No. M0483/19-TELE-00656 is in accordance with *N.J.A.C. 19:9-2.5(a)*, promulgated pursuant to *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award a contract under State Contract No. M0483/19-TELE-00656 for virtualization servers and data switches to Dell Marketing, LP in an amount not to exceed \$865,531.49.

052-02-2023

In a document dated February 8, 2023, **Jira Service Desk Management Software, RightStar, Inc., R-176398 (ITS), Budget Code: 010 00 830 121020, U.S. General Services Administration (GSA) Schedule 70, GSA Contract No. GS-35F-0119Y expiring 12/19/2026, Amount: \$169,862.00,** was approved.

Under this contract, RightStar, Inc. will provide renewal licenses for Jira Service Desk Management Software. This tool is used by ITS to manage projects and allows Authority users to enter service tickets. This renewal is for one-year and will cover the period of 03/09/2023 to 03/09/2024. This software is available under GSA Contract No. GS-35F-0119Y expiring 12/19/2026.

This procurement, under the General Services Administration ("GSA")/Federal IT Schedule 70, Contract No. GS-35F-0119Y, is in accordance with *N.J.A.C. 19:9-2.2 (d) 3* promulgated pursuant to *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, *N.J.A.C. 17:12-1A.5*, promulgated pursuant to *N.J.S.A. 52:34-6.3* and Executive Order No. 37 (Corzine 2006) which permit the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the federal government.

Accordingly, authorization is requested to award a contract under GSA Contract No. GS-35F-0119Y to provide software and support services to upgrade the current ticket system to RightStar, Inc. for a total amount not to exceed \$169,862.00.

053-02-2023

In a document dated February 8, 2023, **Security Gate Hardware, Installation, and Integrations, Johnson Controls Security Solutions, LLC, RM-176569 (Internal Audit), Budget code: 049 00 811 156555 0490012021, U.S. General Services Administration (GSA) Schedule 84, GSA Contract No. GS-07F-225CA expiring 09/03/2025, Amount: \$220,901.86,** was approved.

Under this contract, Johnson Controls Security Solutions, LLC will supply all necessary hardware components to install and integrate security gates at Turnpike Maintenance District 4 – Hightstown, which will enhance the security measures at this facility as part of the Authority's overall security plan. These hardware components are available under GSA Contract No. GS-07F-225CA expiring 09/03/2025.

This procurement, under the General Services Administration ("GSA")/Federal Schedule 84, Contract No. GS-07F-225CA, is in accordance with *N.J.A.C. 19:9-2.2(d) 3* promulgated pursuant to *N.J.S.A. 27:23-1 et seq.*, the Authority's enabling legislation, *N.J.A.C. 17:12-1A.5*, promulgated pursuant

to N.J.S.A. 52:34-6.3 and Executive Order No. 37 (Corzine 2006) which permit the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the federal government.

Accordingly, authorization is requested to award a contract under GSA Contract No. GS-07F-225CA to install and integrate security gates to Johnson Controls Security Solutions, LLC for a total amount not to exceed \$220,901.86, subject to funding availability at the time of services.

054-02-2023

In a document dated February 8, 2023, At prior Board of Commissioners meetings, the Authority approved purchases (up to a maximum authorized dollar amount) from the vendors listed herein under the New Jersey State contract referenced below. The terms of the referenced State contract has since been extended and additional funds are needed to purchase these necessary goods and/or services through the extended terms of the State contract, was approved.

Description / Original Agenda Item – Award Date	Vendor Name	Requisition Number	NJTA Contract No.	NJ State Contract No. Expiration	Current Authorized Amount	New Authorized Amount	Requested Increase Amount
Automotive Glass and Windshield Repair for Both Roadways/ 09/09/2021	Norman’s Auto Services, Inc.	RM-176463 Operations	3017	21-GNSV1-01498 expiring 07/31/2024	\$90,000.00	\$180,000.00	\$90,000.00
Parts, Accessories, and Repairs of Hydraulic Equipment/ 12/07/2015	Lawson Products Inc.	RM-176222 Inventory/ Operations	2258	85850 expiring 11/29/2023	\$824,000.00	\$1,074,000.00	\$250,000.00
Emergency Walk-in Building Supplies, Small Appliances, and Lumber/ 08/01/2017	Home Depot Credit Services	RM-176228 Inventory/ Operations	2532	18-FLEET-00234 expiring 12/31/2026	\$330,000.00	\$530,000.00	\$200,000.00
Inventoried HVAC Filters/ 10/01/2013	ACCSES NJ	RM-176230 Inventory	1903	89072 expiring 06/30/2023	\$140,000.00	\$200,000.00	\$60,000.00
Replacement Valk Manufactured Parts for Use on Snow Removal Equipment/ 01/27/2015 Agenda Item No. 035-01-2015	Greelco, Inc.	RM-176892 Inventory/ Operations	2098	88265 expiring 01/19/2024	\$5,360,000.00	\$6,160,000.00	\$800,000.00
Total							\$1,400,000.00

