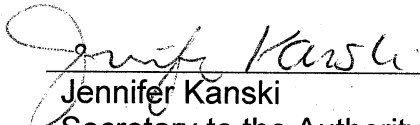


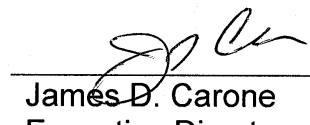
**CERTIFICATION  
OF  
NEW JERSEY TURNPIKE AUTHORITY**

I, James D. Carone, 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 January 30, 2024 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 30th day of January, 2024.

ATTEST:

  
\_\_\_\_\_  
Jennifer Kanski  
Secretary to the Authority

  
\_\_\_\_\_  
James D. Carone  
Executive Director

Corporate Seal

Date: January 30, 2024

**Received in the Governor's Office January 30, 2024**

Received by:

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

Veto Period Ends:

February 15, 2024  
(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

AARON J. CREUZ  
DEPUTY CHIEF COUNSEL

**TO:** Jennifer Kanski [kanski@njta.com](mailto:kanski@njta.com)  
**FROM:** Kelley Trimble, Authorities Unit, Office of the Governor  
**DATE:** February 1, 2024  
**RE:** New Jersey Turnpike Authority Minutes

This email is confirmation that the Authorities Unit received the minutes from the January 30, 2024 board meeting on February 1, 2024. The calculated veto date is February 15, 2024.

Thank you.

Attachment

cc: Thomas Holl



State of New Jersey

OFFICE OF THE GOVERNOR

P.O. Box 001

TRENTON, NJ 08625-0001

PHILIP D. MURPHY  
Governor

January 30, 2024

*Via: Electronic mail*

Ulises E. Diaz, Vice Chair  
New Jersey Turnpike Authority  
One Turnpike Plaza  
PO Box 5042  
Woodbridge, New Jersey 07095-5042

Dear Vice Chair Diaz:

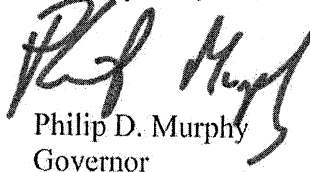
In accordance with the provisions of the New Jersey Turnpike Authority Act, N.J.S.A. 27:23-1 *et seq.* (the "Act"), including specifically N.J.S.A. 27:23-3(F), and all other applicable law, I hereby approve that portion of the minutes of the January 30, 2024 Board meeting of the New Jersey Turnpike Authority (the "Authority") relating solely to the following resolutions adopted at the Authority's Board meeting:

1. Authorization to Approve the Proposal to Re-Adopt, with Amendments, Authority Regulations at N.J.A.C. 19:9; and
2. Authorization to Adopt 2024 Budget.

I specifically reserve my right to veto any and all other actions taken by the Authority at its meeting on January 30, 2024.

For purposes of the Act and all applicable law, this letter shall immediately be in full force and effect.

My very best,

  
Philip D. Murphy  
Governor

c. James Carone, Executive Director

**PROCEEDINGS OF MEETING OF NEW JERSEY TURNPIKE AUTHORITY  
BOARD OF COMMISSIONERS  
Tuesday, January 30, 2024**

\* \* \*

Vice Chair Diaz 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 9:01 a.m.

\* \* \*

Pledge of Allegiance

\* \* \*

**PRESENT**

Present were Vice Chair Ulises Diaz, Treasurer Michael DuPont, Commissioner Ronald Gravino (by tele-conference), Commissioner Raphael Salerno (by tele-conference) and Commissioner Francisco Maldonado and Deputy DOT Commissioner Joseph Bertoni (by tele-conference). The meeting commenced at 9:01 a.m.

\* \* \*

**ALSO PRESENT**

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

Also present were: Outside Counsel, Judy Verrone, Esq., of DeCotiis, FitzPatrick, Cole & Giblin, LLP, and Governors' Authorities Unit Representative, Thomas Holl.

\* \* \*

**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](http://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 Kanski takes Roll Call and the Following Were Present:**

1. Vice Chair Diaz
2. Treasurer DuPont
3. Commissioner Gravino (by tele-conference)
4. Commissioner Salerno (by tele-conference)
5. Commissioner Maldonado
6. Deputy DOT Commissioner Joseph Bertoni (by tele-conference)

\* \* \*

**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:

- Contract Negotiations

The motion was made by Vice Chair Diaz and seconded by Commissioner Maldonado 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 9:13 a.m. A motion was made by Treasurer DuPont and seconded by Commissioner Salerno to resume the public portion of the meeting at 9:17 a.m.

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

1. Vice Chair Diaz
2. Treasurer DuPont
3. Commissioner Gravino (by tele-conference)
4. Commissioner Salerno (by tele-conference)
5. Commissioner Maldonado
6. Deputy DOT Commissioner Joseph Bertoni (by tele-conference)

\* \* \*

**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 minutes of the regular meeting of December 19, 2023; he did not exercise his power to veto any items in those minutes.

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

\* \* \*

**RECUSALS**

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

- Commissioner Maldonado is recused on Agenda Item Nos. 004-01-2024 through 007-01-2024, 015-01-2024 and 016-01-2024.

\* \* \*

**PUBLIC COMMENT (in Person)**

\* \* \*

Barry Kushnir, Local 194

Mr. Kushnir addressed two topics. Mr. Kushnir first applauded the nomination of Francis O'Connor for DOT Commissioner. Mr. Kushnir stated Mr. O'Connor has very big shoes to fill in replacing former Chair Gutierrez-Scaccetti and is confident he will do a good job. The second topic Mr. Kushnir addressed was his support of the 2024 Budget.

\* \* \*

David Pringle

Mr. Pringle stated he is on the Steering Committee of EmpowerNJ and he addressed an email response that Ms. Tayla Schwartz received when she inquired about public meetings for the Newark Bay Hudson County Extension Improvement Program. Ms. Schwartz was informed that the Authority planned to schedule a public information virtual call in January 2024 to update the community on this project followed three in person public information sessions in February 2024 in Jersey City, Bayonne and Newark to discuss the specifics of this project as it would pertain to each city and once the dates of the sessions have been confirmed, the Authority would release the information. Mr. Pringle had stated that no dates have been released as of yet. Mr. Pringle inquired when will these sessions will be scheduled, how much notice is given to the public and will there be new information given in time for the public to review and have informed comments.

Mr. Pringle inquired if the Governor will be supporting the new proposed 2024 budget.

Mr. Pringle urged the Authority to stop wasting money on the Turnpike Expansion when it is clear there is massive opposition by the people in Jersey City.

Mr. Pringle is asking the Senate to do their due diligence regarding the nomination of Mr. Francis O'Connor since that position oversees much more than tolls.

\* \* \*

**PUBLIC COMMENT (remote by tele-conference)**

\* \* \*

Catherine Hunt

Ms. Hunt stated that the majority of the commuters of Hudson County as well as Union County do not commute by car and many of them rely on public transportation. Ms. Hunt stated all the money that is being spent towards another highway being built can be put to better use if it would go towards public transit and that would also decrease congestion. Ms. Hunt commented that the Lincoln Tunnel bus lane holds ten times more passengers than the other three car lanes combined which shows public transit is more effective. Ms. Hunt suggested increasing funding to transit from Turnpike revenue to reduce fare hikes.

\* \* \*

John Reichman

Mr. Reichman stated he is on the Steering Committee of Empower NJ and the Environmental Chair of BlueWaveNJ and he spoke about two transportation issues, the first being the 15% increase in fare for New Jersey Transit and the second of the appointment of Mr. Francis O'Connor as Transportation Commissioner. Mr. Reichman expressed concerns about Mr. O'Connor's experience or expertise in public transportation. Mr. Reichman stated public transportation is the life blood of the state, it is a generator of economic growth and the transportation most relied on by low and middle income residents. Mr. Reichman asked that the Authority stop the contract for the Newark Bay Hudson County Extension Improvement Program and apply money to the NJ Transit so there would be no need for a 15% fare increase.

\* \* \*

Tayla Schwartz

Ms. Schwartz, a resident of Jersey City and on the Board of Safe Streets JC and Hudson County Complete Streets, stated she is appalled that the Newark Bay Bridge Extension project is proceeding without a single public forum as there is robust opposition for this project from all the neighborhood associations, the Jersey City Council and the Mayor and there is robust research and historical documentation that highway expansions destroy towns, city and communities within. Ms. Schwartz indicated her concern on the environmental effects of this project. Ms. Schwartz expressed money should be put towards public transportation to expand the bus schedule and toll payer money should be put towards ways to reduce congestion. Ms. Schwartz asked the Board to accept public comments before they go into Executive Sessions and to value the public's time as the Commissioners are being paid for their work and many of the people calling in are volunteers and need to get to their jobs.

\* \* \*

Emmanuelle Morgan

Ms. Morgan stated she is the Executive Director of Hudson County Complete Streets as well as a resident of Hudson County and stated her coalition is strongly opposed to the Turnpike Widening from the Newark Bay Bridge to the Holland Tunnel including the multi-billion dollar plan to build a new bridge and they are fully opposed to this project until the public has a chance to fully understand and contribute their thoughts and feedback.

\* \* \*

Jimmy Lee

Mr. Lee stated he is a parent and a resident of Jersey City and he asked that the Authority put an end to the costly \$10.7 Billion Widening of the I-78 Turnpike Extension and follow the lower cost plan of only doing the repairs of reinforcing the bridge that will expand the life of the bridge for another 40 years for \$260 Million. Mr. Lee is concerned with the traffic congestion in the tunnel as well as the local streets. Mr. Lee stated mass transit is the most efficient and safest way of moving people through New Jersey at low costs and due to the funding crisis of NJ Transit, the Authority should be looking for ways

to pause on big projects and move that money over to NJ Transit where those dollars can be used most effectively. Lastly, Mr. Lee stated that buses are 20% and trains or 17% safer than cars.

\* \* \*

Ashley Bromiley

Ms. Bromiley stated she is a transportation management student and she currently resides in Union City and she stated she is in favor of everything said today regarding the support of public transportation. Ms. Bromiley has lived in New Jersey her entire life in various towns and cities and has never owned a car and she relies exclusively on public transit. Ms. Bromiley further stated that Hudson County does not need anymore cars going through Hudson County and cars are already parking on crosswalks and sidewalks in her town and there is no room for additional congestion. Ms. Bromiley feels supporting public transportation would be a much better way of reducing congestion.

\* \* \*

Brittin Fullwood

Ms. Fullwood stated she joined the New Jersey Turnpike Authority in 2002 as a Toll Collector and she still supports her Authority family. Ms. Fullwood stated she uses both the Turnpike as well as public transportation. Ms. Fullwood said she is going to continue to support her Authority family just like she did as a Toll Collector when she was good to every customer and thanked them for riding the roadway.

\* \* \*

Rachel Davies

Ms. Davies stated she is a Public Policy and Justice Organizer for Water Spirit and they are a spiritual ecology and non-profit expressing the mission of hearing the cry of the Earth and the cry of the poor. Ms. Davies urged the Authority to listen to the outcry from the affected residents, particularly about the process of public engagement and decision makers must understand the dollars we invest today will make or break any potential livable future. The expansion project adds transportation emissions and it is conflicted with Governor Murphy's climate goals. Ms. Davies stated mass transit can work well because emissions are hazardous to all life and the Authority should consider increasing NJ Transit funding from the Authority revenues to help support transit and to avoid fare increases. Ms. Davies also encouraging the Authority to listen to the public for alternative options.

\* \* \*

#### COMMISSIONER COMMENTS

Commissioner Gravino commented that the Board does not get paid to be on the Board of Commissioners.

\* \* \*

#### HUMAN RESOURCES

Director of Human Resources Mary-Elizabeth Garrity requested approval of Agenda Item No. 001-01-2024. Moved is the item as follows:

\*\*\*\*\*

001-01-2024

Director of Human Resources Mary-Elizabeth Garrity submitted the Personnel Agenda, dated January 30, 2024, and requested confirmation of the personnel matters contained therein. The Executive Director certified the recommendations for consideration.

\* \* \*

001-01-2024

On motion by Treasurer DuPont and seconded by Commissioner Maldonado 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.

**ROLL CALL**

DIAZ	DuPONT	GRAVINO	SALERMO	MALDONADO	BERTONI
YES	YES	YES	YES	YES	YES

\* \* \*

**LAW**

Acting Director of Law, Ann C. Monica, requested approval of Agenda Item Nos. 002-01-2024 and 003-01-2024. Moved are the items as follows:

\*\*\*\*\*

002-01-2024

In a memorandum dated January 17, 2024, Authorization to Approve the Proposal to Re-Adopt the Authority Regulations with Amendments N.J.A.C. 19:9, was approved.

N.J.A.C. Title 19, Chapter 9 sets forth the regulations governing the operations of the Authority. In accordance with N.J.S.A. 52:14B-5.1b, N.J.A.C. Title 19, Chapter 9 will expire on August 24, 2024. This agenda item seeks authorization to approve the proposal to re-adopt these regulations with various amendments to clarify and update the regulations in line with the Authority's current practices, and to promulgate regulations required by recent legislation.

The regulatory proposal recommended by Authority staff is attached hereto and includes a summary of the proposed amendments. The proposal will also be published on the Authority's website, [www.njta.com](http://www.njta.com). It is recommended that the attached proposal be published by the Office of Administrative Law in the New Jersey Register for notice and comment.

Accordingly, it is requested that the Board of Commissioners approve the attached proposal to re-adopt N.J.A.C. 19:9 with amendments for publication in the New Jersey Register for notice and comment. It is further recommended that the Commissioners authorize the Executive Director to execute any such documents and take any such other actions as are deemed necessary to effectuate the intent of this authorization, including the review of public comments, if any, and any appropriate replies thereto.

Following the public comment period, the Executive Director is empowered, pursuant to N.J.A.C. 19:9-6.5, to file such rulemaking proposal with the Office of Administrative Law for final adoption if the

Executive Director determines, after review, consideration, and reply to such comments, that it is appropriate to adopt the proposal as proposed without any material changes.

[Notice of Readoption with Amendments Attached to these Minutes]

\*\*\*\*\*

003-01-2024

In a memorandum dated January 4, 2024, Authorization to Settle Formal Workers' Compensation Matter – Allendy Jordonne v. New Jersey Turnpike Authority, was approved.

Petitioner Allendy Jordonne is a Parkway Division Maintenance Person 1, hired in August 2017. This settlement request will resolve a formal Claim Petition filed in 2022.

The petitioner is represented by Levinson Axelrod, P.A., located in Edison NJ. The Authority is defended by Special Counsel Neil Gallagher, Esq. of Dilworth Paxson, located in Freehold, NJ. The matter is venued in the district office of Freehold Workers' Compensation Court before the Honorable Judge Joann Downey.

The total settlement award is \$156,870.00.

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 Authority's Benefits Manager. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of **\$156,870.00**.

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

\* \* \*

002-01-2024  
003-01-2024

On motion by Treasurer DuPont and seconded by Commissioner Maldonado, the Board unanimously approved Agenda Item Nos. 002-01-2024 and 003-01-2024; and authorized and ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

**ROLL CALL**

DIAZ	DuPONT	GRAVINO	SALERMO	MALDONADO	BERTONI
YES	YES	YES	YES	YES	YES

\* \* \*

**ENGINEERING**

Chief Engineer Michael Garofalo requested approval of item numbers 008-01-2024 through 014-01-2024. Moved are the items as follows:

\* \* \*

ORDER FOR PROFESSIONAL SERVICES (OPS)

\*\*\*\*\*

008-01-2024

In a document dated January 11, 2024, Recommendation to Issue Order for Professional Services Nos. T4031-1 and P4033-1, New Jersey Turnpike and Garden State Parkway, H2M

Associates, Inc./H2M Architects & Engineers, Inc. – OPS No. T4031-1, Gannett Fleming, Inc. – OPS No. P4033-1, Order for Professional Services No. T4031-1, Design Services for Contract Nos.: T500.707, Construction of Storage Building at TMD-5, Milepost 80.7; T500.708, Construction of Pre-Engineered Metal Building at TMD-3, Milepost 56.6; and T500.709, Construction of Pre-Engineered Metal Building at TMD-9, Milepost N-5.9, R-183576, Budget Code: 0390012020, Amount: \$1,610,000.00, and Order for Professional Services No. P4033-1, Design Services for Contract Nos.: P500.786, Construction of Pre-Engineered Metal Building at PMD-3, Milepost 67.7 and PMD-5, Milepost 116, P500.787, Construction of Pre-Engineered Metal Building at PMD-7, Milepost 156 and PMD-8, Milepost 164.1, R-183577, Budget Code: 4000014000, Amount: \$1,990,000.00, was approved.

Through this single procurement process the Authority will select two consultants to furnish engineering services for the preparation of construction contract plans for the construction of various buildings along the New Jersey Turnpike and the Garden State Parkway.

The engineering services associated with OPS No. T4031-1 will provide design services for the preparation of contract plans for the construction of various buildings at Maintenance Districts along the New Jersey Turnpike and OPS. No. P4033-1 will provide design services for the preparation of contract plans for the construction of various buildings at Maintenance Districts along the Garden State Parkway.

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 twenty-one (21) engineering firms were prequalified and eligible under Profile Code A060, Architecture: New. Four firms submitted EOIs by the closing date of December 18, 2023.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking of the top three firms: 1) Gannett Fleming, Inc.; 2) H2M Associates, Inc./H2M Architects & Engineers, Inc.; and 3) Paulus, Sokolowski and Sartor, LLC. These three firms were requested to submit sealed Fee Proposals, which were received and have been reviewed. A review of the Fee Proposal of the highest technically ranked firm, Gannett Fleming, Inc., for OPS No. P4033-1 (in accordance with the Solicitation for EOIs), resulted in acceptance of their original Fee Proposal. Subsequently, a review of the Fee Proposal of the second highest technically ranked firm, H2M Associates, Inc./H2M Architects & Engineers, Inc., for OPS No. T4031 (in accordance with the Solicitation for EOIs) 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. T4031-1 be issued to the firm of H2M Associates, Inc./H2M Architects & Engineers, Inc. of Parsippany, New Jersey, not to exceed the amount of \$1,610,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.8 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. P4033-1 be issued to the firm of Gannett Fleming, Inc. of East Brunswick, New Jersey, not to exceed the amount of \$1,990,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.77 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses.

These professional services were procured by a fair and open process, 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).

\*\*\*\*\*

**009-01-2024**

In a document dated December 18, 2023, **Recommendation to Issue Order for Professional Services No. P4066, Garden State Parkway, Boswell Engineering, Supervision of Construction Services for Contract No. P200.684, Roadway Resurfacing, Milepost 0 to 126 Section 7 (2024), R-183578, Budget Code: 0390038008, Amount: \$3,470,000.00,** was approved.

This Order for Professional Services will provide supervision of construction services for Contract No. P200.684, Roadway Resurfacing, Milepost 0 to 126 Section 7 (2024). 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 "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and fifty-nine (59) engineering firms were prequalified and eligible under Profile Codes: B153, Roadway Construction Inspection and B154, Roadway Resurfacing Inspection. Two firms submitted EOIs by the closing date of November 1, 2023.

In accordance with N.J.A.C. 19:9-2.8, since there were only two EOIs received, both of which were deemed complete, the Review Committee did not evaluate the EOIs and both firms received a Request for Technical and Fee Proposals. The Technical and Fee Proposals were received from both firms on December 1, 2023. Based on the Review Committee's review of the Technical Proposals, the ranking of the firms are: 1) Boswell Engineering and 2) MAKES Engineers, PC. The fee submitted by Boswell Engineering 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. P4066 be issued to the firm of Boswell Engineering of South Hackensack, New Jersey, in an amount not to exceed \$3,470,000.00. 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. These professional services were procured by a fair and open process, 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).

\*\*\*\*\*

**010-01-2024**

In a document dated December 20, 2023, **Recommendation to Issue Order for Professional Services No. P4114, Garden State Parkway, BEM Systems, Inc., Environmental Compliance Services at the Whitney Houston (formerly Vaux Hall), Larry Doby (formerly Brookdale North), Connie Chung (formerly Brookdale South) and James Gandolfini (formerly Montvale) Service Areas, R-183579, Budget Code: 010-00-850-446050, Funding Allocation: \$295,000.00 FY 2024, \$354,000.00 FY 2025, \$354,000.00 FY 2026, \$354,000.00 FY 2027, \$354,000.00 FY 2028, \$59,000.00 FY 2029, Amount: \$1,770,000.00**, was approved.

This OPS will provide for professional services of an environmental engineering consultant to provide groundwater compliance monitoring, reporting and required remedial investigations/remedial actions at the Whitney Houston (formerly Vaux Hall), Larry Doby (formerly Brookdale North), Connie Chung (formerly Brookdale South) and James Gandolfini (formerly Montvale) Service Areas on the Garden State Parkway. All services will be performed in accordance with current New Jersey Department of Environmental Protection regulations. The term of the OPS is 5 years.

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 twenty-one (21) engineering firms were prequalified and eligible under Profile Codes: C195, Soil and Groundwater Remediation Investigations; C196, Soil and Groundwater Remediation Design; and C197, Remediation Systems; Operation and Maintenance. Three firms submitted EOIs by the closing date of November 22, 2023.

Subsequent to the scoring of EOIs by the Review Committee, Fee Proposals were requested from all three technically ranked firms. The firms in the order of ranking are: 1) BEM Systems, Inc.; 2) CME Associates; and 3) D&B Engineers and Architects, PC. The fee submitted by BEM Systems, 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. P4114 be issued to the firm of BEM Systems, Inc. of Madison, New Jersey, in an amount not to exceed \$1,770,000.00, which is allocated as follows: \$295,000.00 for FY 2024; \$354,000.00 for FY 2025; \$354,000.00 for FY 2026; \$354,000.00 for FY 2027; \$354,000.00 for FY 2028; and \$59,000.00 for FY 2029. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.8 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. These professional services were procured by a fair and open process, 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).

\*\*\*\*\*

**011-01-2024**

In a document dated December 27, 2023, **Recommendation to Issue Order for Professional Services No. P4133, Garden State Parkway, LiRo Engineers, Inc., Supervision of Construction Services for Contract No. P100.653, Bridge Repairs and Resurfacing, Milepost 0 to 126 (2024), R-183580, Budget Code: 0390002003, Amount: \$1,640,000.00,** was approved.

This Order for Professional Services will provide supervision of construction services for Contract No. P100.653, Bridge Repairs and Resurfacing, Milepost 0 to 126 (2024). 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 fifty-three (53) engineering firms were prequalified and eligible under Profile Codes: B156, Bridge Repair Inspection and B157, Bridge Deck Repair/Replacement Inspection. Six firms submitted EOIs by the closing date of November 20, 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) LiRo Engineers, Inc.; 2) WSP USA Inc.; and 3) Naik Consulting Group, P.C. The fee submitted by LiRo Engineers, Inc. has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. P4133 be issued to the firm of LiRo Engineers, Inc. of Edison, New Jersey, in an amount not to exceed \$1,640,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.15 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. These professional services were procured by a fair and open process, 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).

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**012-01-2024**

In a document dated January 11, 2024, **Recommendation to Issue Order for Professional Services No. T4134, New Jersey Turnpike, ATANE Engineers, Architects & Land Surveyors, P.C., Supervision of Construction Services for Contract No. T100.652, Bridge Repairs and Resurfacing, Milepost 0 to 92 and the Pearl Harbor Memorial Turnpike Extension (2024), R-183581, Budget Code: 0390000005, Amount: \$1,800,000.00,** was approved.

This Order for Professional Services will provide supervision of construction services for Contract No. T100.652, Bridge Repairs and Resurfacing, Milepost 0 to 92 and the Peral Harbor Memorial Turnpike Extension (2024). 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 fifty-two (52) engineering firms were prequalified and eligible under Profile Codes: B156, Bridge Repair Inspection and B157, Bridge Deck Repair/Replacement Inspection. Four firms submitted EOIs by the closing date of December 13, 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) ATANE Engineers, Architects & Land Surveyors, P.C.; 2) Arora and Associates, P.C.; and 3) Remington & Vernick Engineers. The fee submitted by ATANE Engineers, Architects & Land Surveyors, P.C. has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. T4134 be issued to the firm of ATANE Engineers, Architects & Land Surveyors, P.C. of Edison, New Jersey, in an amount not to exceed \$1,800,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.15 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. These professional services were procured by a fair and open process, 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).

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**013-01-2024**

In a document dated January 11, 2024, **Recommendation to Issue Order for Professional Services No. T4135, New Jersey Turnpike, Tectonic Engineering Consultants, Geologists & Land Surveyors DPC, Inc., Supervision of Construction Services for Contract No. T500.719, Milepost 92 Pump Station Repairs, R-183582, Budget Code: 040C00038, Amount: \$830,000.00,** was approved.

This Order for Professional Services will provide supervision of construction services for Contract No. T500.719, Milepost 92 Pump Station Repairs. 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 thirty-nine (39) 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 December 13, 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) Tectonic Engineering Consultants, Geologists & Land Surveyors DPC, Inc.; 2) KS Engineers, P.C.; and 3) Colliers Engineering & Design. The fee submitted by Tectonic Engineering Consultants, Geologists & Land Surveyors DPC, Inc. has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. T4135 be issued to the firm of Tectonic Engineering Consultants Geologists & Land Surveyors DPC, Inc. of East Brunswick, New Jersey, in an amount not to exceed \$830,000.00. 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. These professional services were procured by a fair and open process, 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).

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#### MISCELLANEOUS

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014-01-2024

In a document dated December 27, 2023, Recommendation to Issue Supplement No. 1 to Utility Order No. 1676-P, Garden State Parkway, PSE&G (Electric), Contract No. P100.476, Superstructure Replacement and Widening of Bridge No. 158.2, GSP Bridge over Passaic River, US Route 46, and River Drive, R-183635, Budget Code: 39200019, Original Authorized Amount: \$410,758.16, Amount of Supplement No. 1: \$155,000.00, Revised Total Amount: \$565,758.16, was approved.

Utility Order No. 1676-P was executed by the Executive Director on October 5, 2020 in the amount of \$410,758.16 for the removal of existing poles and aerial facilities, installation/relocation of overhead/underground communication lines, cost of materials, engineering, inspection and associated activities that will be directly impacted by the construction of Contract No. P100.476, Superstructure Replacement and Widening of Bridge No. 158.2, GSP Bridge over Passaic River, US Route 46, and River Drive.

Supplement No. 1 to this Utility Order will reimburse Public Service Electric and Gas (PSE&G) for costs associated with unanticipated changes to the original overhead and underground relocation plan on River Drive to reduce conflicts with the contract work, and cost increases for night and weekend work. PSE&G will be compensated for cost of materials, engineering inspection and associated activities. The cost proposal of this Supplement, in the amount of \$155,000.00, was reviewed by the Engineering Department, is considered reasonable, and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Supplement No. 1 to Utility Order No. 1676-P, not to exceed the amount of \$155,000.00, increasing the total authorized fee from \$410,758.16 to \$565,758.16. The Authority is required by its enabling legislation, N.J.S.A. 27:23-6, to ascertain and pay the costs of relocation or removal of any public utility facilities that the Authority deems necessary to relocate or remove in furtherance of the Authority's highway projects.

\* \* \*

008-01-2024  
009-01-2024  
010-01-2024  
011-01-2024  
012-01-2024  
013-01-2024  
014-01-2024

On motion by Treasurer DuPont and seconded by Commissioner Maldonado, the Board unanimously approved Agenda Item Nos. 008-01-2024 through 014-01-2024; and authorized and ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

#### ROLL CALL

DIAZ	DuPONT	GRAVINO	SALERMO	MALDONADO	BERTONI
YES	YES	YES	YES	YES	YES

Chief Engineer Michael Garofalo requested approval of Agenda Item Nos. 004-01-2024 through 007-01-2024, 015-01-2024 and 016-01-2024. Moved are the items as follows:

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#### PUBLIC BID SOLICITATIONS – AWARD OF CONTRACTS

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#### 004-01-2024

In a document dated December 18, 2023, Recommendation to Award Contract No. T100.652, New Jersey Turnpike, Ferreira Construction Co., Inc., Bridge Repairs and Resurfacing, Milepost 0 to 92 and the Pearl Harbor Memorial Turnpike Extension (2024), R-183585, Budget Code: 0390000005, Amount: \$15,247,211.00, was approved.

This is the second of two annual Turnpike bridge repair contracts to be awarded for the 2024 construction season. The contract is concentrated in the southern portion of the Turnpike between Milepost 0 and 92 and will perform work on 13 structures. The work generally includes selective replacement of complete deck panels, concrete spall repairs, joint repairs, replacement of existing asphalt wearing surface, bearing replacement and miscellaneous substructure repairs. All work is expected to be substantially completed by December 2024.

Three bid proposals were received on December 5, 2023 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$15,247,211.00, may be compared to the Engineer's Estimate in the amount of \$16,674,786.38. The

low bidder, Ferreira Construction Co., Inc. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T100.652 be awarded to the low bidder, Ferreira Construction Co., Inc. of Branchburg, New Jersey in the amount of \$15,247,211.00. Bids for this work were procured, and the authorization being sought is to award this fair and open 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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**005-01-2024**

In a document dated December 21, 2023, **Recommendation to Award Contract No. P100.653, Garden State Parkway, Ferreira Construction Co., Inc., Bridge Repairs and Resurfacing, Milepost 0 to 126 (2024), R-183586, Budget Code: 0390002003, Amount: \$10,587,472.00,** was approved.

This is the second of two annual Parkway bridge repair contracts to be awarded for the 2024 construction season. The contract is concentrated in the southern portion of the Parkway from Milepost 0 to 126 and will perform work on 18 structures. The work generally includes selective replacement of complete deck panels, concrete spall repairs, joint repairs, replacement of existing asphalt wearing surface, bearing replacement and miscellaneous substructure repairs. All work is expected to be substantially completed by November 2024.

Three bid proposals were received on November 30, 2023 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal in the amount of \$10,587,472.00 may be compared to the second low bidder in the amount of \$11,875,000.00. The bids were significantly lower than the Engineer's Estimate in the amount of \$12,137,938.00 likely due to the low bidder's familiarity with traffic control requirements. The low bidder, Ferreira Construction Co., Inc. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P100.653 be awarded to the low bidder, Ferreira Construction Co., Inc. of Branchburg, New Jersey in the amount of \$10,587,472.00. Bids for this work were procured, and the authorization being sought is to award this fair and open 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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**006-01-2024**

**Recommendation to Award Contract No. P200.684, Garden State Parkway, C.J. Hesse, Inc., Roadway Resurfacing, Milepost 0 to 126 Section 7 (2024), R-183587, Budget Code: 0390038008, Amount: \$25,959,019.62,** was tabled to the next meeting; see motion and roll call vote on 006-01-2024 below.

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007-01-2024

In a document dated January 4, 2024, Recommendation to Award Contract No. T500.719, New Jersey Turnpike, RML Construction, Inc., Milepost 92 Pump Station Repairs, R-184160, Budget Code: 040C00038, Amount: \$3,892,910.00, was approved.

This contract will provide for the installation of replacement stormwater pump system equipment including natural gas fired engines, vertical drive pumps, and enhanced controls and communications equipment; renovation of the pump station building; and restoration of the drainage basin at Milepost 92. The stormwater pump system was procured through agenda item No. 045-02-2023 and will be installed as part of this contract. All work is expected to be substantially completed by July 2025.

Two bid proposals were received on December 19, 2023, for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$3,892,910.00, may be compared to the Engineer's Estimate in the amount of \$3,586,828.00. The low bidder, RML Construction, Inc. has performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T500.719 be awarded to the low bidder, RML Construction, Inc. of Carlstadt, New Jersey in the amount of \$3,892,910.00. Bids for this work were procured, and the authorization being sought is to award this fair and open 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.

\* \* \*

**FINAL ACCEPTANCES**

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015-01-2024

In a document dated January 8, 2024, All work performed on the construction contracts listed below has 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 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
T500.358	Dobco Inc.	\$56,893,382.00	7	\$6,340,102.16	\$63,233,484.16	\$4,052,684.34
T600.481A	J. Fletcher Creamer & Son, Inc.	\$42,982,228.00	6	\$890,261.99	\$43,872,489.99	\$200,000.00
A900.538	Mount Construction Co., Inc.	\$4,000,000.00	7 pay estimates	(\$1,380,060.05)	\$2,619,939.95	\$0.00
A500.565	ACP Contracting Inc.	\$2,949,376.00	1	\$312,143.00	\$3,261,519.00	\$98,572.50
P200.626	Mount Construction Co., Inc.	\$1,463,431.00	1	(\$384,128.03)	\$1,079,302.97	\$14,634.31
Total						\$4,365,891.15

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.

\* \* \*

016-01-2024

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

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

\* \* \*

004-01-2024  
005-01-2024  
007-01-2024  
015-01-2024

On motion by Treasurer DuPont and seconded by Commissioner Gravino, the Board unanimously approved Agenda Item Nos. 004-01-2024, 005-01-2024, 007-01-2024 and 015-01-2024, and authorized and ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

**ROLL CALL**

DIAZ	DuPONT	GRAVINO	SALERMO	MALDONADO	BERTONI
YES	YES	YES	YES	RECUSED	YES

\* \* \*

006-01-2024

Treasurer DuPont recused himself from Agenda Item No. 006-01-2024. On motion by Commissioner Maldonado and seconded by Commissioner Gravino, this Agenda Item was tabled until next Board Meeting.

**ROLL CALL**

DIAZ	DuPONT	GRAVINO	SALERMO	MALDONADO	BERTONI
YES	YES	YES	YES	YES	YES

\* \* \*

**PROCUREMENT AND MATERIALS MANAGEMENT ("PMM")**

Director of PMM Janet Rzepka requested approval of Agenda Item Nos. 017-01-2024 through 021-01-2024. Moved are the items as follows:

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**PUBLIC BIDS**

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**017-01-2024**

In a document dated January 10, 2024, **Magnetic Toll Tickets, Southland Printing Co., Inc., Canada Ticket Inc., RM-171912 (Inventory), Budget Code: 010 00 600 424010, Amount: \$1,543,600.00 (2-year contract)**, was approved.

Authorization is requested to award contracts to two (2) vendors to supply approximately 40,000,000 magnetic toll tickets for New Jersey Turnpike Interchanges for a period of two (2) years. Toll tickets are stored in Inventory and are used by non-EZ-Pass patrons who utilize the New Jersey Turnpike and pay toll rates based on their entry and exit locations. Given the criticality of these tickets to the Authority's operations, contracts are awarded to two (2) vendors simultaneously, to ensure adequate on-hand supply of toll tickets. The bid was fully advertised, and the five (5) vendors listed in the Authority's data base for the referenced commodity were notified of the procurement. On October 30, 2023, three (3) bids were received as follows:

Vendor	Unit Price Per Thousand	Total Bid Price Per Year	Total Bid Price for Two (2) Years
Southland Printing Co., Inc., Shreveport, LA	\$12.72	\$254,000.00	\$508,800.00
Electronic Data Magnetics, Inc. High Point, NC	\$20.40	\$408,000.00	\$816,000.00
Canada Ticket Inc., Langley, BC, Canada	\$25.87	\$517,400.00	\$1,034,800.00

Electronic Data Magnetics, Inc. submitted the second lowest bid, but did not provide the required bid bond. As a result, their bid was deemed non-compliant and was therefore rejected.

Canada Ticket Inc. originally submitted a unit price of \$33.34 for a total of \$1,333,600.00 for a two (2) year contract. Procurement and Materials Management ("PMM") staff reached out to Canada Ticket, Inc. to question the significant difference in their pricing compared to the other two (2) vendors. As a result of those discussions, PMM staff was able to negotiate Canada Ticket's unit price down by approximately 23% to \$25.87 for a two (2) year contract total of \$1,034,800.00.

Bids for this contract were procured, and the authorization being sought is to award this fair and open 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).

Accordingly, authorization is requested to award two-year contracts to Southland Printing Co., Inc. for an amount not to exceed \$508,800.00 and Canada Ticket, Inc. for an amount not to exceed \$1,034,800.00, for a combined total amount not to exceed \$1,543,600.00, all subject to funding availability at the time of ordering. Authorization is further requested for the Executive Director to approve each of the two (2) one-year extensions upon satisfactory performance by the vendor.

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**018-01-2024**

In a document dated January 8, 2024, **Toll Collector Uniforms, Some's Uniforms Inc., RM-182518 (Tolls), Budget Code: 010 00 600 423020, Amount: \$298,398.95**, was approved.

Authorization is requested to award a contract for Toll Collector Uniforms, including but not limited to short sleeve and long sleeve shirts, pants, sweaters, windbreakers, high visibility jackets, and

full-zip hooded sweatshirts for both collectors and supervisors. Items will include the NJTA logo. The bid was advertised on November 16, 2023, and the four (4) vendors listed in the Authority's data base for the referenced services were notified of the procurement. On December 4, 2023, two (2) bids were received as follows:

Vendor	Total 2-Year Bid Price
Some's Uniforms Inc., Hackensack, NJ	\$298,398.95
Cover Stiches, LLC, West New York, NJ	\$249,700.00

Departmental Estimate: \$334,666.70 (Two-Year Contract).

Bids were reviewed by both PMM and Tolls staff members. The apparent low bidder, Cover Stiches, LLC, did not include all requested samples with their bid, and the samples they submitted did not meet the bid specifications due to stitching inconsistencies. Tolls staff concluded that the quality of the uniforms would affect the durability, and therefore recommended that their bid be rejected. The second bidder, Some's Uniforms Inc., submitted all requested samples which met all the bid specifications.

Bids for this contract were procured, and the authorization being sought is to award this fair and open 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).

Accordingly, authorization is requested to award a two-year contract to Some's Uniforms Inc. to provide toll collector uniforms for a total amount not to exceed \$298,398.95, subject to funding availability at the time of ordering. Authorization is further requested for the Executive Director to approve each of the two, one-year extensions upon satisfactory performance by the vendor.

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**019-01-2024**

In a document dated January 12, 2024, **Auto Body Repairs, Assurance Auto Body Collision, Inc., RM-183348 (State Police/Operations), Budget Code: Various, Amount: \$150,000.00,** was approved.

Authorization is requested to award a contract to Assurance Auto Body Collision, Inc ("Assurance") for auto body repairs primarily for NJ State Police (Troop D) vehicles under 14,000 GVW as well as Authority vehicles (as needed). The contract will be for one (1) year with the option to extend for two (2) additional one-year terms. The bid was divided into four (4) geographic sections ("Areas") which encompass all northern Troop D garage locations on both Roadways. Bidders were required to bid hourly labor rates and discounts off the Manufacturers' List Prices for parts. The bid was fully advertised, and the five (5) vendors listed in the Authority's database for the referenced services were notified of the procurement. On January 11, 2024, four (4) bids were received as follows:

<b><u>Area 1: GSP MP 90.2 TO 117.0 INCLUDES NJ STATE POLICE BARRACKS AT HOLMDEL MP 115.8 (UNDER 14,000 GVWR)</u></b> <b><u>Contract Value \$40,000.00</u></b>		
Vendor	Hourly Rate	Discount
Assurance Auto Body Collision	\$14.75	0%
Pro-Line Collision Center	\$35.00	0%

Area 2: GSP MP 117.1 TO 152.9 (UNDER 14,000 GVWR) Contract Value \$20,000.00		
Vendor	Hourly Rate	Discount
Assurance Auto Body Collision	\$14.75	0%
John's Main Auto Body	\$45.00	0%
Pro-Line Collision Center	\$35.00	0%

Area 3: GSP MP 153 TO 172.2 INCLUDES NJ STATE POLICE BARRACKS AT BLOOMFIELD MP 153 (UNDER 14,000 GVWR) Contract Value \$40,000.00		
Vendor	Hourly Rate	Discount
Assurance Auto Body Collision	\$14.75	0%
John's Main Auto Body	\$45.00	0%
Pro-Line Collision Center	\$35.00	0%

Area 4: TPK MP 104.8 STATE POLICE BARRACKS AT NEWARK (UNDER 14,000 GVWR) Contract Value \$50,000.00		
Vendor	Hourly Rate	Discount
Assurance Auto Body Collision	\$14.75	0%
John's Main Auto Body	\$45.00	0%
Plaza Auto Body, Inc.	\$40.00	0%
Pro-Line Collision Center	\$35.00	0%

Departmental Estimate: \$150,000.00.

Procurement and Materials Management ("PMM") staff conducted a sanity check with Assurance due to the significant difference in pricing. Assurance was aware of all the bid requirements and based their pricing on volume. Assurance also voluntarily included several work credibility references in their bid document including both Essex and Passaic Counties. NJTA staff member contacted the references provided, and all substantiated Assurance's work product/performance, pricing, and reliability.

Bids for this contract were procured, and the authorization being sought is to award this fair and open 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).

Accordingly, authorization is requested to award a contract for auto body repairs to Assurance Auto Body Collision, Inc. in the amount not to exceed \$150,000.00, subject to funding availability at the time of service. Authorization is further requested for the Executive Director to approve each of the two (2) one-year extensions upon satisfactory performance by the vendor.

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020-01-2024

In a document dated January 17, 2024, 8-Ton Dual Axle Deck-Over Trailers (10), H.A. DeHart & Son, Inc., R-183693 (Operations), Original Award: July 25, 2023, Agenda No. 183-07-2023, Budget Code: 049 00 500 156555 0490016020, Amount: \$262,660.00 (\$26,266.00 each), was approved.

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 conforms to the original specifications for that model year and two additional model years.

Original Award Meeting Date, Agenda Item No., and Req #	Description	Vendor Name	Requisition/ Budget Code	Quantity/ Unit Price		Total Amount	% Model Year Increase/ Decrease
July 25, 2023 Agenda Item No. 183-07-2023 R-179564	8-Ton Dual Axle Deck-Over Trailers (10)	H.A. DeHart & Son, Inc.	R-183693 (Operations) 049 00 500 156555 0490016020	10	\$26,266.00	\$262,660.00	0%

Bids for this contract were procured, and the authorization being sought is to award this fair and open 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).

Accordingly, authorization is requested to exercise this contract option to purchase the equipment listed herein, for a total amount not to exceed \$262,660.00.

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**STATE/GOVERNMENT CONTRACTS**

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**021-01-2024**

In a document dated January 10, 2024, **Tower Field Audits, Tectonic Engineering Consultants, Geologists & Land Surveyors DPC, Inc., R-183119 (Information Technology Services), Budget Code: 049 00 830 653010 0490072023, GSA Contract No. GS-00F-015BA expiring 09/11/2024, Amount: \$324,000.00,** was approved.

Authorization is requested to award a contract to Tectonic Engineering Consultants, Geologists & Land Surveyors DPC, Inc. ("Tectonic") to perform field audits of sixty (60) communications tower sites on the Garden State Parkway and New Jersey Turnpike. The Authority has twenty-three (23) known "owned" towers with and without co-locators and thirty-seven (37) known "unowned" towers on the right-of-way or in close proximity. Tectonic will provide a report to include city, site latitude and longitude coordinates, tower type, ground elevation, number of antennas per occupier, type of antenna, photos at ground level of signage and drone photos of antennas. Tower Field Audits will be performed under GSA Contract No. GS-00F-015BA expiring 09/11/2024.

This procurement, under the General Services Administration ("GSA")/Federal IT Schedule 70, Contract No. GS-00F-015BA, 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 for Tower Field Audits under GSA Contract No. GS-00F-015BA to Tectonic Engineering Consultants, Geologists, & Land Surveyors DPC, Inc. for an amount not to exceed \$324,000.00.

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017-01-2024  
018-01-2024  
019-01-2024  
020-01-2024  
021-01-2024

On motion by Treasurer DuPont and seconded by Commissioner Maldonado the Board unanimously approved item numbers 017-01-2024 through 021-01-2024; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

**ROLL CALL**

DIAZ	DuPONT	GRAVINO	SALERMO	MALDONADO	BERTONI
YES	YES	YES	YES	YES	YES

\* \* \*

**GENERAL BUSINESS**

\* \* \*

**OPERATIONS**

Director of Operations Kevin Dunn requested acceptance of Agenda Item No. 022-01-2024.  
Moved is the item as follows:

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**022-01-2024**

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 12/31/2023; with 2022-2023 Yearly Comparisons through December 2023,** was approved.

\* \* \*

**022-01-2024**

On motion by Treasurer DuPont and seconded by Commissioner Salerno, the Board unanimously accepted Agenda Item No. 022-01-2024; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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**STATE POLICE**

Major Michael Krzyzkowski requested acceptance of Agenda Item No. 023-01-2024. Moved is the item as follows:

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**023-01-2024**

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

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**023-01-2024**

On motion by Treasurer DuPont and seconded by Commissioner Gravino, the Board unanimously accepted the reports contained in Agenda Item No. 023-01-2024 and received same for file.

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**FINANCE**

Executive Director Carone requested acceptance of Agenda Item No. 024-01-2024. Moved is the item as follows:

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**024-01-2024**

Executive Director Carone presented the **Financial Summary for the Twelve (12) month's ended December 31, 2023**, was accepted.

\* \* \*

**024-01-2024**

On motion by Treasurer DuPont and seconded by Commissioner Maldonado, the Board unanimously accepted Agenda Item No. 024-01-2024; and authorized and ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

Executive Director Carone requested approval of Agenda Item No. 025-01-2024. Moved are the items as follows:

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**025-01-2024**

In a memorandum dated January 30, 2024, **Authorization to Adopt the 2024 Annual Budget**, was approved.

Attached for your consideration is the 2024 Annual Budget, which includes the Authority's 2024 budgets for Revenue, Operating Expenses, Debt Service, Debt Reserve, and General Reserve. In addition, the 2024 Annual Budget consists of the Authority's Capital Spending Program, presented on a rolling five-year basis. The Authority has established a rolling five-year program for all capital projects regardless of funding source for more meaningful, high-level reporting and management of revenue and bond funding. The Authority's Capital Spending Program consists of projects for both the revenue-funded and the bond-funded capital programs. The revenue-funded program includes i) Maintenance Reserve, ii) Special Project Reserve, and iii) Supplemental Capital Program. The bond-funded programs include – i) 2024-2028 Capital Improvement Program (2024-2028 CIP), which is derived from the 2020 Long-Range Capital Plan, ii) 2019 Capital Improvement Program (2019 CIP), and iii) 2008 \$7 Billion Capital Improvement Program (2008 \$7 Billion CIP).

The 2024 Annual Budget has been prepared consistent with the Authority's Strategic Plan and mission. This mission is to prudently manage the finances and operations of the Authority to provide our customers with a safe, efficient, innovative, and resilient toll road system that facilitates mobility in New

Jersey and the Northeast United States. The budget has been prepared considering the pressures on traffic and costs caused by the challenging economic environment. While inflation has moderated to about 3% compared to last year when it was 8%, it remains above the Federal Reserve Bank's target, and continued interest rate hikes are expected. Despite these pressures, the Authority's financial and operational resiliency allows for a 2024 Annual Budget that provides enough funding to meet the Authority's goals as it operates two of the busiest toll roads in the United States - the New Jersey Turnpike (the "Turnpike") and Garden State Parkway (the "Parkway"). The Authority continues to focus on the state of good repair, which is the goal to maintain and improve any aging assets at leading practice standards, as well as the financial and operational needs of a system that includes more than 4,400 lane miles, 1,100 bridges, 130 interchanges, and 600 tolling locations.

The proposed 2024 Annual Budget accomplishes the following:

- (1) Includes \$2.6 billion in budgeted total revenue, which includes toll rate indexing of 3%.
- (2) Provides enough funding for operating expenses budgeted at approximately \$757.1 million.

The budget includes 2,221 authorized full-time positions for 2024. The drivers impacting the operating expense budget can be put into four main categories: inflation, contractual, safety, and growth.

(3) Provides \$1.0 billion for debt service payments and includes a potential \$1.5 billion new money bond issuances in 2024. The new money bond issuance will fund the various ongoing Capital Improvement Programs.

(4) Provides \$29.3 million in additional funding to the Debt Reserve Fund based on assumed increased debt reserve requirements.

(5) Provides nearly \$1.3 billion for spending on capital projects in 2024, including almost \$596.7 million of spending for revenue-funded Capital Budget projects (Maintenance Reserve, Special Project Reserve, and Supplemental Capital Program) and approximately \$728.3 million of spending on bond-funded Construction Fund projects (included in 2024-2028 CIP, 2019 CIP, and 2008 \$7 Billion CIP). This spending includes state of good repair projects, as well as planned safety, mobility, and capacity enhancements. In addition, nearly \$1.0 billion in Construction Contracts and Orders for Professional Services are planned to be awarded in 2024.

(6) Maintains a minimum unencumbered General Reserve Fund balance of more than 10% of budgeted total annual revenue (about \$257.8 million as of 12/31/24) as required by Board policy. This balance is after all contractual obligations to the state, as well as all other financial obligations that are paid for by the General Reserve, are made and

(7) Meets General Bond Resolution financial covenant and Board adopted financial targets. The debt service coverage ratio is projected to be 1.97 times in 2024, with a total requirements ratio of 1.49 times.

The 2024 budget for Revenue is about \$2.6 billion, which is a \$94.4 million, or 3.8%, increase from the 2023 budget. The budget includes a projected increase in toll revenue of 2.7% on the Turnpike and 4.4% on the Parkway, or a combined 3.1% compared to the 2023 budget. The 2024 revenue budget

assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024. The 2024 budget for toll revenue was provided by the Authority's traffic consultant, CDM Smith, in the July 2023 Traffic and Toll Revenue Forecast Study. Interest income is budgeted to increase by \$19.6 million or 48.5% compared to the 2023 budget, as interest rates used for the 2024 budget are adjusted to reflect current short-term interest rates and higher invested balances.

The proposed 2024 budget for Operating Expenses of about \$757.1 million represents a \$38.2 million, or 5.3%, increase compared to the 2023 amended budget. The increase includes four key cost factors as follows: (1) Inflation and global supply chain - \$11.3 million, or 30%, of total budgeted increase; (2) Contractual - \$11.3 million, or 30% of total budgeted increase; (3) Safety - \$9.2 million, or 25% of total budgeted increase and (4) Growth - \$4.6 million, or 12%, of total budgeted increase.

The five key factors noted above are affecting costs primarily in five areas, with significant increases totaling \$29.3 million, or 77% of the total budgeted increase:

- Salaries are budgeted to increase by approximately \$9.9 million due to assumed contractual increases and the addition of 51 new authorized positions for 2024, primarily in Maintenance and Engineering.
- Consulting and Other Professional Services are budgeted to increase by approximately \$7.4 million due to growth and inflation, including new consulting service tasks and the operation of the New Jersey E-ZPass Customer Service Center.
- Insurance is budgeted to increase by approximately \$5.5 million primarily due to increased Bridge and Property insurance costs resulting from an uptick in global catastrophic incidents, the number of recent claims, and an increase in insured asset values. Cyber insurance also contributes to the increase.
- State Police Services are budgeted to increase by approximately \$4.1 million, which includes salaries for a budgeted 408 troopers at a contractual salary increase of 2.75%.
- Roadway Maintenance is budgeted to increase by approximately \$2.4 million primarily for annual preventative maintenance inspections and minor or emergency repairs on the roadways, including guide rail.

When adjusting for inflation and growth, the 2024 budget for Operating Expenses is only increasing by a modest 2.9%. Health Benefits are budgeted to decline by almost \$3.6 million despite continued medical inflation due to savings from plan design and prescription formulary changes.

The 2024 Annual Budget also includes Debt Service, which is budgeted at \$1.0 billion and includes both principal and interest payments on Turnpike Revenue Bonds. The 2024 budget is an increase of about \$49.1 million compared to 2023, primarily due to scheduled increases in principal payments on existing debt. The 2024 budget provides for a full year of interest payments on the assumed \$500.0 million new money issuance in January 2024 and \$1.0 billion new money issuance in July 2024 to fund the Authority's various capital improvement programs. The budget assumes that out of the total



\$1.0 billion in debt service, \$922.5 million will be funded from net revenue, while \$84.7 million will be funded from bond proceeds (capitalized interest).

The 2024 Annual Budget includes the Debt Reserve, which is budgeted to increase by \$29.3 million from the 2023 balance. The \$29.3 million represents the anticipated increase necessary to bring the total balance in the Debt Reserve to \$637.9 million and is required under the Bond Resolution based upon the assumed \$1.5 billion new money bond issuance. The 2024 budget for General Reserve totals \$704.7 million and consists mainly of the Authority's contractual payments due in calendar 2024 under its various state agreements. These payments include \$517 million for the 2021 State Public Transportation Projects Funding Agreement (half of the state fiscal year 2024 payment of \$465.0 million and half of the state fiscal year 2024 payment of \$480.0 million) as well as for the Transportation Trust Fund, Feeder Road and Gateway Development Corporation obligations. The 2024 budget is decreasing by about \$55.2 million, primarily due to the contractual reduction in the 2021 State Public Transportation Projects Funding Agreement.

The Authority's Capital Spending Program is also part of the 2024 Annual Budget and is presented on a rolling five-year basis, with a spending plan included for the years 2024-2028. The Capital Spending Program consists of both revenue funded and bond funded projects.

The rolling five-year Capital Spending Program anticipates \$8.1 billion to be spent during 2024-2028, or an average of about \$1.6 billion/year. Approximately 26.5%, or \$2.1 billion, will be funded from revenue, leaving 73.5%, or \$6.0 billion, to be funded by bond proceeds. Of the total \$8.1 billion to be spent, 29.0% is budgeted to be spent on Capacity Enhancements on both roadways, while 25.1% is for Bridge Construction, Preservation, and Security. These, along with the 14.0% budgeted for Pavement Resurfacing and Other Roadway Improvements, combine for 68.1% of the budgeted spending over the five-year period.

The revenue funded capital projects are referred to as the Capital Budget. Capital Budget projects included in the 2024 rolling five-year Capital Spending Program focus on resurfacing roadways, bridge repairs, roadway and technology improvements, fleet replacement, and facility upgrades. These projects are funded by net revenue transfers into the Maintenance Reserve Fund, Special Project Reserve Fund, and the revenue funded account in the Construction Fund for Supplemental Capital Program projects. The average annual spending for these projects is about \$429.8 million/year.

The Maintenance Reserve Fund has a rolling five-year spending plan of \$1.4 billion, or an average of \$284.3 million/year, which primarily supports spending for the maintenance and resurfacing of roadways and bridges on the Turnpike and Parkway. All included projects have a combined spending budget for 2024 of about \$337.3 million, with the remainder planned to be spent in 2025-2028. The budgeted spending for 2024 is an increase of about \$59 million, or 21.0%, over the 2023 spending budget, mostly due to more spending on bridge repairs. Of note, in 2024, the Authority is budgeting for the resurfacing of approximately 405 lane miles and 77 bridge deck repairs on both the roadways.

The Special Project Reserve Fund has a rolling five-year spending plan of \$371.2 million, or an average of \$74.3 million/year. The 2024 spending budget is about \$114.7 million, with the remainder to be spent in 2025-2028. The budgeted spending for 2024 represents a \$5.3 million, or a 4.9% increase over 2023 budgeted spending. The spending budget provides funding for the Authority's scheduled fleet replacement program and funds for facility improvements and technology improvements, among other necessary projects. Included in the 2024 spending budget are several facility projects, including Turnpike Milepost 92 Pump House, the Turnpike 6S Wastewater Pre-treatment Plant, and technology improvement projects such as CCure Hardware Refresh and Advanced Traffic Management System Replacement.

The Supplemental Capital Program has a rolling five-year spending plan of \$356.3 million, or an average of \$71.3 million/year. The 2024 spending budget is about \$144.7 million, with the remainder to be spent in 2025-2028. The 2024 spending budget is increasing by about \$93.0 million compared to 2023, an increase of 180.0%, due to the continuation of the Service Area Rehabilitation Program within Supplemental Capital. The 2024 budget provides funding to complete Phase 5, which includes four service area locations, and begin Phase 6, which contains two.

The bond funded Construction Fund projects included in the rolling five-year plan focus on maintaining the existing infrastructure in a state of good repair, capacity enhancement projects, and bridge rehabilitation and replacement projects. Construction Fund projects consist of those projects included in the 2024-2028 CIP, the 2019 CIP, and the 2008 \$7 Billion CIP. Average annual spending over the five years for all bond-funded projects is about \$1.2 billion/year.

The 2024-2028 CIP, derived from the 2020 Long-Range Capital Plan approved in May 2020, has a rolling five-year spending plan of \$5.9 billion, or an average annual spending of approximately \$1.2 billion. This is an increase from the 2023 - 2027 rolling five-year plan, as 2028 is included now and is a high-spend year on construction work based on current project plans, including the Newark Bay-Hudson County Extension Bridge and Turnpike Interchanges 1 to 4 capacity enhancements. The 2024 spending budget is about \$653.8 million, which is an increase of \$45.3 million, or 7.4%, as compared to the 2023 spending budget. Bridge Construction, Preservation, and Security are the most significant drivers of the 2024 spending budget at 53.4% of total spending. Several projects are already underway or expected to begin including Turnpike Bridge Replacements at mileposts W110.42 Sawmill Creek, W111.48 Berry's Creek, and W112.72B at Interchange 16W; the Interchange 17 Ramp Bridge Replacement; the Turnpike Bridge Rehabilitation at mileposts W107, E107, and 84 N & S; the Deck Rehabilitation of the Turnpike Westerly Bridges; and the Replacement of Turnpike Superstructure E111.15.

The 2019 CIP, approved in April 2019, has a rolling five-year spending plan of \$115.6 million, of which about \$106.5 million will be spent between 2024 and 2025. This program mainly includes the rehabilitation of the Passaic River Bridges. The 2024 spending budget is about \$70.4 million, which is a \$59.2 million, or 45.7% decrease from the 2023 spending budget, as projects near completion.

The 2008 \$7 Billion CIP, approved in December 2008, is nearing completion. The rolling five-year spending plan is \$4.2 million, which is nearly all to be spent in 2024 as the remaining projects are closed out.

In summary, the Authority's 2024 Annual Budget provides funding for the successful navigation of economic conditions, including current and previous year's inflation levels, which impact discretionary travel on the roads (fuel costs), purchases of operating and capital project goods and services, and borrowing costs. In addition, the 2024 Annual Budget addresses sustainability through adequate funding for the Authority's capital spending programs, with about \$1.0 billion in planned awards for capital projects. Finally, the 2024 Annual Budget demonstrates financial resiliency by exceeding all the bond financial covenants and the Authority's financial management principles and guidelines after providing nearly \$1.0 billion for interest and principal payments on bonds and honoring all other contractual requirements. It is therefore recommended that the Authority adopt the attached 2024 Annual Budget. The Authority's General Consulting Engineer, HNTB, concurs with this recommendation.

Your approval of this recommendation is respectfully requested.

[Budget in Brief Attached to these Minutes]

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**025-01-2024**

On motion by Treasurer DuPont and seconded by Commissioner Maldonado, the Board unanimously approved Agenda Item No. 025-01-2024 authorized and ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

**ROLL CALL**

DIAZ	DuPONT	GRAVINO	SALERMO	MALDONADO	BERTONI
YES	YES	YES	YES	YES	YES

\* \* \*

**EXECUTIVE**

Deputy Executive Director Wilser requested approval of Agenda Item No. 026-01-2024. Moved is the item as follows:

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**026-01-2024**

In a memorandum dated January 26, 2024, **Authorization to Enter into a Memorandum of Agreement with IFPTE Local 97 and the New Jersey Turnpike Authority for a Successor Collective Bargaining Agreement**, was approved.

On January 24, 2024, IFPTE Local 97 and the New Jersey Turnpike Authority entered into a Memorandum of Agreement ("MOA") relative to but not limited to; compensation, health benefits and other work rule revisions. The MOA has a term of July 1, 2023 through June 30, 2027.

This MOA provides for across the board salary increases for Local 97 employees subject to, certain salary ranges, as follows:

- Effective July 1, 2023 – 3.5%

- Effective July 1, 2024 – 3.5%
- Effective July 1, 2025 – 3.5%
- Effective July 1, 2026 – 3.5%

The fully executed MOA shall be made a part of this authorization and both parties recognize and agree that this MOA represents the entire understanding of parties.

Therefore, approval of this MOA is respectfully requested. It is also requested to authorize the Executive Director to authorize all documents relative to this MOA.

[Memorandum of Agreement, IFPTE Local 97 and NJTA – attached hereto]

\* \* \*

026-01-2024

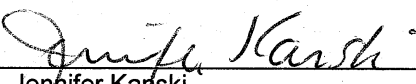
On motion by Treasurer DuPont and seconded by Commissioner Maldonado, the Board unanimously approved Agenda Item No. 026-01-2024 authorized and ratified, as presented, the recommendations contained therein; and received and filed the memoranda.


ROLL CALL

DIAZ	DuPONT	GRAVINO	SALERMO	MALDONADO	BERTONI
YES	YES	YES	YES	YES	YES

\* \* \*

The motion to adjourn was made by Treasurer DuPont and seconded by Commissioner Maldonado and, after the voice vote, the motion was duly adopted. The Board of Commissioners adjourned the meeting at 10:10 a.m. and advised that the next meeting will be held on Tuesday, February 27, 2024, 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.

  
\_\_\_\_\_  
Jennifer Kariski  
Secretary to the Authority

  
\_\_\_\_\_  
James D. Carone  
Executive Director

Date: January 30, 2024

**OTHER AGENCIES**

**NEW JERSEY TURNPIKE AUTHORITY**

**Notice of Readoption with Amendments**

**Readoption: N.J.A.C. 19:9**

Authority: N.J.S.A. 27:23-5(s)

Authorized By: New Jersey Turnpike Authority Board of Commissioners.

Submit written comments by May 3, 2024, to:

Ann Christine Monica, Acting Director of Law  
New Jersey Turnpike Authority  
P. O. Box 5042  
Woodbridge, New Jersey 07095-5042  
rules@njta.com

**Summary**

The New Jersey Turnpike Authority (the “Authority”) is proposing to readopt its rules governing Authority operations at N.J.A.C. 19:9. In accordance with N.J.S.A. 52:14B–5.1, these rules are scheduled to expire on August 24, 2024. These rules have served over an extended period of time in the regulation of Authority operations, including, but not limited to, its operation of the New Jersey Turnpike, Garden State Parkway, and Arts Center, in such areas as administration, tolls, maintenance, transportation, public safety and procurement. The rules are necessary in that they relate directly to the provision of safe, adequate, and proper facilities for use by the public.

The substantive provisions of the rules proposed to be readopted by the Board of Commissioners (the “Board”) are summarized below. It should be noted that, throughout the chapter, minor clarifying and/or technical amendments are proposed that do not change the meaning of the text.

**Subchapter 1. Traffic Control On, and Use of, New Jersey Turnpike Authority Property**

N.J.A.C. 19:9–1.1 lists a number of defined terms that are utilized throughout the chapter. Specifically, additions and deletions are made to the definition of “Bicycle” for consistency with Title 39, New Jersey Motor Vehicles and Traffic Laws, at N.J.S.A. 39:4–14.5 and N.J.S.A. 39:1–1, respectively. The Authority has also evaluated current prohibited uses on the Roadway, at N.J.A.C. 19:9–1.13, and recognizes a need to prohibit the use of drones on or above the Roadway and/or all other property owned by the Authority, unless specifically authorized by the Authority. As such, N.J.A.C. 19:9–1.1 is amended to include a definition of “Drone.”

N.J.A.C. 19:9–1.1 is also amended to delete “Interstate 95 Extension.” While this portion of Interstate Highway 95 was previously maintained by the New Jersey Department of Transportation and transferred to the Authority by N.J.S.A. 27:23–23.7, beginning at Turnpike milepost 117.9 and thence in a general northerly direction to milepost 122.0, such transfer has been successfully completed and fully incorporated into the Roadway owned and operated by the Authority.

N.J.A.C. 19:9–1.1 is also amended to delete definitions for “Parkway Right-of-Way” and “Turnpike Right-of-Way” as these phrases are self-evident and not referenced elsewhere in the Authority’s rules.

N.J.A.C. 19:9–1.2(b) is amended to eliminate the designated speed limit between mileposts 27.0 and 29.0, and between mileposts 126.7 and 127.7, as the speed limit is now the maximum rate of speed allowable on the Parkway.

N.J.A.C. 19:9–1.6(f) is amended to limit bus parking at designated facilities for no longer than eight consecutive hours and authorize the use of electrification. This amendment is meant to

ensure that buses, like all trucks and other vehicles, are not idling, parking, or standing on any roadways, except in areas where those actions are authorized by the Authority.

N.J.A.C. 19:9–1.9(a) is amended to remove an exception for the “Interstate 95 Extension” in accordance with amendments to N.J.A.C. 19:9–1.1 above.

N.J.A.C. 19:9–1.12(f) is amended to reflect the Authority’s ability to recover costs under the entire subsection 1.12, not just (f), as the rule previously stated.

N.J.A.C. 19:9–1.13 is amended to prohibit certain conduct on any Authority property, in addition to the Roadway. The subchapter is further amended to prohibit building, construction, or installation of a structure or building, installation or construction of a fence, and planting or installation of trees or plants on any Authority property or the Roadway.

N.J.A.C. 19: 9–1.15 and 1.19 are amended in response to substantive comments received by the Authority during recent rulemaking, including adjustments to rules regarding the transportation of hazardous materials, intoxicating substances, and tolls on the Roadway. The proposed changes ensure a safe environment for persons using the Roadway and better encompass changes in technology, transportation, and State policies.

N.J.A.C § 19:9–1.15(f)(5) is amended to include soil and/or groundwater disposal manifests in the definition of investigatory data to allow for the Authority to better assess the impact caused by any discharge from the transportation of hazardous materials. The rule is also amended to require review and inspection of investigatory data by the Authority prior to any submission to any regulatory agency.

N.J.A.C § 19:9–1.16 is amended to also include a prohibition on consumption of cannabis, in addition to an existing prohibition on consumption of intoxicating beverages.

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N.J.A.C. § 19:9-1.22 is amended to prohibit the use of Drones for photography/filming/videotaping on the Roadway without authorization.

N.J.A.C. § 19:9-1.30 is amended to include “paper or electronic” tickets to reflect use of electronic ticket technology for events. In addition, the rule is amended to allow for possession of documented service animals on the Arts Center premises.

### **Subchapter 2. Purchasing and Contracting**

Subchapter 2 of the Authority’s regulations govern procurement and contracting. The various subsections are amended to reflect terms and procedures that have evolved since the Authority’s last re-adoption, as well as to reflect changes in law and modern practices. The changes are summarized as follows:

N.J.A.C. 19:9-2.1 covers general provisions of Authority purchasing and contracting and is amended to update the types of solicitations issued by the Authority and language regarding electronic bidding to be applied throughout subchapter 2.

N.J.A.C. 19:9-2.2 is amended to implement changes referenced in subsection 2.1 and to streamline the process for solicitation, receipt, opening and award of certain solicitations. Subchapter 2 is also amended to reflect existing law and procedure as to procurement without competitive sealed proposals.

N.J.A.C. 19:9-2.3 is amended to implement changes referenced in subsection 2.1 and to streamline the process for contracts under the applicable bid threshold.

N.J.A.C. 19:9-2.4, covering termination of contracts, is eliminated as superfluous.

N.J.A.C. 19:9-2.5 is amended to eliminate extraneous language that does not change the meaning of the text.



N.J.A.C. 19:9–2.6 is amended to implement changes referenced in subsection 2.1, to require notice of a reserve or minimum price in surplus property auctions, and to implement minor clarifying and/or technical amendments that do not change the meaning of the text.

N.J.A.C. 19:9–2.7 is amended to update and streamline the procedures for prequalification of bidders on construction contracts. Subsection 2.7 is also amended to revise the specified classification ratings for contractors. Additionally, the subsection is amended to reflect the proper names of forms and documents required or promulgated by the Authority.

Similar to changes in subsection 2.7, N.J.A.C. 19:9–2.8 is amended to update and streamline the procedures for prequalification of proposers, including the evaluation process and the additional forms and documents required or promulgated by the Authority.

N.J.A.C. 19:9–2.9 is amended with minor clarifying and/or technical amendments that do not change the meaning of the text.

N.J.A.C. 19:9–2.12 is amended with minor clarifying and/or technical amendments that do not change the meaning of the text.

N.J.A.C. 19:9–2.13 is amended to specify the scope of towing services on the Roadway and to make minor clarifying and/or technical amendments that do not change the meaning of the text.

### **Subchapter 3. Fees**

The Authority proposes to amend its rules at N.J.A.C. 19:9-3.1 and 3.2 in response to regular surveying of comparable, regional toll roads and substantive comments received during recent rulemaking that culminated in modest adjustments, effective August 1, 2022 and March 20, 2023, to the fees that may be charged by service providers for towing services and road services on the Roadway. See 54 N.J.R. 1556(b) and 55 N.J.R. 556(c). Pursuant to the Authority's enabling

legislation, N.J.S.A. 27:23-5(s), the Authority has the power to adopt rules to “fix maximum towing and storage fees” for towing and storage services on the Roadway. These proposed changes, coupled with recent changes in 2022 and 2023, effect gradual changes after the Authority adjusted rates five years prior and rates had remained unchanged for almost 13 years.

The Authority is committed to public safety and prioritizes exceeding national averages for incident response and clearance. Reliable and professional towing and recovery services are an indispensable facet of these goals. The towing industry continues to experience discernible increases in overhead costs, including insurance, fuel, equipment, storage, real estate and taxes. Further, the industry has struggled to maintain an experienced labor force due to external market forces and demand from other transportation sectors. Nominal increases in towing rates and fees ensure that a qualified pool of towing service providers remains available to perform critical incident response and clearance operations to meet the Authority’s requirements and expectations.

Overall, increased costs for suppliers, cost adjustments to conform to comparable, regional toll roads, and the Authority’s duty to ensure a qualified pool of service providers remains available to assist drivers on the Roadway all support additional adjustments to rates.

The current rates at N.J.A.C. 19:9-3.1(a)1 provide for a maximum service charge of \$116.50 for towing services for Class 1 vehicles (under 7,000 pounds Gross Vehicle Weight Rating (G.V.W.R.), generally, “Passenger Vehicles”) and a per mile charge of \$4.25, with the total maximum fee for Class 1 vehicles, including the service charge, being \$159.00. The Authority has determined that an increase to these rates is warranted for the reasons set forth above. Therefore, the maximum service charge for towing services for Class 1 vehicles shall be increased from \$116.50 to \$125.75, and the per mile charge shall be increased from \$4.25 to \$4.50, resulting in

an increase in the total maximum fee for Class 1 vehicles, including the service charge, from \$159.00 to \$170.75.

The current rates at N.J.A.C. 19:9-3.1(a)2 set forth a maximum service charge for towing services for Class 2 vehicles (7,000 pounds and over G.V.W.R.; for example, straight truck or passenger vehicle with trailer) of \$214.00, and a per-mile charge of \$4.75, resulting in a total maximum fee for Class 2 vehicles, including the service charge, of \$261.50. The Authority has determined that an increase to these rates is warranted for the reasons set forth above. Therefore, the maximum service charge for towing services for Class 2 vehicles shall be increased from \$214.00 to \$231.00 and the per-mile charge increased from \$4.75 to \$5.00, resulting in an increase in the total maximum fee for Class 2 vehicles, including the service charge, from \$261.50 to \$281.00.

The current rates at N.J.A.C. 19:9-3.1(a)2ii set forth a maximum service charge for towing services for Class 3 vehicles (generally, over 15,000 pounds G.V.W.R.) of \$405.00, and a per mile charge of \$6.00, resulting in a total maximum fee for Class 3 vehicles, including the service charge, of \$465.00. The Authority has determined that an increase to these rates is warranted for the reasons set forth above. Therefore, the maximum service charge for towing services for Class 3 vehicles shall be increased from \$405.00 to \$437.00, and the per-mile charge shall be unchanged at \$6.00, resulting in an increase in the total maximum fee for Class 3 vehicles, including the service charge, from \$465.00 to \$497.00.

The current rates at N.J.A.C. 19:9-3.1(a)2iii set forth fees for services to Class 2 or Class 3 vehicles of \$41.00 for connecting air lines and \$41.00 for connecting lights; \$73.50 for disconnecting drive shaft on all trucks; \$65.00 per axle for removing an axle; and \$73.50 for removing an air scoop. The Authority has determined that an increase is warranted for the reasons

set forth above. Therefore, fees for services to Class 2 or Class 3 vehicles shall be increased from \$41.00 to \$50.00 for connecting air lines and from \$41.00 to \$50.00 for connecting lights. The fees for disconnecting a drive shaft on all trucks (\$73.50), removing an axle (\$65.00), and removing an air scoop (\$73.50) shall remain unchanged.

The current rates at N.J.A.C. 19:9-3.1(a)3 set forth winching and wrecking fees of \$151.00 per hour for a light wrecker, and \$246.00 per hour for a heavy wrecker. The Authority has determined that an increase is warranted for the reasons set forth above and to conform with current market rates. Therefore, fees for winching and wrecking at N.J.A.C. 19:9-3.1(a)3 will be increased from \$151.00 to \$300.00 per hour for a light and medium wrecker and from \$246.00 to \$525.00 per hour for a heavy wrecker.

The current rates at N.J.A.C. 19:9-3.1(a)4 set forth hourly rates for specialized equipment for routine towing services, including: (i) \$438.00 per hour for equipment, including, but not limited to, Oshkosh box trailer with tractor; and (ii) \$788.00 per hour for Rotator 60-ton capacity and up, and for 50-ton construction crane. The Authority has determined, for the reasons set forth above, to increase from \$788.00 to \$1,095.00 the per hour charge for a Rotator 60-ton capacity and up. The rule is further amended to eliminate the charge for a 50-ton construction crane.

The current rates at N.J.A.C. 19:9-3.1(a)5 set forth hourly rates covering various equipment listed for extra heavy duty towing and recovery services, including: (i) \$788.00 per hour for a 60-ton rotator; and (ii) \$788.00 per hour for 50-ton construction crane. The current rates also set labor rates as follows: (i) \$162.00 per hour for Supervisor (Wreck Master); (ii) \$108.00 per hour for Tech Labor; and (iii) \$81.00 per hour for Manual Labor. To conform with the proposed amendment for N.J.A.C. 19:9-3.1(a)4, the current rate for a 60-ton rotator shall be increased from \$788.00 to \$1,095.00 per hour, and the current rate for a 50-ton construction crane shall be

eliminated. Additionally, for the reasons stated above, the Authority has determined to increase labor rates as follows: from \$162.00 to \$225.00 per hour for Supervisor (Wreck Master); from \$108.00 to \$125.00 per hour for Tech Labor; and from \$81.00 to \$100.00 per hour for Manual Labor.

The current rates at N.J.A.C. 19:9-3.1(b) set forth storage rates charged by Authority-authorized companies, including free storage of 12 hours for all vehicles. The Authority has determined to add a section – N.J.A.C. 19:9-3.1(b)4 – to establish storage rates for cargo, crash debris, load storage or vehicle components of \$43.00 per 10 foot by 20 foot space per calendar day.

The current rates at N.J.A.C. 19:9-3.2(a)1, road service rates governing Class 1 vehicles on the New Jersey Turnpike, set forth a service charge of \$81.00. The current rates at N.J.A.C. 19:9-3.2(a)7, for tire repair/replacement services for trucks and buses on the New Jersey Turnpike, set forth a maximum service charge of \$168.00, and maximum labor rate of \$101.00 per hour. The charge for an additional tire change on the New Jersey Turnpike is \$33.50 for each tire change beyond the first tire change. The Authority has determined that an increase to these rates is warranted for the reasons set forth above. Therefore, road service rates at N.J.A.C. 19:9-3.2(a)1 governing Class 1 vehicles on the New Jersey Turnpike will increase from \$81.00 to \$109.50. The maximum service charge at N.J.A.C. 19:9-3.2(a)7 for tire repair/replacement services for trucks and buses on the New Jersey Turnpike will increase from \$168.00 to \$196.00, and the maximum labor rate will increase from \$101.00 per hour to \$118.00 per hour. The charge for an additional tire change on the New Jersey Turnpike will increase from \$33.50 to \$39.00 for each tire change beyond the first tire change.

The current rates at N.J.A.C. 19:9-3.2(b)1, road service rates governing Class 1 vehicles on the Garden State Parkway, set forth a service charge of \$81.00, and the current rates at N.J.A.C. 19:9-3.2(b)7, tire repair/replacement services for trucks and buses on the Garden State Parkway, provide for a maximum service charge of \$168.00, maximum labor rate of \$101.00 per hour, and a charge for an additional tire change on the Garden State Parkway of \$33.50 for each tire change beyond the first tire change. The Authority has determined that an increase to these rates is warranted for the reasons set forth above. Therefore, road service rates at N.J.A.C. 19:9-3.2(b)1 governing the service charge for Class 1 vehicles on the Garden State Parkway shall increase from \$81.00 to \$109.50; the maximum service charge for tire repair/replacement services at N.J.A.C. 19:9-3.2(b)7, for trucks and buses on the Garden State Parkway, will increase from \$168.00 to \$196.00, and the maximum labor rate will increase from \$101.00 per hour to \$118.00 per hour. The charge for an additional tire change on the Garden State Parkway will increase from \$33.50 to \$39.00 for each tire change beyond the first tire change.

#### **Subchapter 4. Inspection and Obtaining of Authority Records**

The Authority proposes to amend its rules at N.J.A.C. 19:9-4.1 and 4.2 to include website addresses for requesting and obtaining Authority records.

#### **Subchapter 5. Licenses, Permits and Waivers**

N.J.A.C. 19:9-5.2 is amended to clarify a license to cross (LTC) provides access to the Roadway or Authority property for utility purposes only. It is further amended to clarify the final discretion of the Chief Engineer in the application process, and to add two new sections clarifying that an LTC conveys no interest in land, and that licensees are responsible for costs associated with moving facilities or equipment impeding or interfering with Roadway improvements or projects.

N.J.A.C. 19:9–5.3 is amended to increase the application fee for an LTC to reflect increased costs for evaluation. The fee has not increased since 1998 and did not previously reflect the now-routine use of outside consultants to review all LTC applications.

N.J.A.C. 19:9–5.6 is amended to require a film permit for the use of a drone to film on or above the Roadway or Authority property.

N.J.A.C. 19:9-5.7 is amended to reflect the Director of Law as the contact for a Certificate of Registration.

N.J.A.C. 19:9-5.8 is amended to prohibit the issuance of sale permits for the sale of cannabis or related products.

N.J.A.C. 19:9-5.10 is amended to prohibit the sponsorship of a person or entity engaged in the sale of cannabis or related products.

#### **Subchapter 6. Authority Rulemaking: Petitions for Rules, Opportunity to Be Heard, and Sufficient Public Interest**

No substantive changes.

#### **Subchapter 7. Organization of the New Jersey Turnpike Authority**

This subchapter was amended to reflect changes in the titles of certain departments and positions within the Authority, including the Information Technology Services department and the Director of Law. This amendment also reflects the changes in responsibilities between departments resulting from the Authority's merging of its former Maintenance Department into its Operations Department.

#### **Subchapter 8. Debarment, Suspension, and Disqualification from Contracting**

No substantive changes.

#### **Subchapter 9. Electronic Toll Collection Monitoring System**

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The Authority proposes to amend its rules at N.J.A.C. 19:9–9.1 to remove methods of capturing toll violations that the Authority does not employ.

**Appendix A. Contractor's Classification.**

The Authority proposes to delete Appendix A in its entirety as references to it were eliminated in N.J.A.C. 19:9–2.7.

**Social Impact**

The proposed amendments will enhance the safety and efficiency of the Roadways by updating existing guidance and restrictions to reflect changes and technological advances in vehicle and other technology. The proposed amendments will also ensure the Authority can continue to provide safe, efficient, and reliable services to Authority patrons, employees and the public at large.

**Economic Impact**

The Authority does not anticipate that the amendments will have a significant economic impact on the Authority's patrons beyond adjusted fees and costs for towing services and permit applications associated with the increased costs for goods and services.

**Federal Standards Statement**

The proposed amendments to the rules do not contain any standards or requirements that exceed the standards or requirements imposed by Federal law because no Federal standards or requirements apply to the proposed amended rules.



### **Jobs Impact**

The Authority does not believe that the rules proposed for readoption with amendments will generally result in the creation or the loss of any jobs in the State other than the proposed amendments to Subchapter 3 of the rules, which may result in the addition of, or ability to maintain, employees at approximately forty-five (45) towing service provider businesses.

### **Agriculture Industry Impact**

The Authority does not believe that the proposed amendments will have any impact on the agriculture industry in New Jersey.

### **Regulatory Flexibility Analysis**

The rules proposed for readoption and the amendments herein impose compliance requirements on small businesses, as defined by the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq., that use the New Jersey Turnpike and Garden State Parkway to transport persons and goods through this State. In this regard, however, substantive rules regarding the control of traffic are uniformly applied to all for the protection of the traveling public. The remaining rules are generally organizational and procedural in nature and applied uniformly to all segments of the business community. By maintaining a facility which enables the expedient transportation of goods and services into and through this State, these rules ultimately inure to the benefit of small businesses utilizing the New Jersey Turnpike and Garden State Parkway.

Those small businesses seeking permits or licenses under the rules proposed to be readopted and amended will be required to apply and fees will be imposed. In addition, small

businesses – as any other applicant – which make requests for information will be charged a fee for those requests in some circumstances. Because neither the need for the Authority to regulate activity on its right of way nor the difficulty of application or information request review are directly related to the applicant's business size, no lesser requirements or exemptions are provided for small businesses. In any event, the Authority does not believe that the compliance requirements are unduly burdensome and finds that they are consistent with the legislative mandate of the Authority, as the purposes of these requirements do not vary based upon business size.

Finally, small businesses seeking to contract with the Authority under the rules proposed to be readopted and amended will be required to meet the requirements set forth herein, concerning submissions and qualifications, which are applied uniformly to meet the Authority's goals with respect to projects and/or patron services. In order to comply with these requirements, small businesses will likely need to retain the services of a certified public accountant. Nevertheless, the Authority does not believe that the compliance requirements, as discussed in the Summary above, are burdensome. Furthermore, the Authority has incorporated in its evaluation criteria for proposals the extent to which the proposer contributes to the Authority's achievement of its Small Business Enterprise objectives, which criteria is intended to minimize any adverse economic impact on small businesses. Finally, the purpose of these requirements, as the Summary above describes in detail, does not vary based upon business size and, therefore, no differentiation is provided.

### **Housing Affordability Impact Analysis**

The proposed amendments will have no impact on the affordability of housing in New Jersey, and there is no likelihood that the rules would evoke a change in the average costs

associated with housing because the proposed amendments concern the administration, operation and use of the Roadways.

### **Smart Growth Development Impact Analysis**

The proposed amendments will have an insignificant impact on smart growth, if any, and there is no likelihood that the proposed amendments would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan because the proposed amendments concern the administration, operation and use of the Roadways.

### **Racial and Ethnic Community Criminal Justice and Public Safety Impact**

The Authority has evaluated this rulemaking and determined that it will not have an impact on pretrial detention, sentencing, probation, or parole policies concerning adults and juveniles in the State. Accordingly, no further analysis is required.

**Full text** of the rules proposed for readoption with amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

## **SUBCHAPTER 1 TRAFFIC CONTROL ON, AND USE OF, NEW JERSEY TURNPIKE AUTHORITY PROPERTY**

### **19:9-1.1 Definitions**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Amphitheater” means the theater and lawn areas within the confines of the fence which surrounds the theater located at the Arts Center.

“Arts Center” means the amphitheater, plaza, buildings, mall, all roads leading to and from the amphitheater, all parking areas supporting the amphitheater, and surrounding lands located on the Parkway in Holmdel, New Jersey.

“Authority” means the New Jersey Turnpike Authority, the body corporate and politic defined in N.J.S.A. 27:23-1 et seq., acting by and through the duly appointed Commissioners of the Authority and their designees.

“Authority’s Standard Specifications” means the [7th Edition 2016] **latest edition of the New Jersey Turnpike Authority’s Standard Specifications**, as may be updated from time to time.

“Bicycle” means any **two- or three-wheeled** vehicle, with or without motor, [two wheels supported by a frame] **having a rear drive wheel that is solely human-powered** [propelled by the feet acting upon pedals] **and having a seat height of 26 inches or greater when the seat is in the lowest adjustable position, or of any seat height when the rider sits in a reclined position with the feet extended forward to the pedals.**

“Board” means the Board of Commissioners of the Authority, composed of members (as described in N.J.S.A. 27:23-1 et seq.) whose numbers, qualifications, appointments, and terms of office are as provided for by N.J.S.A. 27:23-3.

“Bus” means any motor vehicle designed for transporting 10 or more passengers and shall include any vehicle registered as an omnibus, school bus, or school vehicle with the New Jersey Motor Vehicle Commission or similar agency from another state, provided that such vehicle is designed for transporting 10 or more passengers.

“Commercial vehicles” means every type of motor driven vehicle used for commercial purposes on the Roadway, such as the transportation of goods, wares, and merchandise.

“Commissioner” means a member of the Board of the Authority.

“Construction equipment” means all vehicles, machinery and equipment enumerated in N.J.S.A. 39:3-20.

“Day” means a [business] **calendar** day[; that is, any day other than Saturday, Sunday, or a State holiday], unless otherwise specified. **The last day of a period is to be included, unless it is a Saturday, Sunday or legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor legal holiday.**

“Discharge” means the unintentional or intentional action or omission resulting in the releasing, spilling, leaking, pumping, pouring, emitting, emptying, abandonment or dumping of a hazardous or non-hazardous material or waste into or on the land, water or air. This shall also include the disposal of containers or hazardous materials into receptacles for trash or recycling at any location on any Roadway.

“Drone” means **any unmanned aircraft system, without a human pilot onboard, which is**

**instead controlled by an operator on the ground.**

“Gross vehicle weight rating (G.V.W.R.)” means the value specified by the manufacturer as the loaded weight of a single vehicle.

“Gross weight” means the combined weight of a vehicle and any load thereon.

“Hazardous material” means any material or substance that is capable of posing a risk to health, safety, and property or as set forth in N.J.A.C. 7:1E-1.7, 7:26-8, 40 CFR Part 261 and 49 CFR Part 172, as amended or recodified.

[“Interstate 95 Extension” means that portion of Interstate Highway 95 previously maintained by the New Jersey Department of Transportation and transferred to the Authority by N.J.S.A. 27:23-23.7, beginning at Turnpike milepost 117.9 and thence in a general northerly direction to milepost 122.0, and all bridges, tunnels, underpasses, interchanges, entrance plazas, approaches, toll houses, service areas, service stations, service facilities, communication facilities, and administration, storage and other buildings which the Authority may deem necessary for the operation of such extension, together with all property, rights, easements and interests which may be acquired by the Authority for the construction or the operation of such extension and all other property within the Interstate 95 Extension right-of-way.]

“Loitering” means remaining idle in essentially one location and shall include the concepts of spending time idly, loafing or walking about aimlessly, and which also includes the colloquial expression “hanging around.”

“Motorcycles” means all motor operated vehicles of the bicycle or tricycle type, whether the motor power being a part thereof or attached thereto and having a saddle or seat with driver seat astride or upon it, excluding motorized scooters and motorized bicycles as defined in N.J.S.A. 39:1-1, and any other vehicle not eligible to be registered with the New Jersey Motor Vehicle Commission for use on “limited-access highways” of this State, as defined in N.J.S.A. 39:1-1.

“Motor trucks” means every motor vehicle designed, used or maintained primarily for the transportation of property, which property is not affixed to or a necessary part of the design or construction of the vehicle itself.

“Official traffic control devices” means only those electronic or static signs, signals, markings, and elements approved and accepted by the Authority and placed, erected, or caused to be placed or erected by the Authority for the purpose of regulating, warning, or guiding traffic on the Roadway.

“Parkway” means the express highway, superhighway, or motorway known as the Garden State Parkway, owned and operated by the Authority under the provisions of N.J.S.A. 27:23-1 et seq., and shall include, but not be limited to, the Parkway [R]right-of-[W]way, all bridges, tunnels, underpasses, interchanges, entrance plazas, approaches, toll houses, service areas, service stations, service facilities, maintenance and communication facilities, and administration, storage, State Police, and other buildings that the Authority may deem necessary for the operation of the

Parkway, together with all property, rights, easements, and interests that may be acquired by the Authority for the construction, maintenance, or operation thereof and all other property within the Parkway [R]right-of-[W]way, the Arts Center, the New Jersey Vietnam Veterans Memorial, and all real property and any improvements thereon owned by or operated under the jurisdiction of the Authority and any improvements thereon. The term "Parkway" shall not include the Turnpike.

["Parkway-Right-of-Way" means the area continued within the right-of-way lines as designated on the Parkway parcel property maps filed in the respective county clerk's office of each county in which the Parkway is located.]

"Passenger vehicles" means all automobiles used and designed for the transportation of passengers other than omnibuses and school buses.

"Recreational vehicle" means a self-propelled or towed vehicle equipped to serve as temporary living quarters for recreational, camping or travel purposes and used solely as a family or personal conveyance.

"Roadway" means, collectively, the Turnpike and the Parkway.

"Semitrailer" means every vehicle with or without motive power, including, but not limited to, a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some parts of its weight and that of its load rests upon or is carried by another vehicle.

"Trailer" means every vehicle with or without motive power, including, but not limited to, a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

"Truck-tractor" means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

"Turnpike" means the express highway, superhighway, or motorway known as the New Jersey Turnpike, owned and operated by the Authority under the provisions of N.J.S.A. 27:23-1 et seq., and shall include, but not be limited to, the Turnpike [R]right-of-[W]way, all bridges, tunnels, underpasses, interchanges, entrance plazas, approaches, toll houses, service areas, service stations, service facilities, maintenance and communication facilities, and administration, storage, State Police, and other buildings that the Authority may deem necessary for the operation of the Turnpike, together with all property, rights, easements, and interests that may be acquired by the Authority for the construction, maintenance, or operation thereof and all other real property within the Turnpike [R]right-of-[W]way and all real property and any improvements thereon owned by or operated under the jurisdiction of the Authority. The term "Turnpike" shall not include the Parkway.

["Turnpike Right-of-Way" means the area continued within the right-of-way lines as designated on Turnpike parcel property maps filed in the respective county clerk's office of each county in

which the Turnpike is located.]

“Vehicle” means every device in, upon or by which a person or property is or may be transported upon a highway.

“Vehicle classifications” means the following classifications of vehicles as used for toll purposes only, and which have no relation to the manner in which vehicles are defined in this chapter:

Class 1 - 2-Axle Passenger Vehicle - any two-axle single tire vehicle;

Class 2 - 2-Axle Dual Tire Vehicle - any two-axle dual tire vehicle;

Class 3 - 3-Axle Vehicle - any vehicle or combination of vehicles with or without trailers totaling three axles;

Class 4 - 4-Axle Vehicle - any vehicle or combination of vehicles with or without trailers totaling four axles;

Class 5 - 5-Axle Vehicle - any vehicle or combination of vehicles with or without trailers totaling five axles;

Class 6 - 6-Axle Vehicle - any vehicle or combination of vehicles with or without trailers totaling six or more axles;

B-2 - 2-Axle Bus - any two-axle bus capable of carrying 10 or more passengers; and

B-3 - 3-Axle Bus - any three-axle bus capable of carrying 10 or more passengers.

“Vietnam Veterans Memorial” means the structure containing an open-air memorial to the New Jersey servicemen and women who were killed or reported missing in action in the Vietnam Conflict, its environs, including, but not limited to, the Vietnam Era Education Center, located in Holmdel, New Jersey.