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

Accordingly, given that the period of time during which the Authority may make additional purchases under the referenced State Contract was extended through the new expiration dates of these contracts, approval is hereby requested to increase the Authority’s current authorized amounts to the new authorized amounts stated above, subject to funding availability at the time of order.

On motion by Treasurer DuPont and seconded by Vice Chair Diaz the Board unanimously approved item numbers 045-02-2023 through 054-02-2023 and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ROLL CALL

DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ- SCACCETTI
YES	YES	YES	YES	YES	YES

ooo0ooo
GENERAL BUSINESS

ooo0ooo
OPERATIONS

Director of Operations Kevin Dunn requested acceptance of item number 055-02-2023. Moved is the item as follows:

055-02-2023

Director of Operations Kevin Dunn requested acceptance of Volumes and Crash Synopses for the Garden State Parkway and New Jersey Turnpike: Period 01/01/2023 through 01/31/2023; with 2022-2023 Yearly Comparisons through January 2023, was approved.

On motion by Treasurer DuPont and seconded by Vice Chair Diaz the Board unanimously accepted item number 055-02-2023; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

Director of Operations Kevin Dunn requested approval of item numbers 056-02-2023 and 057-02-2023. Moved are the items as follows:

056-02-2023

In a document dated February 28, 2023, Recommendation to Pay the Annual Member Agency Membership Dues – TRANSCOM, R-176542, Budget Code: 010-710-445900, Amount: \$316,216.00, was approved.

The Transportation Operations Coordinating Committee (“Transcom”) is an organization which provides a forum for the reconciliation of operating procedures, improved agency communications and the coordination of construction projects within the metropolitan area. Under Agenda Item No. 108-04-2018, the Board approved the Authority’s membership in Transcom through December 31, 2023. Membership in Transcom helps the New Jersey Turnpike Authority ensure the mobility and safety of its traveling public through the tri-state area via enhanced communication and utilization of the member agencies’ existing traffic and transportation management systems.

Per the Multi-Year Membership Agreement between the New Jersey Turnpike and Transcom, the Authority is required to pay annual membership dues for operating costs. The annual payment to Transcom for 2023 is \$316,216.00.

Accordingly, the Operations Department recommends approval of the 2023 membership dues to Transcom in the amount of \$316,216.00.

057-02-2023

In a document dated January 26, 2023, Recommendation to Authorize 2023 Assessments to First Aid Squads and Fire Departments Providing Services on the New Jersey Turnpike and

Garden State Parkway, For the Period January 1, 2023, through December 31, 2023, Budget Code: 010-710-442060, Amount: \$570,000.00, was approved.

The New Jersey Turnpike Authority (the “Authority”) utilizes the services of approximately 80 first aid squads and 80 fire departments that are on-call and provide emergency services to the Authority’s patrons on the New Jersey Turnpike and the Garden State Parkway. These organizations are further supported by other organizations in a mutual aid capacity. As the owner and operator of these two roadways, the Authority itself does not have qualified emergency personnel and apparatus to provide these critical, life-saving services to its patrons therefore, it has been the policy of the Authority to financially assist these first aid squads and fire departments on a semi-annual basis.

Previously approved by the Board, the first aid squads are provided \$90.00 per call plus a \$500.00 semi-annual standby assessment and the fire departments are provided \$160.00 per piece of apparatus plus a \$300.00 semi-annual standby assessment. Organizations providing mutual aid are not provided an assessment for stand-by, but are provided an assessment of \$90.00 per call or \$160.00 per number of apparatus.

Accordingly, it is recommended that the Authority be authorized to work with the first aid squads and fire departments providing services on the New Jersey Turnpike and Garden State Parkway under the terms set forth above in an amount not to exceed \$570,000.00 for the year 2023.