#### 19:9-1.2 Speed limits

(a) Speed limits on the Turnpike shall be as follows:

1. Vehicles shall not be operated at a speed in excess of 65 miles per hour on the Turnpike:

i. Between milepost 0.0 and milepost 97.2;

ii. On the Pearl Harbor Memorial Turnpike Extension eastbound between milepost P-1.6 and the Turnpike mainline at milepost P-5.8; or

iii. On the Pearl Harbor Memorial Turnpike Extension westbound between

the Turnpike mainline at milepost P-5.8 and milepost P-1.5;

2. Vehicles shall not be operated on the Turnpike on the Newark Bay-Hudson County Extension between milepost N-0 and milepost N-8 at a speed in excess of 50 miles per hour;
3. Vehicles shall not be operated on the Pearl Harbor Memorial Turnpike Extension eastbound between the Delaware River Turnpike Bridge at milepost P-0.0 (Pennsylvania-New Jersey State line) and milepost P-1.6 at a speed in excess of 50 miles per hour;
4. Vehicles shall not be operated on the Pearl Harbor Memorial Turnpike Extension westbound between mileposts P-1.5 and milepost P-0.0 (Pennsylvania-New Jersey State line) at a speed in excess of 50 miles per hour; and
5. Except as specified in (a)1 through 4 above, vehicles shall not be operated elsewhere on the Turnpike at a speed in excess of 55 miles per hour.

(b) Speed limits on the Parkway shall be as follows:

1. Unless otherwise posted, the maximum legal rate of speed at which any motor vehicle may be operated on the main roadway of the Parkway in both directions of traffic shall be 65 miles per hour for its entire length, except the following portions, for which the speed limits will be as indicated below:

[i. Forty-five miles per hour between milepost 27.0 to milepost 29.0, approaching and traversing the Great Egg Harbor Bridge;]

[ii] i. Fifty-five miles per hour between milepost 80.6 to milepost 85.2; and

[iii. Forty-five miles per hour between milepost 126.7 and milepost 127.7, approaching and traversing the Driscoll Bridge; and]

[iv] ii. Fifty-five miles per hour between milepost 123.5 to milepost 163.7[3, except as provided by (b)1iii above].

(c) Where signs prescribing a different speed are posted or erected by a person or persons authorized by the Authority to post or erect such signs, no vehicle within the area or zone or section where such signs are posted or erected shall be operated in excess of the speed prescribed by said signs.

(d) Consistent with the requirements of this section, any vehicle operated on the Roadway shall at all times be operated at an appropriate reduced speed when specified hazards exist with respect to traffic, road, weather or other conditions irrespective of the posted speed limit.

(e) No vehicle shall be operated anywhere on the Roadway at such a slow speed as to impede or block the normal and reasonable movement of traffic, or in any event at a speed of less than 35 miles per hour on level ground except where otherwise posted or when specific hazards exist with



respect to traffic, road or weather conditions.

(f) Unless otherwise posted, or when conditions make such maximum legal rate of speed unsafe, the maximum legal rate of speed at which any motor vehicle may be operated at Authority facilities off the main Roadway shall be 25 miles per hour.

(g) Unless otherwise posted, vehicles shall not be operated at a speed in excess of 15 miles per hour while entering or exiting exact change lanes, or transiting dedicated E-ZPass toll lanes located in toll plaza reduced speed zones. This speed limitation shall not apply to express E-ZPass lanes.

19:9-1.3 Traffic control

(a) The regulating, warning or guiding of all traffic on the Roadway shall be governed by official traffic control devices.

(b) No vehicles shall operate emergency flashing lights of any color on the Roadway except State Police vehicles, Authority maintenance or official vehicles, contractors' private vehicles while in the performance of duties authorized by the Authority, vehicles on the Roadway for the purpose of furnishing authorized towing and other services to disabled vehicles, and any other vehicles performing emergency services, such as ambulances and fire engines, when they are properly in use in the performance of duties authorized by the Authority or the New Jersey State Police.

(c) All official traffic control devices on the Roadway shall be obeyed by the operators of all vehicles unless a **New Jersey** State Police officer or authorized Authority personnel direct[s] otherwise.

19:9-1.4 Uniform direction of traffic

(a) No vehicle shall be operated, pushed or otherwise caused to move in a direction which is against the normal flow of traffic on any traffic lane, deceleration lane, acceleration lane, access ramp, shoulder or other roadway on the Roadway.

(b) No vehicle shall be operated on a roadway lane where lane usage by that classification of vehicle is prohibited by appropriate signs.

(c) Excepted from the provisions of this section are State Police vehicles, the Authority's maintenance and official vehicles and vehicles authorized to furnish towing and other services to disabled vehicles on the Roadway, when they are properly in use in the performance of duties authorized by the Authority, and all other vehicles discharging emergency functions, such as ambulances and fire engines; provided that no such excepted vehicles shall be operated against the normal flow of traffic or contrary to classification prohibitions so as to create a hazard to other vehicles.

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## 19:9-1.5 "U" turns prohibited

- (a) The making of a ["U"] -turn at any point on the Roadway is prohibited.
- (b) The direction of travel of any vehicle operated on the Roadway shall be reversed only by passing through a Turnpike interchange, or exiting the Parkway at a legal exit.
- (c) Excepted from the provisions of this section are State Police vehicles, the Authority's maintenance and official vehicles and vehicles authorized to furnish towing and other services to disabled vehicles on the Roadway, when they are properly in use in the performance of duties authorized by the Authority, and all other vehicles discharging emergency functions, such as ambulances and fire engines; provided, however, that this exception shall be for the sole purpose of crossing from a traffic lane carrying vehicles in one direction to a traffic lane carrying vehicles bound in the opposite direction; and provided further, that no such excepted vehicles shall make such crossing so as to create a hazard to other vehicles.
- (d) The making of a "U" turn on a toll plaza shall be done only at the direction of and under the supervision of toll plaza personnel or the New Jersey State Police.

## 19:9-1.6 Parking, standing, or stopping on Roadway prohibited, except in case of emergency

- (a) No vehicle shall be parked, stopped, loaded or unloaded or allowed to stand on the Roadway except where otherwise posted or expressly permitted by the Authority. Excepted from the provisions of this section while in the performance of assigned duties are State Police vehicles, the Authority's maintenance and official vehicles and vehicles authorized to furnish towing and other services to disabled vehicles on the Roadway, and all other vehicles discharging emergency functions, such as ambulances and fire engines, when they are properly in use in the performances of duties authorized by the Authority, provided that no such excepted vehicles shall be stopped so as to create a hazard to other vehicles.
- (b) "Emergency," for the purposes of this section, shall be defined and construed to exist under the following circumstances: if the vehicle in question is unable to move without assistance; the existence of inclement weather conditions, including, but not limited to, snow, ice, flooding or high winds, that obstruct travel; if a vehicle is mechanically disabled; if a driver is ill or fatigued; or if conditions exist that are deemed an "emergency" by the Authority or the New Jersey State Police.
- (c) In the event of an emergency, vehicles are permitted to stop or stand on the shoulders of the traffic lanes with all wheels and projecting parts of any such vehicles, including the load thereof, completely clear of the traffic lanes.
- (d) In the event of an emergency on those portions of the traveled Roadway where there are no shoulders, the operator of the vehicle shall take safe, reasonable precautions, under the circumstances, to warn others of his or her vehicle's presence in the traffic lanes, and the operator of the vehicle shall move his or her vehicle as soon as the vehicle is physically operable.

(e) Any vehicle involved in an emergency shall be removed as promptly as possible from the Roadway.

(f) No vehicle is permitted to stop or stand on any portion of the Roadway for more than two continuous hours, except as set forth in (f)1 and 2 below. In addition to the State Police, Authority employees in charge of operating parking facilities used for bus, vanpool, carpool and related operations are authorized to enforce the provisions of this subsection.

1. Parking is permitted in the designated areas of facilities used for bus, vanpool, carpool and related operations ("Park-n-Ride") for more than two continuous hours; provided, however, that parking in, Park-n-Rides is prohibited before and after the posted hours of operation. Parking in Park-n-Rides on the Roadway shall be limited to the period of 4:00 A.M. to 2:00 A.M., prevailing local time.

2. Truck parking is permitted at designated truck parking facilities on the Roadway for more than two hours in designated truck spaces, but in any event for no longer than 10 consecutive hours. Trucks parked pursuant to this subsection may utilize electrification, as same may be provided by, the Authority or its vendors or, subject to the terms and conditions of any applicable agreement between the Authority and its vendors, may park without using electrification. Vehicles parked pursuant to this subsection shall always be subject to compliance with all applicable laws, rules and regulations.

**3. Bus parking is permitted at designated bus parking facilities on the Roadway for more than two hours in designated bus spaces, but in any event for no longer than eight consecutive hours. Buses parked pursuant to this subsection may utilize electrification, as same may be provided by the Authority or its vendors or, subject to the terms and conditions of any applicable agreement between the Authority and its vendors, may park without using electrification. Vehicles parked pursuant to this subsection shall always be subject to compliance with all applicable laws, rules and regulations.**

(g) Stopping of vehicles on any part of the Roadway for the purpose of picking up or discharging any person is prohibited.

(h) Whenever any vehicle shall be parked, stopped or allowed to stand upon the Roadway for any of the reasons prohibited by this chapter, such vehicle shall be removed forthwith from the Roadway and held at the owner's expense until all towing and storage costs have been satisfied.

#### 19:9-1.7 Use of medial strip prohibited

The medial strip between the traffic lanes of the Roadway shall not be used for driving upon any part thereof or for crossing between said lanes by vehicles or by persons on foot. Excepted from the provisions of this section are State Police vehicles, the Authority's maintenance and official vehicles and vehicles authorized to furnish towing and other services to disabled vehicles on the

Roadway, and all other vehicles discharging emergency functions, such as ambulances and fire engines, when they are properly in use in the performance of duties authorized by the Authority or the New Jersey State Police, provided that no excepted vehicle shall use the medial strip so as to create a hazard to other vehicles.

19:9-1.8 Load limit of structures

(a) No person shall cause any structure owned or maintained by the Authority to be subjected to a load in excess of load limits which may be posted at the approaches or upon such structures.

(b) In the absence of such posting, the maximum limits applicable to State roads shall control.

19:9-1.9 Limitations on use of Roadway

(a) Use of the Roadway and entry thereon by the following, unless otherwise authorized by the Authority, is prohibited:

1. Pedestrians;
2. Bicycles;
3. Motorcycles, during high winds or other adverse weather conditions as directed by the Authority or the New Jersey State Police;
4. Vehicles drawn by animals;
5. Animals led, ridden or driven on the hoof;
6. Vehicles loaded with animals or poultry not properly confined;
7. Vehicles with improperly inflated pneumatic tires; also vehicles with tires in such condition that they are, in the judgment of the Authority or the New Jersey State Police, unsafe for use upon the Roadway;
8. Farm implements and farm machinery, whether self-propelled or towed;
9. Passenger vehicles and passenger vehicle-drawn trailers with improperly secured loads:
  - i. Passenger vehicles and passenger vehicle-drawn trailers carrying any load on the top or sides with lateral or horizontal projection in excess of 12 inches from body of vehicle or vertical projection in excess of 24 inches from body of vehicle;

10. Vehicles with metal tires or solid tires worn to metal and vehicles with caterpillar treads;

11. Construction equipment other than motor trucks or truck cranes capable of maintaining 45 miles per hour;

[12. Except for the Interstate 95 Extension, any vehicle operated pursuant to a special permit issued pursuant to N.J.S.A. 39:3-84, unless said permit or its equivalent is issued by the Authority;]

[13]12. Passenger vehicles or passenger vehicle-drawn trailers being towed by other vehicles, unless both vehicles and the connecting and control devices between them meet the following requirements:

- i. Not more than one vehicle is being towed;
- ii. A hitch bar is used in combination with chain strong enough to hold if the bar became disconnected from either vehicle; and
- iii. Brakes, brake lights and directional signals on both vehicles are controlled by the driver of towing vehicle and synchronized. A trailer with a gross weight of 3,000 pounds or less may be operated without brakes if it is towed by a vehicle whose gross weight is at least 2 ½ times the gross weight of the trailer;

[14]13. Vehicles with loads extending more than four feet:

- i. Beyond the rear of the vehicle body or other supporting member; or
- ii. Beyond the rear of vehicle-drawn trailer;

[15]14. Vehicles with improperly secured loads;

[16]15. Vehicles so loaded or operated that the contents or any part thereof may be scattered on the Roadway;

[17]16. Vehicles that are not capable of maintaining a speed of at least 35 miles per hour on a level grade;

[18]17. Vehicles not otherwise specified in this section that create a probable hazard to other vehicles or to persons;

[19]18. During winds or during the prevalence of other adverse weather conditions, house trailers, horse trailers, boat trailers, utility trailers, motorcycles and all passenger vehicle-drawn trailers (applicable on the Turnpike only, and as may be directed on the Parkway);

[20]19. Vehicles in tow:

- i. With an axle or combination of axles raised off the ground and supported by cable, chains, rope, dollies or other devices, except that Class 1 vehicles in tow with front axle off the ground and supported by dollies with safety chains are permitted to enter and use the Turnpike provided that the brake lights and turn signals of the tow dolly trailering system or towed vehicle are connected to and operating in conjunction with the towing vehicle's lights;
- ii. Without axles raised, if interconnected with rope, chains, cable or pipe or tow bars without chains; or
- iii. By a fifth wheel crane or hoist mounted on a truck-tractor.

[21]20. Vehicles owned or operated by a member or employee of a diplomatic mission, where said member or employee of the diplomatic mission has been sent prior written notice from the Authority that said member or employee violated any provision of N.J.A.C. 19:9 and who, subsequent to said notice, committed another violation of a provision of N.J.A.C. 19:9. Upon the occurrence of the second violation, said vehicle or vehicles shall be escorted off the Roadway at the nearest point of exit or interchange;

[22]21. Commercial motor vehicles, trailers and semitrailers, including, but not limited to, farm trucks, while loaded with hay or straw when the extreme overall dimension is greater than 102 inches in width, without special permit;

[23]22. Drive-away saddlemount vehicle transporter combinations and drive-away saddlemount with fullmount vehicle transporter combinations, wherein a tractor is hauling additional tractors, as defined at 23 CFR 658.5, exceeding an overall length of 75 feet;

[24]23. Buses exceeding 45 feet in length, excluding bumpers, and articulated buses exceeding 61 feet in length, excluding bumpers;

[25]24. Vehicles operated with a tandem trailer combination, commonly known as a "double bottom," if one or more of the individual trailers exceeds 28 feet, six inches in length; and

[26]25. Vehicles, or combination of vehicles, including any load thereon, exceeding the following maximum dimensions:

- i. Height: 13 feet, six inches;
- ii. Width: eight feet, six inches;
- iii. Length: Semitrailer in excess of 53 feet in length when in a tractor-semitrailer combination, private utility, house-type semitrailer, or trailer with a length of any single vehicle in excess of 35 feet, private utility, house-type semitrailer, and towing vehicle combination in excess of 45 feet and private utility, house-type trailer, and towing vehicle combination in excess of 50 feet, except that

single recreational vehicles of up to 40 feet in length and combination recreational vehicles of up to 62 feet in length may operate on the Roadway;

- iv. Gross weight: 80,000 pounds;
- v. Weight on single axle: 22,400 pounds;
- vi. Weight on tandem axle: 34,000 pounds; or
- vii. Weight on tri-axle: 56,400 pounds; and

13. Notwithstanding (a)1 through 26 above, limitations, a combination of vehicles designed, built, and used to transport other motor vehicles may carry a load that does not exceed 65 feet overall length, including load overhang. The overhang shall be limited to seven feet and may not exceed three feet at the front and four feet at the rear.

(b) Use of the Parkway and entry thereon by the following is prohibited north of Interchange 105:

- 1. Commercial vehicles with a G.V.W.R. in excess of 10,000 pounds, with the exception of vehicles holding a special permit, New Jersey State Police vehicles, buses, Authority maintenance vehicles, and other Authority authorized vehicles.
- 2. Notwithstanding the limitation in (b)1 above, all vehicles in excess of 10,000 pounds are allowed on the KT Ramp in Woodbridge Township, Middlesex County for purposes of accessing the Turnpike from northbound Route 9.

[(c) In addition to the State Police, toll collection employees of the Authority are authorized to enforce the provisions of this section, and all persons shall comply with the orders of such employees given to prevent the use of the Roadway by any of the aforesaid prohibited vehicles.]

[(d)] (c) Where the Roadway has been divided in such manner that there are three or more lanes for traffic in any one direction, the following restrictions shall apply:

- 1. On the Parkway, no vehicles except passenger vehicles without an attached trailer or semitrailer and while not in a funeral cortege shall be driven in the farthest left lane of a three-lane traffic configuration or in the farthest two left lanes of a four or more lanes configuration, except when and to the extent necessary to prepare for a left turn or when necessary to enter into or leave the Parkway or service area by entrance or exit to or from the left lane or when reasonably necessary in response to emergency conditions or in conformance with motor vehicle laws.
- 2. On the Turnpike, no vehicles in excess of 10,000 pounds G.V.W.R. or having an attached trailer or semitrailer shall be driven in the farthest left lane of a three-lane traffic configuration, in the farthest two left lanes of a four or more lanes configuration, or in any lane designated as "Cars Only," except where posted in accordance with N.J.A.C. 19:9-1.24, or when reasonably necessary in response to emergency conditions or in conformance with motor

vehicle laws.

19:9-1.10 Waste and rubbish

No person shall throw, drop or discard bottles, cans, paper, garbage, rubbish, pet waste or other material of any kind or description on the Roadway. No person shall dispose of waste oil or other hazardous materials and/or their containers at any location or into any receptacle on the Roadway.

19:9-1.11 Loose cargo; discharges

(a) Vehicles carrying material likely to spill that is not otherwise boxed, crated, bagged or packaged must be firmly secured on all sides with a tarpaulin completely covering the material, and capable of preventing the escape of said material.

(b) No material, whether solid, liquid or gaseous, shall be discharged on the Roadway, whether intentionally or unintentionally. This prohibition shall apply to any material being carried as cargo, whether or not for hire, and to any material that is a part of the vehicle or necessary for the operation of the vehicle or necessary for the operation of the vehicle or any apparatus affixed thereon, but shall not apply to ordinary vehicular emissions anticipated by the original design of the vehicle or the apparatus affixed thereto.

19:9-1.12 Damaging or defacing the Roadway

(a) No unauthorized person shall cut, mutilate or remove any trees, shrub or plants located on the Roadway.

(b) No unauthorized person shall deface, damage, mutilate or remove any official traffic control device, delineator, structure, fence or other property or equipment of the Authority or its concessionaires.

(c) No material shall be discharged on the Roadway, whether intentionally or unintentionally, that may cause damage to the Roadway, the general public, the Authority, its agents and employees, or any real or personal property owned, leased or under the supervision of the Authority. For purposes of this subsection only, "damage" includes any effect which may be injurious to health, safety or welfare, or which may cause financial loss or delay the movement of traffic.

(d) The operator, owner or lessee of any vehicle from which a discharge in violation of any provision of this section or N.J.A.C. 19:9-1.10, 1.11(b) or 1.15 occurs, regardless of the cause of the discharge, shall cooperate fully with the Authority, its employees, agents, and third parties authorized to respond to an emergency, discharge or blockage of traffic by the Authority, the State Police and the New Jersey Department of Environmental Protection and shall take any action deemed necessary by them to restore normal traffic conditions and to remove spilled or otherwise discharged material from the Roadway immediately. The vehicle operated, owned or leased by



any person failing to cooperate or take such action as deemed necessary by the official in charge of the scene where the discharge occurred is subject to impoundment by the Authority, the State Police, or the New Jersey Department of Transportation and their agents and employees until such time as all penalties, towing and storage fees and costs have been satisfied.

(e) In addition to any penalties prescribed by this chapter or by the laws and regulations of other government entities including, but not limited to, Titles 2C, 13, 27, 39 and 58 of the New Jersey Statutes and Federal law or regulation, any person violating any provision of this section or N.J.A.C. 19:9–1.10, 1.11(b) or 1.15, shall be liable to the Authority for any and all costs arising out of said violation, including the costs of:

1. Collecting, testing and disposing of the material and restoring the Roadway to its condition immediately prior to the violation;
2. Replacing or repairing, in the Authority's sole discretion, any property damaged by reason of said violation;
3. Toll and concession revenue lost because of the closing of the Roadway, any part thereof, or any interchange by reason of said violation;
4. Medical care, supervision or other costs relating to personal injury suffered by the general public, the Authority, its agents or employees; and
5. Any other costs arising out of said violation and incurred by the Authority or third parties.

(f) The Authority may recover the costs under [(f) above] **this subsection** by way of complaint filed in Superior Court, Law Division or United States District Court, by an administrative consent order executed by an authorized representative of the New Jersey Department of Environmental Protection, or by any other lawful means.

#### 19:9–1.13 Prohibited conduct

(a) Soliciting of alms or contributions on the Roadway is prohibited.

(b) Soliciting of rides on the Roadway is prohibited.

(c) No person shall loiter on the Roadway in such a manner as to:

1. Create or cause to be created a danger of a breach of the peace;
2. Create or cause to be created a disturbance or annoyance to the comfort and repose of any person;
3. Obstruct the free passage of pedestrians or vehicles; or

4. Obstruct, molest or interfere with any person lawfully on the Roadway. This paragraph shall include the making of unsolicited remarks of an offensive, disgusting or insulting nature or which are calculated to annoy or disturb the person to whom, or in whose hearing, they are made.

(d) No person shall enter or remain on the Roadway for the purpose of offering, selling, hiring or leasing any goods, wares, merchandise or services, whether or not such services are to be rendered for compensation, nor for the purpose of distributing samples, pamphlets or advertising matter of any sort, except as authorized by the Authority.

(e) No unauthorized person shall install or attempt to install, construct, or place upon any portion of the Roadway, any item, sign, structure, or equipment for any purpose whatsoever. Except as otherwise provided by N.J.A.C. 19:9-5.9, no person shall erect or place any displays, posters, or placards, or engage in leafleting or display any advertising matter of any kind, regardless of the character or content of the message, on the Roadway.

**(f) No unauthorized person shall encroach, obstruct, or encumber, or attempt to encroach, obstruct, or encumber any portion of the Roadway through:**

- 1. Building, construction, or installation of a structure or building;**
- 2. Installation or construction of a fence;**
- 3. Planting or installation of trees or plants;**
- 4. Depositing debris, garbage or rubbish; or**
- 5. Any other actions covered by this section.**

[(f)] **(g)** Parades or other demonstrations are prohibited on the Roadway.

[(g)] **(h)** Picnics or other gatherings, games, entertainment, or sports, on the Roadway are prohibited, except at sites that may be designated for such purposes.

1. Use of picnic areas during the period of 1/2 hour after sunset until 1/2 hour before sunrise is prohibited, except visitation at the Vietnam Veterans Memorial for public use and activity as defined at N.J.A.C. 19:9-1.31(b) is generally permitted at any time, except as may be otherwise directed by the Authority or the operators of the Vietnam Veterans Memorial.

[(h)] **(i)** No person shall hunt, trap, or molest any wildlife on the Roadway, or fish on or from the Roadway, except at designated locations.

[(i)] **(j)** The use, display, or discharge of any firearms or other weapons or fireworks on the Roadway, except by persons authorized by the Authority or by law, is prohibited.

[(j)] **(k)** The igniting of fires for any purpose whatsoever is prohibited on the Roadway.

[(k)] **(l)** No person shall urinate or defecate on the Roadway, except in such places as may be provided for such use.

[(l)] **(m)** No person shall dress or undress on the in public view.

[(m)] **(n)** No person shall feed any unconfined wildlife on the Roadway.

**(o) Operation or flying of a drone over the Roadway for any use is prohibited, except in cases where such operation is authorized by the Authority or by law.**

19:9–1.14      Repairs and towing

(a) Subject to the provisions of N.J.A.C. 19:9–1.6, a vehicle that becomes disabled while using the Roadway may be repaired by the occupants thereof, provided that the occupants can complete repairs within a two-hour period from the time of disablement and the disabled vehicle does not create a hazardous condition. A vehicle disabled and unattended by its occupants will be removed immediately by an authorized service provider of the Authority at the expense of the owner.

(b) If other mechanical services or towing is required, such services or towing must be performed by a service agency authorized by the Authority to furnish such service on the Roadway.

(c) If towed, such disabled vehicles must be removed at the nearest exit in the original direction of travel and must pay the appropriate tolls.

(d) A truck or bus company may obtain a private mechanical and towing service permit for the Turnpike and/or the Parkway, as appropriate, or designate a prearranged service provider, provided such company and/or service provider conforms to the rules and regulations governing such permits. These permits are obtainable from the Office of the Manager of Emergency Services. The fee for such permit shall be \$200.00. Such permits shall be renewable on an annual basis.

(e) A truck or bus company may obtain a permit to perform its own tire service on the Turnpike and/or the Parkway, as appropriate, or designate a prearranged tire service provider, provided such company and/or service provider conforms to the rules and regulations governing such permits. These permits are obtainable from the Office of the Manager of Emergency Services or other office as may be designated by the Authority. The fee for such permit shall be \$200.00. Such permits shall be renewable on an annual basis. Truck or bus companies not holding a private tire service permit shall receive tire service from a service agency authorized by the Authority or, at the discretion of the Authority, be removed by a towing service authorized by the Authority.

(f) Vehicles that become disabled and are determined to be a hazard to themselves and/or other motorists may be removed from the Roadway immediately at the direction of the State Police or Authority personnel.

## 19:9-1.15 Transportation of hazardous materials

- (a) The transportation or shipment on the Roadway of any hazardous materials, as defined in Part 172 of the regulations of the United States Department of Transportation (49 CFR 172), shall be subject to the requirements of parts 171 to 178 inclusive of such regulations (49 CFR 171 to 178) governing the preparation of the materials for transportation, construction of containers, packing, weighing, marking, labeling, billing and certification of such materials.
- (b) The transportation or shipment on the Roadway of radioactive materials or devices, and transportation of Division 1.1, 1.2, 1.3 and 1.4 explosives, as defined in Part 173 of the regulations of the United States Department of Transportation (49 CFR 173), shall be subject to the prior written approval of the Authority. All applications for such approval shall be made in writing addressed to the Director of Operations and shall provide, to the satisfaction of the Authority, that the shipment shall comply in all respects with the provisions of parts 171 to 178 and 397 inclusive of such regulations (49 CFR 171-178, 397). The fee for processing the application for such approval shall be \$ 50.00. All approvals granted shall be subject to annual renewal.
- (c) The Authority reserves the right to withhold the approval required in (b) above, and to prohibit entry to the Roadway of any carrier of any hazardous materials, despite compliance with the aforementioned regulations of the United States Department of Transportation or any other pertinent regulations or law, if in the Authority's opinion, the transportation or shipment will be likely to endanger life or property.
- (d) No person shall transport gasoline or other flammable liquids in containers in private vehicles. Commercial vehicles carrying flammable liquids shall be appropriately placarded in accordance with 49 CFR 172.500. In addition, all packages transported and carrying the same shall be labeled in accordance with 49 CFR 172.400.
- (e) Any operator, owner or lessee of a vehicle on the Roadway which contains any hazardous material shall be subject to all provisions and penalties hereunder, in addition to any provisions of the United States Code, the New Jersey Statutes and the New Jersey Administrative Code.
- (f) In the event of a discharge of hazardous materials on the Roadway, all remedial efforts shall be conducted in compliance with these rules and under the supervision of the Authority, the State Police, and/or the Department of Environmental Protection.
1. Unless contrary to the rules of the New Jersey Department of Environmental Protection or unless it would create an unsafe condition to the operator, the general public or the Roadway, the operator, owner or lessee of the vehicle may be afforded the opportunity to contain and remove, where practicable, discharged hazardous material using personnel, materials and equipment:

- i. Aboard the vehicle from which the discharge occurred;

- ii. By another vehicle owned or leased by the operator, owner or lessee of the vehicle from which the discharge occurred;
- iii. By a specialized response team operated by the manufacturer or distributor of the hazardous material that has been discharged ("manufacturers' response team"); or
- iv. By third parties contracted to contain, clean up, and/or dispose of the discharge ("emergency response contractor") by the operator, owner or lessee of the vehicle specifically for the purpose of remediating hazardous materials discharges from the operator's vehicle.

2. No emergency response services may be provided pursuant to (f)1i through iv above unless all the entities undertaking such services have provided to the Authority the following:

- i. Certificates of insurance, indicating the New Jersey Turnpike Authority, its officers, agents, and employees, as an additional insured under the policies, in types and limits deemed by the Authority to be acceptable;
- ii. An indemnification and hold harmless agreement in a form provided by or acceptable to the **Director of Law** [General Counsel] signed by the operator, owner, or lessee of the vehicle, the manufacturer's response team, or the emergency response contractor, as applicable; and
- iii. Such other information as may be required by the Director of Operations or the **Director of Law** [General Counsel].

3. The operator, owner, or lessee of the vehicle from which the discharge occurred shall arrange and pay for emergency response services to be performed by any emergency response contractors approved under the requirements of (f)2 above. Approval of such contractors pursuant to (f)2 above is not to be considered a warranty or assurance by the Authority of such contractors' ability to perform emergency response services.

4. Whenever the operator, owner, or lessee refuses to arrange for an emergency response contractor, or whenever exigent circumstances or the risk posed by the discharge to Authority patrons, the general public, or the Authority's agents or employees is too great to await the arrival of the emergency response contractor arranged by the operator, owner, or lessee in the opinion of the Director of Operations or the Director's designee, the Director or the Director's designee may arrange for emergency response services and long-term remedial efforts to be provided by an emergency response contractor of the Authority's choice. Emergency response and long-term remedial services may be performed by or through the Department of Environmental Protection or its agents, including, but not limited to, any county environmental health department, or by private organizations engaged by the Authority. Procurement of emergency response contractors by the Authority to provide services under this section shall be performed in accordance with the requirements of N.J.A.C. 19:9-2, and the Authority shall make available to any operator, owner, or lessee so requesting a list of such emergency response contractors, which shall be deemed

approved under the requirements of (f)2 above. The cost of services pursuant to this paragraph shall be based on the most recent agreement between the Authority and the emergency response contractor, or if there is no such agreement, shall be based on the schedule of rates normally charged to commercial concerns for emergency response or long-term remedial services, and shall be borne by the operator, owner, or lessee of the vehicle.

i. If, at the time the emergency response contractor arrives at the scene of the discharge, the operator, owner, or lessee of the vehicle refuses to agree to pay or complete any documents necessary to engage the contractor for such services, the Authority may impound the vehicle and any cargo or contents thereof until such time as the costs of remedial services are satisfied. If such costs are not satisfied within 14 days, the Authority shall have the right to sell the vehicle, its cargo, and contents at public auction and/or to recover any unsatisfied costs by filing a civil action in the Superior Court of New Jersey or in any District Court of the United States having jurisdiction over such action.

ii. If the emergency response contractor refuses to contract with the operator, owner, or lessee of the vehicle because of a bona fide concern about the operator's, owner's, or lessee's ability or willingness to pay for such services, the Director of Operations or the Director's designee may authorize such services to be performed at the Authority's expense, and the Authority may thereafter recover the costs thereof from the operator, owner, or lessee by filing a civil action in Superior Court of New Jersey or in any District Court of the United States having jurisdiction over such action. The emergency response contractor's concern shall be deemed bona fide if the operator's, owner's, or lessee's credit record indicates a history of refusal or failure to pay commercial debts.

5. Access to the Roadway for the purposes of investigating or remediating contamination caused by the discharge or release of any material will be granted only after compliance with (f)2 above and only after notification to the Chief Engineer of the Authority. Such access will not be unreasonably withheld. All investigatory data, including but not limited to, soil investigations, soil boring logs, **soil and/or groundwater disposal manifests**, ground water monitoring well logs, laboratory analytical data, correspondence with regulatory agencies, and all reports and submissions generated as a result of work on the Roadway shall be made available for **review by the Authority and prior to submission to any regulatory agency** inspection by the Authority or its agents, and copies of all such information and data shall be produced for the Authority or its agents upon request.

#### 19:9-1.16 Intoxicating [beverages] **Substances**

No person shall consume or imbibe any intoxicating **substance** or beverage from a bottle or container containing liquor, beer, wine or other alcoholic beverage, while occupying a vehicle on the Roadway. **Intoxicating substance includes, but is not limited to, any cannabis or cannabinoid product as defined in the Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:61-31 et seq.**

## 19:9-1.17 Operation of vehicles on Authority projects; care required

No vehicle shall be operated carelessly, without due caution or prudence, or in a manner so as to endanger any person or property, or while the operator is under the influence of intoxicating liquors or any narcotic or habit-forming drug.

## 19:9-1.18 Noise limits

(a) No vehicle shall be operated on the Roadway in violation of 49 C.F.R. 325 or any other noise standards promulgated by the United States or the State of New Jersey and applicable to that class of vehicle.

(b) No vehicle shall be operated on the Roadway whose exhaust system is:

1. Not equipped with an exhaust chamber, resonator or noise dissipative device;
2. Not in constant operation and properly maintained; or
3. Equipped with any cutout, bypass or similar device designed to reduce the effectiveness of noise control devices or to increase noise.

## 19:9-1.19 Tolls; payment required

(a) Except as provided by N.J.S.A. 27:23-40, no vehicle shall be operated on the Roadway except upon the payment of such tolls as are required by the Authority.

(b) Tolls shall be paid with United States currency in a staffed toll lane, or United States coin in an "Exact Change" lane, at the time of vehicle operation on the Roadway, or by means of an electronic toll collection system in a lane designated for E-ZPass. The Authority may in its discretion limit any toll lane or interchange on the Roadway to allow for payment of tolls only by means of an electronic toll collection system.

(c) It is hereby declared to be unlawful for any person to place or insert any plastic, paper, cloth, wadding or other article, object, material, substance, instrument or contrivance within the coin-receipt chute or in any other part of an automatic toll collection machine on the Roadway, in such a manner as to prevent, interfere with or obstruct the receipt of coins deposited therein by the patrons of the Roadway, or in such manner as to cause such coins to be uncollected or unlawfully returned, or, by any such other means or device whatsoever, to prevent or contrive to prevent the receipt of coins by such automatic toll collection machine, or to place or insert in any part of such machine any article, substance, contrivance or device in such manner as to obstruct, alter, injure or interfere with the action or operation of such machine, or, by any device or contrivance, or in

any manner whatsoever, to obstruct, alter, injure or interfere with the action or operation of such machine.

(d) It is hereby declared to be unlawful, and contrary to the toll collection monitoring system rules in N.J.A.C. 19:9-9, for any person to operate, or owner to permit to be operated, a vehicle in an "Exact Change" toll lane of the Roadway, unless the person has the exact amount in coin to pay the applicable toll in accordance with the current toll schedule.

(e) It is hereby declared to be unlawful, and contrary to the toll collection monitoring system rules in N.J.A.C. 19:9-9, for any person to operate, or owner to permit to be operated, any vehicle in an "Exact Change" toll lane of the Roadway other than a Class 1 Vehicle without a Trailer.

(f) It is hereby declared to be unlawful, and contrary to the toll collection monitoring system rules in N.J.A.C. 19:9-9, for any person to operate, or owner to permit to be operated, a vehicle in an "E-ZPass Only" toll lane of the Roadway, unless the vehicle contains a functioning and registered electronic toll collection device compatible with the electronic toll collection system employed or utilized by the Authority.

(g) It is hereby declared to be unlawful, and contrary to the toll collection monitoring system rules in N.J.A.C. 19:9-9, for any person to operate, or owner to permit to be operated, a vehicle in a staffed toll lane of the Roadway, unless the person has sufficient funds in the vehicle to pay the applicable toll in accordance with the current toll schedule, or unless the vehicle contains a functioning and registered electronic toll collection device compatible with the electronic toll collection system employed or utilized by the Authority.

(h) On the Turnpike, any person who does not present a valid toll ticket upon exit, or whose electronic toll collection device is not read at both entry and exit, may be charged up to the maximum toll for the vehicle's class at the applicable exit interchange. It is hereby declared to be unlawful, and contrary to the toll collection monitoring system rules in N.J.A.C. 19:9-9, if such occurrence is a result of patron misuse or improper installation of the electronic toll collective device in the vehicle.

#### 19:9-1.20 Records

(a) Any operator of a commercial motor vehicle, omnibus, or tractor in interstate commerce upon the Roadway shall keep records showing the day and hour when, and the place where, the operator went on and off duty. The operator's records must reflect the current duty status of the operator upon entering the Roadway.

(b) Records showing the day and hour when, and the place where, the operator went on duty and was not released from duty are not needed, provided:

1. The operator does not operate beyond a 100 air-mile radius of the normal work reporting location;



2. The operator, except a driver salesperson, returns to the work reporting location and is released from work within 12 consecutive hours;

3. At least eight consecutive hours off duty separate each 12 hours on duty;

4. The operator does not exceed 10 hours maximum driving time following eight consecutive hours off duty; and

5. The motor carrier which employs the operator maintains and retains for a period of six months accurate and true time records showing:

i. The total number of hours the operator is on duty each day;

ii. The time the operator reports for duty each day;

iii. The time the operator is released from duty each day; and

iv. The total on-duty time for the preceding seven days for operators used for the first time or intermittently.

#### 19:9-1.21 Other Regulations

In addition to these traffic rules, users of the Roadway are subject to all applicable statutory provisions, including, but not limited to, penalties for nonpayment of tolls (N.J.S.A. 27:23-25), penalties for violation of any of the Authority's regulations (N.J.S.A. 27:23-32), United States Department of Transportation regulations, and, except as otherwise provided hereinabove, the Motor Vehicle and Traffic Acts of New Jersey (N.J.S.A. 39:3-1 et seq. and 39:4-1 et seq.). Commercial vehicles in interstate commerce using the Roadway remain subject to Interstate Commerce Commission regulations.

#### 19:9-1.22 Filming, photographing or videotaping on the Roadway prohibited, except as authorized

To insure the health, safety, and welfare of motorists, the general public, and the Authority, no person shall be permitted to park, stop, stand, or travel at a slow speed in violation of N.J.S.A. 27:23-27, for the purpose of taking photographs, videos, or motion pictures (collectively, "film") on the Roadway for any reason without a permit issued by the Authority in accordance with N.J.A.C. 19:9-5.6. Notwithstanding the foregoing, filming for solely personal use is allowed without a permit in those areas of the Roadway in which parking, stopping, or standing is otherwise permitted.

#### 19:9-1.23 (Reserved)

## 19:9-1.24 Lane usage; Interchanges 11 to 14

(a). The left travel lanes of the Turnpike's outer roadways from Interchange 11 in the Township of Woodbridge to Interchange 14 in the City of Newark are designated as special reserved lanes for high occupancy vehicles (HOVs) during certain weekday hours specified below. Such lanes may only be used by vans or cars with a minimum of three persons or more, inclusive of the driver, or by buses or motorcycles, or vehicles with electric or hybrid engines, regardless of occupancy, during time periods set forth in (a)1 and 2 below. During all other hours, the lanes will be open to all vehicular traffic, with the exception of commercial vehicles as that term is defined in N.J.A.C. 19:9-1.1.

1. Northbound—from 6:00 A.M. to 9:00 A.M., Monday through Friday, from Interchange 11 to Interchange 14.

2. Southbound—from 4:00 P.M. to 7:00 P.M., Monday through Friday, from Interchange 14 to Interchange 11.

(b) Excepted from the provisions of this section are State Police vehicles, the Authority's maintenance and official vehicles and vehicles authorized to furnish towing and other services to disabled vehicles on the Turnpike, when they are properly in use in the performance of duties authorized by the Authority. Also exempt are all other vehicles discharging emergency functions, such as ambulances and fire engines.

(c) The Authority retains discretion to modify or suspend the occupancy requirement and/or hours of operation and permit the closure of the HOV lanes to allow operation as general purpose traffic lanes in emergency circumstances based upon the impact on patron safety, convenience and the orderly flow of traffic.

(d) Enforcement of this section shall be governed by the traffic control provisions set forth in N.J.S.A. 27:23-28 and N.J.A.C. 19:9-1.3.

## 19:9-1.25 Civil Defense Regulations

Applicable civil defense regulations as promulgated by the State of New Jersey shall be complied with on the Roadway.

## 19:9-1.26 to 19:9-1.29 (Reserved)

## 19:9-1.30 Arts Center

(a) For events requiring a **paper or electronic** ticket, no person shall be admitted to the Amphitheater without a ticket, including, but not limited to, minors. For events requiring a **paper or electronic** ticket, no person, including, but not limited to, a minor, may occupy a reserved seat

at the Amphitheater unless able to produce a **paper or electronic** ticket [stub] for that seat, nor occupy lawn space unless able to produce a **paper or electronic** ticket [stub].

(b) No person shall be admitted to the Amphitheater unless properly attired. Bare feet are not permitted.

(c) No person shall be admitted to the Amphitheater with the following in his or her possession:

1. Alcoholic beverages;

2. Animals, **except that a service animal is permitted upon the showing of relevant documentation that the animal is individually trained to provide assistance to an individual with a disability;** or

3. Firearms, knives and other weaponry.

4. Any other prohibited items as set forth in the terms and conditions of any admission ticket issued by the Authority or the entity operating the Amphitheater on behalf of the Authority.

(d) To effect compliance with (c) above, the Authority shall have the right to inspect any such package, can, bottle, cooler, box, flask, thermos bottle, bag or container of any description in the possession of any persons seeking admission to the Amphitheater. Any refusal to permit such inspection shall be grounds to prohibit the admission of any person to the Amphitheater.

(e) Ticket resales are prohibited except in accordance with Title 56 of the New Jersey statutes.

(f) After any person has been admitted to the Amphitheater, there shall be no departure and re-admittance permitted without the approval of the Authority or the operator of the Amphitheater.

(g) No person shall sell any merchandise of any description or kind on Arts Center property without express permission of the Authority or the operator of the Amphitheater. Any unauthorized sale of said merchandise shall subject same to confiscation. A person who has in his or her possession or under his or her control four or more like items is presumed to have violated this subsection.

#### 19:9-1.31 Limitation on activities in the Vietnam Veterans Memorial

(a) Public use and activity in the Vietnam Veterans Memorial and its environs shall be limited to quiet and respectful observation, by individuals, of the memorial to those New Jersey servicemen and women who were killed or reported missing in action in the Vietnam Conflict.

(b) Public use and activity at the Vietnam Era Education Center and its environs shall be limited to the educational uses and activities provided by the operator(s) of the Center.

(c) In addition to the limitations set forth in this subchapter, all the rules that apply generally to the Parkway shall be applicable to the Arts Center, the Vietnam Veterans Memorial, and the Vietnam Era Education Center.

#### 19:9-1.32 Suspension of rules

In any circumstances deemed by the Authority to be an emergency, any or all of the rules set forth in this subchapter may be suspended by order of the Authority or the New Jersey State Police.

#### 19:9-1.33 Violations and penalties

(a) If the violation of this chapter would have been a violation of law or ordinance if committed on any public road, street, or highway in the municipality in which such violation occurred, it shall be tried and punished in the same manner as if it had been committed in such municipality.

(b) Except as set forth in (a) above and N.J.A.C. 19:9-9.3(a), any violation of this chapter shall be punishable by a fine not exceeding \$500.00 or by imprisonment not exceeding 30 days or by both such fine and imprisonment. While imposing any penalty under the provisions of this subchapter, the court having jurisdiction shall be guided by the appropriate provisions of any statute fixing uniform penalties for violation of certain provisions of the motor vehicle and traffic laws contained in Title 39 of the Revised Statutes.

(c) The penalty for a person determined to be in violation of any weight restriction set forth in N.J.A.C. 19:9-1.9(a)26iv shall be calculated as set forth in N.J.S.A. 39:3-84.3(j).

(d) A person determined to be in violation of the speed limits set forth in N.J.A.C. 19:9-1.2 or to have committed another motor vehicle offense, when committed in an area of highway construction or repair, or when committed in a designated safe corridor, shall be subject to the fine in double the amount specified by law, in accordance with N.J.S.A. 39:4-203.5 and 27:23-29.

(e) A person determined to be in violation of any speed limit designated as 65 miles per hour in N.J.A.C. 19:9-1.2 shall be subject to the fine in double the amount specified by law, in accordance with N.J.S.A. 39:4-98.6 and 27:23-29.

### SUBCHAPTER 2 PURCHASING AND CONTRACTING

#### 19:9-2.1 General Provisions

(a) All contracts of the Authority entered into for the performance of any work, or any purchases or hiring of personal property, services, supplies, equipment or goods, shall be as prescribed in these regulations and procedures. The objective of these regulations is to enable the Authority to accomplish its procurement equitably and expeditiously at the least possible cost. These regulations may be added to or amended by the specific provisions of **requests for bids, requests for proposals, or requests for qualifications of a particular procurement issued by the**

**Authority**, [each bid or proposal specifications or contract documents, and the Authority's Standard Specifications, ]as incorporated therein.

(b) The Authority shall develop and implement procedures for **utilizing electronic procurement platforms that preserve the integrity of the procurement process**, [maintaining electronically submitted bidding documents in a manner that preserves their integrity,] ensures that [their] timely receipt of **bids, proposals or statements of qualifications** can be established and verified, and allows the entire contents of each bid, **proposal or statement of qualifications** to be [clearly established and] publicly inspected at the date and time **established for receipt and opening thereof** [that bids are opened]. To the extent practicable and consistent with realizing efficiencies that can be achieved through the use of electronic bidding, the Authority's procedures with respect to electronically submitted documents shall be functionally equivalent to those followed with respect to equivalent documents that are submitted in paper form.

(c) [Where electronic submission of a document is specifically authorized by statute, rule or by the specifications applicable to a procurement or sale of property, as the case may be, bidders may submit such documents in the time and manner required by the applicable statute, rule or specification.] Where [the]an applicable statute, rule or specification requires the submission of any document in electronic form, the Authority shall reject any such documents that are submitted in paper form as nonresponsive.