On motion by Vice Chair Diaz and seconded by Treasurer DuPont the Board unanimously approved item numbers 056-02-2023 and 057-02-2023 and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ROLL CALL					
DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ-SCACCETTI
YES	YES	YES	YES	YES	YES

ooo0ooo
STATE POLICE

Major Michael Krzyzkowski requested acceptance of item number 058-02-2023. Moved is the item as follows:

058-02-2023

Major Michael Krzyzkowski requested acceptance of the **New Jersey State Police Troop D Activity Reports** for January 2023, with 2022– 2023 Yearly Comparisons.

On motion by Commissioner Gravino and seconded by Treasurer DuPont the Board unanimously accepted the reports contained in item number 058-02-2023 and received same for file.

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FINANCE

Chief Financial Officer Donna Manuelli requested acceptance of item number 059-02-2023. Moved is the item as follows:

059-02-2023

Chief Financial Officer Donna Manuelli presented the **Financial Summary for the One (1) month ended January 31, 2023**, was accepted.

On motion by Treasurer DuPont and seconded by Vice Chair Diaz the Board unanimously accepted item number 059-02-2023; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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LAW

Acting Director of Law Ann C. Monica requested approval Item number 060-02-2023:

060-02-2023

In a memorandum dated February 27, 2023, **Authorization to Engage the Law Firms of Genova Burns LLC and Connell Foley LLP as Special Counsels for the New Jersey Turnpike Authority to the Hudson Tunnel Project and the Tremley Point Project**, was approved.

Authorization is requested to engage the law firms of Genova Burns LLC and Connell Foley LLP to provide, respectively, Special Labor Counsel and representation with regard to the development of a project labor agreement(s) ("PLA") applicable to the Hudson Tunnel Project and as Special Real Estate Counsel for the Tremley Point Project, (collectively, the "Projects") each to be paid at a rate different from the rates currently being billed to the Authority as Special Labor Counsel and Special Real Estate Counsel. Attorneys at Genova Burns LLC and Connell Foley LLP providing PLA services for the Projects would be paid each at the blended hourly rate of \$400.00; however, the hourly rate to be paid for services provided by paralegals will remain at the current contractual rate of \$90.00 per hour. The intended team from Genova Burns LLC for the Projects will include name partner Angelo Genova and partners James J. McGovern, Patrick W. McGovern and Douglas Solomon. Assigned associates are Brian D. MacNiven, Christopher Manley, Victor Andreou and Katherine Szabo with discretion to identify additional attorneys if required. The Connell Foley LLP intended team will be W. Nevins McCann, Patrick McCauley, Kevin Coakley and Thomas Cosma, with the discretion to identify additional attorneys if required. Each of the law firms' decades-long history in negotiating numerous PLAs in connection with some of the region's most substantial infrastructure and construction projects combined with their special competence in this work justifies an hourly attorney rate different from the current rates billed to the Authority as Special Labor Counsel and Special Real Estate Counsel, as the case may be. With knowledge of this legal expertise and need, the Governor's Authorities Unit has approved and authorizes the Authority to also approve these rates. Therefore, in accordance with Executive Order No. 37 (Jon S. Corzine, September 26, 2006), the legal requirements to engage these attorney services through a publicly advertised competitive process do not apply under the express exception for authorization by the Governor's Authorities Unit.

Accordingly, approval to engage each of the law firms of Genova Burns LLC and Connell Foley LLP under the terms set forth herein is respectfully requested.

Acting Director of Law, Ann C. Monica, read the following statement regarding Item **060-02-2023**

As a result of the current vacancies on the Board and the recusals of Commissioners Diaz and Gravino, there is a lack of the requisite five votes needed to act on any contract award to Genova Burns and Connell Foley as part of Agenda Item No. 060-02-2023. If the contract appointing Genova Burns LLC as Special Labor Counsel related to development of a Project Labor Agreement for the Hudson Tunnel Project, and the contract appointing Connell Foley LLP as Special Real Estate Counsel for the Tremley Point Project cannot be awarded, these important Projects will be delayed to the detriment of the public. Consequently, there is a pressing need for the specialized legal services offered by Genova Burns LLC and Connell Foley LLP, and the foregoing circumstances are not anticipated to resolve in the near future. Thus, postponing a contract award to Genova Burns and Connell Foley as part of Agenda Item No. 060-02-2023 is not an alternative. For all of the foregoing reasons, invoking the rule of necessity in this instance is justified, and Commissioners Diaz and Gravino may vote on the contract awards to Genova Burns LLC and Connell Foley LLP as part of Agenda Item No. 060-02-2023.

Chair Comments

Chair Gutierrez-Scaccetti clarified that the need for development of the Project Labor Agreement is not in connection with the Hudson Tunnel Project, but rather is in connection with legislation signed by Governor Murphy that allows for the requirement of a Project Labor Agreement for all construction contracts of \$5 million or more, including those issued by the New Jersey Turnpike Authority. Thus, the Project Labor Agreement developed by Genova Burns will not only be for the Authority's use, but will serve as a model for other State agencies. Chair Gutierrez-Scaccetti advised the Motion is amended to reflect her clarification.

Acting Director of Law Ann C. Monica requested approval of **Amended** Item number 060-02-2023. Moved is the item as follows:

Amended

060-02-2023

In a memorandum dated February 28, 2023, **Authorization to Engage the Law Firms of Genova Burns LLC and Connell Foley LLP as Special Counsels for PLA Services in connection with New Jersey Turnpike Authority Construction Projects in excess of \$5 million, and Real Estate Services in connection with the Tremley Point Project, Respectively**, was approved.

Pursuant to legislation signed by Governor Phil Murphy that allows for the requirement of a project labor agreement (PLA) for all public construction contracts of \$5 million or more, authorization is requested for the engagement of Genova Burns LLC, as Special Labor Counsel, to develop a PLA for use by the Authority, and as a model for other State agencies. Additionally, authorization is requested for the engagement of Connell Foley LLP, as Special Real Estate Counsel, for services related to the Tremley Point Project.

It is requested that Genova Burns LLC and Connell Foley LLP each be paid at a rate different from the rates currently being billed to the Authority as Special Labor Counsel and Special Real Estate

Counsel. Attorneys at Genova Burns LLC providing legal services on the PLA, and attorneys at Connell Foley providing legal services related to the Tremley Point Project will be compensated at a blended hourly rate of \$400.00; however, the hourly rate to be paid for services provided by paralegals will remain at the current contractual rate of \$90.00 per hour. The intended team from Genova Burns LLC will include name partner Angelo Genova and partners James J. McGovern, Patrick W. McGovern and Douglas Solomon. Assigned associates are Brian D. MacNiven, Christopher Manley, Victor Andreou and Katherine Szabo with discretion to identify additional attorneys if required. The Connell Foley LLP intended team will be W. Nevins McCann, Patrick McCauley, Kevin Coakley and Thomas Cosma, with the discretion to identify additional attorneys if required.

The law firms' decades-long history in negotiating PLAs for some of the region's most substantial infrastructure and construction projects, and longstanding experience related to complex real estate matters, respectively, combined with their recognized professional competence, justifies an hourly attorney rate different from the current rates billed to the Authority as Special Labor Counsel and Special Real Estate Counsel. Finally, in accordance with Executive Order No. 37 (Jon S. Corzine, September 26, 2006), the engagement of Special Labor Counsel and Special Real Estate Counsel has been authorized by the Governor's Authorities Unit.

Accordingly, approval to engage the law firms of Genova Burns LLC and Connell Foley LLP under the terms set forth herein is respectfully requested..

On motion by Commissioner Minella and seconded by Treasurer DuPont the Board unanimously approved **Amended** item number 060-02-2023 as clarified by Chair Gutierrez-Scaccetti and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.


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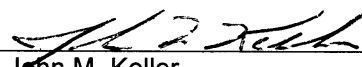
ROLL CALL

DIAZ	DuPONT	GRAVINO	MINELLA	SALERMO	GUTIERREZ- SCACCETTI
YES	YES	YES	YES	YES	YES

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The motion to adjourn was made by Treasurer DuPont and seconded by Vice Chair Diaz and, after the voice vote, the motion was duly adopted. The Board of Commissioners adjourned the meeting at 10:02 a.m. and advised that the next meeting will be held on Tuesday, March 28, 2023, at 9:00 a.m., in person, with optional telephonic public call in (check the website NJTA.com to get call-in information), at the Authority's headquarters building located at 1 Turnpike Plaza in Woodbridge, New Jersey.


Kim Schurman
Secretary to the Authority


John M. Keller
Executive Director

Date: March 2, 2023