19:9-2.2 Purchases, **contracts and agreements** for amounts over the applicable bid threshold, **except contracts and agreements governed by Sections 2.8 and 2.9 of these regulations** [requiring public advertising]

(a) Rules concerning advertising and awards of **purchases, contracts and agreements**[bids]:

1. Advertisements **soliciting** [for] **purchases, contracts and agreements over the bid threshold** [competitive bids] shall be placed in at least one [appropriate] newspaper or journal[,] having a large circulation in the State, and may be advertised on the Authority's website, [www.njta.com](http://www.njta.com)[.gov/turnpike], or through other electronic means. Such advertisements shall be published not less than [seven]ten **(10)** [calendar] days preceding the date upon which the **bids, proposals or statements of qualifications**[proposals] are to be received and opened. All advertisements shall contain:

- i. A brief description of the supplies, materials, equipment or services to be furnished or performed;
- ii. Notice of the place where **the request for bids or request for proposals or request for qualifications** [proposal forms, specifications, terms and conditions] may be obtained; and
- iii. The place, date, and time when the sealed or electronic **bids, proposals or statements of qualifications** shall be publicly opened.

2. In addition to advertising, **solicitations for any purchases, contracts or agreements**[bids] may be sent [solicited from] to all known interested parties by e-mail, regular mail or by any other means, **and** [. S]such solicitations shall provide [prospective bidders with] at least the same information contained in the public advertisement.

3. If [n the event that]**an** amendment of any pertinent information **to the request for bids, request for proposals or requests for qualifications** [supplied to prospective bidders] becomes necessary, notice of **such amendment**[the change](s), in the form of a written addendum, shall be given, **at least three (3) business days prior to the public opening of such bids, proposals or statements of qualifications**, to all [prospective bidders] **who received the request for bids, request for proposals or request for qualifications**[having requested specifications at least three days prior to the public opening of the bids].

(b) Rules concerning terms and conditions applicable to submission of bids **or proposals**:

1. All bids **and proposals** submitted [in paper form] must be properly signed **by the bidder's or proposer's** [and] duly authorized [by the] **representative**. [bidder; all bids electronically submitted must be duly authorized by the bidder.]

2. Any correction of an entry made on a **bid or proposal** form submitted as a paper copy shall be initialed by a duly authorized representative of the bidder **or proposer**. Changes to documents submitted electronically in PDF or other format that provides the equivalent of a copy of a paper document, shall be made by submission of a replacement PDF document. If the replacement document contains handwritten or other corrections, they shall be initialed on the replacement document in the same manner as would be required as to a paper document. Changes in electronic files **can only be made in accordance with the submission rules of the electronic procurement platform being used by the Authority**. [such as spreadsheets, shall be made only by the substitution of replacement files as and when permitted by the specifications, accompanied by a statement by the bidder that the substituted file is to be accepted in lieu of the original. Because the potential exists that formulas or other hidden elements of a spreadsheet or like file may be affected by revisions made by persons other than their author, the submission of partial files or requests for correction or revision of particular lines, numbers, and the like that do not include replacement of the entire electronic file will not be accepted.]

3. Bidders **and proposers** may withdraw bids **or proposals**, or withdraw and resubmit bids **or proposals, as the case may be**, at any time prior to the time scheduled for public opening. A duly authorized representative of the bidder **or proposer, as the case may be**, [ing firm] must sign for the withdrawal of bids **or proposals** submitted in [as] paper form [bids]. Bids **or proposals** so withdrawn shall be returned to the bidders **or proposers, as the case may be**, unopened. Any bid **or proposal** that is received by the Authority at the date and time established for [bid] **public** opening will be deemed to have been submitted intentionally. It is the bidder's **and proposer's** sole responsibility to ensure that

**their[its]** withdrawal of any electronic bid **or proposal** actually prevents the withdrawn bid **or proposal** from being received and opened by the Authority.

4. In the case of inconsistencies or errors in unit prices, extensions and totals, the Authority shall have sole discretion to make determinations with regard to same. If the total price is found to be incorrectly computed, discrepancies will be corrected by the Authority on the basis of the written unit prices, and determination of the low bidder will be made on the basis of the correct total price so determined. The Authority shall not be liable for any failure or error in determining or correcting errors or discrepancies.

5. In particular cases where permitted or required by the Authority in the particular bids **or proposals**[ specifications], bidders **or proposers** may be permitted to submit partial **bids or proposals**. The Authority reserves the right to accept any item or group of items of any bid.

(c) Rules concerning receipt, opening, and award[ of bids]:

1. All bids, **proposals and requests for qualifications** solicited by the Authority must be submitted in accordance with the **request for bids, request for proposals or request for qualifications**[ Authority's Standard Specifications, the specific provisions of each bid or proposal specifications and contract documents] on or before the time fixed for the public opening. Any bids, **proposals or statements of qualifications** received after the **deadline for receipt of such bids, proposals or statements of qualifications** [bidding has closed] shall not be opened.

2. The Authority shall ensure that all sealed paper bids, proposals and statement of qualifications received in response to a request for bids, request for proposals or request for qualifications shall be date stamped upon receipt and deposited unopened in a secure location until the time fixed for public opening. Bids, proposals and statements of qualifications submitted electronically shall be securely maintained by the electronic procurement platform until the time fixed for public opening.[ purchasing or bid supervisor shall maintain a secured place for the purpose of receipt and securing bids. When sealed envelopes containing bids are received in the office of the Authority designated in the procurement documents, they shall be date-stamped and deposited (unopened) in the appropriate secure location.]

3. Paper b[B]ids, proposals and statements of qualifications shall be opened publicly at the time and place designated in the r[R]equest for bids [for Bids], [or ]request[Advertisement] for p[P]roposals and request for qualifications. As to bids only, [T]he amount of each bid, the identity of each bidder, and such other information relevant to the bid shall be recorded and the bid tabulation shall be open to public inspection. As to responses to requests for proposals and requests for qualifications, the identity of each respondent shall be recorded and read aloud.

4. As to electronic bids, the bids will be downloaded by the Authority, at the time designated for receipt of bids in the request for bids, from the electronic procurement

platform, publicly opened, and the results posted on the electronic procurement platform's website and/or the Authority's website at [www.njta.com](http://www.njta.com).

5[4]. Bids, proposals and statements of qualifications received shall be evaluated based on the requirements or criteria set forth in the r[R]equest for [B]ids, request for proposals and request for qualifications, as the case may be[ or contract documents, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose].

6[5]. The Authority may, in its discretion and consistent with law, allow a bidder to withdraw its bid or proposal based on mistake[, Correction or withdrawal of inadvertently erroneous bids after opening, or cancellation of awards or contracts based on such mistakes, may be permitted in the sole discretion and determination of the Authority].

7[6]. [The]Any contract awarded shall be awarded with reasonable promptness by written notice to the lowest responsible and responsive bidder or in the case of an RFP, to the successful proposer.

8. As to bids, if[In the event that] bid prices submitted by two or more low responsible and responsive bidders are identical [and the criteria in the Request for Bids or contract documents do not resolve the tie bid], the tie[d] low bids shall be broken by a coin toss held in the presence of a representative of the Department of Internal Audit. [If practical, t]The interested bidders [may]shall be invited [to the Authority] to observe [in ]the coin toss[ing]. Such tie breaking shall be noted on the b[B]id s[S]ummary. The Authority retains the right to reject any or all bids, to waive informalities and minor irregularities, and to rebid the entire contract, in accordance with applicable law.

[7. When it is determined impractical to initially prepare a purchase description to support an award based on price, a Request for Bids or Advertisement for Proposals may be issued requesting the submission of unpriced proposals to be followed by a Request for Bids or Advertisement for Proposals limited to those bidders whose unpriced proposals have been determined as qualified for the project by the Director of Procurement and Materials Management or the Chief Engineer.]

9[8]. Bid or proposal **guarantee, in the form of bonds, letters of credit, certified or cashier's check** may be required in such form and format as deemed acceptable by the [General Counsel]Director of Law, and in such amount as deemed necessary by the Director of Procurement and Materials Management or Chief Engineer to guarantee the amount of the bid or proposal. In that event, the requirement of [a ]bid or proposal **guarantee[bond]**, and the form, format and amount thereof shall be set forth or specified in the **request for bids or request for proposals, as the case may be**[ bid specifications]. [A successful bidder's f]Failure of the successful bidder or proposer to enter into a contract [contemplated by the bidding process may]shall result in a forfeiture of the bid or proposal[der's] **guarantee[security]** and any other loss or penalty permitted by law.



10[9]. The request for bids or request for proposals may require the submittal of a consent of surety with the bid or proposal, which consent of surety must evidence that the surety will provide the required performance security if the bidder or proposer is awarded a contract. In such event, [P]performance security, in the form of a bond[s] or letter of credit[, contract bonds, or consents of surety may] shall be required in such form and format as deemed acceptable by the [General Counsel]Director of Law, and in such amount as set forth in the request for bids or request for proposals[deemed necessary by the Director of Procurement and Materials Management or Chief Engineer] to ensure faithful performance of the contract [or]and for the payment of persons performing work on the [project]contract. [In that event, the requirement of a performance or contract bond or consent of surety, and the form and amount thereof, shall be set forth or specified in the bid specifications.] The performance security [bond ]shall be submitted by the successful bidder upon notification.

11[10]. Subject to applicable law[ and N.J.A.C. 19:9–2.12], the Authority may disqualify from bidding[ and/or revoke the prequalification of] any bidder in connection with the withdrawal or attempted withdrawal of any bid because of unilateral mistake. Such disqualification may be for a period not to exceed 12 months, and on such terms as the Authority may determine.

12[11]. If the Authority has any concerns whether the lowest responsive and responsible bidder can perform under the contract in accordance with the price bid, the Director of Procurement and Materials Management or the Chief Engineer, or his or her designee, may require that the lowest responsive and responsible bidder, prior to the contract award, confirm that the price bid is accurate and conforms to the specifications as advertised, confirm that performance will be timely, and provide any documentation or demonstration deemed necessary to satisfy any of the Authority's concerns.

(d) A supply, service, or product may be procured without competitive sealed proposals[]:

1. When the Authority, upon written recommendation of the Chief Engineer or the Director of Procurement and Materials Management, determines and acts by appropriate resolution that there is only one source ("sole source") for the required supply, service, or product.
2. When the Authority deems that there exists a threat to the health, welfare, or safety of the public or of property under emergency conditions, or the exigency of the situation does not allow sufficient time to advertise and award bids by public bidding. In that case, the Authority may, by appropriate resolution, acting on the written recommendation of the Chief Engineer or Director of Procurement and Materials Management, declare the exigency or emergency to exist and waive the requirement of public bidding provided that such emergency requirements shall be made with such competition as is practicable under the circumstances. The Authority shall set forth in such resolution ratifying the award, the nature of the exigency or emergency and the approximate amount to be expended.
3. Where the contract is with the Federal or any [s]State government or any agency or political subdivision thereof.

4. For the furnishing or performing services of a professional or consultative nature.
5. For the supplying of any product or the rendering of any service by a public utility subject to the jurisdiction of the Board of Public Utilities of this State and tariffs and schedules of the charges, made, charged, or exacted by the public utility for any such products to be supplied or services to be rendered are filed with such board.
6. When the Authority has advertised for bids on two occasions and has received no bids on both occasions in response to its advertisements, or received no responsive bids. Any purchase, contract or agreement may then be negotiated and may be awarded to any contractor or supplier determined to be responsible except that the terms, conditions, restrictions and specifications set forth in the negotiated contract shall not be substantially different from those which were the subject of competitive bidding.

19:9-2.3 Purchases, contracts and agreements for amounts under the applicable bid threshold,[ amount requiring public advertising,] except contracts and agreements governed by Sections 2.8 and 2.9 of these regulations

(a) **Purchases, contracts and agreements for goods and services**, [In the case of purchases of personal property or services, ]where the aggregate cost or amount involved is less than the **applicable bid threshold**[ minimum amount for which public advertising for bids is required], competitive bidding is not required. Price quotations shall be solicited from at least three vendors, unless such solicitation is [deemed]**not feasible** [inappropriate ]**as determined** by the Chief Engineer or the Director of Procurement and Materials Management.

(b) **A purchase of goods or services, or the award of a contract or agreement need not be made on the basis of the lowest price quotation**[Awards of bids may be to other than the lowest bidder for valid reasons,] if specifically recommended by the Chief Engineer or the Director of Procurement and Materials Management [(]in consultation with the **Director of Law**[General Counsel)].

19:9-2.4 **(Reserved)**[Termination of contract]

[A contract awarded to the successful bidder may be terminated by the Authority at any time for any lawful reason, including, but not limited to, inadequate or improper performance, or for breach of any terms, conditions, or obligations of the contract, as determined by the Authority, or if the vendor shall make an assignment for the benefit of creditors, or file a voluntary petition in bankruptcy, or if an involuntary petition in bankruptcy is filed against the vendor and the act of bankruptcy therein alleged is not denied by the vendor, or the vendor, or an owner of more than 10 percent of the vendor, is indicted by a Federal or state grand jury. Upon termination, the Authority shall be liable only for payment of goods or services properly performed in accordance with the contract. The Authority shall have the right to purchase non-delivered goods to replace defective goods and services on the open market and hold the vendor liable for the difference

between the price set forth in the contract for such goods or services and the prices paid on the open market. Further, the Authority reserves the right to terminate any contract entered into provided written notice has been given to the contractor at least 15 days prior to such proposed termination date. In addition, the Authority shall have the right, without the necessity of court proceedings, to recover all equipment, material, or supplies that are the property of the Authority and have been entrusted with the vendor to be used in the performance of said contract. Nothing in this section is intended to limit the Authority's right to legally pursue all costs that exceed the amount due and owing the vendor under said contract. The list of remedies in this section is not exclusive.]

#### 19:9-2.5 Purchase under government contracts

- (a) When it is determined to be proper and in the best interest of the Authority, the Authority may purchase equipment, goods, materials, supplies, and services directly, without advertising, from vendors who hold contracts with the State of New Jersey[ ], other State or multi-state authorities or agencies [or political subdivisions of the State of New Jersey] (State contracts), or the United States, or any agencies or political subdivisions of the United States (Federal contracts).
- (b) When it is determined to be proper and in the best interests of the Authority, the Authority may contract with and purchase by public bid procedure, services, equipment, goods, materials, and supplies, in combination with the State of New Jersey, other State or multi-state authorities or agencies, or the United States, or any agencies or political subdivisions of the United States.
- (c) In either event, the Chief Engineer or the Director of Procurement and Materials Management shall submit a written recommendation to the Authority, which shall set forth the details of the proposed acquisition and shall state the reasons for proceeding under the applicable State or Federal contract.
- (d) When it is determined to be proper and in the best interest of the Authority, the Authority may determine, by public bid procedure, the best price for the purchase of equipment, goods, materials, supplies, and certain services. If that price is lower than the price under the applicable State or Federal contract, the Authority may separately award such contract. If it is determined that the price by public bid procedure is not lower than the price under the applicable State or Federal contract, the Authority may contract with the vendors holding such State or Federal contracts.

#### 19:9-2.6 Sale of surplus property

- (a) The purpose of this section is to establish and prescribe uniform general rules and procedures for the sale of surplus [personal property and ]real property **and personal property** owned by the Authority at the highest possible price and to provide for the electronic solicitation of bids where doing so is likely to be advantageous to the Authority. No such sale shall be made except in accordance with this section.

(b) **Surplus property procedures.**[Disposition of surplus real property shall be as set forth in this subsection.]

1. From time to time, or in response to a request, the Law Department, in consultation with other Authority departments, may undertake a review of real property owned by the Authority in order to make an initial determination whether such real property may no longer be necessary for the operations of the Authority and may, therefore, potentially be classified as surplus real property. In making such a determination, one or more of the following factors may be considered:

- i. The date when, and the circumstances under which, the property ceased to be useful for the purpose for which it was initially acquired by the Authority;
- ii. The present use and the possible prospective use(s);
- iii. Whether the terms of acquisition of the property included any impediments to its sale, such as easements, licenses to cross, or other encumbrances; and
- iv. The property's estimated market value.

2. Upon such an initial determination that real property may be classified as surplus, the [General Counsel]**Director of Law** or his or her designee shall request certifications from the following persons stating that the real property, to the best of their knowledge, may properly be categorized as surplus property and is no longer needed by the Authority and is surplus to its needs: [the Authority's Director of Maintenance, the Authority's] **the** Director of Operations, the [Authority's ]Chief Engineer, the [Authority's] General [Engineering ]**Consulting Engineer**[ant], and the [Authority's ]Chief Information Officer. If appropriate, the above persons shall so certify as requested by the Law Department. In the alternative, if the property may not be properly categorized as surplus, the above persons shall so indicate and advise the Law Department that the property shall not be declared surplus.

3. No real property may be sold or otherwise disposed of by the Authority without issuance of all of the certifications set forth in (c)2 above, and a determination by the Authority that the real property is surplus to its needs.

4. An appraisal or administrative determination of value, as deemed appropriate by the **Director of Law**[General Counsel] or his or her designee, shall be obtained by the Authority in order to determine the fair market value of the surplus real property.

5. Surplus real property shall be disposed of only after public advertisement for competitive bids in accordance with (e) below, except for those dispositions set forth in (b)5i through vii below, which shall be exempt from the public bidding requirement:

- i. Disposition to a public or governmental entity, including, but not limited to, any political subdivision, agency, department, commission, board, authority, or body

corporate and politic of the State of New Jersey, any county or municipality of the State of New Jersey, any public entity or authority of the United States or any department or agency thereof, or any public utility, as defined by N.J.S.A. 48:2-13a;

ii. Disposition of surplus real property, or any interest therein, having a fair market value of \$50,000 or less;

iii. Disposition to a not-for-profit entity organized under Title 15A of the New Jersey Statutes that will maintain the surplus real property solely for public purposes;

iv. Disposition of surplus real property that, at the discretion of the Authority, has been determined to be [landlocked (that is, lacking access to a public road), ]undersized (and, therefore, not developable pursuant to applicable laws or ordinances)[,] or severely impaired;

v. Disposition to an adjacent property owner, provided that the surplus real property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon, except that when there is more than one interested owner of real property contiguous thereto, the surplus real property shall be sold to the highest bidder from among such owners, with the requirement that the highest bidder is required to purchase the entire surplus parcel;

vi. Disposition to effect a swap of the surplus real property for other property that the Authority wishes to acquire in furtherance of a highway project; or

vii. When the Executive Director determines that the character or condition of the real property or unusual circumstances make it impractical to advertise publicly for competitive bids.

6. Prior to disposition of surplus real property that does not fall under one of the exceptions set forth in (c)5ii through vii above, the Authority shall contact the appropriate public and governmental entities, as set forth in (c)5i above, that may have a reasonable interest in the surplus real property to inquire whether such entities wish to purchase such property. The Authority shall allow such entities a reasonable time, not less than 14 days, to respond before publicly advertising the real property for bids. If more than one public or governmental entity makes an offer to purchase the surplus real property, the Authority shall accept the offer that best serves the interest of the Authority and the public interest.

7. If, after advertising and public bidding of surplus real property in accordance with (e) below, bid prices for surplus real property are not deemed reasonable or acceptable to the Authority or no bids are received, the Authority may negotiate the sale of such surplus real property with any interested purchaser, or may list the surplus real property for sale with a

real estate broker, with the understanding that approval of the sale by the Authority must be obtained prior to closing.

(c) [Disposition of s]Surplus personal property **procedures**[ shall be as set forth in this subsection].

1. In response to a request from a department or through periodic reviews of personal property undertaken by the Procurement and Materials Management Department, in consultation with other Authority departments, certain personal property may no longer be necessary for the operations of the Authority and, therefore, will be classified as surplus personal property.

2. No personal property may be sold or otherwise disposed of by the Authority without a determination by the Executive Director, as recommended by the Director of Procurement and Materials Management, that such personal property is surplus to the Authority's needs.

3. All sales of surplus personal property where the aggregate anticipated proceeds exceed \$2,500 shall be made only after public advertisement for competitive bids in accordance with the procedures set forth in (e) below, unless one of the following circumstances is met:

i. The surplus personal property is sold with the assistance of the State of New Jersey, Department of the Treasury, using the procedures set forth for the disposal of surplus personal property owned by the State of New Jersey;

ii. The surplus personal property is sold using a website that, in the determination of the Director of Procurement and Materials Management, will allow the Authority to reach the widest audience and obtain the most favorable price for the surplus personal property; or

iii. The Authority specifically provides by resolution that the requirement of public advertising be waived as to a particular transaction.

**4. Where there is a reserve or other minimum price for an item or items offered for sale below which bids will not be accepted by the Authority, all prospective bidders shall be so advised in the bid solicitation.**

**5** [4]. If, after advertising and public bidding of the surplus personal property, or if, after an attempt at sale of the surplus personal property under (d)3 below, bid prices are not deemed reasonable or acceptable to the Authority or no bids are received, the surplus personal property may be traded in, scrapped, or sold to any interested purchaser, including sale through an agent or liquidator who specializes in such sales, or may be donated by the Authority to a not-for-profit, public, or governmental entity.

(d) Public **advertising of competitive** bids [procedures ]for sales of surplus real property and surplus personal property shall be as follows:

1. Advertisements for competitive bids shall be placed in an appropriate newspaper(s) or journal(s) having a large circulation in the State, posted on the Authority's website, the State of New Jersey's website, and[/or] by any other **reasonable** means [reasonably approved by the Authority ]or required by applicable law. Such advertisements shall be published in sufficient time to allow inspection of the property being sold prior to the date upon which the bids are to be received and opened.
2. All advertisements must contain:
  - i. A brief description of the surplus real or personal property to be sold;
  - ii. Notice of the place or electronic location where quotation forms, terms, and conditions may be obtained together with a provision that [the Executive Director may reject ]any or all bids **may be rejected, in accordance with applicable laws;**
  - iii. The place, date, and time when the bids shall be publicly opened; and
  - iv. A minimum bid price.
3. In addition to advertising, when required, [bids may be solicited in writing from ]known interested parties **may be sent** by e-mail, regular mail, or by any other means **a copy of bid solicitations**. [Such solicitations shall provide prospective bidders with at least the same information contained in the public advertisement.]
4. [In the event that amendment of any pertinent information supplied prospective bidders becomes necessary,] A[a] written addendum shall be publicized on the Authority's website at least five days prior to the public opening of the bids, **in the event that an amendment to any pertinent information becomes necessary**.
5. [In the case of surplus real property offered for bid, a prospective bidder shall be responsible for conducting its own due diligence to determine the condition of the property. ]The Authority shall make available any back title reports in its possession with respect to the **real property being advertised**[at the time, place, and location set forth in the bid advertisement], but without any representation by the Authority as to the[ir] accuracy or completeness **of the reports**[, it being understood that the surplus real property is being sold "as is, where is, and with all faults," without any representation, warranty, or assurances of any kind].
6. In the case of surplus personal property, prospective bidders may be invited to inspect all items available for sale at a designated Authority site(s).
7. All bids shall:
  - i. Be properly submitted on the Request for Bid Form; paper bids shall be properly signed and executed, and electronic bids shall be certified; and

- ii. Be submitted on or before the time fixed for the public opening in accordance with the bid specifications.
8. Any bids received after the bidding has been closed shall not be opened.
9. [The Director of Procurement and Materials Management or his or her designee shall open and publicly read the bids.] **Sealed or electronic bids shall be publicly opened at the place, date, and time for receipt of bids.**
10. The Director of Procurement and Materials Management may, at any time prior to the scheduled public opening, postpone the receipt and opening of bids. Appropriate and timely notice of such postponements shall be given to all prospective bidders, if possible.
11. [The Bid Summary Form shall record all bids timely received whether complying with all formalities or not; due note shall be made on the bid summary form with respect to any bid which did not comply with formalities.
12. ]Bids shall be accompanied by a deposit equaling 10 percent of the total submitted price. Such bid deposit shall be submitted in the form of a **certified check**, cashier's check, [or, ]executed money order payable to the "New Jersey Turnpike Authority[.]", **or such other lawful payment as may be set forth in the bid solicitation.** Failure to comply with this provision shall result in rejection of the bid. Bids of less than \$100.00 shall require no bid deposit.
- 12[3]. Bidders for surplus real property shall submit with their bids an executed contract in the form approved by the Authority offering to purchase the surplus real property for the bid price pursuant to the terms set forth in the contract.
- 13[4]. All bid deposits of unsuccessful bidders shall be returned promptly. The deposits furnished by successful bidders shall be retained and applied toward payment of the total bid price.
- 14[5]. Any correction of an entry made **to a bid**[on the Request for Bid Form or Quotation Form is to] **shall** be initialed by [the party signing] the **bidder**.
- 15[6]. Bidders may withdraw bids, or withdraw and resubmit bids, at any time prior to the scheduled time of the public opening. A [bidder's ]duly authorized representative [of the bidding firm must ]**shall** sign for the withdrawal of **paper** bids [submitted as paper bids]. Paper bids so withdrawn shall be returned to the bidders unopened. Electronic bids may be withdrawn pursuant to the electronic bidding procedures set forth by the Authority. Any bid that is received by the Authority at the date and time established for bid opening will be deemed to have been submitted intentionally.
- 16[7]. With respect to bids submitted, the Authority retains the right to reject any or all bids and to waive informalities and minor irregularities.



(e) The following general terms and conditions apply to the sale of surplus real property and surplus personal property:

1. The sale of surplus personal property to the highest acceptable bidder shall not be confirmed without the prior written approval of the Executive Director or his or her designee. The sale of surplus real property to the highest acceptable bidder shall not be confirmed without the approval of the Board.
2. When in the best interest of the Authority, one or more items of surplus personal property or parcels of surplus real property may be withdrawn from the offer to sell. Such action is to be accomplished by memorandum of the Director of Procurement and Materials Management and approved by the Executive Director.
3. Pursuant to N.J.S.A. 52:13D-19, no Authority officer or employee, either himself or herself, or by his or her partners or through any corporation which he or she controls or in which he or she owns or controls more than one percent of the stock, or by any other person for the officer or employee's use or benefit or on the officer or employee's account, may bid on or otherwise purchase any surplus real property or surplus personal property of the Authority without prior written approval of the State Ethics Commission.
4. For surplus personal property, the balance of the bid price is due within 15 calendar days after the bidder's receipt of notice of the award. If such balance is in the amount of \$100.00 or more, payment shall be made by **certified check**, cashier's check, executed money order, or such other lawful method of payment as may be **provided for in the bid solicitation**[approved by the Director of Procurement and Materials Management]. Failure to pay such balance or to pick up the awarded property within the 15-day period shall entitle the Authority to retain the bid deposit as liquidated damages and not as a penalty, as the amount of damages to the Authority resulting from such breach would be difficult, if not impossible, to determine and retention of the deposit would be justified. Under such circumstances, with the approval of the Executive Director, or his or her designee, the Director of Procurement and Materials Management may sell the property to the next highest bidder, or otherwise dispose of the property in accordance with this section. This action is to be accomplished by a memorandum of the Director of Procurement and Materials Management, approved by the Executive Director or his or her designee, with copies to the Law and Finance Departments.
5. For surplus real property, the balance of the bid price shall be paid by the successful bidder by **certified check**, cashier's check, executed money order, or such other method of payment as may be **provided for in the bid solicitation**[approved by the Executive Director or his or her designee] within the time set forth in the **bid solicitation** [contract]. Installment sales are not permitted. Title to the surplus real property shall be transferred to the purchaser when full and final payment of the approved bid price is made, or as otherwise agreed in writing between the purchaser and the Authority. The contract of sale shall require that the purchaser's failure to pay the balance of the purchase price as specified by the Authority or failure to take title or abide by any other term or condition of the contract shall result in a cancellation of the sale and a forfeiture of the bid deposit to

the Authority, as liquidated damages and not as a penalty, as the amount of damages to the Authority resulting from such breach would be difficult, if not impossible, to determine and retention of the deposit would be justified. Upon such cancellation, the Authority may accept the bid of the next highest qualified bidder or, if none exists, otherwise dispose of the surplus real property in accordance with this section.

6. Unless specifically stated otherwise in the solicitation, the **surplus real property and surplus personal property** upon which bids are invited is for sale only “as is , where is, and with all faults” and the Authority makes no representation, express or implied, as to the condition of said property. The surplus personal property items sold are to be removed at the buyer’s expense.

[7. Where there is a reserve or other minimum price for an item or items offered for sale below which bids will not be accepted by the Authority, all prospective bidders shall be so advised by proper notation on the related quotation form.]

[8. Qualified bids, or any portion thereof, may be summarily rejected in writing by the Director of Procurement and Materials Management to the Executive Director, with copies thereof directed to the Law and Finance Departments, where such qualification adversely affects the Authority’s best interest.]

7[9]. The procedure for handling tie bids shall be the same as that set forth at N.J.A.C. 19:9–2.2[ except that all determinations shall be made on the basis of the highest responsive bid price].

19:9–2.7 Procedure for prequalification [and]to bid on [award of ]construction contracts

(a) All prospective bidders for construction **contracts** in excess of \$50,000 shall **annually apply to be prequalified [annually into classifications ]**by the Chief Engineer **by submitting a Contractor’s Qualifying Statement**. Prospective bidders will be **prequalified in a category of work at a maximum classification rating for which they are entitled to bid in accordance with**[classified according to the type of work and the amount of work on which they are entitled to bid as set out in] the **Contractor Classifications and Ratings [s]Schedule available on the Authority’s website at www.njta.com**[of classifications set forth at Appendix A to this chapter, incorporated herein by reference. Proposals submitted by prequalified bidders who have received classification ratings as set forth in Appendix A within 10 percent of the total price of the proposal will be considered for award by the Authority]. The Chief Engineer may, from time to time, add additional specialized work categories to the **Contractor Classifications and Ratings S[s]chedule[ of classifications]**. **Bidders shall have effective classification rating in an amount not less than the amount of their respective bids. Instructions for prequalification for award of construction contracts are located on the Authority’s website at www.njta.com.**

(b) In order to prequalify [in classification], prospective bidders shall submit annually, or at least 21 calendar days prior to bid opening[ of a specific contract], proof of [the ]**items listed below.**

**In determining the prequalification of a prospective bidder, only that work performed by the prospective bidder on a contract(s) shall be considered[following]:**

1. As to type of work, recent satisfactory experience as a contractor on a contract involving substantially the same or similar work [to]as the classification being sought;
2. As to [amount]value of work, satisfactory experience within the past three years by the[as a] contractor, either on a single contract performed in a single year, or several contracts performed in a single year, having the following minimum [amounts]values of contract work for such single year, for the specified classification ratings listed below:
  - i. \$90,000 worth of contract work in a year for a classification rating up to \$150,000 maximum;
  - ii. \$300,000 worth of contract work in a year for a classification rating up to \$500,000 maximum;]
  - i[ii]. **Less than \$1,200,000** [\$600,000]worth of contract work in a year for a classification rating up to \$1,000,000 maximum;
  - ii[v]. \$1,200,000 worth of contract work in a year for a classification rating up to \$2,000,000 maximum;
  - [v. \$2,100,000 worth of contract work in a year for a classification rating up to \$3,500,000 maximum;]
  - [v]iii. \$3,000,000 worth of contract work in a year for a classification rating up to \$5,000,000 maximum;
  - iv[ii]. \$6,000,000 worth of contract work in a year for a classification rating up to \$10,000,000 maximum; [and]
  - v[iii]. \$12[0],000,000 worth of contract work in a year for a classification rating [of unlimited]up to **\$20,000,000 maximum;**
  - vi. **\$30,000,000 worth of contract work in a year for a classification rating up to \$50,000,000 maximum;**
  - vii. **\$60,000,000 worth of contract work in a year for a classification rating up to \$100,000,000 maximum;**
  - viii. **\$120,000,000 worth of contract work in a year for a classification rating up to \$200,000,000 maximum; and**

**ix. \$200,000,000 worth of contract work in a year for a classification rating of unlimited.**

3. Satisfactory financial condition of the prospective bidder. The Contractor's Qualifying Statement must be accompanied by certified audited financial statements or a CPA review of financial statements. The financial statements shall be complete, with a balance sheet, related statements of income and retained earnings and cash flows, [.] **or equivalent generally accepted accounting principles (GAAP)-compliant statement.** The financial statements shall be **audited**[completed] by a certified public accountant[ or public accountant], as established by N.J.S.A. 45:2B-49[29] et seq., who is independent of, and not an employee of, the contractor for which the financial statements are being provided.

i. The certified audited financial statements shall have an unqualified opinion. The CPA review of financial statements shall be in conformity with [generally] **GAAP**[accepted accounting principles]. Both the audited and CPA-reviewed financial statements shall be for a full one-year accounting cycle.

ii. Submission of a consolidated financial statement is acceptable. It may be submitted with the Contractor's Qualifying Statement completed in the name of the parent company. A consolidated financial statement submitted with a Contractor's Qualifying Statement and completed in the name of the subsidiary shall include a separate breakdown of the financial statements, and a separate unqualified opinion that includes balance sheet, income statement, statement of changes in financial position and cash flows, **or equivalent GAAP-compliant statement**, all in the name of the subsidiary.

iii. Submission of a combined financial statement is not acceptable.

iv. **If a contractor does not submit certified audited financial statements, then the maximum classification rating that the contractor may be granted is \$10,000,000; in addition the lack of certified audited financial statements will result in a reduction by one rating of the classification rating to which the contractor would have otherwise been entitled.** [A contractor can be pre-qualified for contract work with a classification rating up to \$1,000,000 with submission of a CPA review of financial statements and qualifying statement; however, reliance upon such a submission will result in a reduction of the contractor's classification rating by one rating;]

4. Adequate facilities, including, but not limited to, plant, equipment and experience of key personnel and officers of the prospective bidder;

5. That the **prospective** bidder is not now, nor has been involved, directly or indirectly, in any proceeding, conduct, or activity adversely relating to, or adversely reflecting upon, the moral integrity of the **prospective** bidder by means of sworn affidavit;

6. A satisfactory workplace safety record **based on projects listed in a Contractor's Qualifying Statement**[, including, but not limited to, records of the prospective bidder's experience modification rating for the previous three years] and any other workplace safety records or information requested by the Chief Engineer; and

7. When submitting a proposal, prequalified bidders need not submit another **Contractor's Qualifying Statement** but shall instead submit a prequalification recapitulation in such form as may be prescribed by the Chief Engineer.

(c) The Chief Engineer or his or her designee(s) shall review the **Contractor's Qualifying S[s]tatement** and other information submitted by the prospective bidder and shall **provide written notice to**[notify] the prospective bidder of the decision[. as to their classification by certified mail]. The classification will be valid for a period of one year from the date of the Chief Engineer's decision, and the prospective bidder will be allowed to bid on all Authority contracts within its classification limits for this one- year period without the need of additional prequalification, subject to (d) and (g) below. At the end of this one- year period, the prequalification of the **prospective** bidder will expire, and to be renewed, the prospective bidder must meet the requirement of (b) above.

(d) The Chief Engineer shall reserve the right to require a prospective bidder to submit such additional evidence of qualifications as deemed necessary, and shall consider any evidence available of the financial, technical, and other qualifications and ability of the **prospective** bidder. The Chief Engineer may change or revoke at any time the classifications of any **prospective** bidder upon any evidence that [said]**such prospective** bidder does not meet the financial, technical, moral or other qualifications of the classification. The Chief Engineer may direct a Request for Qualifications Information (RFQI) process to be used in prequalifying contractors under classifications **not listed in Contractor Classifications and Ratings Schedule on the Authority's website at www.njta.com**, [not listed in Appendix A, ]but appropriate for specialized projects involving homeland security or other exigent circumstances.

(e) The Chief Engineer may deny prequalification [of]**to** any **prospective** bidder who fails to **satisfy the requirements of this Subchapter**[comply with the provisions of subsection (b) above] and, further, may recommend [to the Authority ]rejection of any bid **requiring prequalification** where the bidder **has failed to be prequalified.**[, at such time, has failed to comply with the provisions of this section.]

(f) The Authority reserves the right to waive the prequalification procedures and requirements in contracting in an emergency situation.

(g) Bidders on all other contracts not requiring prequalification shall, however, comply with the provisions of (b)3, 4, 5, and 6 above.

19:9-2.8 Procedure for prequalification and award of contracts for architectural, engineering, and land surveying services

(a) This section shall apply to contracts for architectural, engineering, and land surveying services that are not subject to N.J.A.C. 19:9-2.2(d), 2.3, or 2.5. The Authority may choose to apply this section to contracts below the public bidding threshold as set forth in N.J.S.A. 27:23-6.1.b in its sole discretion. The Authority may use procurement processes other than those prescribed in this section if those processes have been approved by the Federal government or other State statute, rule, or executive order, or if an emergency has been declared by the Executive Director. **In its discretion, the Authority may issue one solicitation for award of contracts for multiple projects that are similar in size and complexity. The prequalification and solicitation process outlined herein shall be followed, and any multiple-project Requests for Expressions of Interest (RFEOI) shall require proposers to submit EOIs, as defined below, for all projects listed in the solicitation. Under no circumstances will a proposer be awarded more than one contract under a multiple-project solicitation.**

[Where a procurement involves the proposed use of Federal funds, and Federal law, regulations, or guidelines require a procurement procedure other than those prescribed in this section, the Authority shall follow the Federal procedures. All procedures provided for herein that are consistent with Federal requirements shall be followed.]

(b) The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

**“Complex Procurements[projects]” means the process for soliciting Professional Services [projects other than “simple projects,” and includes most projects involving transportation, planning or complex design, or any project ]having an estimated fee over \$6[2],000,000 or that involve transportation, planning or complex design. Upon request of the Chief Engineer based on his/her professional judgment, and with the approval of the Executive Director, a particular procurement otherwise meeting the definition of a Complex Procurement may be classified as a Simple Procurement.**

**“Director” means either the Chief Engineer or[,] Director of Operations[, or Director of Maintenance], depending on whether the contract emanates from the Engineering Department or the[,] Operations Department[, or the Maintenance Department].**

**“EOI” means an expression of interest from F[f]irms interested in performing professional architectural, engineering and land surveying services for the Authority.**

**“Firm” means any individual, firm, partnership, corporation, association, joint venture or other legal entity permitted by law to provide professional architectural, engineering or land surveying services in this State.**

**Order for Professional Services (OPS) means a contract for Professional Services awarded in accordance with this section 2.8.**

**“Professional Services” means** architectural, engineering, and land surveying services[” means those services,” including, but not limited to, planning, design, environmental, and construction inspection services required for the development and construction of projects, within the scope of the practice of architecture, professional engineering, or professional land surveying as defined by the laws of this State or those services] performed by an architect, [professional ]engineer, or [professional ]land surveyor in connection with his or her professional employment practice, and which are subject to N.J.S.A. 52:34-9.1 et seq.

**“Qualified Firm” means a Firm that is currently prequalified, prior to submission of the EOI, in accordance with the Professional Service Prequalification Questionnaire process outlined in this section.**

**“Simple Procurement[projects]” means the process for soliciting Professional Services[projects or other engineering services] where the scope is[can be] clearly defined, [and ]is not likely to change during the course of the Professional Services, and[project where] the estimated fee is \$6[2],000,000 or less. [Simple projects include, but are not limited to, bridge inspection projects, supervision of construction projects and highway and bridge design projects with an estimated fee of \$2,000,000 or less.] Upon request of the Chief Engineer based on his/her professional judgment, and with the approval of the Executive Director, a particular procurement otherwise meeting the definition of Simple Procurement may be classified as a Complex Procurement.**

**“Technical Review Committee” means** the committee assigned to review a contract for professional architectural, engineering, and land surveying services, which shall include at least three persons designated by the Director and approved by the Executive Director.

(c) Professional services prequalification requirements shall be as follows:

1. A F[f]irm interested in a contract for professional architectural, engineering, or land surveying services shall complete and file a “Professional Service Prequalification Questionnaire” (“PSPQ”) with the Authority. Firms qualified for a particular type of [project] **Professional Services** based on the Authority’s evaluation of the PSPQs will be eligible for consideration when such [project] **Professional Services**[ts] are being contracted for by the Authority without having to present their qualifications on a [project] **contract-specific** basis.
2. For the procurement of general consultants, rather than **for a [project-] specific type of Professional Services**[procurement], the procedures relating to prequalification of F[f]irms may be modified to address the needs and requirements of the Authority.
3. Each F[f]irm shall identify on the PSPQ each type of work for which the F[f]irm desires prequalification. All PSPQs shall contain the following information:
  - i. Current and past **Professional Services**[projects] undertaken by the F[f]irm;

ii. The nature of **the Professional S[s]ervices identified in response to item i, above;**[provided on each project];

iii. The **resumes, including the qualifications,** [qualifications] of the professionals employed by the **F[f]irm seeking prequalification;** and

iv. **For the most current full year accounting cycle, copies of (a) audited or independent CPA reviewed financial statements, in which case the PSPQ may remain current for twenty-four (24) months, or (b) compiled or internally prepared financial statements, in which case, the PSPQ may remain current for twelve (12) months.**

v. Other information [which]**that** the Authority may determine necessary to assess the firm's qualifications.

4. A firm shall notify the Authority in writing of any substantial change in the information on its PSPQ when such change occurs. A firm shall have a current PSPQ on file with the Authority on the date of the **Expressions of Interest (EOI)** submission[ttal] in order to be considered for a [project]**contract**. For purposes of this section, a current PSPQ is one **that** [which ]has been on file with the Authority for no more than 24 months **or, in certain cases, for no more than 12 months.**

(d) [Expression of interest (EOI) solicitation and/or a]**Advertisement for Requests for Expressions of Interest** shall be as follows:

1. A Request for EOIs (RFEOI) shall be advertised in an appropriate newspaper or journal, having a large circulation in the State and/or advertised on the Authority's website, [www.njta.com](http://www.njta.com)[j.gov/turnpike], or through other electronic means. Such advertisements shall be published not less than seven (7) calendar days preceding the date upon which the EOIs are to be received. The RFEOI shall identify the scope of **Professional S[s]ervices** required from the prequalified **F[f]irms** and the evaluation process to be used for the **selection of the successful prequalified Firm**[project]. When the Authority seeks to award [engage ]more than one [firm]**contract** through a single RFEOI, the number of **contracts**[firms] that the Authority intends to **award**[engage] shall be identified in the RFEOI.

2. When **Professional Services of a** general consultant [services ]are needed, the Authority shall establish a list of criteria that [f]Firms must meet in order to [be sent]**receive** an RFEOI for the general consultant contract. Firms that meet such criteria shall be sent an RFEOI.

(e) Evaluation of EOIs shall be as follows:

1. Upon receipt of the EOIs **for a Simple Procurement or Complex Procurement**, the Authority shall review the EOIs for completeness and shall reject those EOIs [which]**that**



are incomplete. The Authority shall notify, **in writing**, all [f]Firms whose EOIs are determined to be incomplete[ in writing]. [For all projects,] [i]If fewer than three (3) EOIs are deemed complete, the EOI solicitation may be [rewritten and/or ]re-solicited, **with or without modification**, or the procurement may continue with fewer than three (3) [f]Firms, as determined by the Executive Director, in consultation with the Director.

2. For [s]Simple **Procurements**[projects], if the EOIs are deemed complete in accordance with (e)1, above, the [technical evaluation process shall consist of the evaluation of EOIs in accordance with the procedures set forth in this section.] **Technical Review Committee shall evaluate and rank the EOIs in accordance with (e)4, below, and request a fee proposal from the top three (3) technically ranked Firms, or from less than three (3) Firms, as the case may be, in accordance with (e)1, above. At the discretion of the Director, fee proposals may be requested from more than three (3) Firms. No Firms shall be told of their ranking position at that time. The selection process shall continue in the manner described in (g) below. If a particular Simple Procurement warrants, the Director may elect to issue a Request for Proposal (RFP) and the selection process shall proceed in accordance with the process for Complex Procurements.**

3. For **Complex Procurements**, [complex projects, ]if five or more EOIs are deemed complete in accordance with (e)1, above, the **Technical Review**[evaluation] **Committee shall** [of EOIs]evaluate the EOIs in accordance with (e)4, below. If at least three but not more than four EOIs are deemed complete, these firms need not be evaluated pursuant to (e)4, below, but shall receive the RFP. If less than three EOIs are deemed complete, **Complex Procurements shall proceed in accordance with (e)1, above.** [shall serve as a method by which to create a list of firms that shall receive the requests for proposals (RFP) for the project. If only three or four EOIs have been deemed complete by the Authority, these firms shall receive the RFP and the Technical Review Committee will not conduct an evaluation of the EOIs as set forth below. If more than four EOIs have been deemed complete, the EOIs shall be submitted to the Technical Review Committee for review as set forth in (e)4 below.]

4. **Except as otherwise provided in (e)3, above, [T]the EOIs shall be ranked by the Technical Review Committee on the basis of numerical scores resulting from weighted rating factors. [These factors will be weighted in proportion to their relative importance on a project-by-project basis. The relative weight attributed to each rating factor for a particular project and the ranking methodology shall be set forth in the RFEOI.] In ranking the EOIs, the Technical Review Committee [may]shall consider criteria contained in the RFEOI, including, but not limited to:**

- i. Experience of the **qualified** firm on similar projects **or Professional Services; on similar assignments;**
- ii. Experience of the [P]project **m**[M]anager or **r**[R]esident **e**[E]ngineer on similar projects;

- iii. Key personnel's qualifications and relevant experience;
- iv. Understanding of the project and the Authority's needs;
- v. Approach **and methodology in performing** [to ]the **Professional Services required**[project];
- vi. Commitment and ability to perform the proposed work and **any** outstanding work with the Authority;
- vii. Commitment to quality management;
- viii. Attainment of Small Business Enterprise (SBE) and Disabled Veteran-Owned Business (DVOB) goals; and
- ix. Any other factors specified in the Authority's EOI solicitation.

[5. For simple projects, once the Technical Review Committee has ranked the EOIs, it shall require the top three or more technically ranked firms, which number of firms shall be at the discretion of the Director, to provide their proposed fees in a separate envelope. The firms shall not be told of their ranking position at this time. The selection process shall continue in the manner described in (g) below. If a particular simple project warrants, the Director may elect to issue an RFP and the selection process shall proceed in accordance with the process for complex projects.

6. For complex projects, after the evaluation and ranking of the EOIs, no fewer than the top three ranked firms shall receive an RFP. All firms that are not to receive the RFP shall be notified.

7. When the Authority is seeking to engage more than one firm through a single solicitation of EOIs, following the Technical Review Committee's evaluation of the EOIs, it shall prepare a list of a sufficient number of technically qualified firms to enable the Authority to engage the number of firms identified in the RFEOI. If the Technical Review Committee is unable to prepare a list of technically qualified firms in a sufficient number to negotiate with and engage the number of firms identified in the RFEOI, the Authority shall reduce the number of firms it is seeking to engage through the EOI, and/or reissue the RFEOI in whole or in part. The Technical Review Committee shall negotiate with firms in the same manner as described in (g) below.]

(f) Requests for Proposals (RFPs) shall be evaluated as follows:

1. Responses to the RFP shall be comprised of the technical proposal and fee proposal. The **Qualified F[f]irms** receiving the RFP shall be directed to submit a detailed fee proposal in a separate sealed envelope at the time of submission of the technical proposal.

2. The Technical Review Committee shall evaluate the technical proposals submitted to the Authority. The Technical Review Committee shall rank the technical proposals on the basis of numerical scores using the rating criteria specified in the RFP. The relative weight attributed to each rating factor and the methodology for ranking firms shall be set forth in the RFP.

3. The Technical Review Committee may require an interview and/or presentation by the **Qualified F[f]irms** with the highest ranked proposals. The Director, in his or her discretion, may waive this requirement for a particular project. Subsequent to the interview and/or presentation, the Technical Review Committee shall revisit its technical ranking of the **Qualified F[f]irms**, re-score as appropriate, and shall thereupon recommend the highest ranked **Qualified F[f]irms** to the Director, or the Executive Director if the Director was a member of the Technical Review Committee.

(g) Cost negotiation and final selection shall be as follows:

1. For all projects, upon reviewing the Technical Review Committee's recommendation, the Director or the Executive Director, **as the case may be**, shall either concur with the selections or direct the Technical Review Committee to pursue additional evaluation measures, consistent with the EOI solicitation or RFP, **as the case may be**, which shall be specified in writing by the Director or the Executive Director.

2. Once the selections are approved, the selected **Qualified F[f]irms'** fee proposals will be reviewed by the Technical Review Committee. The Executive Director may add one or more persons to the Technical Review Committee to assist in the negotiation process. Using all fee proposals and the engineer's estimate as a guideline, the Technical Review Committee shall negotiate a fair and reasonable fee with the highest technically ranked **Qualified F[f]irm**, taking into consideration all relevant factors, including, but not limited to, the estimated value of the services to be rendered and the scope, complexity, and professional nature thereof. If the Technical Review Committee is unable to negotiate a fair and reasonable fee with the highest technically ranked **Qualified F[f]irm**, it shall formally terminate negotiations and undertake negotiations with the second highest technically ranked **Qualified F[f]irm**. Failing accord with the second highest technically ranked **Qualified F[f]irm**, the Technical Review Committee shall formally terminate negotiations and undertake negotiations with the third highest technically ranked **Qualified F[f]irm**. If the Technical Review Committee is unable to negotiate successfully with any of the three highest technically ranked **Qualified F[f]irms**, it shall **negotiate with the next-highest technically ranked Qualified Firms**[select additional professional firms] in order of their competence and qualifications and it shall continue negotiations in accordance with the procedure set forth herein until an agreement is reached. The Executive Director, upon consultation with the Director, may direct the Technical Review Committee to re-solicit

the contract. Once a final fee is agreed upon, the Technical Review Committee shall make its recommendation to the Director.

3. The Technical Review Committee in consultation with the Director shall prepare a written report outlining its recommendations and activities in reviewing, negotiating, and selecting the recommended **Qualified F[f]Firm(s)**. The Director shall submit the Technical Review Committee's report to the Executive Director.

4. If the Executive Director concurs with the recommendation, the Executive Director shall recommend to the Board, in writing, that the **Qualified F[f]irm(s)** be **awarded**[issued] an Order for Professional Service.

5. If the Executive Director is not satisfied with the recommendation, he or she may:

- i. Instruct the Technical Review Committee to submit further support for its recommendation;
- ii. Direct the Technical Review Committee to re-negotiate the fee; or
- iii. Instruct the Director to re-solicit the contract.

#### 19:9-2.9 Procedure for prequalification and award of contracts for other professional and consultative services

(a) This section shall apply to contracts for professional and consultative services that are not subject to N.J.A.C. 19:9-2.2(d), 2.3, 2.5, or 2.8. The Authority may use procurement processes other than those prescribed in this section if those processes have been approved by the Federal government or other State law, rule, or executive order, or if an emergency has been declared by the Executive Director.

(b) The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

"Director" means the Director of Procurement and Materials Management, or his or her designee, or such other designee as approved by the Executive Director.

"Evaluation Committee" means the committee assigned to review proposals or qualifications for professional or consultative services, as designated by the Director and approved by the Executive Director, which shall include at least three persons who are sufficiently qualified to evaluate the strengths and weaknesses of the submissions. No voting or non-voting member of the Evaluation Committee shall have a personal interest, financial or familial in any of the firms, or the principals thereof, to be reviewed.

"Firm" means any individual, firm, partnership, corporation, association, joint venture, or other legal entity permitted by law to provide professional or consultative services in this State.

(c) In the event the Authority determines that it is necessary or advisable to retain professional or consultative services, advertisement for proposals or qualifications shall be placed in an appropriate newspaper or journal having a large circulation in the State, and any appropriate professional periodicals, and[/or] advertised on the Authority's website, [www.njta.com](http://www.njta.com) [[nj.gov/turnpike](http://nj.gov/turnpike)], or through other electronic means. Such advertisements shall be published not less than seven calendar days preceding the date upon which the proposals or qualifications are to be received and opened. The advertisement shall refer interested parties to the Request for Proposals or Request for Qualifications (RFP/RFQ), which may be downloaded from the Authority's website at [www.njta.gov/turnpike.com](http://www.njta.gov/turnpike.com), or requested in writing from the Director by mail or electronic means.

(d) Upon receipt of proposals or qualifications, the Evaluation Committee shall review and evaluate the proposals or qualifications.

(e) Evaluation of proposals or qualifications received shall be as follows:

1. The proposals or qualifications shall be ranked by the Evaluation Committee on the basis of numerical scores resulting from weighted rating factors. These factors will be weighted in proportion to their relative importance on a contract-by-contract basis. In ranking proposals or qualifications, the Evaluation Committee [may]**shall** consider criteria **contained in the RFQ or RFP, as the case may be**, including, but not limited to:

- i. The background, qualifications, skills, and experience of the firm and its staff;
- ii. The F[f]irm's degree of expertise concerning the area at issue;
- iii. Key personnel's qualifications and relevant experience;
- iv. The rate or fee to be charged by the firm, unless set by the Authority in the RFP/RFQ;
- v. The F[f]irm's familiarity with the work, requirements, and systems of the Authority;
- vi. The F[f]irm's proposed approach to the issues raised in the project description or qualifications;
- vii. The F[f]irm's capacity to meet the requirements of the project at issue;
- viii. The F[f]irm's references;
- ix. Geographical location of the F[f]irm's offices;

x. Attainment of Small Business Enterprise (SBE) **and Disabled Veteran Owned Business (DVOB)** goals; and

xi. Any other factors specified in the RFP/RFQ; and

2. The Evaluation Committee may require an interview and/or presentation by the F[f]irm(s) with the highest ranked proposals or qualifications and, subsequent to the interview and/or presentation, may invite those F[f]irm(s) to submit best and final offers (BAFOs) to the Authority by a date certain. Following the interview(s)/presentation(s) and/or BAFOs, the Evaluation Committee shall revisit its ranking of the F[f]irms and re-score as appropriate, using the same evaluation criteria and weighted ranking factors as the original ranking process. Thereafter, the Director, with the assistance of the Evaluation Committee, may negotiate the terms of a final contract with the highest ranked F[f]irm(s).

(f) Final selection shall be as follows:

1. The Evaluation Committee shall prepare a written report for submission to the Executive Director, outlining its recommendations and activities in reviewing, negotiating, and selecting the recommended F[f]irm.

2. If the Executive Director concurs with the recommendation, the Executive Director shall recommend to the Board, in writing, that the F[f]irm be awarded a contract.

3. If the Executive Director is not satisfied with the recommendation, he or she may:

(g) This section shall not apply where a F[f]irm has brought an innovative idea to the Authority, a request for proposals cannot be constructed without communicating the new idea, and the procurement would not benefit from a competitive selection process. In that case, the Authority may, by appropriate resolution, acting on the written recommendation of the Director or Executive Director, waive the requirements of this section.

(h) The procedures identified in this section may be used, in the discretion of the Authority, to create a prequalified group or "pool" of F[f]irms to perform professional services in connection with bond sales, related financial instruments, and litigation matters.

19:9-2.10 (Reserved)

19:9-2.11 (Reserved)

19:9-2.12 Procedures to resolve protested solicitations and awards

(a) Any actual or prospective bidder, proposer, or contractor who is aggrieved in connection with the solicitation or award of a contract or its prequalification status or classification may protest to

the Authority. The protest shall be submitted in writing within five days after such aggrieved person knows or should have known of the facts giving rise thereto. Failure to file a timely protest shall bar any further action. The written protest shall set forth in detail the facts upon which the protestant bases its protest.

(b) Upon the filing of a timely protest, the Executive Director or his or her designee shall have the authority, but not the obligation, to conduct a hearing, to settle and resolve a protest of an aggrieved bidder, **proposer**[offeror], or contractor concerning the solicitation or award of a contract or its prequalification status or classification, with the Executive Director retaining authority for the final decision of the Authority. Any such hearing may be conducted on written submissions, or through an in-person informal conference, as determined in the discretion of the Executive Director or his or her designee, as deemed necessary based upon the nature of the protest.

(c) If the protest is not resolved by mutual agreement, the Executive Director or his or her designee shall promptly issue a decision in writing. The decision shall state the determination made and reasons for the action taken. The decision shall be mailed or furnished promptly to the protestant and any other interested party.

(d) A decision under (c) above shall **constitute a [be] final agency decision**[and conclusive, unless any person adversely affected by the decision commences an action in court].

(e) In the event of a timely protest under (a) above, the Authority shall not proceed further with the solicitation, or with the award of the contract until the decision is rendered under (c) above, or until the Executive Director or his or her designee, after consultation with the Director of Procurement and Materials Management or Chief Engineer, makes a written determination that the continued solicitation or award of the contract without delay is necessary to protect the interest of the Authority or the public.

#### 19:9–2.13 Procurement of routine towing services [and emergency services] on the Roadway

(a) All contracts between the Authority and qualified [service providers]**contractors for routine towing services on the Turnpike and Parkway [(that is, routine towing services and storage services) and for towing and emergency services on the Parkway (that is, routine towing services, storage services and road services) entered into after September 18, 2017,]shall be procured pursuant to the procedures and regulations promulgated under this section. For purposes of this section, routine towing services on the Turnpike include towing services and storage services. Road services on the Turnpike shall be provided by a separate third-party contractor. Routine towing services on the Parkway include towing services, storage services and road services.**

(b) The objective of this section is to establish procedures for the award of contracts for [rotational]**routine towing services on the Turnpike and [towing and emergency services on the] Parkway, to be provided on a rotational basis,** utilizing a competitive bid process open to prequalified bidders. Contracts shall be awarded to the lowest responsible bidders as determined pursuant to applicable law, including, but not limited to, this subchapter, and the specific requirements

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contained in all **r[R]**requests for **b[B]**ids [(RFB) ]issued by the Authority, from time to time. In issuing a[n] request for bids[RFB], the Director of Procurement and Materials Management is empowered to procure up to three rotational towers per [service provider location (]Zone[])] on the Turnpike and up to two rotational towers per Zone on the Parkway, or such other number as may be required in any **request for bids**[RFB]. It is the Authority's intent to solicit bids, as[,] and when[ ,] needed, for specific Zones along the Turnpike and the Parkway. In the case of the Turnpike, the Zones shall be established between specific interchanges, and in the case of the Parkway, the Zones shall be established between specific mileposts, all as more [specifically]**expressly** set forth in the [RFB]**request for bids**.

(c) Only bids submitted by **contractors**[towing services and/or towing and emergency services providers who have first been qualified by the Authority] **who have been prequalified** pursuant to a prequalification process[,] shall be considered. At the discretion of the Director of Procurement and Materials Management, the prequalification process may be accomplished through a combined **r[R]**request for **q[Q]**ualifications/**r[R]**request for **b[B]**ids process or by a separate **prequalification** process preceding the issuance of a[n] **request for bids**[ RFB]. Upon award of a contract to the successful bidder(s), the standards governing prequalification shall be of continuing force and effect for the duration of such contract. The failure to maintain the standards of prequalification during the term of any contract awarded to a successful bidder shall be deemed a material breach of the contract.

(d) The criteria to be used by the Authority in determining prequalification shall include the following, the specific requirements of which shall be set forth in the **request for prequalification**[RFB]: reliability, experience, response time, acceptance of credit cards, and prepaid towing contracts; equipment; location and condition of storage facilities to [;, including, but not limited to, security] safeguard **the personal property of patrons**[s for patrons] and **their**[for] towed and stored vehicles; liability and other insurance coverage; safeguards to protect the personal safety of customers, [including, but not limited to, ]considerations related to the criminal background of employees; and such other factors as the Authority may deem relevant and which shall be specified in the **request for prequalification**[RFB]. In recognition of the differences between the physical characteristics (for example, number of access and exit ramps) and operational aspects (for example, classes of permitted vehicles) on the Turnpike and the Parkway, the Director of Procurement and Materials Management may establish different specific criteria for prequalification of [service providers]**contractors** on **each of** the Turnpike and [for prequalification of service providers on the] Parkway.

(e) A **prequalified contractor** [towing services and/or towing and emergency services provider deemed qualified by the Authority] shall [thereafter ]be entitled to submit a bid in response to [the]a **request for bids**[RFB for which such provider has prequalified]. Each **request for bids**[RFB] issued by the Authority shall prescribe specific requirements for the **routine** towing services [and/or towing and emergency services] being procured, which may include, at the discretion of the Authority, fixed fees for certain services, and which shall include a provision mandating that **contractors**[towing services and/or towing and emergency services providers] shall not charge patrons any fees for towing services [and/or towing and emergency services] other than those applicable fees that are expressly set forth in N.J.A.C. 19:9-3.1 and 3.2.



(f) The provisions of N.J.A.C. 19:9-2.1, 2.2, 2.4, and 2.12 shall be applicable to procurements for towing services on the Turnpike [and towing and emergency services on the] Parkway, unless such provisions are inconsistent with the provisions of this section, in which event the provisions of this subchapter shall govern.

### SUBCHAPTER 3 TOWING RATES

#### 19:9-3.1 Towing rates on the Turnpike and the Parkway

(a) Towing rates charged by Authority-authorized companies on the Roadway shall not exceed the following rates or such rates as may be approved and amended by the Board from time to time in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules on agency rulemaking, N.J.A.C. 1:30:

1. Class 1 Vehicles (under 7,000 pounds G.V.W.R. (generally, "Passenger Vehicles"), for the purpose of towing rates only):

i. Service charge of [~~\$116.50~~] **\$125.75** plus:

(1) [~~\$4.25~~] **\$4.50** per mile on the Roadway, up to a maximum fee to tow the vehicle to the Authority-authorized garage facility, including the service charge, of [~~\$159.00~~] **\$170.75**;

2. Other classes of vehicles (7,000 pounds and over G.V.W.R.):

i. Class 2 Vehicles (for the purpose of towing rates only, straight truck (up to 15,000 pounds G.V.W.R.), Passenger Vehicle with trailer, or trailer without Passenger Vehicle):

(1) Service charge of [~~\$214.00~~] **\$231.00** plus:

(A) [~~\$4.75~~] **\$5.00** per mile on the Roadway, up to a maximum, including the service charge, of [~~\$261.50~~] **\$281.00**;

ii. Class 3 Vehicles (for the purpose of towing rates only, tractor trailer, bus (over 15,000 pounds G.V.W.R.)), or any vehicle requiring the use of a Landoll tractor trailer:

(1) Service charge of [~~\$405.00~~] **\$437.00** plus \$6.00 per mile on the Roadway, up to a maximum, including the service charge, of [~~\$465.00~~] **\$497.00**.

iii. Where applicable, the following additional fees may be charged for services to Class 2 or Class 3 Vehicles:

- (1) [~~\$41.00~~] **\$50.00** for connecting air lines and [~~\$41.00~~] **\$50.00** for connecting lights;
- (2) \$73.50 for disconnecting drive shaft on all trucks;
- (3) \$65.00 per axle for removing an axle; and
- (4) \$73.50 for removing an air scoop.

3. Winching and wrecking (all classes of vehicles):

- i. [~~\$151.00~~] **\$300.00** per hour for a light **or medium** wrecker;
- ii. [~~\$246.00~~] **\$525.00** per hour for a heavy wrecker; and
- iii. Winching fees set forth pursuant to this section shall only be charged for winching activities that occur when a vehicle has left the Roadway, overturned, or become embedded, attached, or hitched to a tree, pole, guardrail, or other fixed object. Winching for purposes of this paragraph shall not include the act of pulling a vehicle onto a tilt bed or carrier or lifting a vehicle with a conventional tow sling.

4. Specialized equipment for routine towing services:

- i. \$438.00 per hour for specialized equipment, including, but not limited to, Oshkosh box trailer with tractor; and
- ii. [~~\$788.00~~] **\$1,095.00** per hour for Rotator 60-ton capacity and up[, and for 50-ton construction crane].

5. Extra heavy duty towing and recovery services, which shall mean when used in this section, the immediate, coordinated, professional response by authorized extra heavy duty towing and recovery service contractors to incidents that have occurred on the Roadway, causing or having the potential to cause serious and lengthy disruption to Roadway operations, specifically, the normal flow of traffic, as determined in the sole discretion of the Authority. These incidents include, but are not limited to, large overturned commercial vehicles such as trucks, buses, or spillage of products that require the use of special heavy duty recovery equipment and expertise to resolve. Extra heavy duty towing and recovery service contractors must provide service under critical time restraints and work under severe pressure in an effort to return the Roadway to normal operating conditions. Recovery equipment must be operated in a team response and coordinated effort, providing

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the utmost safety and care in the actual operation, which will include, but not be limited to, winching, uprighting of overturned commercial vehicles, towing and expeditious removal of all vehicles, as well as the expeditious removal of cargo and debris from the affected Roadway. The Authority-authorized extra heavy duty towing and recovery services contractor shall be solely responsible for the removal of all such vehicles, cargo, and debris.

i. Rates for the following extra heavy duty towing and recovery services, chargeable in one-half hour increments by Authority-authorized extra heavy duty towing and recovery services contractors, shall not exceed the following amounts:

Equipment:

Heavy duty wreckers	\$438.00 per hour
Landoll w/tractor	\$450.00 per hour
Relief box trailer	\$438.00 per hour
60-ton rotator	[\$788.00] <b>\$1,095.00</b> per hour
[50-ton construction crane]	[\$788.00 per hour]
Light duty flatbed	\$113.00 per hour
Light duty tow truck with wheel lift	\$113.00 per hour
Relief refrigerated tractor trailer	\$450.00 per hour
Tractor only	\$250.00 per hour
Heavy duty flatbed	\$450.00 per hour
Service truck	\$450.00 per hour
Front end loader (two-yard minimum bucket)	\$300.00 per hour
Bob cat/skid steer	\$300.00 per hour
Fork lift (5,000 pounds minimum capacity)	\$300.00 per hour
Backhoe	\$300.00 per hour
Dump truck	\$350.00 per hour

Dump trailer w/tractor	\$350.00 per hour
Roll off container (40-yard) + disposal fee	\$350.00 per hour
Light tower (two-light minimum)	\$250.00 per hour
Pallet jacks	\$200.00 flat fee
Rollers (Off Load)	\$200.00 flat fee
Labor:	
Supervisor (Wreck Master) to one Supervisor per incident)	[\$162.00] <b>\$225.00</b> per hour (charges limited
Tech Labor	[\$108.00] <b>\$125.00</b> per hour
Manual Labor	[\$81.00] <b>\$100.00</b> per hour

(b) Storage rates charged by Authority-authorized companies shall not exceed the following rates or such rates as may be approved and amended by the Board from time to time in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules on agency rulemaking, N.J.A.C. 1:30:

- 1. Passenger Vehicles: First 12 hours free; \$43.00 per calendar day thereafter.
- 2. Vehicles up to 15,000 pounds G.V.W.R.: First 12 hours free; \$81.00 per calendar day thereafter.
- 3. Vehicles over 15,000 pounds G.V.W.R.:
  - i. All except buses: First 12 hours free; \$81.00 per unit per calendar day thereafter; and
  - ii. Buses: First 12 hours free; \$150.00 per calendar day thereafter.
- 4. Cargo, crash debris, load storage or vehicle components: **\$43.00 per 10 foot by 20 foot space per calendar day.**

19:9-3.2 Road services rates on the Roadway

(a) Road service rates on the Turnpike for Class 1 Vehicles charged by Authority-authorized service companies shall conform with the following rates or such rates as may be approved and amended by the Board from time to time in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules on agency rulemaking, N.J.A.C. 1:30:

1. Road service charge: [~~\$81.00~~] **\$109.50**;
2. Motor fuel/oil: Cost of product plus road service charge;
3. Tire change: Road service charge;
4. Tire repair/replacement: Cost of product plus road service charge;
5. Battery service: Road service charge;
6. Water: Road service charge; and
7. Tire repair/replacement services for trucks and buses: The service charge to be charged by a contractor shall not exceed [~~\$168.00~~] **\$196.00**. The maximum hourly labor rate shall not exceed [~~\$101.00~~] **\$118.00** per hour. The only charges that a contractor may charge a patron are: the service charge bid by the contractor; if applicable, the hourly labor rate bid by the contractor multiplied by the actual time spent by the contractor at the scene, beyond the initial one-half hour, in repairing/replacing tires and/or rims; if applicable, an additional tire service charge of [~~\$33.50~~] **\$39.00** for each additional tire change beyond the first tire change; and the retail price of any supplied tires or rims and any other related equipment supplied. No other charges are permitted. The terms "contractor," "service charge," "hourly labor rate," and "additional tire service charge" are defined terms that shall have the meanings set forth in the procurement documents issued by the Authority from time to time for tire repair/replacement services for trucks and buses.

(b) Road service rates on the Parkway for Class 1 Vehicles charged by Authority-authorized towing and emergency service providers shall conform with the following rates or such rates as may be approved and amended by the Board from time to time in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the rules on agency rulemaking, N.J.A.C. 1:30:

1. Road service charge: [~~\$81.00~~] **\$109.50**;
2. Motor fuel/oil: Cost of product plus road service charge;
3. Tire change: Road service charge;
4. Tire repair/replacement: Cost of product plus road service charge;

5. Battery service: Road service charge;

6. Water: Road service charge; and

7. Tire repair/replacement services for trucks and buses: The service charge to be charged by a contractor shall not exceed [~~\$168.00~~] **\$196.00**. The maximum hourly labor rate shall not exceed [~~\$101.00~~] **\$118.00** per hour. The only charges that a contractor may charge a patron are: the service charge bid by the contractor; if applicable, the hourly labor rate bid by the contractor multiplied by the actual time spent by the contractor at the scene, beyond the initial one-half hour, in repairing/replacing tires and/or rims; if applicable, an additional tire service charge of [~~\$33.50~~] **\$39.00** for each additional tire change beyond the first tire change; and the retail price of any supplied tires or rims and any other related equipment supplied. No other charges are permitted. The terms "contractor," "service charge," "hourly labor rate," and "additional tire service charge" are defined terms that shall have the meanings set forth in the procurement documents issued by the Authority from time to time for tire repair/replacement services for trucks and buses.

#### 19:9-3.3 Questions and disputes

Questions and disputes concerning the rates or quality of towing or road service provided by Authority-authorized companies on the Roadway may be directed, in writing, to the Director of Operations.

#### 19:9-3.4 (Reserved)

### SUBCHAPTER 4 INSPECTION AND OBTAINING OF AUTHORITY RECORDS

#### 19:9-4.1 General provisions

(a) Except as otherwise provided by law, all "public records," as that term is defined by the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. (OPRA), shall be available to any individual for the purpose of inspection or hand copying during regular business hours at the Authority's main offices at 1 Turnpike Plaza, Woodbridge, New Jersey 07095, in accordance with the procedure set forth in N.J.A.C. 19:9-4.3. Other records within the possession of the Authority may be made available for inspection or copying subject to applicable law. For convenience, the Authority recommends that any request made under this subchapter be made using forms provided by the Authority and available on the Authority's website, [[www.nj.gov/turnpike](http://www.nj.gov/turnpike)] **[www.njta.com](http://www.njta.com)**.

(b) Except as otherwise specified herein, copies of records may be obtained [by written request by mail or facsimile to] **as follows:**

**1. By electronic request through the online OPRA form on the Authority's website at [www.njta.com/forms-public-records/opra-form](http://www.njta.com/forms-public-records/opra-form); or**

**2. By written request by mail or facsimile to:**

OPRA Records Custodian  
New Jersey Turnpike Authority  
Law Department  
1 Turnpike Plaza  
PO Box 5042  
Woodbridge, New Jersey 07095  
Fax: 732-750-5384

(c) Copies of accident reports concerning accidents on the Roadway may be obtained through [a link on] the Authority's website at [[www.nj.gov/turnpike](http://www.nj.gov/turnpike)] **[www.njta.com/about/crash-report-request](http://www.njta.com/about/crash-report-request)**.

(d) Copies of bid documents for contractors and vendors bidding on work, services, or materials **may be obtained at [www.bidx.com/njta/main](http://www.bidx.com/njta/main) and** shall be obtained at fees established by the Authority to cover printing and distribution costs and published in the advertisement for the receipt of bids, subject to applicable law.

(e) The fees for obtaining Authority records, which are set forth in N.J.A.C. 19:9-4.3, shall be collectable at or before delivery of the documents copied. Payment shall be made by check or money order payable to the New Jersey Turnpike Authority.

19:9-4.2 Procedures for obtaining Authority records

(a) The [General Counsel]**Director of Law** or his or her designee shall review all requests for inspection or copying of public records and shall notify the requesting party of the time and date, or alternative times and dates, that the records will be made available for inspection and copying. If the request is denied, the requesting party will be notified of the denial and the reasons for such denial. All records requests shall be made **electronically through the Authority's website**, by mail, facsimile, or in person at the above applicable address during regular business hours or at such other times and/or locations as the [General Counsel]**Director of Law** deems convenient.

(b) All duplication shall be done by, or at the request of, the Authority, and the charges shall be in accordance with those set forth in N.J.A.C. 19:9-4.3. If it is not practicable for the Authority to

copy any document, that document will be copied commercially, and the party requesting the copy shall be charged a fee equal to the Authority's cost for such commercial reproduction.

19:9-4.3 Fees

(a) Copies of Authority records shall be made available by the Authority to the requesting party upon full payment of the fee prescribed by law or regulation. Unless otherwise prescribed, the Authority's copying costs shall be the greater of its actual costs of duplication or, in the case of printed matter, the sum of \$0.05 per letter size page, \$0.07 per legal size page, and \$1.00 per page for larger scale drawings, maps, and plan sheets, respectively. Access to electronic records and non-printed materials shall be free of charge; however, the Authority shall assess a fee equal to the actual cost of any needed supplies or removable electronic media.

(b) Payment may be waived when the request is made by the United States, the State of New Jersey, or any agency or political subdivision thereof, individuals or firms doing work or performing services for the Authority, organizations or associations of which the Authority is a member, credentialed media organizations, and organizations exchanging information with the Authority on a reciprocal basis.

(c) A fee of \$5.00 per document will be charged for certification by the Secretary of the Authority that an Authority document is authentic or that a record of which the Authority is legal custodian cannot be found.

(d) The Authority may, in its discretion, prepare responses to requests for traffic and accident statistics. Such requests shall be submitted to the Director of Operations. There shall be a minimum fee of \$50.00 for responses to such request. For requests which involve more than one [man]work-hour for research, investigation and/or analysis by Authority employees, the charges shall be on a [man]work-hour basis.

19:9-4.4 (Reserved)

(No change.)

SUBCHAPTER 5. Licenses, Permits, and Waivers

19:9-5.1 Waivers

(a) Waivers generally. Nothing in this chapter shall be construed to prohibit the Authority from granting waivers from any provisions hereof or the Authority's Standard Specifications.



(b) Procedure for waiver. Any party desiring a waiver or release from the express provisions of this chapter, or the Authority's Standard Specifications, as may be updated from time to time, shall submit a written request to the Executive Director. Any waiver so requested may be granted by the Board only upon a finding that such waiver would not jeopardize the health, safety, or welfare of the Roadway, its patrons, or the general public, would not contravene the provisions of N.J.S.A. 27:23-1 et seq., and that granting the waiver would be consistent with the Authority's statutory purposes.

#### 19:9-5.2 Licenses to cross

(a) A license to cross is a formal agreement with the Authority granting permission to enter upon or access the Roadway or other Authority property. This **access** [normally] pertains to public and private utilities that must occupy the property under, on, or over the Roadway in order to provide service to the public. [In addition, licenses to cross are utilized by owners of property adjacent to the Roadway that must utilize the Roadway for drainage, egress, and access purposes.]

(b) In order to apply for a license to cross, a fully completed application form, along with **four**[eight] copies of the engineering plans and specifications as may be required by the Authority, including, but not limited to, supporting documentation, [such as drainage calculations and luminaire photometrics], and the required application fee set forth in this section, shall be submitted to:

Finance Department - Accounts Receivable Section

New Jersey Turnpike Authority

1 Turnpike Plaza, P.O. Box 5042

Woodbridge, New Jersey 07095

The license to cross application form may be found on the Authority's website, [[www.nj.gov/turnpike](http://www.nj.gov/turnpike)]**[www.njta.com](http://www.njta.com)**.

(c) The Chief Engineer may approve or reject an application for a license to cross, [subject to the approval of the Executive Director]. License to cross applications shall be evaluated based on the following:

1. Adherence to the [Turnpike ]Authority's Standard Specifications, **Procedures Manual, Design Manual, and Traffic Control Manual**;
2. The impact on the traveling public and the Roadway;
3. The duration of the request;

4. The criteria contained in N.J.S.A. 27:23-1 et seq., in particular, the provisions of N.J.S.A. 27:23-9, which must be taken into consideration concerning utilization of the Roadway for certain purposes;

5. The general concern exhibited by the applicant for the public health, safety, and welfare;

6. The financial health and stability of the applicant; [and]

7. The effect of the proposed crossing on the financial, economic, **operational**, or engineering aspects of the activities of the Authority, the public, or neighboring property owners; and

**8. Whether the lease of existing Authority infrastructure is a viable alternative to a license to cross.**

(d) An application for a license to cross can be rejected based on a violation of, or non-compliance with, any of the requirements of this section. Competing applications will be assessed based on the requirements of this section and the award will be based on the application that most closely serves the needs of the Authority and the public. Appeals of rejected applications will be addressed using the procedure outlined in N.J.A.C. 19:9-5.5.

(e) All license to cross applications that contemplate entry by or work being performed by the applicant or its contractors or agents on the Roadway shall be accompanied by a completed traffic permit application, in accordance with N.J.A.C. 19:9-5.4. The traffic permit application form may be found on the Authority's website, [www.nj.gov/turnpike] **www.njta.com**. No work on the Roadway may be commenced by the applicant or its contractors or agents until the Authority has issued a traffic permit in accordance with the procedures set forth in N.J.A.C. 19:9-5.4.

(f) Any work performed on the Roadway without the appropriate license and/or permit shall be considered unauthorized. Parties performing unauthorized work shall be charged for any costs incurred by the Authority as a result of such unauthorized work, plus a \$500.00 fine, and shall be required to submit an application for the appropriate license and/or permit and to pay all fees under this section. All unauthorized work shall cease until the appropriate license and/or permit is issued by the Authority. The Authority will inspect the unauthorized work, and the responsible party shall reimburse the Authority for costs incurred in the inspection of the unauthorized work. If, after inspection of the unauthorized work, the Authority determines that there should be repairs, or modifications to, or removal of, the unauthorized work, the Authority shall notify the person who performed the unauthorized work forthwith, and the repairs, modifications, or removal of unauthorized work shall be made by such person at his or her own cost. If such person refuses to remove, repair, or modify the unauthorized work within 30 calendar days of written notice from the Authority, the Authority may, in its sole discretion, and without further notice to the responsible party, remove the unauthorized work and charge the responsible party for the costs incurred in such removal.

**(g) The permission granted to occupy the Roadway shall be deemed revocable at the sole discretion of the Authority and shall not be construed to be a grant or conveyance of any interest in land or of any right or interest in property.**

**(h) Except in the case of a public utility as described in N.J.S.A. 27:23-6, a license to cross licensee will be responsible for all costs associated with relocating any of the licensee's facilities or equipment determined by the Authority to be impeding or interfering with any Roadway improvements or projects.**

19:9-5.3 License to cross fee schedule.

(a) The fees contained in this section shall apply to all licenses to cross. The Authority reserves the right to waive or reduce the fees in this section. The Executive Director or his or her designee, upon written request for waiver or reduction of these fees, may waive or reduce the fees upon his or her determination that such waiver or reduction is warranted based on the nature and scope of the project and the justification for waiver or reduction presented in the written request. The determination of the Authority regarding waiver and/or reduction of fees shall be in the sole discretion of the Authority and shall not be subject to appeal. All fees that are required to be submitted in connection with licenses to cross shall be by cashier's check or executed money order made payable to "The New Jersey Turnpike Authority" and sent to the address specified in N.J.A.C. 19:9-5.2(b) with a reference to the license to cross.

(b) Application Fee. A minimum application fee of ~~[\$900.00]~~**\$6,000.00** shall be submitted along with the completed license application and associated documents. Such fee shall be non-refundable, whether the Authority's final decision is to issue or deny the required license. The application fee shall be renewed, and another ~~[\$900.00]~~**\$6,000.00** application fee shall be paid, if there is a six-month period of application inactivity caused by the applicant. A period of inactivity shall be defined as the time lapsed between written correspondence regarding the application.

(c) License fee. Upon approval of the license to cross, the Authority shall determine an appropriate license fee, which determination may include, but not be limited to, the size of the license area and the fair market value of the property to be licensed. Such fee shall be a one-time, non-refundable fee and shall be submitted by the applicant within 30 calendar days of receipt of notice by the Authority that the license application has been approved. If such license fee is not timely submitted, the license to cross shall terminate and be null and void.

(d) Construction inspection fee. The applicant shall submit a detailed schedule showing the sequence of different construction activities proposed with a breakdown of the number of days of work required per activity. Based on a review of the schedule, the Authority shall determine the construction inspection fee, based on its estimated cost of construction inspection. If there are insufficient funds in the escrow account to cover the construction inspection costs, the applicant shall remit additional funds for the construction inspection fee to the Authority before the commencement of any construction activities. The Authority shall deposit the funds into the escrow account. If the applicant does not go forward with the construction after the submittal of additional funds to cover the construction inspection fee, the Authority shall refund to the applicant the inspection fee less a \$50.00 charge for processing the refund. If, during the course of construction work, the Authority deems that the actual cost of inspection will surpass the construction inspection fee initially charged, the licensee shall remit to the Authority the additional monies for deposit in the escrow account. The licensee shall submit the additional funds within 15

calendar days of receipt of notice to supplement escrow from the Authority. The principal amount of escrow remaining in the escrow account at the conclusion of all construction activities and after receipt by the Authority of as-built drawings shall be refunded to the licensee.

(e) Traffic protection fees. The licensee shall reimburse the Authority for all traffic protection costs actually incurred. The Authority shall provide to the licensee a list of anticipated closings, slowdowns, escorts, and supplemental patrols required for the project, and an estimated amount of the associated costs. The licensee shall provide a check in the amount of the total anticipated traffic protection cost, and the Authority will deposit the funds into the escrow account. If all of the funds are expended before the end of the project, or if it is anticipated that additional funds will be necessary before the funds are expended, the licensee shall provide additional funds based upon an updated list of anticipated closings, slowdowns, escorts, and supplemental patrols to cover the anticipated traffic protection costs until the end of the project. The licensee shall remit the additional funds within 15 calendar days of receipt of notice to supplement escrow from the Authority. The principal amount of escrow remaining in the escrow account for traffic protection at the conclusion of the project and after receipt of as-built drawings shall be refunded to the licensee.

(f) The Authority reserves the right to make emergency repairs when, in the sole discretion of the Authority, such repairs are necessary to protect the Roadway or patrons thereon. The costs incurred by the Authority in performing any emergency repairs shall be chargeable to the licensee and shall be deducted from the licensee's escrow account. Any funds deducted by the Authority for emergency repairs shall be replaced by the licensee within 15 days of receipt of a notice from the Authority to supplement the escrow account.

(g) Amendments or addenda to licenses to cross shall be granted, at the discretion of the Authority, in accordance with N.J.A.C. 19:9-5.2(c), to parties wishing to enter the Roadway for the purpose of altering or adding to existing facilities for which a license to cross was previously granted. The same fees listed in this section for licenses to cross shall apply to amendments and addenda to licenses to cross.

(h) All licenses to cross will be granted with a completion date to be proposed by the applicant, subject to approval by the Authority. Should the applicant fail to complete the licensed activity by the deadline, he or she must apply in writing for an extension of the deadline. The applicant will be charged a [\$300.00] **\$500.00** non-refundable fee for each request for a deadline extension.

#### 19:9-5.4 Traffic permits

(a) A traffic permit must be issued by the Authority before any person or entity may access or engage in activity within the Roadway not otherwise authorized by this chapter. The traffic permit application form may be found on the Authority's website, [www.njta.com.gov/turnpike](http://www.njta.com.gov/turnpike). A person or entity wishing to obtain a traffic permit must submit a fully completed traffic permit application and all required supporting documentation to the Authority at least 15 days prior to the date on which access is sought.

(b) Applications for traffic permits shall be submitted to:

Director of Operations

Attention: Traffic Permits

New Jersey Turnpike Authority

PO Box 5042

1 Turnpike Plaza

Woodbridge, New Jersey 07095

(c) The traffic permit application must include the following information: names and addresses of the applicant(s) and any contractors to be used by the applicant; the date, time, and location for which access is sought; the purpose for which access is sought; any associated plans or maps that further identify the proposed work, and any other information the Authority may deem necessary to evaluate the permit application.

(d) The traffic permit application must be accompanied by the following:

1. Certificates of insurance, indicating the New Jersey Turnpike Authority, its officers, agents, and employees, as an additional insured under the policies, in types and limits deemed by the Authority to be acceptable. The [General Counsel]**Director of Law** reserves the right to amend or increase the types of insurance and limits required based on the activities sought to be permitted;

2. An indemnification and hold harmless agreement signed by the applicant in a form provided by or acceptable to the [General Counsel]**Director of Law**; and

3. Such other documents or information as may be required by the Authority.

(e) Except as otherwise set forth in this chapter, the Director of Operations may approve or reject an application for a traffic permit, which may be approved only if the applicant has met all of the requirements of (c) and (d) above, and the Director of Operations has determined that the permit can be granted without any undue risk to the safety, traffic security, or movement of the Roadway or the Authority's employees or patrons.

(f) The permittee shall comply with any and all Authority restrictions on the activities occurring under the permit imposed as a condition of the grant of a permit in order to ensure the safety, traffic security, or movement of the Roadway or the Authority's employees or patrons.

(g) If, in the determination of the Director of Operations, the traffic permit will require any scheme of traffic control, the permittee shall pay for traffic protection costs in accordance with N.J.A.C. 19:9-5.3. Payment for such costs must be received by the Authority before the permit is approved.

19:9–5.5 Procedure to resolve protested applications for, and awards of, licenses to cross and traffic permits

- (a) Any actual or prospective applicant for a license to cross or traffic permit with respect to any Authority property or facility who is aggrieved in connection with the application for and/or award of such a license or permit, may protest to the Authority. The protest shall be submitted in writing to the [General Counsel]**Director of Law** within five days after such aggrieved party knows or should have known of the facts giving rise to the grievance. Failure to file a timely protest shall bar any further action. The written protest shall set forth in detail the facts upon which the aggrieved applicant bases its protest and shall define, as clearly as the available information permits, those issues or facts in dispute.
- (b) Upon the filing of a timely protest, the Executive Director or his or her designee shall have the authority, but not the obligation, to conduct a hearing, in order to settle and resolve a protest of an aggrieved applicant, or prospective applicant, concerning the application for, or award of, a license to cross or traffic permit. Any such hearing may be conducted on written submissions, or through in-person informal conference, as determined in the discretion of the Executive Director or his or her designee, as deemed necessary based upon the nature of the protest.
- (c) If the protest is not resolved by mutual agreement, the Executive Director or his or her designee shall promptly issue a decision in writing. The decision shall state the determination made and the reasons for the action taken. The decision shall be mailed or furnished promptly to the aggrieved applicant and any other interested party.
- (d) A decision rendered pursuant to (c) above shall be final and conclusive, unless any person adversely affected by the decision commences an action in court.
- (e) In the event of a timely protest under (a) above, the Authority shall not proceed further with the application for, or with the award of, a competing license to cross or traffic permit until the decision is rendered pursuant to (c) above.

19:9–5.6 Film permits

- (a) Persons wishing to take photographs, videos, or motion pictures (collectively, “film”) on those portions of the Roadway **or any other property** under the Authority’s control, **or persons wishing to fly any unmanned aircraft system or vehicle, including but not limited to a drone, over the roadway to film**, shall apply for a traffic permit in accordance with the procedures set forth in N.J.A.C. 19:9-5.4, subject to the approval of the Executive Director. The application for a traffic permit to film on the Roadway is found on the Authority’s website, [[www.nj.gov/turnpike](http://www.nj.gov/turnpike)]**www.njta.com**.
- (b) The Executive Director may grant such permit unless the Executive Director determines that the time, location, or nature of such filming would interfere with or obstruct the movement or flow

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of vehicles and people lawfully on the Roadway, or create an undue risk to the safety, traffic security, or movement of the Roadway or the Authority's employees or patrons that cannot be adequately controlled.

(c) The permittee shall comply with any Authority restrictions on the time, place, and manner of the filming imposed as a condition of the grant of a permit in order to ensure the safety, traffic security, or movement of the Roadway or the Authority's employees or patrons.

(d) In the event that a bona fide representative of the news media requires immediate permission to film an emergency situation on the Roadway, the Executive Director or his or her designee may grant a permit to film to the news media representative, provided that:

1. The applicant has previously obtained a valid press pass from the Authority;
2. The Executive Director or his or her designee has determined that such filming would not create an unreasonable risk to the safety, traffic security, or movement of the Roadway or the Authority's employees or patrons; and
3. The applicant agrees to abide by certain time, place, and manner restrictions on the filming that may be imposed by the Authority or the State Police to ensure the safety, traffic security, or movement of the Roadway or the Authority's employees or patrons.

(e) Persons wishing to film on those portions of the Roadway that are not under the control of the Authority, such as the buildings in the service areas that are under lease, shall contact the appropriate party for approval.

#### 19:9-5.7 Distribution of literature

(a) Literature other than commercial or advertising literature may be distributed at service areas of the Roadway, which for purposes of this section shall include Park-n-Rides, at the times and places and in accordance with the terms and conditions enumerated in (b) through (1) below.

(b) A person, persons, or organization who desires to distribute literature or conduct a survey at or about a service area shall first file an application for a Certificate of Registration. Applicants shall complete the application form (providing identification and distribution specifics) and a waiver of claims and indemnity form supplied by the Authority. Applicants shall also submit a certificate(s) of insurance, indicating the "New Jersey Turnpike Authority, its officers, agents and employees" as additional insured under the policies, in types and limits deemed necessary by the [General Counsel]**Director of Law**. Certificates will be issued without charge on a first-come, first serve basis, subject to availability and limitations of space. Certificates shall be issued for not more than one calendar day. Applications may be obtained and submitted and Certificates obtained by mail or in person, on weekdays between 9:00 A.M. and 5:00 P.M., from the [General Counsel]**Director of Law**, New Jersey Turnpike Authority, 1 Turnpike Plaza, Woodbridge, New Jersey 07095, or by facsimile from the [General Counsel]**Director of Law**, New Jersey Turnpike Authority, at 732-750-5384.

(c) Certificate holders shall distribute literature only at the locations indicated in the Certificate, which locations shall be determined by the Authority in order to minimize inconvenience to Authority patrons and to ensure patron safety. No more than two persons shall distribute literature during the same period at the same service area.

(d) Certificate holders shall at no time shout, make outcries, use devices for voice or sound amplification or any other instruments or devices for sound production.

(e) Placards or any other literature or material shall not be affixed to any portion of the building or any other structure.

(f) No certificate holder shall use a table or other device unless the Certificate expressly provides for its use in the designated expressive area.

(g) Certificate holders shall not leave material unattended and shall remove the same when the distribution or permissive period ends, whichever occurs earlier. Certificate holders shall at all times keep the area in a reasonably clean, neat, and uncluttered condition and shall, when leaving, make certain that the literature has been removed and cleared from the service area.

(h) Certificate holders shall not disrupt or obstruct passage to or from the service buildings or parking areas, nor shall they act in a boisterous and disturbing manner to the traveling public.

(i) If a Certificate holder violates any of the provisions of this section, the Authority shall notify the violator to stop the wrongful conduct, correct that condition, or leave the area. If the violator does not stop, correct, or leave as ordered, the Authority may immediately revoke the Certificate.

(j) The Certificate holder shall assume all liability for any and all damage or injury arising out of or related in any way to the Certificate holder's activity on or about the Roadway, and by accepting the Certificate agrees to release the Authority and its officers, agents, and employees from any liability or damages resulting directly or indirectly from the Certificate holder's use or occupancy of the Roadway in connection with the Certificate.

(k) The Certificate holder shall indemnify and hold harmless the Authority and its officers, agents, and employees from any liability or damages, including attorney's fees and costs, caused by, directly or indirectly, the Certificate holder as a result of the holder's activities or actions on the Roadway.

(l) The Authority shall not be responsible for the views and ideas expressed by a person or organization holding a Certificate.

#### 19:9-5.8 Sale of New Jersey agricultural or horticultural products at Roadway service areas

(a) Purpose. The purpose of this section is to establish rules and specifications regarding the sale of agricultural or horticultural products that are licensed by the Department of Agriculture under



the “Jersey Fresh” logo programs, including, but not limited to, “Jersey Fresh,” “Jersey Grown,” “Jersey Seafood,” or food products that are licensed by the Department of Agriculture to be labeled as “Made with Jersey Fresh” products, or other agricultural or horticultural products grown and raised in the State (collectively “Agricultural Products”) at service areas on the Roadway.

(b) This section shall apply to those portions of the service areas of the Roadway under the Authority’s control. Person or entities wishing to sell Agricultural Products in those portions of the service areas that are not under the control of the Authority, such as the buildings that are under lease, shall contact the appropriate party for approval.

(c) Agricultural Products may be sold at the following Roadway service areas:

1. Ocean View Service Area on the Parkway, located in Cape May County, New Jersey; and
2. Walt Whitman Service Area on the Turnpike, located in Camden County, New Jersey.

(d) Agricultural Products may be sold in those service areas listed in (c) above only during the period from the third Friday in May until the second Sunday in September (“Sale Season”) or at other times as permitted by the Authority.

(e) A sale permit must be issued by the Authority before any person or entity may sell any Agricultural Products in accordance with this section. The sale permit application form may be found on the Authority’s website, [www.njta.com\[.gov/turnpike\]](http://www.njta.com[.gov/turnpike]). A person or entity wishing to obtain a sale permit for a particular Sale Season must submit a fully completed permit application and all required supporting documentation to the Authority by the March 1 prior to the Sale Season for which the permit is sought. Every permit issued under this section will expire at the end of the Sale Season of the year issued.

(f) Applications for sale permits shall be submitted to:

Director of [Patron Services]**Operations**

New Jersey Turnpike Authority

PO Box 5042

1 Turnpike Plaza

Woodbridge, New Jersey 07095

(g) The sale permit application must include the following information: names and addresses of the applicant(s); the Agricultural Products to be sold; the service area requested; the days and times when the applicant wishes to sell Agricultural Products during the Sale Season; the names and addresses of all employees of the applicant who will be selling Agricultural Products at the service area, and any other information the Authority may deem necessary to evaluate the permit application.

(h) The permit application must be accompanied by the following:

1. Certificates of insurance, indicating the New Jersey Turnpike Authority, its officers, agents, and employees, as an additional insured under the policies, in types and limits deemed by the Authority to be acceptable. The Authority reserves the right to amend or increase the types of insurance and limits required based on the activities sought to be permitted.
2. An indemnification and hold harmless agreement signed by the applicant in a form provided by or acceptable to the Authority; and
3. Such other documents or information as may be required by the Authority.

(i) Sale permits shall not be issued to any person or entity that engages in:

1. The sale of unlawful or illegal goods, services, or activities;
2. The sale of tobacco or tobacco-related products, **or the sale of any cannabis or cannabinoid product as defined in the Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:61-31 et seq.;**
3. The sale of alcoholic beverages;
4. The sale of obscene material as defined by N.J.S.A. 2C:34-3; or
5. Activity that is not in the best business interest of the Authority or is not in the best interest of the public, as determined by the Authority.

(j) The Executive Director may approve or reject an application for a sale permit, which may be approved only if the applicant has met all of the requirements of this section and the Executive Director has determined that the permit can be granted without any undue risk to the safety, traffic security, or movement of the Roadway or the Authority's employees or patrons. If competing applications are received for the sale of Agricultural Products in the same service area, the Authority will make every effort to accommodate all applicants who have met all of the requirements of this section, which may include limiting the space available for each applicant's sales, or limiting the days or times when each applicant's sales will be permitted.

(k) The permittee shall comply with any and all Authority restrictions on the activities occurring under the permit imposed as a condition of the grant of a permit in order to ensure the safety, traffic security, or movement of the Roadway or the Authority's employees or patrons.

#### 19:9-5.9 Miscellaneous permits

Access to the Roadway for activities not prohibited by the rules shall be by permit. In the event that the protocol for obtaining any permit is not set forth in this chapter, a request shall be

forwarded to the [General Counsel]**Director of Law**. If it is determined to be proper and in the best interest of the Authority, its patrons and the public to grant such a permit, the Executive Director may grant the permit and impose an appropriate permit fee.

#### 19:9–5.10 Sponsorship program

(a) Purpose. The purpose of this section is to establish a program for the sponsorship of the Authority's operational activities or other highway-related services or programs, in return for the Authority's public acknowledgment of that sponsorship. In establishing this program, the Authority recognizes a distinction between signing intended as advertising and signing intended as a sponsorship acknowledgment. Any monetary contributions received through this program shall be used solely for highway purposes.

(b) The scope of the program is as follows:

1. In return for a sponsor's donation of a service, product, or monetary contribution to support the operational activities or other highway-related services or programs of the Authority, each sponsor may receive an acknowledgment sign placed, at the Authority's discretion, in a service area along the Roadway and/or some other acknowledgment on Authority equipment, materials, or vehicles that will publicly recognize each sponsorship activity, consistent with the provisions of this section. Authority operational activities or other highway-related services or programs may include, but are not limited to, snow removal, litter removal, vehicles, and equipment, landscaping, maintenance, and highway beautification.

2. This program is not applicable to:

- i. Other Authority programs that recognize or identify private entities through highway signing under the Authority's Supplemental Sign Policy;
- ii. Any agreement relating to naming rights or any lease or license involving the Arts Center or any other real property owned by the Authority;
- iii. Any specific message displayed or disseminated on a traffic control device, such as a highway travel times; or
- iv. Any agreement relating to naming rights or any lease or license involving any service area on the Roadway.

3. Notwithstanding (a)2 above, elements contained within the service area, such as benches, flower beds, or tree beds may be eligible for sponsorship in the discretion of the Authority.

(c) Definitions. The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise:

"Acknowledgment plaque" means a plaque that is intended only to inform the traveling public that

a highway-related service, product, or monetary contribution has been sponsored by a person, firm, or entity. Acknowledgment plaques are installed only in the same sign assembly below a primary sign that provides the road user specific information on accessing the service being sponsored. Consistent with the MUTCD, a plaque legend is displayed on a separate substrate from that of the sign below which it is mounted.

“Acknowledgment sign” means a sign that is intended to inform the traveling public that a highway-related service, product, or monetary contribution has been sponsored by a person, firm, or entity and which meets all design and placement guidelines for acknowledgment signs as established pursuant to the provisions of the MUTCD and all sign design principles provided in the Federal Standard Highway Signs and Markings Book.

“Advertising sign” means a sign that is intended to promote commercial products or services through the use of slogans and information and informs the public on where to obtain the products or services.

“Highway” means the Garden State Parkway and the New Jersey Turnpike; their shoulders and sidewalks; the airspace above and below the Garden State Parkway and New Jersey Turnpike; areas for drainage, utilities, landscaping, berms, and fencing along the Garden State Parkway and New Jersey Turnpike; and any highway project as defined in section 4 of P.L. 1948, c. 454 (N.J.S.A. 27:23-4).

“Legend” means all word messages, logos, pictographs, and symbol and arrow designs that are intended to convey specific meanings. The border, if any, on a sign is not considered to be a part of the legend.

“Manual of Uniform Traffic Control Devices” or “MUTCD” means the [2009] **current** edition of the Manual of Uniform Traffic Control Devices for Streets and Highways, as amended and supplemented, issued by the U.S. Department of Transportation, Federal Highway Administration. The MUTCD is available at: <http://mutcd.fhwa.dot.gov/>.

“Sponsor” means a person or persons, firm, or entity that has entered into a sponsorship agreement with the Authority pursuant to the provisions of this section.

“Sponsorship agreement” means an agreement between the Authority and a person, firm, or entity to be acknowledged for a highway-related service, product, or monetary contribution provided.

“Sponsorship program” means a program administered by the Authority that complies with pertinent Federal laws, rules, regulations, and orders, and allows a person, firm, or entity to sponsor Authority operational activities or other highway-related services or programs through the provision of a highway-related service, product, or monetary contribution.

(d) Sponsorship criteria is as follows:

1. Sponsors shall comply with any State or Federal laws prohibiting discrimination because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual

orientation, gender identity or expression, disability, nationality, or sex including, but not limited to, New Jersey's "Law Against Discrimination," P.L. 1945, c. 169 (N.J.S.A. 10:5-1 et seq.).

2. The Authority shall not accept the sponsorship of a person or entity engaged in:

- i. The sale of unlawful or illegal goods, services, or activities;
- ii. The sale of tobacco or tobacco-related products, **or the sale of any cannabis or cannabinoid product as defined in the Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act, N.J.S.A. 24:61-31 et seq.;**
- iii. The sale of alcoholic beverages;
- iv. The sale of obscene material as defined by N.J.S.A. 2C:34-3; or
- v. Activity that is not in the best business interest of the Authority or is not in the best interest of the public, as determined by the Authority.

3. Sponsors determined by the Authority to fall within one or more of the categories set forth in (d)2 above shall not be considered further for sponsorship under the provisions of this section and shall be advised, in writing, of that determination.

(e) Requirements and specifications for acknowledgment signs and acknowledgment plaques shall be as follows.

1. Acknowledgment signs and acknowledgment plaques may be installed only in service areas and only as independent sign assemblies.
2. All acknowledgment signs and acknowledgment plaques shall be appropriately sized commensurate with the legibility needs of the service area user and shall be installed only in the location in the service area determined by the Authority, in its sole discretion.
3. Acknowledgment signs and acknowledgment plaques shall not be installed or located so as to be visible to the mainline Roadway user.
4. All acknowledgment signs and acknowledgment plaques shall be fabricated and printed at the sole cost of the sponsor and shall be permitted in the size, shape, and form agreed upon in the sponsorship agreement.
5. All acknowledgment signs and acknowledgment plaques shall be maintained at the sole cost of the sponsor.
6. All acknowledgment signs and acknowledgment plaques shall comply with the applicable provisions of the MUTCD.

7. All acknowledgment signs and acknowledgment plaques shall remain in place only for the duration of the sponsorship agreement.
8. Acknowledgment signs and acknowledgment plaques shall not display any directional information.
9. Acknowledgment signs and acknowledgment plaques shall not display telephone numbers, Internet addresses, or other legends designed for the purpose of contacting the sponsoring entity or to obtain information on the sponsorship program, such as, but not limited to, how to become a sponsor at an available site.
10. Acknowledgment signs and acknowledgment plaques shall only take the form of static, non-changeable, non-electronic legends.
11. Acknowledgment sign messages shall not be interspersed, combined, or alternated with other official traffic control messages, either in the same display space, by adjacency in the same assembly, or by adjacency of multiple assemblies.
12. Only post-mounted installations of acknowledgment signs are allowed. Acknowledgment signs shall not be overhead installations.
13. When a graphic logo is used to represent the sponsor, instead of a word legend using the Federal Highway Administration Standard Alphabets (as found in the MUTCD), the logo or image shall be the principal trademarked official logo that represents the corporate name of the sponsor. Secondary logos or representations, even if trademarked, copyrighted, or otherwise protected, are classified as promotional advertising and shall not be allowed.
14. An alternative business name or image whose sole or primary purpose appears to circumvent the provisions of the MUTCD is classified as promotional advertising rather than an acknowledgment of a sponsoring entity of a highway-related service and shall not be allowed on any traffic control device or its supports. Representations of products or services owned or offered by the sponsor shall not be allowed. Representations of personalities, mascots, or similar characters that are likely to be identified with the sponsor shall not be allowed.
15. No acknowledgment sign or acknowledgment plaque that includes displays mimicking advertising shall be allowed. A brief jurisdiction-wide slogan may be displayed on an acknowledgment sign. The slogan displayed shall be a program name, such as "ADOPT-A-HIGHWAY." Slogans for companion, supplementary, or other programs unrelated to the service being sponsored shall not be displayed on any acknowledgment sign.

(f) Sponsorship agreements shall be as follows:

1. Sponsorship agreements shall be for any duration, provided that they are economically sustainable, and provide a net benefit to the public.

2. Sponsorship agreements shall include provisions for maintenance and removal of acknowledgment signs or other acknowledgment on equipment, materials, or vehicles after the sponsorship agreement expires or the sponsor withdraws.
3. Sponsorship agreements shall identify the specific Authority operational activities or other highway-related services or programs supported by the highway-related service, product, or monetary payment of the sponsor.
4. Sponsorship agreements shall authorize the Authority to access any books, documents, papers, or records that are pertinent to the sponsorship agreement for the purpose of audit and examination, for the term of the sponsorship agreement and for a period of seven years after expiration or termination of the sponsorship agreement.
5. The Authority shall terminate a sponsorship agreement if it determines that the agreement, acknowledgment sign, or plaque, or other acknowledgment on equipment, materials, or vehicles presents a safety concern, interferes with the free and safe flow of traffic or pedestrians, or is not in the public interest.
6. A sponsorship agreement shall be subject to approval by the Federal Highway Administration and shall be consistent with Federal and State laws.

#### SUBCHAPTER 6 AUTHORITY RULEMAKING: PETITIONS FOR RULES, OPPORTUNITY TO BE HEARD, AND SUFFICIENT PUBLIC INTEREST

##### 19:9-6.1 Scope

This subchapter shall apply to the proposal, adoption, amendment, or repeal of any rule by the Authority pursuant to N.J.S.A. 52:14B-1 et seq., or 27:23-1 et seq., and N.J.A.C. 1:30 and to all petitions made by interested persons for the promulgation, amendment, or repeal of any rule by the Authority, pursuant to N.J.S.A. 52:14B-4(f) and 27:23-29.

##### 19:9-6.2 Petition for rulemaking: procedure for petitioner

(a) Any person who wishes to petition the Authority to promulgate, amend or repeal a rule must submit to the Executive Director, in writing, the following information:

1. The name of the petitioner;
2. The substance or nature of the rulemaking which is requested, together with the citation of affected rule, if applicable;
3. The reasons for the request and the petitioner's interest in the request; and

4. References to the authority of the Authority to take the requested action.

(b) A petitioner has the option of providing the text of the proposed new rule, amended rule or repealed rule with the information in (a) above, although this option is not required.

(c) Petitions shall be addressed to:

Executive Director

New Jersey Turnpike Authority

1 Turnpike Plaza

PO Box 5042

Woodbridge, New Jersey 07095-5042

(d) Any document submitted to the Authority which is not in substantial compliance with (a) above shall not be deemed to be a petition for a rule requiring further Authority action pursuant to N.J.S.A. 52:14B-4(f) and N.J.S.A. 27:23-29.

19:9-6.3 Petition for rulemaking: procedure of the Authority

(a) Upon receipt of a petition in compliance with this subchapter, the Authority shall, within 15 days of receipt, file a notice of petition with the Office of Administrative Law for publication in the New Jersey Register. The notice will include:

1. The name of the petitioner;
2. The substance or nature of the rulemaking action which is requested;
3. The problem or purpose which is the subject of the request; and
4. The date the petition was received.

(b) Within 60 calendar days of receiving the petition, the Authority shall mail to the petitioner, and file with the Office of Administrative Law for publication in the New Jersey Register, a notice of action on the petition, which will include:

1. The name of the petitioner;
2. The New Jersey Register citation for the notice of petition, if that notice appeared in a previous New Jersey Register;
3. Certification by the Executive Director that the petition was duly considered pursuant to



law;

4. The nature or substance of the Authority's action upon the petition; and

5. A brief statement of reasons for the Authority's action.

(c) Authority action on a petition may include:

1. Denying the petition. If the petition is denied, the petitioner will be provided with a written statement of the Authority's reasons for the denial;

2. Granting the petition. If the petition is granted, the Authority will initiate a rulemaking proceeding no later than 90 calendar days after the petition is granted; or

3. Referring the matter for further deliberations by and among appropriate Authority staff. If the matter is referred for further deliberations, the nature of the deliberations will be given in writing to the petitioner and the deliberations must conclude within 90 calendar days after the matter is referred.

i. Upon the conclusion of further deliberations, the Authority shall either deny or grant the petition. If the petition is granted, the Authority shall initiate a rulemaking proceeding within 90 calendar days. The Authority will mail the results of these deliberations to the petitioner and submit the results to the Office of Administrative Law for publication in the New Jersey Register.

#### 19:9-6.4 Authority's failure to act on a petition for rulemaking

(a) If the Authority fails to act in accordance with the time frames set forth in N.J.A.C. 19:9-6.3, the petitioner may request, in writing, a public hearing on the petition by submitting a request to the Director of the Office of Administrative Law in accordance with N.J.A.C. 1:30-4.3.

(b) If a petitioner requests a public hearing from the Director of the Office of Administrative Law due to the Authority's failure to adhere to the time frames listed in N.J.A.C. 19:9-6.3, and if the Authority receives notice from the Director of the Office of Administrative Law of his or her intent to hold a public hearing on the petition, the Authority may, within 15 days of receipt of said notice, provide notice of a public hearing.

#### 19:9-6.5 Rulemaking

(a) With respect to any duly authorized rule proposal, which the Authority proposes for adoption pursuant to the provisions of N.J.S.A. 27:23-1 et seq.:

1. The Authority shall provide at least 30 calendar days notice of its intended action in

accordance with the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq. In addition to the notice requirements set forth in N.J.S.A. 52:14B-4, the Authority shall also publish the notice of proposal on its website, [www.nj.gov/turnpike]www.njta.com, which publication shall act as "other secondary notice."

2. The Executive Director is empowered, in his or her discretion, to file such rulemaking proposal with the Office of Administrative Law if the Executive Director determines, at the end of the public comment period and after review, consideration, and reply to such comments, that it is appropriate to adopt the rule as proposed without any material changes.

#### 19:9-6.6 Extension of the public comment period

- (a) The Authority may extend the time for submission of public comments on a proposed rulemaking at its discretion without the need for a specific request or the demonstration of sufficient public interest.
- (b) The Authority shall extend the time for submission of public comments for an additional 30-day period if, within 30 calendar days of the publication of a notice of proposal, sufficient public interest is demonstrated in an extension of time to submit comments.
- (c) Sufficient public interest in an extension of the comment period is demonstrated when 10 or more individuals or entities have expressed the need for the extension of the comment period.

#### 19:9-6.7 Conducting a public hearing

- (a) The Authority may conduct a public hearing on a proposed rulemaking at its discretion without the need for a specific request or the demonstration of sufficient public interest.
- (b) The Authority shall conduct a hearing at the request of a Legislative Committee, a State agency, or a county, local, or municipal governmental entity, if the request is made to the Authority within 30 calendar days following publication of the proposed rulemaking or if sufficient public interest is demonstrated.
- (c) Sufficient public interest in a public hearing is demonstrated when 50 or more individuals or entities have expressed either the need for a public hearing on the rule proposal or disagreement with one or more substantive provisions of the rule proposal.
- (d) The Authority shall not consider, in the calculation of the number of comments received under (c) above, those comments that relate to specific recommended changes in the rule that the Authority has agreed to make or does not have the legal authority to make.

### SUBCHAPTER 7 ORGANIZATION OF THE NEW JERSEY TURNPIKE AUTHORITY

## 19:9-7.1 Authority responsibilities

The Authority is responsible for the design, construction, maintenance and operation of the Roadway, for related projects designed at N.J.S.A. 27:23-1 et seq., and for such other activities as may be authorized by law.

## 19:9-7.2 Functions of the departmental units and divisions

(a) The Authority is organized into various departments as shall be determined from time to time by the Executive Director. As of [September 18, 2017] **April 24, 2024**, the Authority is organized into the following functional departments:

1. Executive. This department is responsible for the overall direction, planning, and policy of the Authority, including strategic planning, is headed by the Executive Director and includes the Deputy Executive Director and Secretary of the Authority. It is also responsible for managing the proceedings of the Board and acts as custodian of the Authority's official records, and oversees the operation of service areas along the Roadway, the Arts Center, customer service, communications, and community relations.

2. Engineering. This department is responsible for the design, construction, and major rehabilitation of the Roadway. It is headed by the Chief Engineer.

3. Finance and Budgets. This department is responsible for all fiscal matters of the Authority, including, but not limited to, financing and investment issues, annual capital and operating budgets, asset management, payroll, other disbursements, toll audit, revenue accounting, and financial reporting. It is headed by the Chief Financial Officer.

4. Human Resources. This department is responsible for employment activities, including, but not limited to, recruiting, promotion, labor relations management, training, employee safety, and administration of employee benefit programs. It also operates a print shop for Authority publications and provides general office services. It is headed by the Director of Human Resources.

5. [Integrated] **Information** Technology Services. This department is responsible for the Authority's management information and operations management systems. It also is responsible for implementing, maintaining, and monitoring the electronic toll collection functions (E-ZPass®) and the oversight of the related electronic toll collection customer service center and violation processing center. It is headed by the Chief Information Officer.

6. Internal Audit. This department is responsible for monitoring the reliability and integrity of the Authority's financial and operational information, ensuring compliance with Authority policies, procedures, and rules, as well as evaluating the Authority's internal and external risks.

The department reports directly to the Authority's Audit Committee and the Board. It is headed by the Director of Internal Audit.

7. Law. This department provides legal services to all departments, including, but not limited to, reviewing contracts, acquisition and disposition of real and personal property, coordination and administration of the Authority's legal affairs and litigation matters with outside counsel, and ensures compliance with the Authority's governing statutes, rules, and policies. In addition, this department is responsible for risk management and insurance, Equal Employment Opportunity complaints, and the preparation of the Authority's Affirmative Action Plan. It is headed by the [General Counsel] **Director of Law**.

[8. Maintenance. This department is responsible for the care and maintenance of the Roadway and equipment. It is headed by the Director of Maintenance.]

[9]8. Operations. This department manages all activities related to day-to-day operations, **care, maintenance, and equipment** of the Roadway, including traffic engineering, traffic regulations, emergency services, coordination of construction and maintenance activities, hazardous material response, [customer]**patron safety and services**, the Traffic Management Center, and towing contractors. It is headed by the Director of Operations.

[10]9. Procurement and Materials Management. This department procures materials, supplies, and services for the Authority's departments, maintains the Authority's inventory of materials and supplies, and manages the Authority's long-term records storage. It is headed by the Director of Procurement and Materials Management.

[11]10. Tolls. This department is responsible for the cash collection of tolls, including the supervision of toll collection personnel. It is headed by the Director of Tolls.

#### 19:9-7.3 Obtaining Information

Interested persons can obtain information from the Authority by addressing inquiries to:

Executive Director

New Jersey Turnpike Authority

1 Turnpike Plaza

PO Box 5042

Woodbridge, New Jersey 07095

Requests for public records and accident reports must be submitted as described in N.J.A.C. 19:9–4.

19:9–7.4 (Reserved)

## SUBCHAPTER 8 DEBARMENT, SUSPENSION, AND DISQUALIFICATION FROM CONTRACTING

### 19:9–8.1 Definitions

As used in this subchapter, the following words and terms shall have the following meanings unless a different meaning clearly appears from the context:

“Debarment” means to be prohibited for a finite period of time from bidding or otherwise submitting a proposal regarding any and all Authority contracts on the basis of the list of offenses, inadequacies, or omissions described in this subchapter.

“Disqualification” means to be prohibited from bidding or otherwise submitting a proposal regarding a particular Authority contract.

“Person” means any natural person, corporation, partnership, company, firm, association or other entity. Person also includes any partners of the partnership, and any principals of the corporation, company, firm, association or other entity, as the case may be.

“Suspension” means to be prohibited for a finite period of time from bidding or otherwise submitting a proposal regarding any and all Authority contracts pending the completion of an investigation or legal proceeding relating to certain offenses, inadequacies, or omissions described in this subchapter.

The Authority is responsible for the design, construction, maintenance and operation of the Roadway, for related projects designed at N.J.S.A. 27:23–1 et seq., and for such other activities as may be authorized by law.

### 19:9–8.2 Causes for debarment of a person(s)

(a) In the public interest, the Authority may debar a person for any of the following causes:

1. Commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract, or subcontract thereunder, or in the performance of such contract or subcontract;

2. Violation of the Federal Organized Crime Control Act of 1970, Pub. L. 91-452, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, perjury, false swearing, receiving stolen property, obstruction of justice, or any other offense indicating a lack of business integrity or honesty;

3. Violation of Federal or State antitrust statutes, or of the Federal Anti-Kickback Acts (18 U.S.C. § 874, 40 U.S.C. § 276b and c);

4. Violations of any of the laws governing the conduct of elections of the Federal government, State of New Jersey or of its political sub-divisions;

5. Violation of the "New Jersey Law Against Discrimination" (P.L. 1945, c.169, N.J.S.A. 10:5-1 et seq., as supplemented by P.L. 1975, c.127), or of the act banning discrimination in public works employment (N.J.S.A. 10:2-1 et seq.), or of the act prohibiting discrimination by industries engaged in defense work in the employment of persons therein (C.114, L.1942, N.J.S.A. 10:1-10 et seq.);

6. Violation of any laws governing hours of labor, minimum wage standards, prevailing wage standards, discrimination in wages, child labor or other labor standards;

7. Violation of any laws governing the conduct of occupations or professions or regulated industries;

8. Violation of any environmental laws;

9. Violations of any other laws the violations of which may demonstrate a lack of moral integrity, or actions which in the reasonable opinion of the Authority shed doubt on the moral integrity of the person;

10. Willful failure to perform in accordance with contract specifications or within contractual time limits;

11. A record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, provided that such failure or unsatisfactory performance has occurred within a reasonable time preceding the determination to debar and was caused by acts within the control of the person debarred;

12. Violation of contractual or statutory provisions regulating contingent fees;

13. Any other cause affecting the responsibility as a contractor of such serious and compelling nature as may be determined by the Authority to warrant debarment, including such conduct as may be prescribed by the laws or contracts enumerated in this paragraph even if such conduct has not been or may not be prosecuted as violations of such laws or contracts;

14. Debarment by an agency, authority, or commission of the State of New Jersey or of the United States or a final determination by any such agency, authority, or commission that such person has committed an act demonstrating a lack of moral integrity.

(b) In the public interest, the Authority may debar a vendor for violation of any of the following prohibitions on vendor activities or for breach of any of the following affirmative obligations:

1. No vendor shall pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any State officer or employee or special State officer or employee, as defined by N.J.S.A. 52:13D-13b and e, to any officer or employee of the Authority or any other agency with which such vendor transacts or offers or proposes to transact business, or to any member of the immediate family, as defined by N.J.S.A. 52:13D-13i, of any such officer or employee, or any partnership, firm, or corporation with which they are employed or associated, or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D-13g.

2. The solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by a State officer or employee, special State officer or employee or Authority officer or employee from any vendor shall be reported in writing forthwith by the vendor to the Attorney General and the Executive Commission on Ethical Standards.

3. Unless a waiver has been granted in accordance with (b)4 below, no vendor may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement, express or implied, or sell any interest in such vendor to, any State officer or employee, special State officer or employee or Authority officer or employee having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to any state agency or any instrumentality thereof, or with any person, firm or entity with which he is employed or associated or in which he has an interest within the meaning of N.J.S.A. 52:13D-13g.

4. Any relationship subject to the provisions of (b)3 above shall be reported in writing forthwith to the Executive Commission on Ethical Standards, which may grant a waiver of this restriction upon application of the State officer or employee, special State officer or employee or Authority officer or employee upon a finding that the present or proposed relationship does not present the potential, actual or appearance of a conflict of interest.

5. No vendor shall influence, or attempt to influence or cause to be influenced, any State officer or employee, special State officer or employee or Authority officer or employee in his or her official capacity of any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.

6. No vendor shall cause or influence, or attempt to cause or influence, any State officer, special State officer or employee or Authority officer or employee to use, or attempt to use his or her official position to secure unwarranted privileges or advantages for the vendor or any other person.

19:9-8.3 Conditions affecting the debarment of a person(s)

(a) The following conditions shall apply concerning debarment:

1. Debarment shall be made only upon approval of the Board, except as otherwise provided by law.

2. The existence of any of the causes set forth in N.J.A.C. 19:9-8.2 shall not necessarily require that a person be debarred. In each instance, the decision to debar shall be made within the discretion of the Board, unless otherwise required by law, and shall be rendered in the best interests of the Authority.

3. All mitigating factors shall be considered in determining the seriousness of the offense, failure or inadequacy of performance and in deciding whether debarment is warranted.

4. The existence of a cause set forth in N.J.A.C. 19:9-8.2(a)1 through 8 shall be established upon the rendering of a final judgment or conviction, including, but not limited to, a guilty plea or a plea of nolo contendere by a court of competent jurisdiction or by an administrative agency empowered to render such judgment. In the event an appeal taken from such judgment or conviction results in reversal thereof, the debarment shall be removed upon the request of the debarred person unless other cause for debarment exists.

5. The existence of a cause set forth in N.J.A.C. 19:9-8.2(a)9 through 12 and (b) shall be established by evidence which the Authority determines to be clear and convincing in nature.

6. Debarment for the cause set forth in N.J.A.C. 19:9-8.2(a)13 shall be proper, provided that one of the causes set forth in N.J.A.C. 19:9-8.2(a)1 through 12 or (b), or an equivalent cause under the jurisdiction of the original debarring agency or governmental entity, was the basis for debarment by the original debarring agency or governmental entity. Such debarment may be based entirely on the record of facts obtained by the original debarring agency, or upon a combination of such facts and additional facts adduced by the Authority.

19:9-8.4 Procedures, period of debarment, and scope of debarment affecting the debarment of a person(s)



(a) When the Authority seeks to debar a person or his or her affiliates, the Authority shall furnish such party with a written notice stating:

1. That debarment is being considered;
2. The reasons for the proposed debarment; and

3. That such party will be afforded an opportunity for a hearing before the Authority if he or she so requests within 14 days from the date of personal delivery or 17 days from the date of mailing of such notice by the Authority. All such hearings shall be conducted in accordance with the provisions of the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(b) Notwithstanding the requirements set forth in (a) above, where another department or agency of the State of New Jersey has imposed debarment upon a party, the Authority may also impose a similar debarment without affording an opportunity for a hearing, provided that the Authority furnishes notice of the proposed similar debarment to the party, and affords that party an opportunity to present information on his or her behalf to explain why the proposed similar debarment should not be imposed in whole or in part.

(c) Debarment shall be for a reasonable, finite period of time, which shall not exceed an initial period of five years. If the Authority determines, in its discretion, that after the expiration of the initial period of debarment an additional period of debarment is warranted, such additional debarment period shall be permitted, provided that notice thereof is furnished and the party is afforded an opportunity to contest the proposed further debarment in accordance with the procedures set forth in (a) above. Such additional period of debarment shall be for a reasonable, finite period of time, which shall not exceed five years.

(d) Except as otherwise provided by law, a debarment may be removed or the period thereof may be reduced in the discretion of the Authority upon the submission of a good faith application under oath, supported by documentary evidence setting forth substantial and appropriate grounds for the granting of relief, such as newly discovered material evidence, reversal of a conviction or judgment, actual change of ownership, management or control, or the elimination of the cause(s) for which the debarment was imposed.

(e) A debarment may include all known affiliates of a person, provided that each decision to include an affiliate is made on a case by case basis after providing that affiliate an opportunity to contest such proposed debarment in accordance with the procedure set forth in (a) above.

19:9-8.5 Causes for suspension of a person(s)

In the public interest, the Authority may suspend a person for any cause specified in N.J.A.C. 19:9-8.2 or upon reasonable suspicion that such cause exists.

19:9-8.6 Conditions for suspension of a person(s)

(a) The following conditions concerning suspension are to be adhered to:

1. Suspension shall be imposed only upon approval of the Authority, except as otherwise provided by law.

2. The existence of any cause for suspension shall not require that a suspension be imposed, and a decision to suspend shall be made at the discretion of the Authority and shall be rendered in the best interest of the Authority.

3. Suspension shall not be based upon unsupported accusation, but upon adequate evidence that cause exists or upon evidence adequate to create a reasonable suspicion that cause exists. In assessing whether adequate evidence exists, consideration shall be given to the amount of credible evidence which is available, to the existence or absence of corroboration as to important allegations, and to inferences which may properly be drawn from the existence or absence of affirmative facts.

4. Reasonable suspicion of the existence of cause described in N.J.A.C. 19:9-8.2(a)1 through 8 may be established by the rendering of a final judgment or conviction by a court or administrative agency of competent jurisdiction, by grand jury indictment, or by evidence that such violations of civil or criminal law did in fact occur.

5. A suspension invoked by another agency or authority or commission of the State of New Jersey or of the United States for any of the causes described in N.J.A.C. 19:9-8.2 may be the basis for the imposition of a concurrent suspension by the Authority.

19:9-8.7 Procedures, period of suspension and scope of suspension affecting the suspension of a person(s)

(a) The Authority may suspend a person or his or her affiliates, provided that within 10 days after the effective date of the suspension, the Authority provides such party with a written notice stating:

1. That a suspension has been imposed and its effective date;

2. The reasons for the suspension;

3. That the suspension is for a temporary period pending the completion of an investigation and such legal proceedings as may ensue; and

4. That if such legal proceedings are not commenced or the suspension is not removed within 60 days of the date of such notice from the Authority, the party will be given a statement of the reasons for the continuation of the suspension and an opportunity for a hearing before the Authority conducted in accordance with the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(b) A suspension shall not continue beyond 18 months from its effective date unless civil or criminal action regarding the alleged violation shall have been initiated within that period, or unless debarment action has been commenced. Whenever prosecution or debarment action has been initiated, the suspension may continue until the legal proceedings are completed.

(c) A suspension may include all known affiliates of a person, provided that each decision to include an affiliate is made on a case-by-case basis after giving due regard to all relevant facts and circumstances and after providing such affiliate(s) an opportunity for a hearing before the Authority.

#### 19:9-8.8      Extent of debarment or suspension

(a) The exclusion from contracting by virtue of debarment or suspension shall extend to all contracting and subcontracting within the control or jurisdiction of the Authority, including, but not limited to, any contracts which utilize Authority funds. When it is determined by the Authority to be essential to the public interest, an exception from total exclusion may be made with respect to a particular contract.

(b) After the opening of bids or receipt of proposals, the contracting officer shall review the list of persons debarred or suspended. Bids received from debarred or suspended persons in response to an invitation for bids shall be rejected unless the Authority determines that there is a compelling reason to consider the bid.

(c) Proposals, quotations, or offers received from any debarred or suspended person shall not be evaluated for award, nor shall discussions be conducted with a debarred or suspended person, unless the Authority determines that there is a compelling reason to do so. If the period of ineligibility expires or is terminated after bid opening but prior to award, the contracting officer may, but is not required to, consider such proposals, quotations or offers.

#### 19:9-8.9      Disqualification of a person(s) as bidder

(a) The Authority reserves the right to disqualify or refuse to receive a proposal from a prospective bidder even though the prospective bidder is prequalified, and even though the prospective bidder has not been debarred or suspended, or reject a proposal after having received same for any of the following reasons:

1. Lack of competency or lack of adequate machinery, plant or other equipment;
2. Uncompleted work which, in the judgment of the Authority, might hinder or prevent the prompt completion of additional work, if awarded;
3. Failure to pay, or satisfactorily settle, all bills due for labor, equipment or material on previous contracts;
4. Failure to comply with any prequalification requirements, bid specifications or regulations of the Authority;
5. Default under any previous contract;
6. Unsatisfactory performance on previous or current contracts;
7. Questionable moral integrity as determined by the Attorney General of New Jersey or the Authority;
8. Failure to reimburse the Authority for monies owed on any previously awarded contracts including, but not limited to, those where the prospective bidder is a party to a joint venture and the joint venture has failed to reimburse the Authority for monies owed;
9. Submission of false information to the Authority in connection with the proposal or any other contract; or
10. Any cause specified in N.J.A.C. 19:9-8.2 or upon reasonable suspicion that such cause exists.

(b) A prospective bidder may also be disqualified pursuant to N.J.A.C. 19:9-2.2. Nothing in this subchapter shall be deemed to affect, change or limit the requirements set forth in N.J.A.C. 19:9-2.2.

19:9-8.10 Lists of other agencies

Notwithstanding the failure of the Authority to debar, suspend, or disqualify any person pursuant to these rules, whenever the Authority participates in any program or project financed, issued or guaranteed by any department, agency or instrumentality of the State of New Jersey or the United

States Government, it may rely on any list of persons suspended or debarred by such agency, department or instrumentality and prevent the listed person from participating in that program or project.

19:9-8.11 Discretion

Nothing contained herein shall be construed to limit the authority of the Authority to refrain from contracting within the discretion allowed by law.

SUBCHAPTER 9 ELECTRONIC TOLL COLLECTION MONITORING SYSTEM

19:9-9.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Electronic toll collection system” or “ETC system” means the electronic system employed or utilized by the Authority to register and collect the toll required to be paid for a vehicle entering a toll plaza owned and/or operated by, or upon the behalf of, the Authority.

“Inadvertent toll violation” means a toll violation that occurs when a person who enters a toll collection plaza and takes every reasonable action to pay the required toll but who is prevented by circumstances beyond his or her reasonable ability to control from paying the required toll. The owner of a violating vehicle shall have the affirmative obligation to establish an inadvertent toll violation. An inadvertent toll violation does not include the following:

1. Failure to have the coinage, currency or other authorized means necessary to pay the required toll;

2. Entering a dedicated ETC system lane with a vehicle that is not equipped for the electronic toll collection system; or

3. Failure to adequately deposit the full amount of the toll in a toll collection basket.

“Lessee” means any person, corporation, firm, partnership, agency, association or organization that rents, leases or contracts for the use of a vehicle and has exclusive use of the vehicle for any period of time.

“Lessor” means any person, corporation, firm, partnership, agency, association or organization engaged in the business of renting or leasing vehicles to any lessee under a rental agreement, lease

or other contract that provides the lessee with the exclusive use of the vehicle for any period of time.

“Operator” means the term “operator” as defined in N.J.S.A. 39:1-1.

“Owner” means the term “owner” as defined in N.J.S.A. 39:1-1.

“Toll collection monitoring system” means a vehicle sensor, placed in a location to work in conjunction with a toll collection facility, that produces one or more photographs, [one or more microphotographs, a videotape or] other recorded images, or a written record, of a vehicle at the time the vehicle is used or operated in violation of the toll collection monitoring system rules. The term shall also include any other process that identifies a vehicle by photographic, electronic or other method.

“Toll collection monitoring system rules” means the rules contained in this subchapter and authorized and adopted pursuant to N.J.S.A. 27:23-34.2 that prohibit a vehicle from making use of the Roadway except upon the payment of such tolls as may from time to time be prescribed by the Authority and that further makes it a violation subject to a civil penalty for any person to refuse to pay, to evade, or to attempt to evade the payment of such tolls, if the violation is recorded by a toll collection monitoring system as defined in N.J.S.A. 27:23-34.1.

“Vehicle” means the term “vehicle” as defined in N.J.S.A. 39:1-1.

“Violating vehicle” means a vehicle alleged to be involved in a violation of the toll collection monitoring system rules.

#### 19:9-9.2 Toll collection monitoring system violation

(a) No owner, operator, lessor or lessee shall refuse to pay, evade or attempt to evade the payment of the toll for passage of a vehicle on a Roadway, unless an exemption exists for the payment of the required toll. Except as provided in N.J.S.A. 27:23-34.3(b), an owner of a vehicle shall be jointly and severally liable for the failure of an operator of the vehicle to comply with the toll collection system monitoring rules. The owner of a vehicle shall be liable if the vehicle was used or operated by the operator with the express or implied permission of the owner when the violation of the toll collection system monitoring rules was committed, and the evidence of the violation is obtained by a toll collection monitoring system. An owner of a vehicle shall not be liable if the operator of the vehicle has been identified and charged with a violation of N.J.S.A. 27:23-25 for the same incident.

(b) Within the time period specified in N.J.S.A. 27:23-34.3, the Authority or its agent may send an Advisory and Payment Request to the owner of the violating vehicle by regular mail as provided for in P.L. 1997, c.59. Upon receipt of the Advisory and Payment Request, the owner of the

violating vehicle shall pay to the Authority or its agent, the proper toll and an administrative fee in the amount of \$50.00 per violation or such other amount as may be established by duly adopted rule; provided, however, that an owner that proves an inadvertent toll violation has occurred shall be required only to pay the toll and shall not incur the administrative fee. If the owner fails to pay the required toll and fee by the number of days specified in N.J.S.A. 27:23–34.3 from the date on which the Advisory and Payment Request was sent, the owner shall be subject to penalties described herein. The Authority or its agent may cause additional Advisory and Payment Requests to be issued in regard to the unresolved violation.

(c) The Advisory and Payment Request shall contain the name and address of the person alleged to be liable as an owner of a violating vehicle, the license plate number of the violating vehicle, the location where such violation took place, and the date and time of such violation.

(d) The Advisory and Payment Request shall contain information advising the person named of the manner in which he or she may contest the liability alleged in the Advisory and Payment Request or assert that liability should not attach in a given instance due to circumstances that caused an inadvertent toll violation to occur. Such Advisory and Payment Request shall also contain notice that failure to pay the indicated toll and administrative fee or failure to successfully contest the liability will render the owner subject to the penalties described in N.J.A.C. 19:9–3.

(e) If an owner receives an Advisory and Payment Request pursuant to this section for any time period during which the vehicle was reported to the police as having been stolen, it shall be a valid defense to an allegation of liability for a violation of this section that the vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. If an owner receives an Advisory and Payment Request pursuant to this section for any time period during which the vehicle was stolen, but not as yet reported to the police as having been stolen, it shall be a valid defense to an allegation of liability for a violation of this section that the vehicle was reported stolen within two hours after the discovery of the theft by the owner. For purposes of asserting that the vehicle was stolen, it shall be sufficient that a copy of the police report on the stolen vehicle be sent first class mail to the Authority or its agent at the address specified on the Advisory and Payment Request.

(f) An owner who is a lessor of a vehicle for which an Advisory and payment Request was issued pursuant to this section shall not be liable for the violation, provided that the lessor submits to the Authority or its agent issuing the Advisory and Payment Request a copy of the rental agreement, lease or other such contract document covering such vehicle on the date of the violation (with the name and address of the lessee clearly legible), within 60 days after receiving the original Advisory and Payment Request. Failure to send such information within such 60-day time period shall render the lessor liable for the prescribed penalty. If the lessor complies with these provisions, and the lessee is sent an Advisory and Payment Request within 60 days of such compliance by the lessor, the lessee of the vehicle on the date of the violation shall be deemed to be the owner of such vehicle for purposes of this section and shall be subject to liability for same.

(g) The Authority may designate an employee(s) or agent(s) of the Authority to be a complaining witness on behalf of the Authority and to cause a summons and complaint to issue to the extent permitted by, and pursuant, to the Rules Governing the Courts of the State of New Jersey.

(h) The Authority may adopt a form of [contract (“subscription] agreement[”)] [which]**that** may set forth the terms and provisions that govern the responsibilities, duties and obligations of an owner or operator as a subscriber to the ETC System, which [subscription ]agreement may include the termination of the owner or operator as a [subscriber]**user** of the [Authority’s ]ETC System if the owner or operator fails to comply with the terms and provisions of the [subscription ]agreement.

19:9–9.3        Penalties

(a) A violation of this subchapter shall be punishable by a civil penalty not exceeding \$500.00 to be established by the Authority.

(b) Nothing in this subchapter shall be construed as limiting the power of the Authority to proceed against an operator for a violation of N.J.A.C. 19:9–1.19 or as prohibiting or limiting the enforcement of the motor vehicle and traffic laws as set forth in Title 39 of the Revised Statutes, except that an operator charged with a violation of N.J.S.A. 27:23–34 shall not also be liable for the civil penalty provided in (a) above for the same incident.

[Appendix A. Contractor’s Classification

CLASSIFICATION	BRIEF DESCRIPTION
1. Grading and Drainage	All clearing, excavation, embankment, grading, and drainage, including, but not limited to, the construction of storm drainage structures and storm drainage pipe installation.
2. Paving	New construction of various courses of bituminous concrete to line and grade using automatic controls. Final preparation of the underlying material is also included.
3. Resurfacing <i>Paving</i> (2)	High volume roadway/multilane roadway pavement removal and bituminous concrete resurfacing using various courses, under traffic, to line and grade using automatic controls.



4. General Construction, Highway <i>Grading and Drainage (1) Paving (2)</i>	Work involving excavation, embankment, grading, drainage, paving (no bridge construction).
5. Bridge Structures <i>Concrete Maintenance (7)</i>	Bridge, viaducts, retaining walls, foundations, fabrication, and erection of structural steel, intermediate members, deck repair, and/or replacement.
6. Bridge Deck Repairs <i>Concrete Maintenance (7)</i>	Bridge deck replacement work or full depth bridge deck repairs completed under live traffic conditions and traffic shifts of a limited duration per lane mile.
7. Concrete Maintenance	Concrete repair to reinforced concrete structures, and all bridge related repairs, including, but not limited to, concrete, reinforcement steel, and structural steel.
8. Heavy Highway <i>Bridge Structures (5) Concrete Maintenance (7) General Construction, Highway (4) Grading and Drainage (1) Paving (2), Signing (14), Fencing (15), Timber Construction (17)</i>	Work involving the combination of excavation, embankment, grading, drainage, paving, and bridges.
9. Landscaping	Planting, seeding, topsoiling, grading, jute mesh, erosion control, and all other landscaping procedures.
10. Electrical Work, Highway	Roadway, area, parking and ramp lighting, lighting standards, electrical distribution panels, and other underground and overhead electrical work.
11. Painting, Routine	Blast cleaning, priming, and painting bridge structures, comprised of simply supported or continuous rolled steel beams or welded plate girders over active facilities, which include, but are not limited to, roadways, railroads, and navigable waterways.
12. Painting, Complex <i>Painting, Routine (11)</i>	Blast cleaning, priming, and painting bridge structures, comprised of complex steel arrangements, including, but not limited to, steel trusses with suspended deck systems and stringer -floor beam -girder configurations not included under classification 11, Painting

Routine, over active facilities, which include, but are not limited to, roadways, railroads, and navigable waterways.

13. Guide Rail

All types of guide rail.

14. Signing

All types of signing, delineation, and overhead sign structures.

15. Fencing

All types of fencing.

16. Pavement Markings

This work shall consist of the placement and/or removal of pavement markings and stripes made of paint epoxy, thermoplastic, preformed tape, etc. This work shall also include the placement and removal of recessed or raised reflective markers.

17. Timber Construction

Bridge fender systems and all types of timber construction.

18. Environmental Remediation Systems

Construction of soil and/or groundwater remediation systems in accordance with applicable State and Federal regulations. The constructed system shall utilize air sparging well installation in conjunction with soil vapor extraction technology, including, but not limited to, all associated separators, strippers, pumps, oxidizers, electrical work, piping, and contaminated material removal. The contractor shall provide evidence of the appropriate State and/or Federal certification for soil and/or groundwater remediation systems if applicable.

19. Cleaning Manufactured Treatment Devices, Storm Drainage Pipe and Drainage Structures

This work shall consist of the inspection, cleaning and disposal of debris from Manufactured Treatment Devices, Storm Drainage Pipe, and Drainage Structures.

Note: Classifications shown in italics font are automatically awarded with the indicated Classification.

Up to \$ 150,000 maximum

Up to \$ 500,000 maximum

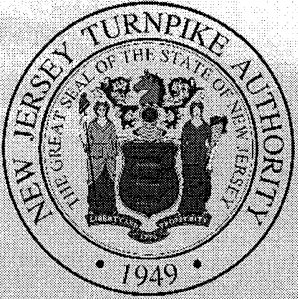
Up to \$ 1,000,000 maximum

- Up to \$ 2,000,000 maximum
- Up to \$ 3,500,000 maximum
- Up to \$ 5,000,000 maximum
- Up to \$ 10,000,000 maximum
- Unlimited
- Special Rating - (Limits to be established in specific situations where other Classification Rating is not adequate)]

[Appendix B. Reserved]

# New Jersey Turnpike Authority 034818

## 2024 Annual Budget-in-Brief



**Prepared by the Finance Department**

**Erwin Luna Comptroller**

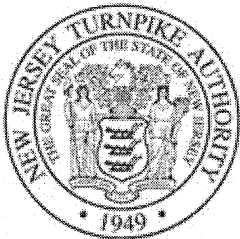
**Stellanie Callanan Comptroller**

**Michael Gallarello Assistant Comptroller**



1 Turnpike Plaza, Woodbridge, NJ 07095

Transmittal Letter



PHILIP D. MURPHY  
GOVERNOR  
  
TAHESHA WAY  
LIEUTENANT GOVERNOR

New Jersey Turnpike Authority

1 TURNPIKE PLAZA - P.O. BOX 5042 - WOODBRIDGE, NEW JERSEY 07095  
TELEPHONE (732) 750-5300

ULISES E. DIAZ, Vice Chair  
MICHAEL R. DuPONT, Treasurer  
RONALD GRAVINO, Commissioner  
RAPHAEL SALERMO, Commissioner  
FRANCISCO MALDONADO, Commissioner  
JAMES D. CARONE, Executive Director

January 30, 2024

To: The Board of Commissioners of the New Jersey Turnpike Authority:

We are pleased to submit the New Jersey Turnpike Authority's (the Authority's) 2024 Annual Budget-in-Brief for your review. The Authority's Turnpike Revenue Bond Resolution, Section 710, requires the Board of Commissioners to adopt an Annual Budget for that year and promptly file the Annual Budget with the Trustee for inspection by the bondholders. The Annual Budget must include, at a minimum, appropriations for all anticipated Operating Expenses, Reserves, and provisions for Maintenance Reserve and Special Project Reserve Payments. The Annual Budget may set forth such additional material as the Authority may determine and shall contain a certificate of the Consulting Engineer approving such Annual Budget.

The 2024 Annual Budget has been prepared following the Authority's Strategic Plan and Mission Statement. This mission is to prudently manage the finances and operations of the New Jersey Turnpike Authority to provide its customers with a safe, efficient, innovative, and resilient toll road system that facilitates mobility in New Jersey and the Northeast United States of America. To this end, the 2024 Annual Budget lays out, in detail, the progress that has been made since the approval of the 2020-2029 Strategic Plan. The 2024 Annual Budget includes total revenue, with toll revenue derived from CDM Smith's July 2023 Traffic and Toll Revenue Forecast Study. The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024. It provides sufficient amounts for operating expenses, debt service, and general reserve fund obligations. In addition, the 2024 Annual Budget includes the Authority's Capital Spending Program, which is presented on a rolling five-year basis. The Capital Spending Program comprises the revenue-funded Capital Budget and the bond-funded Construction Fund.

In 2024, the revenue is budgeted at \$2.6 billion, a 3.8% increase from the 2023 Amended Budget. Total revenue is driven by higher toll revenue from toll rate indexing at 3.0% traffic growth, and higher investment income based on current market rates. Operating Expenses are budgeted at \$757.1 million, which shows a 5.3% increase. Categorically, the increase is a derivative primarily of ensuring public safety via traffic safety programs, increased transaction processing fees due to traffic growth mostly from E-ZPass, maintaining a state of good repair of the roadways, and contractual obligations. According to the U.S. Bureau of Labor Statistics, as of November 2023, the Consumer Price Index for Urban Consumers rose 3.0% over the past 12 months. Inflation and contractual obligations require budget increases, which lead to rising costs, including utilities, insurance, automotive supplies, and goods purchased for roadway and building maintenance. Also impacting operating expenses are forecasted growth in traffic and revenue, which increases variable costs. The 2024 Annual Budget includes Debt Service of \$1.0 billion, an increase of \$49.1 million over last year's budget, reflecting new money borrowings to fund the Capital Improvement Programs. General Reserve spending and transfers in 2024 total nearly \$704.7 million and

include the fulfillment of \$517.0 million in contractual payments to the State after all debt service payments and bond resolution revenue-funded capital requirements are met.

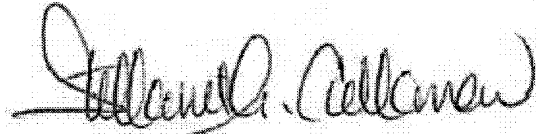
In regards to the Capital Spending Program, the Authority projects design, supervision, and construction contract awards of approximately \$1.0 billion per its target for the capital and construction projects, which are funded by the bond and revenue programs. Of note, the 2024-2028 Capital Improvement Program's primary focus is the rehabilitation or replacement of bridge structures along both roadways, as well as planning for the capacity enhancements of the Newark Bay Hudson County Extension and New Jersey Turnpike between Interchanges 1 to 4. This program is derived from the 2020 Long-Range Capital Plan and is funded from bond proceeds.

On the other hand, revenue-funded projects focus on maintaining a state of good repair on both roadways. Funds will be utilized mainly for resurfacing 405 total lane miles, repairing 77 New Jersey Turnpike and Garden State Parkway bridges, and numerous facility upgrades, including service areas along both roadways. The Authority is also starting its resiliency and sustainability initiatives, with projects involving installing solar panels and electric vehicle charging stations at select Maintenance Districts.

The 2024 Annual Budget demonstrates the Authority's continued ability to manage its finances prudently, showcasing its operational strength and resiliency despite the current economic climate's challenges. The Authority manages and provides the necessary personnel and expenditures to operate and maintain the New Jersey Turnpike and Garden State Parkway, two of the nation's busiest yet safest toll roads. Finally, the 2024 Annual Budget provides bond covenant coverage that exceeds what is required by the Turnpike Revenue Bond Resolution and the Authority's Financial Management Principles and Guidelines and meets all contractual payment obligations.



James Carone  
Executive Director



Stellanie Callanan  
Comptroller



Erwin Luna  
Comptroller



Michael Gallarello  
Assistant Comptroller

Website address: <http://www.njta.com>

**Background** *(2024 Annual Budget p5)*

The New Jersey Turnpike Authority (the "Authority") is a body corporate and politic of the State of New Jersey (the "State"). The Authority was organized by the New Jersey Turnpike Act of 1948 (the "Act"), constituting Chapter 454 of the Laws of New Jersey of 1948, as amended and supplemented. Pursuant to the Act, the Authority has owned and operated the New Jersey Turnpike (the "Turnpike") since the time the Turnpike opened for traffic in 1951. In July 2003, the New Jersey Highway Authority (the "Highway Authority") was abolished, and the Authority assumed all of the powers, rights, obligations, assets, debts, liabilities, and statutory responsibilities and duties of the Highway Authority, including the ownership and operation of the Garden State Parkway (the "Parkway"). As a result, the assets, liabilities, ongoing operations, expenses, and revenues of the Authority and the Highway Authority are now combined under the ownership and operation of the Authority.

**The Turnpike**

The Turnpike is a limited-access toll road that serves as part of the I-95 corridor, linking the major economic centers of the East Coast. Its connections to a major seaport in Newark and Elizabeth and an international airport in Newark make it an important route for commercial and passenger vehicles. It also serves New Jersey commuters traveling to and from the major metropolitan areas surrounding Philadelphia, New York City, and other employment centers in the state. The Turnpike was the first toll road in New Jersey and the third in the nation when it opened in 1951.

When the Turnpike opened in 1951, it was 118 miles long but has grown to 148 miles. The miles have grown over the years with the addition of the Newark Bay-Hudson County Extension (1956), the Pearl Harbor Memorial Turnpike Extension (1956), the Western Spur (1970), and the I-95 Extension (1992). The mainline connects to the George Washington Bridge in the north and the Delaware Memorial Bridge in the south. To the east, it connects with the Lincoln and Holland Tunnels and the Outerbridge Crossing. Lastly, to the west, it connects with the Delaware River Turnpike Toll Bridge. Originally four lanes for its full length, the Turnpike now boasts a width of fourteen lanes in some areas.

**The Parkway**

The Parkway opened to traffic in 1954 with a length of 168 miles. It is now a 172-mile limited access toll road with connections in the north to the New York State Thruway at the New York-New Jersey border near Spring Valley, New York, and in the south to Route 9 near Cape May, New Jersey. The Parkway interchanges are numbered according to their distance from the southern terminus.

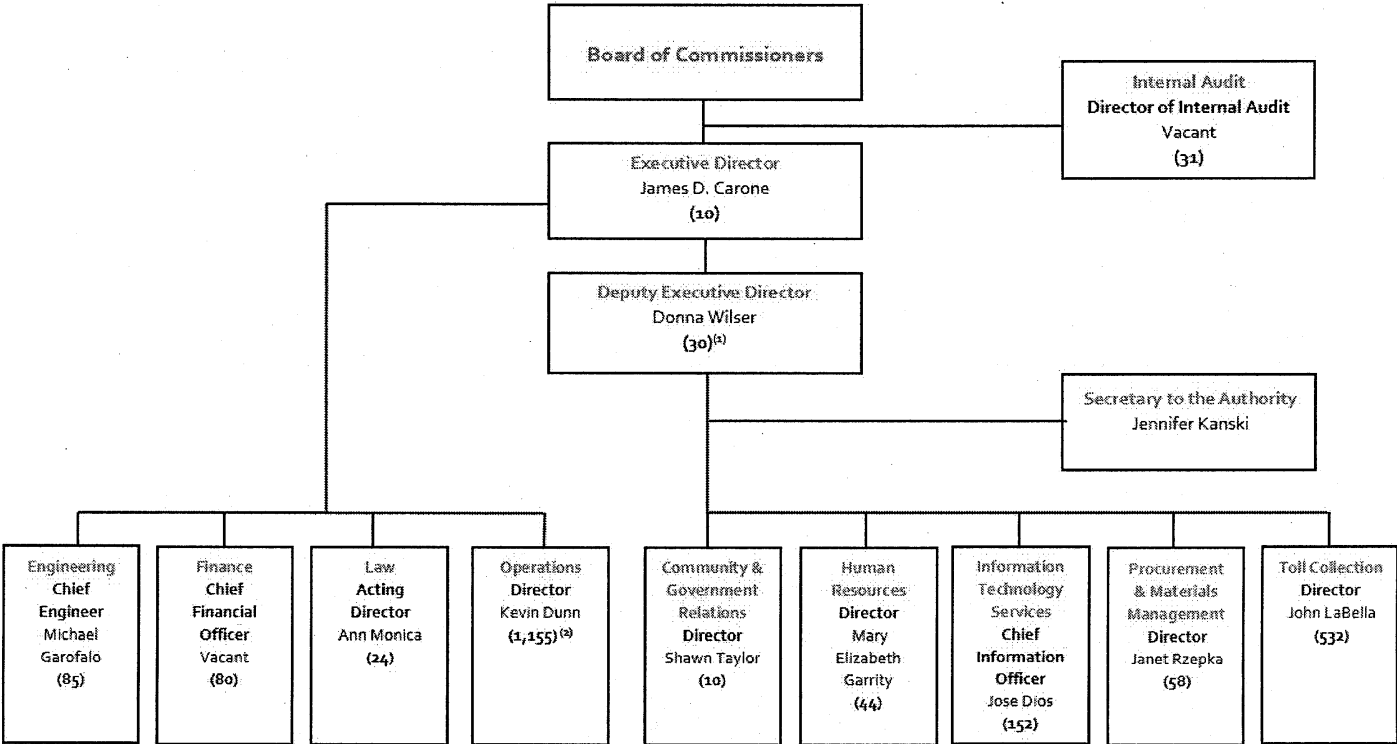
The northern section of the Parkway serves the metropolitan suburban areas of Bergen, Union, Essex, and Passaic Counties near Newark and New York City. In addition to being heavily used by commuters, the location of many businesses and industrial complexes in or near the Parkway corridor has resulted in significant local business traffic. The Parkway is the principal highway route between metropolitan Newark-New York City and the New Jersey seashore. The Parkway is now as wide as fifteen lanes in some areas and has a heavy truck restriction north of Interchange 105.



Leadership

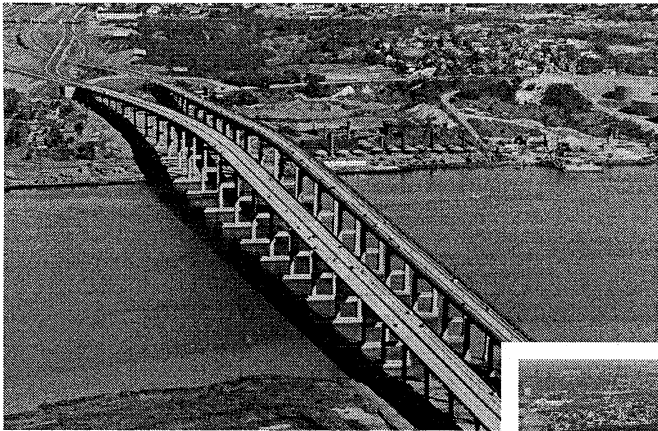
Member	Position
Ulises E. Diaz	Vice Chair
Michael R. Dupont	Treasurer
Ronald Gravino	Commissioner
Raphael Salermo	Commissioner
Francisco Maldonado	Commissioner

Organization Chart



- Departmental full-time employee count is shown in parenthesis  
- In addition to the above authorized positions, there are 10 contingency positions budgeted  
(1) The 30 full-time employees in the State Police Department report directly to the Deputy Executive Director. This department is not shown in the above organization chart  
(2) Operations includes the Maintenance Division (1,060) and the Traffic Division (95)





Garden State Parkway  
Driscoll Bridge



**Vision Statement**

To be the premier toll road agency in the United States of America.

**Mission Statement**

To prudently manage the finances and operations of the New Jersey Turnpike Authority to provide our customers with a safe, efficient, innovative, and resilient toll road system, which facilitates mobility in New Jersey and the Northeast United States of America.

**Core Values**

The Authority’s core values are a commitment to:

- Safety
- Diversity
- Innovation
- Transparency
- State of Good Repair
- Customer Satisfaction
- Resiliency & Sustainability
- Long Term Financial Stability

The Strategic Plan (2024 Annual Budget p11)

The Authority adopted its first ten-year Strategic Plan (2020-2029) in 2019. The Strategic Plan provides clear direction and measurable goals for the next ten years by incorporating the Authority's vision, mission statement, and core values. The Authority is working to measure, monitor, and report its performance compared to the critical goals quarterly.

Key Goals

- **Safety** (Crashes and fatalities, toll collection personnel incidents, maintenance and contractor personnel incidents, service area and park and ride safety)
- **Financial Strength** (Credit strength, cost-effective operations, capital funding approach, reserve funding, and debt capacity)
- **Mobility** (Vehicle throughput, traffic balancing, emerging tolling and vehicle technologies, multi-modal connectivity through regional coordination)
- **State of Good Repair** (Safeguarding Authority's infrastructure assets by maintaining pavements, bridges, drainage systems, signage, lighting, and facilities)
- **People** (Customer satisfaction, staffing needs, retention of high-quality staff, succession planning, and talent acquisition)

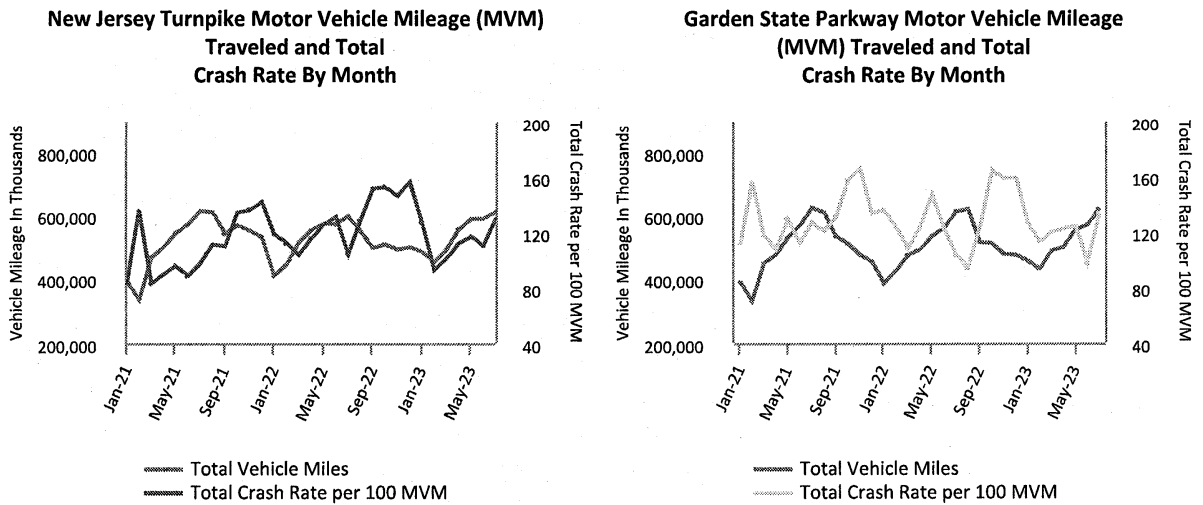
Goals and Accomplishments

Safety

**Goal (2024):** Continue to upgrade the delineation of select interchanges on the Turnpike to reduce crashes.

**Accomplishments (2023):** Commercial Vehicle Inspection (CVI) Units increased annual inspections by 60%. Additionally, CVI participated in the NJSP and DOT statewide truck enforcement initiative targeting aggressive driving violations by commercial vehicles.

The Total Crash Rate per 100 Motor Vehicle Miles (MVM) for the period January through July 2023 decreased by 2.6% on the Turnpike and decreased by 3.2% on the Parkway when compared to the same period in 2022.



Financial Strength

**Goal (2024):** Increase General Reserve Fund balance to no less than \$258 million, which is 10% of 2024 budgeted revenue, which complies with the Authority’s Financial Policies

**Accomplishments (2023):** On August 24, 2023, the Authority issued the series 2023A revenue bonds of \$135.2 million. These bonds were issued to refund a certain part of the outstanding series 2020C series. The refunding resulted in Net Present Value savings of over 13%

The Authority’s Bond Ratings remain unchanged in 2023; please see the below table for details:

New Jersey Turnpike Authority Bond Ratings		
Credit Rating Agency	2022 Bond Ratings	2023 Bond Ratings
Moody's Investors Service Inc	A1 (Stable Outlook)	A1 (Stable Outlook)
S&P Global Ratings	AA- (Stable Outlook)	AA- (Stable Outlook)
Fitch Ratings	A+ (Stable Outlook)	A+ (Stable Outlook)

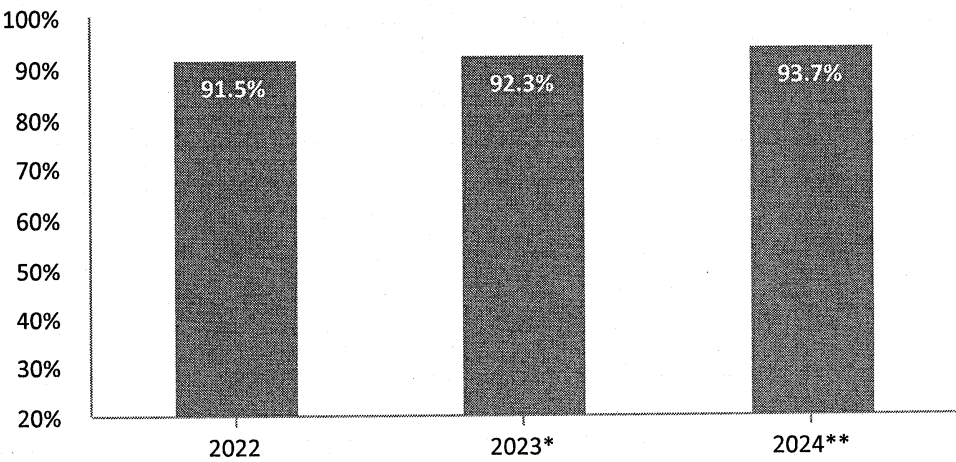
Mobility

**Goal (2024):** Generate automatic emails to vendors notifying them about outstanding purchase orders and requesting an update on delivery status. This will assist Inventory with reducing the number of back-ordered items

**Accomplishments (2023):** Installed and integrated the state of New Jersey’s 911 emergency dispatch hardware and software in the Statewide Traffic Management Center for State Police’s Operational Dispatch Unit

E-ZPass usage is expected to increase on the Turnpike by 1.4% in 2023 to almost 94%.

New Jersey Turnpike Percentage of E-ZPass Usage



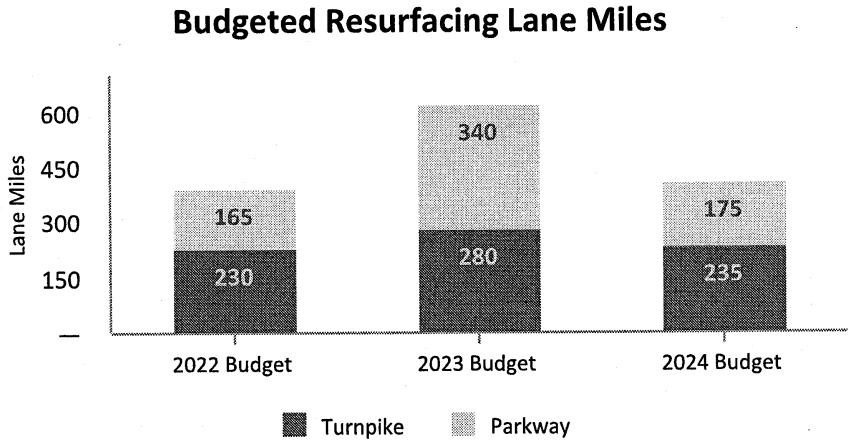
\*Through July 31, 2023  
\*\*Estimates based on historical average trend from 2016-YTD July 2023

State of Good Repair

**Goal (2024):** Implement the next phase of the Capital Project Management System (“CPMS”) to assist the Authority in the efficient and transparent management of the Authority Capital Spend initiative in a single platform encompassing financial, engineering, and business processes.

**Accomplishments (2023):** Managed the rehabilitation and modernization of the Joyce Kilmer, Whitney Houston (formerly Vauxhall), and Connie Chung (formerly Brookdale South) Service Areas.

Budgeted resurfacing lane miles decreased by 33.9% from 2023 to 2024 to a total of 410 lane miles.

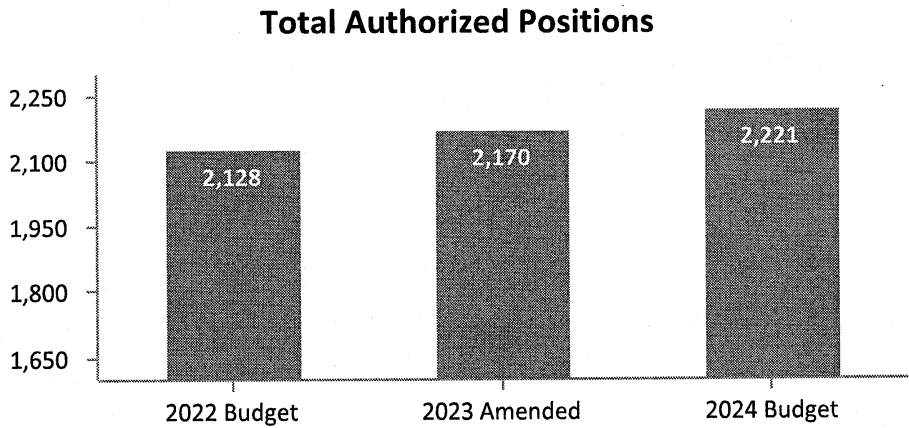


People

**Goal (2024):** Finalize installation of Legal Files by the selected vendor for software and new hardware to improve and integrate diverse Law Department functions, including litigation oversight, case tracking, OPRA, subpoenas, litigation holds, and document preservation.

**Accomplishments (2023):** Successfully launched the NJTA Finance Internship program. This program recruited interns and provided them with a vast array of real-world experience and will give Finance a direct pipeline of new talent to help propel the department to the next level.

Budgeted authorized positions are increasing.



**Executive Summary** (2024 Annual Budget p35)

The Authority's prudent financial and operational planning has allowed it to meet its financial obligations and exceed its financial plan. The 2024 Annual Budget has been developed per the Authority's mission and goals in the Strategic Plan, the 2020 Long-Range Capital Plan, and the 2020 toll rate increase plan, including 3.0% toll rate indexing, designed to provide a stable funding source for capital needs. The 2024 Annual Budget also addresses the state of good repair and safety needs for both customers and employees. The Authority can meet its funding needs and obligations in 2024, despite the impacts of inflation, changes in commuting patterns with hybrid work schedules, and general economic challenges.

Throughout 2023, the Authority has continued to see improvements in traffic and revenue due to milder-than-expected winter weather and normal growth. Toll revenue is expected to increase by 3.1% compared to the 2023 budget for both roadways. The 2024 toll revenue budget is based upon projections in the New Jersey Turnpike System 2023 Traffic and Toll Revenue Forecast Study provided by CDM Smith dated July 28, 2023. The updated forecast includes the 3.0% toll rate indexing each year during the forecast period, long-term economic projections and known construction and development projects in the region. The projections do not include any impacts from New York City congestion pricing since the final plan has not yet been approved and therefore the impacts on the Authority's traffic and revenue can vary. Also considered in the forecast is the correction to commercial traffic after record levels of growth were experienced during the pandemic. On the Turnpike, CDM Smith projects, in 2024, a 2.7% increase in toll revenue and a 0.3% increase in toll transactions compared to the 2023 budget. On the Parkway, CDM Smith projects a 4.4% increase in toll revenue and a 1.7% increase in toll transactions compared to the 2023 budget. The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

Operating Expenses are budgeted to increase by 5.3% in 2024, driven by inflation of over 3.7% nationwide, growth in traffic and toll revenues, increased safety inspection tasks, and increased salaries from assumed contractual obligations. Inflation and global supply chain issues significantly affect overall maintenance costs, which account for 30.1% of the total budget. Growth, primarily in toll revenue, increases banking or credit card fees accounting for 12.3% of the total budget. Additional asset inspections that occur every four years, are factors that contribute to the increase in operating expenses. Additionally, salaries are budgeted to increase by approximately \$9.9 million due to assumed contractual increases and the addition of 51 authorized positions for 2024. Of note, Health Benefits are budgeted to decrease by \$3.6 million, despite medical price inflation, due to a prior change in the medical plan design and in the prescription drug formulary.

The 2024 Annual Budget includes nearly \$1.3 billion for spending under its Capital Spending Program. The Capital Spending Program consists of both bond-funded and revenue-funded capital projects. The capital investment in these projects is expected to boost mobility and improve safety for future generations of New Jersey drivers. All capital spending project budgets have been adjusted for actual and projected inflationary increases.

The 2024 Annual Budget provides sufficient revenue and bond proceeds to meet capital spending needs. Finally, the 2024 Annual Budget projects debt service coverage of 1.97 times and total requirements coverage of 1.49 times, each above both Bond Resolution covenants and financial policy targets.

2024 Annual Budget Summary

Revenue			
(\$ In Thousands)	2022 Actual	2023 Amended	2024 Budget
Tolls <sup>(1)</sup>	\$ 2,126,000	2,196,400	2,265,500
Other	309,500	287,300	312,600
<b>Total Revenue</b>	<b>\$ 2,435,500</b>	<b>2,483,700</b>	<b>2,578,100</b>

(1)The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

Significant Revenue Highlights

- Toll revenue is expected to increase by, 2.7% on the Turnpike and 4.4% on the Parkway compared to the 2023 budget, representing an overall 3.1% increase. This increase is primarily due to toll rate indexing at 3.0% effective January 1, 2024 and to a lesser extent, normal traffic growth. However, the toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.
- CDM Smith’s July 2023 Traffic and Toll Revenue Forecast Study decreased the prior toll revenue forecast by about \$55.0 million between 2024 and 2025 and reduced the previous toll revenue forecast by about \$23.0 million between 2026 and 2028. The reductions in traffic compared to prior forecasts for the years 2024 to 2028 are primarily due to the changes in commuting and traffic patterns, as well as the normalization of commercial traffic growth following the record levels during the pandemic. Please note, this forecast from CDM Smith reflects 3% annual toll indexing applied in January of each year beginning 2022. The 2024 The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.
- All other revenue sources are up about 25.3 million compared to the 2023 budget, mainly due to a budgeted \$20.0 million increase in investment income to reflect current short-term market rates as well as higher invested balances that were not expected in 2023's budget.

Expenses			
(\$ In Thousands)	2022 Actual	2023 Amended	2024 Budget
Operating Expense and Reserve <sup>(1)</sup>	\$ 616,000	\$ 723,600	\$ 760,900
Debt Service	863,691	958,160	1,032,213
General Reserve	638,061	759,845	704,689

(1) Operating Expenses and Reserve includes the operating expenses for the year (\$757,100 in 2024) and the annual increase in the working capital reserve (\$3,800 in 2024) to bring total reserves in the Revenue Fund to 10% of the annual budgeted operating expenses as allowed per section 504(B) of the Bond Resolution

Capital Budget			
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget
Maintenance Reserve Fund	\$ 146,235	278,797	337,312
Special Project Reserve Fund	24,429	109,346	114,695
Supplemental Capital Fund	22,956	51,679	144,703

Construction Fund			
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget
2024-2028 Capital Improvement Program	\$ 262,268	608,468	653,764
2019 Capital Improvement Program	170,658	129,645	70,442
2008 \$7 Billion Capital Improvement Program	33,186	103,001	4,137

### Significant Spending Highlights and Challenges

- Operating Expenses in 2024 are budgeted at \$757.1 million, which includes four key factors that are increasing the budget
  - Inflation - \$11.3 million or 30.1% of the budgeted increase
  - Contractual -\$11.3 million or 30.0% of the budgeted increase
  - Safety -\$9.2 million or 24.6% of the budgeted increase
  - Growth - \$4.6 million or 12.3% of the budgeted increase
- Without inflation and growth, the Authority's budget for Operating Expenses would only be increased by a modest 2.9%
- The four key factors affect costs primarily in five categories, with significant increases totaling about \$29.3 million
  - Salaries are budgeted to increase by approximately \$9.9 million due to contractual increases and the addition of 51 authorized positions for 2024
  - Consulting Services/Other Professional Services are budgeted to increase by approximately \$7.4 million. Increases include New Jersey E-ZPass Customer Service Center services due to volume, inflationary cost increases in consultant wages, and new consulting tasks
  - Insurance is budgeted to increase by approximately \$5.5 million primarily due to increased Bridge and Property insurance costs resulting from an uptick in global catastrophic incidents, the number of recent claims, and an increase in insured asset values. Cyber insurance costs are also up due to market conditions.
  - State Police Services are budgeted to increase by approximately \$4.1 million which entails salaries for a maximum of 408 troopers, plus a contractual salary increase of 2.75% and average overtime from the prior five years
  - Roadway Maintenance is budgeted to increase by approximately \$2.4 million primarily for annual preventative maintenance inspections and minor or emergency repairs on both roadways, including guide rail repairs.
- Budget increases in these five categories are necessary for the Authority to support operations and meet its mission. The budgeted increase in these five categories accounts for 77% of the total operating budget increase.
- The 2024 Annual Budget includes the increase of 51 authorized positions from 2,170 to 2,221 with the majority of the increase in Maintenance (44) to provide more staffing in high traffic and accident areas, and in Engineering (6) for additional support required to deliver the Long-Range Capital Plan
- Operating expenses include \$38.1 million budgeted for snow and severe weather costs, representing the budget level maintained for the past nine years. The number and severity of weather events are unpredictable and could pressure operating expenses. In addition, the budget includes assumptions on pension payments, health benefit costs, and E-ZPass transaction and credit card processing fees, all of which are highly variable. Changes from the current budget assumptions in any of these areas could also pressure operating expenses.
- The 2024 Debt Service Budget is increasing by about \$49.1 million to \$1.0 billion, or 5.1%, compared to the 2023 Debt Service Budget. The increase is driven by principal payments on outstanding debt of \$378.1 million, which is \$60.6 million more than the 2023 budget. Of the total debt service, \$922.5 million is budgeted to be paid from net revenue and \$84.7 million is budgeted to be paid from capitalized interest. By the end of 2024, the Authority is expected to have \$13.1 billion of debt outstanding. Net Debt Service requirements currently equal 35.8% of 2024 total budgeted revenue.
- The 2024 Annual Budget includes an increase to the Debt Reserve, which is budgeted to increase by \$29.3 million. The \$29.3 million represents the anticipated increase necessary to bring the total balance in the Debt Reserve to \$637.9 million and is required under the Bond Resolution based upon the assumed new money bond issuances.
- The General Reserve includes funding for extraordinary weather events, contractual state payments, and transfers for revenue-funded capital projects that are part of the Supplemental Capital Program in the Construction Fund. There is a significant \$133.0 million decrease in budgeted spending that comes from a

contractual reduction in payments to \$472.5 million under the 2021 State Public Transportation Projects Funding Agreement. Despite the overall decline in state payments, General Reserve budgeted spending exceeds the amount of excess revenue expected to be deposited in 2024, requiring the use of prior accumulated General Reserve balances.

- The Capital Spending Program (Capital Budget and Construction Fund) totals over \$8.1 billion between 2024 through 2028, or an average of \$1.6 billion of spending per year. Spending is comprised of 26.5% from revenue and 73.5% from bond proceeds. The Capital Spending Program includes the revenue-funded programs in the Maintenance Reserve Fund, the Special Project Reserve Fund, and the Supplemental Capital Program (collectively known as the Capital Budget). It also includes the bond-funded programs in the Construction Fund, including the 2024-2028 Capital Improvement Program, derived from the 2020 Long-Range Capital Plan, the 2019 Capital Improvement Program, and the 2008 \$7 Billion Capital Improvement Program. The Construction Fund includes projects which maintain a state of good repair, improve safety, and provide capacity enhancements. All projects in the Capital Spending Program have adjusted their project budgets to account for actual and projected inflationary price increases in materials and labor. Updated spending plans and project timelines will require the Authority to borrow more than \$1.0 billion/year, with 2028 borrowing expected to reach about \$2.0 billion. The current Financial Plan indicates the ability to issue the required debt through 2028.



Financial Plan (2024 Annual Budget p8)

The Authority’s current financial plan includes projected revenues, expenses, deposits to reserve funds, and financial covenant calculations through December 31, 2028. Key highlights of the plan are as follows:

New Jersey Turnpike Authority Financial Plan							
(\$ In Thousands, rounded to nearest hundred thousand)	Actual 2022	Est/Act 2023	Budget 2024	Projected 2025	Projected 2026	Projected 2027	Projected 2028
Revenues							
Tolls (1)							
Turnpike Tolls	\$ 1,597,600	1,638,400	1,683,500	1,747,900	1,826,100	1,904,900	1,997,200
Parkway Tolls	528,400	562,300	582,000	605,400	630,400	655,200	682,400
Fees	139,400	148,500	125,000	127,500	130,100	132,700	135,400
Federal Subsidy for Series 2009 F and Series 2010 A Bonds (2)	77,200	77,000	77,000	77,000	77,000	77,000	77,000
Concessions	36,600	36,200	33,000	33,700	34,400	35,100	35,800
Other	56,300	95,700	77,600	77,900	78,200	88,500	88,800
<b>Total Revenues</b>	<b>\$2,435,500</b>	<b>2,558,100</b>	<b>2,578,100</b>	<b>2,669,400</b>	<b>2,776,200</b>	<b>2,893,400</b>	<b>3,016,600</b>
Operating Expenses and Reserve (3)	(616,000)	(639,300)	(760,900)	(794,600)	(826,000)	(854,500)	(884,300)
<b>Total Revenues Available for Debt Service</b>	<b>\$ 1,819,500</b>	<b>1,918,800</b>	<b>1,817,200</b>	<b>1,874,800</b>	<b>1,950,200</b>	<b>2,038,900</b>	<b>2,132,300</b>
Future Debt Issuance	—	—	1,500,000	1,000,000	1,500,000	1,300,000	2,000,000
Debt Service (4) (5)	(863,500)	(909,800)	(1,007,200)	(1,091,500)	(1,168,100)	(1,230,800)	(1,318,400)
Capitalized Interest	5,600	34,700	84,700	154,100	200,000	215,000	240,000
Net Debt Service	(857,900)	(875,100)	(922,500)	(937,400)	(968,100)	(1,015,800)	(1,078,400)
<b>Total Revenues Available After Debt Service</b>	<b>\$ 961,600</b>	<b>1,043,700</b>	<b>894,700</b>	<b>937,400</b>	<b>982,100</b>	<b>1,023,100</b>	<b>1,053,900</b>
Maintenance Reserve Fund (6)	(200,000)	(230,000)	(240,000)	(250,000)	(260,000)	(269,100)	(278,500)
Special Project Reserve Fund	(50,000)	(51,500)	(54,100)	(56,800)	(59,600)	(62,000)	(64,500)
<b>Net Revenues Available for General Reserve Fund</b>	<b>\$ 711,600</b>	<b>762,200</b>	<b>600,600</b>	<b>630,600</b>	<b>662,500</b>	<b>692,000</b>	<b>710,900</b>
TTF Payments	(22,000)	(22,000)	(22,000)	(22,000)	(22,000)	(22,000)	(22,000)
Feeder Road Maintenance Agreement	(2,500)	(1,250)	(2,500)	(2,500)	(2,500)	(2,500)	(2,500)
2021 State Transportation Projects Funding Agreement (7)	(523,000)	(605,500)	(472,500)	(487,500)	(502,500)	(517,500)	(525,000)
2023 State Transportation Projects Funding Agreement	—	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)	(20,000)
General Reserve Spending (8) (9)	(24,600)	(23,700)	(68,200)	(66,800)	(53,600)	(53,600)	(53,600)
Net Transfer to Construction Fund Account	(50,400)	(50,000)	(109,500)	(60,000)	(50,000)	(50,000)	(50,000)
Funding for Salary Chargeback Bond funded Projects	(10,800)	(10,100)	(10,000)	(10,000)	(10,000)	(10,000)	(10,000)
Net Annual General Reserve Fund Increase (Decrease)	78,300	29,650	(104,100)	(38,200)	1,900	16,400	27,800
<b>Available Ending General Reserve Fund Balance (10)</b>	<b>\$ 717,700</b>	<b>747,350</b>	<b>643,250</b>	<b>605,050</b>	<b>606,950</b>	<b>623,350</b>	<b>651,150</b>
Minimum Fund Balance	229,800	248,400	257,800	266,900	277,600	289,300	301,700
Net Revenues to Debt Service Coverage Ratio	2.12	2.19	1.97	2.00	2.01	2.01	1.98
Net Revenues to Debt Service and Reserves Coverage Ratio	1.64	1.66	1.49	1.51	1.51	1.51	1.50

(1) Toll revenue from 2024 through 2028 is based upon the projections of CDM Smith contained in the 2023 Study, which includes annual toll indexing at 3.0% effective January 1, 2022. The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

(2) Assumes a 5.7% reduction in Build America Bonds Subsidy throughout projection period.

(3) Operating Expenses and Reserve includes the operating expenses for the year and the working capital reserve of 10.0% of the annual budgeted operating expenses as per section 504(B) of the Bond Resolution.

(4) In 2023, existing debt service assumes swapped debt will achieve synthetic fixed rate and includes the applicable spreads of the FRNs. The unhedged portion of the 2015A Bonds (\$5,000) assumes a rate of 12.0%.

(5) Debt service for year 2022 excludes interest on the Series 2022 C Bonds in the amount of \$171 which accrued in 2022 and was paid on July 1, 2023.

(6) From HNTB Report dated September 25, 2022.

(7) State Payments are based on calendar year while the State agreement is on fiscal year basis (June 30th ).

(8) Spending includes a reclassification of \$4,176 from "Restricted under trust agreements" to "Unrestricted" as some of the escrow related to the 2008 CIP was released.

(9) Includes a fair value gain of \$527.

(10) Beginning General Reserve Fund Balance is adjusted for non-cash interfund balances.

- Totals may not add due to rounding

## Financial Plan Assumptions

**Total Revenue** – Toll revenue is projected by the Authority's traffic engineering consultant, CDM Smith. CDM Smith provided the Authority with the New Jersey Turnpike System 2023 Traffic and Toll Revenue Forecast Study in July 2023, which includes full-year projected toll transactions and revenue for 2024-2033. The forecast assumes the annual toll rate indexing at 3.0%. It reflects a considered permanent change in commuting patterns due to the continuation of either full or hybrid work-from-home schedules, among other factors including major construction projects, and economic and employment forecasts. Please note, The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

**Operating Expenses** – Operating Expenses are projected to increase by 5.3%, primarily driven by general price inflation that has exceeded 3.7%, growth, safety initiatives, and, to a lesser extent contractual increases. These increases are seen in Insurance due to increased bridge and property insurance costs resulting from an uptick in global catastrophic incidents and the number of recent claims, State Police Services due to contractual increases, roadway maintenance primarily for annual preventative maintenance inspections and minor or emergency repairs for all facilities as well as increased labor costs and material to repair guide rails, and banking services, namely credit card fees, due to the budgeted increase in toll revenue and E-ZPass usage. Lastly, salaries are increasing due to assumed contractual obligations and the addition of 51 authorized positions for 2024. After 2024, operating expenses are projected to increase on average by 3.9% each year.

**Net Debt Service** – Projected net debt service (payable from net revenues) includes interest payments on the assumed new money bond issuances at 5.0% to fund the Authority's various capital improvement programs. New money borrowings are projected to be \$1.5 billion in 2024, \$1 billion in 2025, \$1.5 billion in 2026, \$1.3 billion in 2027 and \$2.0 billion in 2028. Projections assume the use of capitalized interest for a period of up to three years on each new money issuance from 2024 through 2028. Net debt service isn't projected to increase from future new money issuances until 2026, when the capitalized interest expires on the Series 2022B Bonds.

**Maintenance Reserve Fund and Special Project Reserve Fund** – Deposits to both the Maintenance Reserve Fund and the Special Project Reserve Fund are determined by the Authority's general consulting engineer, HNTB. Maintenance Reserve Fund deposits will increase by \$10.0 million annually through 2026, and then by 3.5% per year after that. Special Project Reserve Fund deposits will increase by 5.0% annually 2024 till 2026 and 4.0% afterward.

**State Payments** – Includes payments under the Transportation Trust Fund Agreement, Feeder Road Maintenance Agreement, the 2021 State Public Transportation Projects Funding Agreement, and the 2023 State Public Transportation Funding Agreement, all between the Authority and the State of New Jersey, with payments subordinate to debt service payments to bondholders and bond resolution required deposits to the Maintenance Reserve Fund and the Special Project Reserve Fund. On January 1, 2023, the Authority entered into the 2023 State Public Transportation Funding Agreement. In this agreement, the Authority must make monthly payments of \$1.7 million for the purpose of supporting the Gateway Development Commission Operations. Upon the completion of the Hudson Tunnel Project in or about 2033, the monthly payments shall cease and will be replaced with quarterly payments. The quarterly payments shall not exceed \$124 million annually and shall be utilized for the State's share of the costs of the Hudson Tunnel Project. Lastly, on June 30, 2023, the Authority's current Feeder Road Maintenance Agreement expired and, as of the writing of this document, has not been replaced. The Financial Plan assumes funding for a similar agreement of \$2.5 million annually.

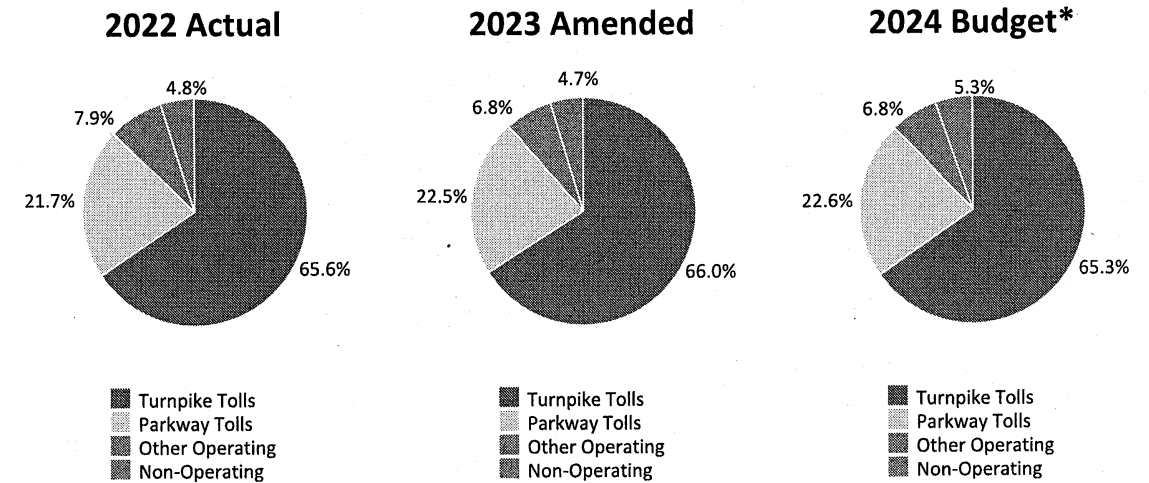
The Authority's Financial Plan through 2028 forecasts the Authority to comply with and exceed its General Bond Resolution Financial covenants, which require a minimum debt service coverage ratio of 1.2 times and total requirements coverage of at least 1.0 times. In addition, the Authority is projected to comply with and also exceed its Board approved policies that target debt service coverage of at least 1.4 times, total requirements coverage of 1.2 times, and a minimum unencumbered General Reserve Fund balance of 10.0% of the total annual budgeted revenue as of December 31, 2020, and each subsequent year after that (\$257.8 million as of December 31, 2024 increasing to \$301.7 million as of December 31, 2028.)

Summary of Major Revenues and Expenses (2024 Annual Budget p52)

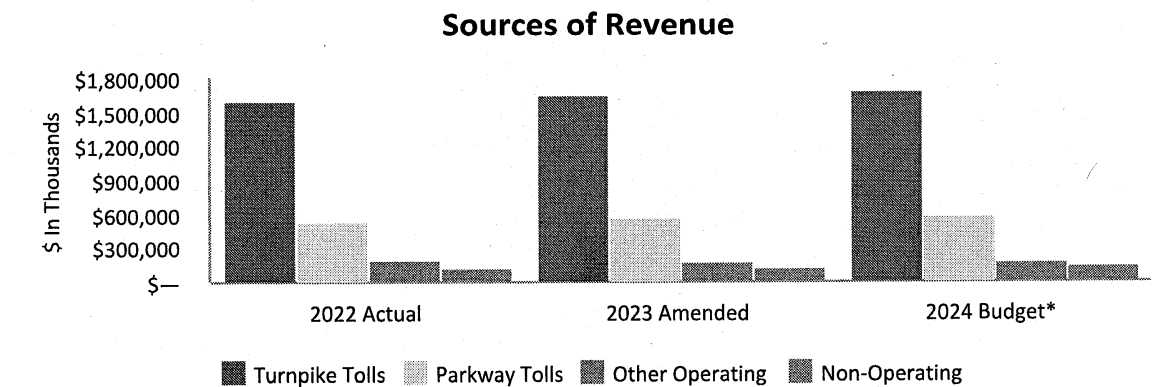
Sources of Revenue

Sources of Revenue					
(\$ In Thousands)	2022 Actual	2023 Amended	2024 Budget	\$ Δ from 2023 Amended	% Δ from 2023 Amended
Turnpike Tolls <sup>(1)</sup>	\$ 1,597,600	1,638,700	1,683,500	44,800	2.7%
Parkway Tolls <sup>(1)</sup>	528,400	557,700	582,000	24,300	4.4%
Other Operating	192,600	169,900	175,600	5,700	3.4%
Non-Operating	116,900	117,400	137,000	19,600	16.7%
Total Revenue	\$ 2,435,500	2,483,700	2,578,100	94,400	3.8%

(1)The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.



\*The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.



\*The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

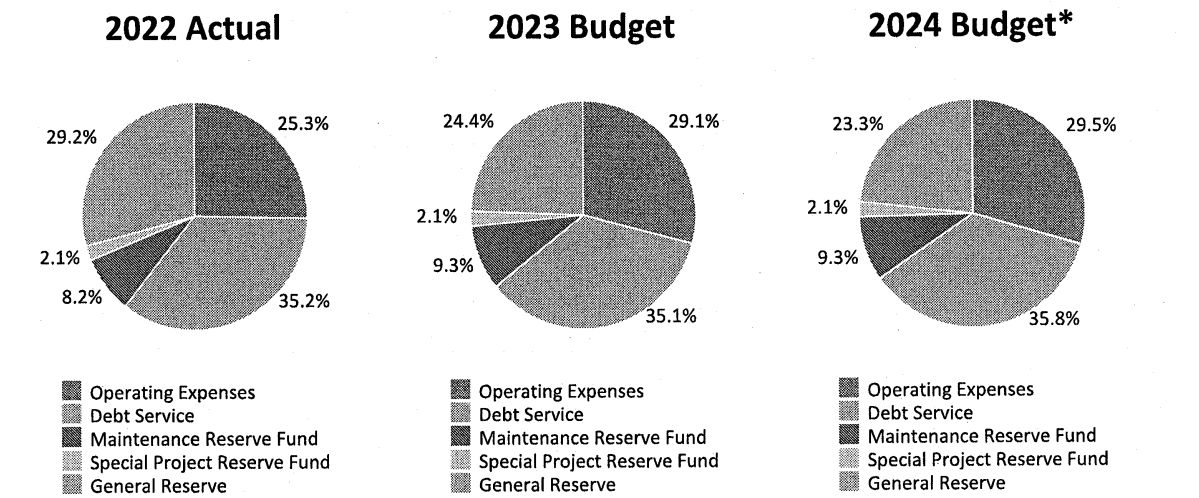
Allocation of Revenue

Allocation of Revenue					
(\$ In Thousands)	2022 Actual	2023 Amended	2024 Budget*	\$ Δ from 2023 Amended	\$ Δ from 2023 Amended
Operating Expenses and Reserve <sup>(1)</sup>	\$ 616,000	723,600	760,900	37,300	5.2%
Net Debt Service <sup>(2)</sup>	858,300	873,300	922,600	49,300	5.6%
Maintenance Reserve Fund	200,000	230,000	240,000	10,000	4.3%
Special Project Reserve Fund	50,000	51,500	54,100	2,600	5.0%
General Reserve Fund	711,200	605,300	600,500	(4,800)	(0.8)%
Total Allocation of Revenue	\$ 2,435,500	2,483,700	2,578,100	94,400	3.8%

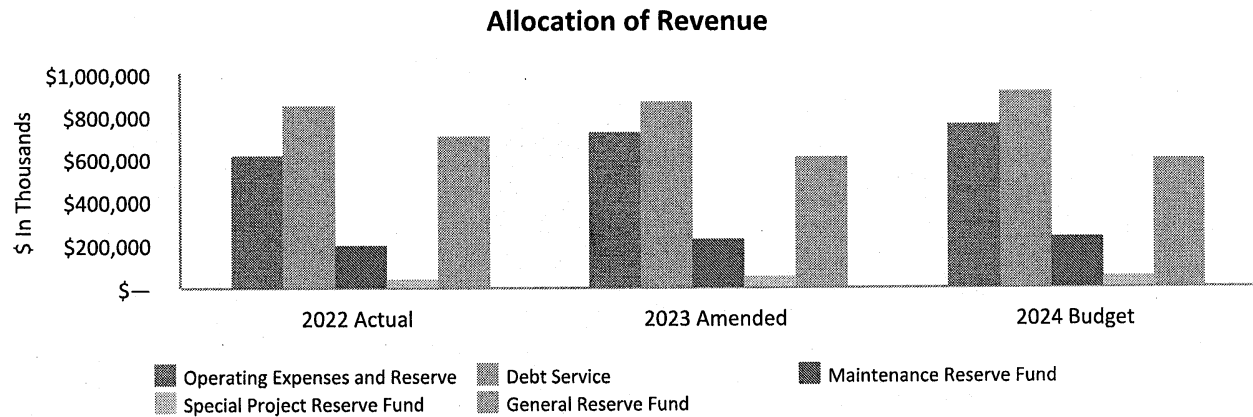
(1) Operating Expenses and Reserve include the operating expenses for the year (\$757,100 in 2024) and the annual increase in the working capital reserve (\$3,800 in 2024) to bring total reserves in the Revenue Fund to 10.0% of the annual budgeted operating expenses as allowed per section 504(B) of the Bond Resolution

(2) Net Debt Service includes debt service on the existing and future debt netted with the capitalized interest for 2022-2024. Represents debt service payable from net revenues.

\*The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.



\*The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.



\*The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

Revenue Requirement (2024 Annual Budget p46)

The Revenue Requirement under section 713(b) of the bond resolution states that in each calendar year net revenue shall at least equal the Net Revenue Requirement for such year. Under Section 101 of the bond resolution, net revenue is defined as: "... for any calendar year or other period of time, the pledged revenue during such year or period less the amounts of the operating expenses for such year or period." The Net Revenue Requirement is defined as "an amount equal to the greater of:

- (i) The Sum of the aggregate debt service, maintenance reserve payments, special project reserve payments, and payments, if any, to the Charges Fund for such period; or
- (ii) 1.20 times the aggregate debt service for such period (excluding, for purposes of clause (ii) only, any payment due and payable by the Authority under a qualified swap upon an early termination thereof)"

On or before December 1<sup>st</sup> of each year, the Authority will review its financial condition to estimate whether the net revenue for such year and the next succeeding year will be sufficient to comply with the toll covenant. The required calculations are shown below.

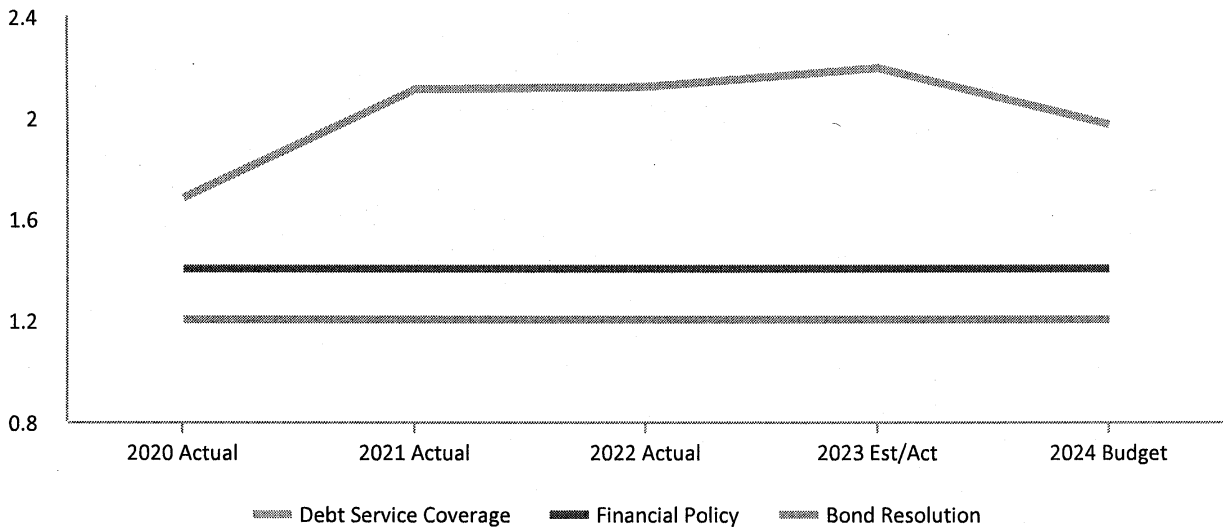
Net Revenue Requirement			
(\$ In Thousands)	2022 Actual	2023 Est/Act	2024 Budget
(i) Revenue	\$ 2,435,500	2,558,100	2,578,100
Operating Expenses and Reserve <sup>(2)</sup>	(616,000)	(639,300)	(760,900)
Net Revenue	\$ 1,819,500	1,918,800	1,817,200
Net Debt Service <sup>(3)</sup>	(857,900)	(875,100)	(922,600)
Maintenance Reserve Payments	(200,000)	(230,000)	(240,000)
Special Project Reserve Payments	(50,000)	(51,500)	(54,100)
Total Requirements	\$ (1,107,900)	(1,156,600)	(1,216,700)
Excess Revenue	\$ 711,600	762,200	600,500
(ii) Net Revenue	1,819,500	1,918,800	1,817,200
1.2X Debt Service	(1,029,500)	(1,050,100)	(1,107,100)
Excess Revenue at 1.2X Debt Service	\$ 790,000	868,700	710,100
Debt Service Coverage	2.12	2.19	1.97

(1) The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

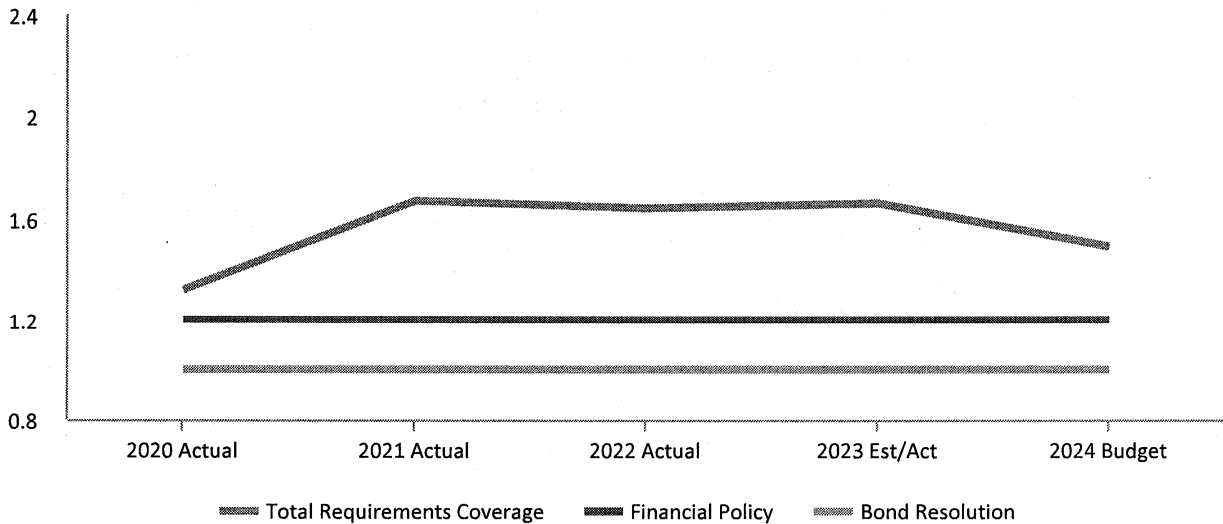
(2) Operating Expenses and Reserve includes the operating expenses for the year (\$757,100 in 2024) and the annual increase in the working capital reserve (\$3,800 in 2024) to bring total reserves in the Revenue Fund to 10.0% of the annual budgeted operating expenses as allowed per section 504(B) of the Bond Resolution

(3) Net Debt Service includes debt service on the existing and future debt netted with the capitalized interest for 2024 and represents debt service payable from net revenues

Debt Service Coverage to Financial Policy and Bond Resolution Ratio



Total Requirements Coverage to Financial Policy and Bond Resolution Ratio



Revenue

Revenue Budget					
(\$ In Thousands)	2022 Actual	2023 Amended	2024 Budget	\$ Δ from 2023 Amended	% Δ from 2023 Amended
Turnpike Tolls <sup>(1)</sup>	\$ 1,597,600	1,638,700	1,683,500	44,800	2.7%
Parkway Tolls <sup>(1)</sup>	528,400	557,700	582,000	24,300	4.4%
Fees	139,300	120,000	125,000	5,000	4.2%
Concessions	36,600	33,000	33,000	—	—%
Miscellaneous	16,700	16,900	17,600	700	4.1%
Total Operating Revenue	\$ 2,318,600	2,366,300	2,441,100	74,800	3.2%
Federal Subsidy for Build America Bonds	77,200	77,000	77,000	—	—%
Federal and State Reimbursements	1,800	—	—	—	—%
Interest Income	37,900	40,400	60,000	19,600	48.5%
Total Non-Operating Revenue	\$ 116,900	117,400	137,000	19,600	16.7%
Total Revenues	\$ 2,435,500	2,483,700	2,578,100	94,400	3.8%

(1) The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

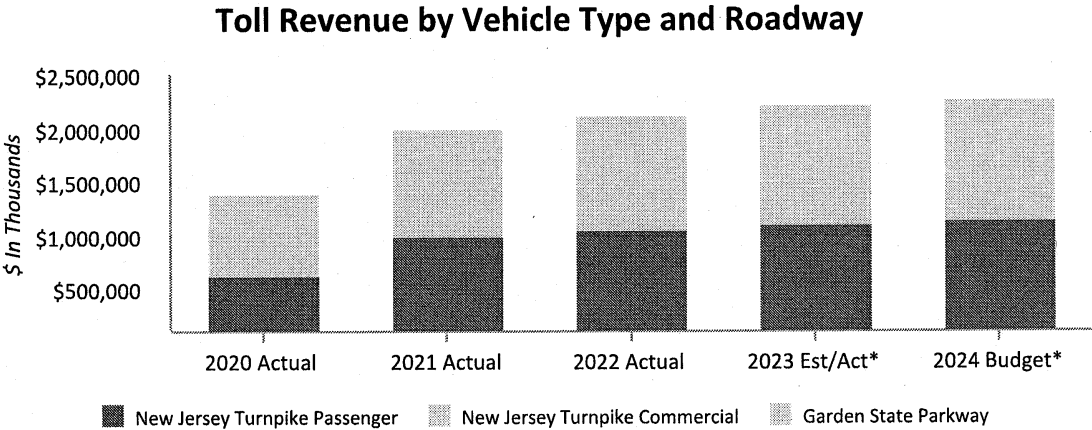
Key Assumptions

- Toll revenue is increasing by 3.1% compared to the prior year budget due primarily to toll rate indexing at 3%, effective January 1, 2024 and normal traffic growth. Budgeted toll revenue comes from the CDM Smith 2023 Traffic and Toll Revenue Forecast Study. However, The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.
- Fee revenue is budgeted to increase by 4.2% in 2024 based on the estimated actuals of 2023, which exceed the budget primarily due to more E-ZPass membership and administrative fees.
- Interest income is budgeted to increase in 2024 and is based upon the higher interest rates as experienced in 2023 as well as higher invested balances.
- Concession revenue remains the same due to the conservative budgeting of variable payments and the anticipated closure of four Service Areas for renovations, slightly offset by the re-openings of Service Areas that were previously closed.
- No significant change in budget assumptions for Miscellaneous and Federal Subsidy for Build America Bonds Revenues.

Toll Statistics (2024 Annual Budget p56)

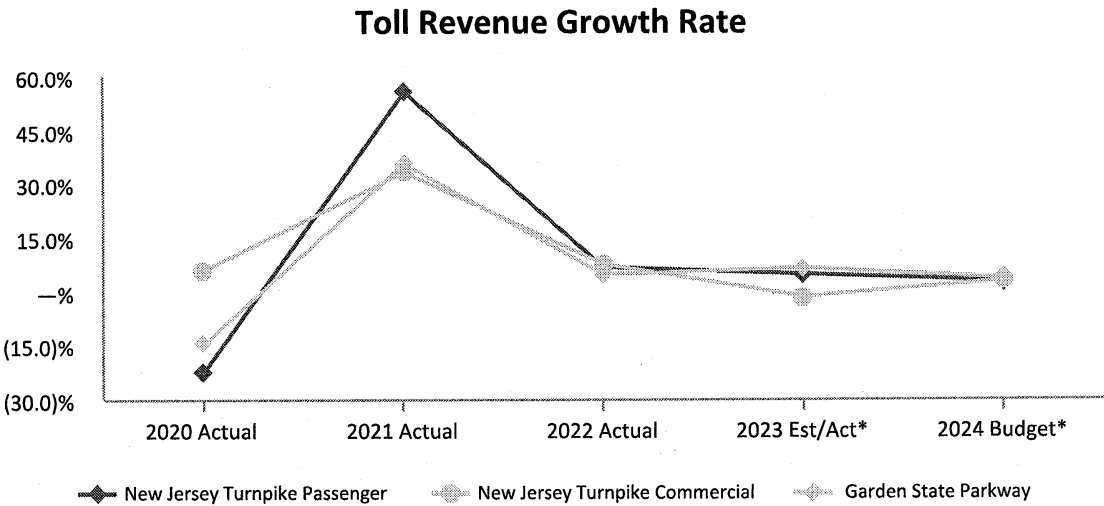
Toll Revenue by Vehicle Type and Roadway					
(\$ In Thousands)	2020 Actual	2021 Actual	2022 Actual	2023 Est/Act*	2024 Budget*
Passenger	\$ 633,500	985,100	1,050,900	1,100,100	1,129,700
Commercial <sup>(1)</sup>	381,400	508,500	546,700	538,300	553,800
New Jersey Turnpike Total	\$ 1,014,900	1,493,600	1,597,600	1,638,400	1,683,500
Garden State Parkway <sup>(2)</sup>	372,500	505,200	528,400	562,300	582,000
Total Authority Toll Revenue	\$ 1,387,400	1,998,800	2,126,000	2,200,700	2,265,500

(1) Commercial vehicles include buses  
(2) Commercial vehicles (including buses) are not shown separately as they account for less than 4% of total  
\*Projected traffic is based on the July 28, 2023 CDM Smith New Jersey Turnpike System 2023 Traffic and Toll Revenue Forecast Study. The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.



\*Projected traffic is based on the July 28, 2023 CDM Smith New Jersey Turnpike System 2023 Traffic and Toll Revenue Forecast Study. The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.





\*Projected traffic is based on the July 28, 2023 CDM Smith New Jersey Turnpike System 2023 Traffic and Toll Revenue Forecast Study. The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

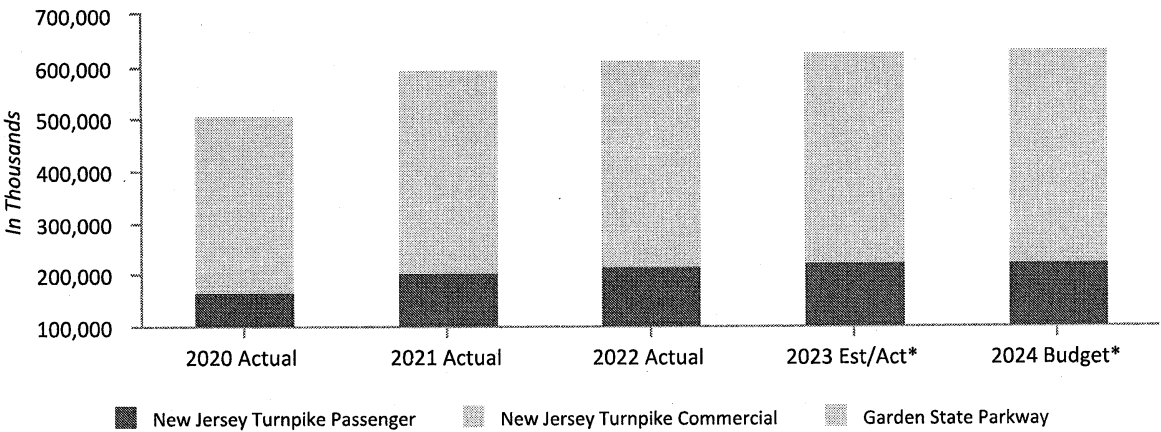
Toll Transactions by Vehicle Type and Roadway					
(In Thousands)	2020 Actual	2021 Actual	2022 Actual	2023 Est/Act*	2024 Budget*
Passenger	166,300	205,800	215,500	222,500	222,200
Commercial <sup>(1)</sup>	32,300	35,700	37,200	36,000	36,000
New Jersey Turnpike Total	198,600	241,500	252,700	258,500	258,200
Garden State Parkway <sup>(2)</sup>	308,500	353,000	360,700	371,500	373,200
Total Authority Toll Transactions	507,100	594,500	613,400	630,000	631,400

(1) Commercial vehicles include buses

(2) Commercial vehicles (including buses) are not shown separately as they account for less than 4% of total

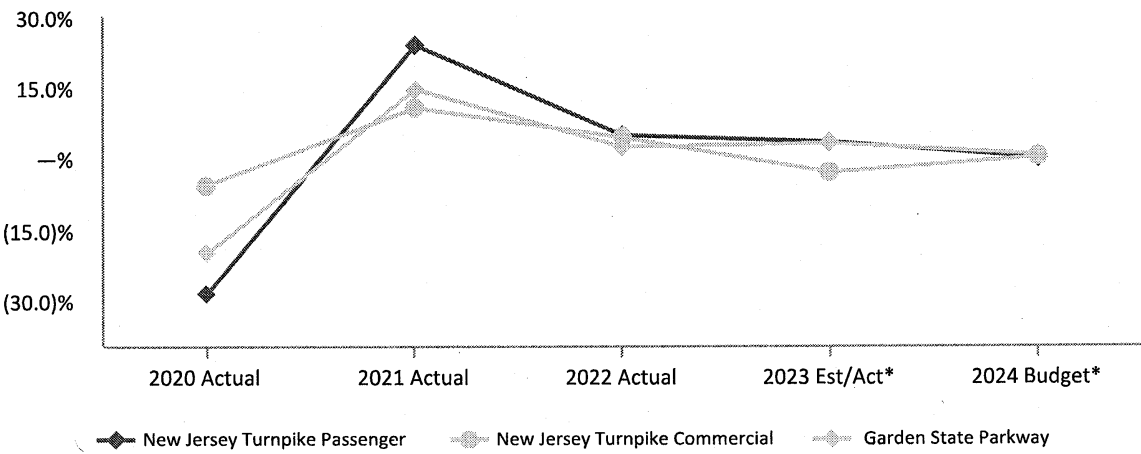
\*Projected traffic is based on the July 28, 2023 CDM Smith New Jersey Turnpike System 2023 Traffic and Toll Revenue Forecast Study. The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

Toll Transactions by Vehicle Type and Roadway



\*Projected traffic is based on the July 28, 2023 CDM Smith New Jersey Turnpike System 2023 Traffic and Toll Revenue Forecast Study. The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

Toll Transactions Growth Rate



\*Projected traffic is based on the July 28, 2023 CDM Smith New Jersey Turnpike System 2023 Traffic and Toll Revenue Forecast Study. The 2024 revenue budget assumed a 3% toll rate increase effective January 1, 2024. The toll rate increase has been pushed to a later date that is to be determined but assumed in 2024.

Operating Expenses (2024 Annual Budget p63)

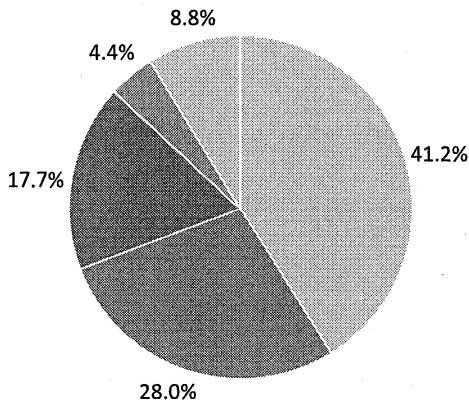
Condensed Operating Expenses by Functional Area					
	2022 Actuals	2023 Amended	2024 Budget	\$ Δ from 2023 Amended	% Δ from 2023 Amended
Maintenance of Infrastructure	\$ 229,314	298,388	311,751	13,364	4.5%
Toll Collection	189,729	204,877	211,957	7,080	3.5%
Traffic Control & State Police	120,236	126,903	133,690	6,787	5.3%
Technology	23,032	28,780	33,325	4,546	15.8%
General & Administrative	50,179	59,910	66,382	6,473	10.8%
Total Operating Expenses	\$ 612,490	718,857	757,106	38,249	5.3%

- Totals may not add due to rounding

Condensed Operating Expenses by Type					
	2022 Actuals	2023 Amended	2024 Budget	\$ Δ from 2023 Amended	% Δ from 2023 Amended
Personnel Costs	\$ 294,313	342,793	350,460	7,667	2.2%
Materials & Supplies	45,346	57,869	64,053	6,184	10.7%
Services	237,408	262,237	282,504	20,267	7.7%
Maintenance & Fixed Costs	24,921	45,474	48,402	2,928	6.4%
Equipment	10,504	10,484	11,688	1,204	11.5%
Total Operating Expenses	\$ 612,490	718,857	757,106	38,249	5.3%

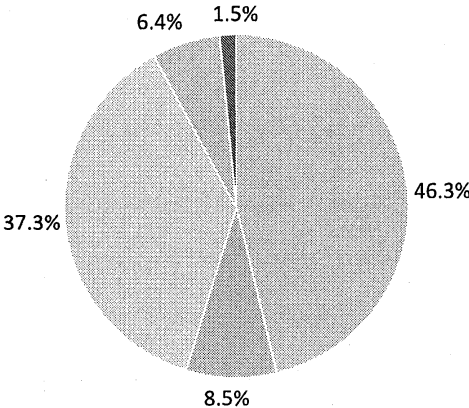
- Totals may not add due to rounding

2024 Budget by Functional Area



- Maintenance of Infrastructure
- Toll Collection
- Traffic Control & State Police
- Technology
- General & Administrative

2024 Budget by Expense Type



- Personnel Costs
- Materials & Supplies
- Services
- Maintenance & Fixed Costs
- Equipment

Operating Expenses - Authorized Positions

Authorized Positions				
Departments/Divisions	2022 Budget	2023 Amended	2024 Budget	Δ from 2023
Maintenance Division	982	1,016	1,060	44
Traffic Division	88	94	95	1
Total Operations Department	1,070	1,110	1,155	45
Engineering	84	79	85	6
Toll Collection	542	542	532	(10)
State Police	28	28	30	2
Information Technology Services	150	152	152	—
Executive Office	9	10	10	—
Law & Insurance Services	21	20	24	4
Procurement & Materials Management	56	57	58	1
Human Resources & Office Services	43	42	44	2
Finance	80	80	80	—
Community & Government Relations	10	10	10	—
Internal Audit	30	30	31	1
Subtotal	2,123	2,160	2,211	51
Contingency	5	10	10	—
Total Authorized Positions	2,128	2,170	2,221	51

Overall, 2024 authorized positions will increase by 51.

- 45 positions are new requests from the Maintenance (31 positions), Engineering (5 positions), State Police (2 positions), Law (4 positions), Human Resources & Office Services (2 positions), and the Internal Audit (1 position) Departments
- The majority of the 31 requested Maintenance positions are for Crew Supervisors, General Maintenance Persons, Janitors, Painters, and Carpenters. Most of these positions are being added in high traffic areas on the roadways, targeting an accident response time reduction and to ensure continuous, safe, and efficient traffic movement
- Additional Engineering positions are to support the Authority's Capital Improvement Program
- After the 2023 Annual Budget was approved, inter-departmental transfers of positions occurred. 15 positions were transferred to Maintenance (10 from Tolls, 5 from Contingency) and Operations (1), Engineering (1), and the Procurement & Materials Management (1) Departments from Contingency
- Contingent positions are constant at 10 and remain in the budget to account for any unanticipated staffing needs during the year

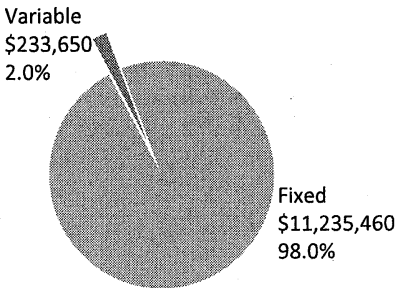
Debt Service (2024 Annual Budget p116)

Debt Service is budgeted to increase in 2024 by \$49.1 million due to an increase in scheduled principal payments on existing debt. Principal payments are increasing by about \$60.6 million when comparing the 2024 budget to the 2023 budget, due to scheduled payments on outstanding bonds. The 2024 budget provides for a full year of interest payments on the assumed \$500.0 million new money issuance in January 2024 and \$1.0 billion new money issuance in July 2024 to fund the Authority's various capital improvement programs. Despite the increase in interest expense from the new money issues, interest expense will only decrease by \$11.5 million in 2024 as interest on the new money issuances is offset by the maturity of Series 2014C, Series 2015A, Series 2015C, Series 2015D, Series 2015G, Series 2016D, Series 2017C, Series 2017D, Series 2017E, Series 2017F, Series 2020A, and Series 2021B Bonds. The 2024 budget assumes \$84.5 million of interest expense will be paid through transfers from the construction fund, representing capitalized interest (bond proceeds deposited into the construction fund at the time of bond closing) from the budgeted 2024A and 2024B new money bonds. This will result in net interest expense (payable from revenue) budgeted at \$922.5 million in 2024.

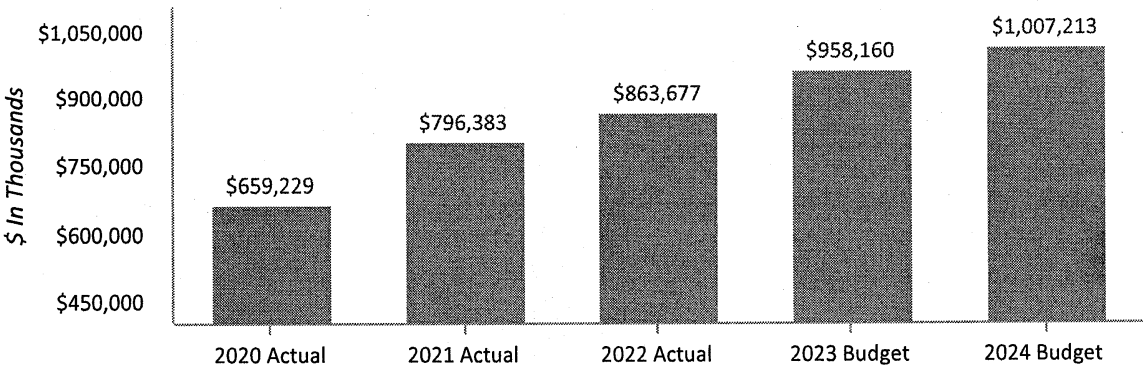
Debt Service					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023 Budget	% Δ from 2023 Budget
Interest Payments	\$ 572,641	640,670	629,143	(11,527)	(1.8)%
Principal Payments	291,050	317,490	378,070	60,580	19.1%
Total Debt Service	\$ 863,691	958,160	1,007,213	49,053	5.1%

\*Total 2024 Budget for Debt Service includes payments made from capitalized interest of \$109.7 million

Total Bonds Outstanding \$11.5 Billion as of September 30, 2023  
(\$ In Thousands)



Debt Service



Debt Reserve

The Debt Reserve is expected to have an increase in its fund balance in 2024 as bond proceeds will be deposited to meet increased Debt Reserve requirements from the anticipated additional bonds to be issued.

Debt Reserve Fund Balance					
<i>(\$ In Thousands)</i>	2022 Actual	2023 Est/Actual	2024 Budget	\$ Δ from 2023 Est/Actual	% Δ from 2023 Est/Actual
Beginning Balance	\$ 599,026	600,321	605,002	4,681	0.8%
Amortized Value Adjustment	1,295	4,681	3,587	(1,094)	(23.4)%
Bond Proceeds	—	—	29,341	29,341	—%
Ending Balance	\$ 600,321	605,002	637,930	32,928	5.4%

General Reserve (2024 Annual Budget p124)

The General Reserve has a 2024 budget of \$704.7 million, including \$585.2 million in spending and \$119.5 million in net transfers. This represents a decrease of approximately \$55.2 million from the 2023 budget. The most significant decrease comes from the State Public Transportation Projects Funding Agreement that began on July 1, 2021, which totals \$472.5 million. This is a decrease of \$133.0 million. The agreement is on a state fiscal year basis. The \$472.5 million represents one-half of the \$465.0 million for state FY 2023 and one-half of the \$480.0 million for state FY 2024. The total State Payments of \$517 million include the 2021 agreement as well as two other existing agreements: the Transportation Trust Fund and the Feeder Road Reimbursement Agreements. It also includes payments for the Gateway Program of approximately \$20.0 million. The amount budgeted in 2024 is the annual contribution to the state to fund the operations of the Gateway Development Commission during the anticipated 10-year construction period. The 2024 budget also includes \$32.3 million for state of emergency events, \$15.0 million in reserves for Other Post-Employment Benefits (OPEB), and a \$12.9 million contribution to Applegreen NJ Welcome Centers, LLC in 2024 to construct and operate electric vehicle charging facilities at Authority Service Areas.

The net transfers out of \$119.5 million include a \$109.5 million transfer to the Construction Fund to provide funding for 2024 spending on projects within the Supplemental Capital Program, plus a \$10.0 million transfer to fund chargebacks. Chargebacks represent the transfer to the Operating Budget to cover internal costs allocated to bond-funded capital projects. The 2024 transfer into the Supplemental Capital Program is \$59.5 million more than 2023. These additional funds will be used to complete Phase 5 and commence Phase 6 of the Service Area Rehabilitation Program in 2024.

General Reserve					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Spending					
Extraordinary Events	\$ 14,424	32,295	32,295	—	—%
State Payments	547,500	640,000	517,000	(123,000)	(19.2)%
All Other	15,012	22,550	30,894	8,344	37.0%
Contingency	—	5,000	5,000	—	—%
Total Spending	\$ 576,936	699,845	585,189	(114,656)	(16.4)%
Transfers					
Transfers Out	61,125	60,000	119,500	59,500	99.2%
Total Transfers - Net	\$ 61,125	60,000	119,500	59,500	99.2%
Total General Reserve <sup>(1)</sup>	\$ 638,061	759,845	704,689	(55,156)	(7.3)%

(1) Does not match the Financial Plan due to accounting reclassifications not included in the figure: Release of Escrow (\$4,176) and Gain or Loss on Fair Value (\$527)

Capital Spending Program (2024 Annual Budget p129)

The Authority's 2024 Annual Budget includes its Capital Spending Program, presented on a rolling five-year basis, with spending included for the years 2024-2028. The Capital Spending Program includes revenue-funded projects, as well as bond-funded projects. The revenue-funded capital projects, referred to as the Capital Budget, have projects in the Maintenance Reserve Fund, the Special Project Reserve Fund, and the Supplemental Capital Program. The bond-funded capital projects, referred to as the Construction Fund, include the 2024-2028 Capital Improvement Program, the 2019 Capital Improvement Program, and the 2008 \$7 Billion Capital Improvement Program. These capital projects are presented on a rolling five-year (2024-2028) spending basis, along with their total project budgets. The total project budget for each project includes prior spending (if any), rolling five-year spending, and future spending (after the five years, if any). Each year, a new rolling five-year spending plan will be approved with the changes, if any, to the entire project budget as a part of the annual budget approval process.

Driving the Capital Spending Program are the planned awards, construction contracts, and orders for professional services for the design, supervision, and construction of the projects included within the program. In 2024, the Authority plans to award over \$1.0 billion for these projects.

Planned Awards, Construction Contracts, and Order for Professional Services							
(\$ In Thousands)		2022 Awards	2022 Award \$	2023 Awards	2023 Award \$	2024 Awards	2024 Award \$
Fund	Fund Name	Actual		Budget		Budget	
500	2024-2028 Capital Improvement Program <sup>(2)</sup>	25	\$ 300,711	41	1,214,750	30	769,606
392	2019 Capital Improvement Program	2	31,960	—	—	—	—
400	Supplemental Capital Program	2	27,680	2	2,800	7	23,597
49	Special Project Reserve Fund	5	7,394	1	5,900	6	13,905
39	Maintenance Reserve Fund	26	177,350	10	68,400	34	232,648
Totals		60	\$ 545,095	54	1,291,850	77	1,039,756

(1) 2008 Capital Improvement Program has been fully awarded and not listed in the above chart

(2) Budgeted Awards in the 2024-2028 Capital Improvement Plan were inflated in 2023 as the Newark Bay Hudson County Extension and Turnpike Interchanges 1-4 Capacity Enhancement Programs were not yet separated by sections. As a result the award of all design Order for Professional Services were lumped into one award for each program.

The 2024 rolling five-year Capital Spending Program includes \$8.1 billion in spending between 2024-2028 or an average of \$1.6 billion per year. Approximately 26.5%, or \$2.1 billion, will be funded from revenue, leaving 73.5%, or \$6.0 billion to be funded by bond proceeds. Of the total \$8.1 billion to be spent, 29.0% will be for capacity enhancements on both roadways, while 25.1% is for bridge construction, preservation, and security. These, along with 14.0% avement resurfacing and other roadway improvements, combine for 68.1% of the total spending.



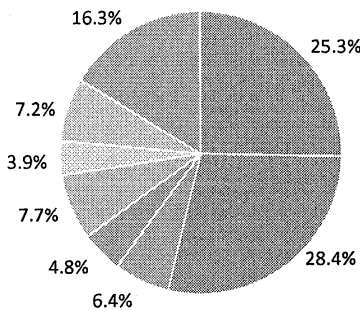
Capital Spending Program — Spending by Category or Functional Area					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Capitalized Projects by Category					
Roadway					
Bridge Construction, Preservation & Security	\$ 291,772	583,691	544,704	(38,987)	(6.7)%
Capacity Enhancements - Turnpike	27,285	40,749	73,015	32,266	79.2%
Capacity Enhancements - Parkway	1,737	3,449	1,070	(2,379)	(69.0)%
Pavement Resurfacing	86,646	146,946	128,340	(18,606)	(12.7)%
Interchanges	3,589	7,701	14,835	7,134	92.6%
Concrete Barrier	19,542	12,821	25,613	12,792	99.8%
Drainage Structures	45,302	99,435	56,836	(42,599)	(42.8)%
Roadway Lighting	21,524	45,668	68,506	22,838	50.0%
Other Roadway Improvements	42,117	109,183	98,148	(11,035)	(10.1)%
Total Roadway	\$ 539,514	1,049,643	1,011,067	(38,576)	(3.7)%
Non-Roadway					
Facilities	13,545	71,300	93,215	21,915	30.7%
Fleet	9,777	50,598	38,562	(12,036)	(23.8)%
Service Areas & Arts Center	29,983	34,396	94,409	60,013	174.5%
Technology Improvements	60,983	54,226	68,940	14,714	27.1%
Total Non-Roadway	\$ 114,288	210,520	295,126	84,606	40.2%
Total Capitalized Projects	\$ 653,802	1,260,163	1,306,193	46,030	3.7%
Expensed Projects by Functional Area					
Maintenance of Infrastructure	949	11,774	10,702	(1,072)	(9.1)%
Traffic Control & State Police	1,171	2,046	1,200	(846)	(41.3)%
Technology	3,402	5,173	5,098	(75)	(1.4)%
General & Administrative	409	1,780	1,860	80	4.5%
Total Expensed Projects	\$ 5,930	20,773	18,860	(1,913)	(9.2)%
Total Spending (Capitalized+Expensed)	\$ 659,732	1,280,936	1,325,053	44,117	3.4%

Capital Spending Program — Funding Sources					
(\$ in Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Revenue Funded					
Maintenance Reserve Fund	\$ 146,235	278,797	337,312	58,515	21.0%
Special Project Reserve Fund	24,429	109,346	114,695	5,349	4.9%
Supplemental Capital Program	22,956	51,679	144,703	93,024	180.0%
Total Revenue Funded	\$ 193,620	439,822	596,710	156,888	35.7%
Bond Funded					
2024-2028 Capital Improvement Program	262,268	608,468	653,764	45,296	7.4%
2019 Capital Improvement Program	170,658	129,645	70,442	(59,203)	(45.7)%
2008 \$7 Billion Capital Improvement Program	33,186	103,001	4,137	(98,864)	(96.0)%
Total Bond Funded	\$ 466,112	841,114	728,343	(112,771)	(13.4)%
Total Funding Sources	\$ 659,732	1,280,936	1,325,053	44,117	3.4%

Capital Spending Program (Revenue and Bond Funded)						
Rolling 5-Year Spending Plan by Category or Functional Area						
(\$ In Thousands)	Spending Plan					
	2024	2025	2026	2027	2028	Total
Capitalized Projects by Category						
Roadway						
Bridge Construction, Preservation & Security	\$ 544,704	461,957	492,541	347,281	192,125	2,038,608
Capacity Enhancements - Turnpike	73,015	109,310	379,610	590,192	1,138,045	2,290,172
Capacity Enhancements - Parkway	1,070	4,769	9,402	31,894	19,182	66,317
Pavement Resurfacing	128,340	98,581	104,602	102,579	81,579	515,681
Interchanges	14,835	44,299	44,547	102,745	106,100	312,526
Concrete Barrier	25,613	77,569	64,764	29,139	82,486	279,571
Drainage Structures	56,836	74,850	93,563	85,311	77,902	388,462
Roadway Lighting	68,506	88,005	68,913	78,682	52,914	357,020
Other Roadway Improvements	98,148	162,528	153,940	127,195	75,399	617,210
Total Roadway	\$ 1,011,067	1,121,868	1,411,882	1,495,018	1,825,732	6,865,567
Non-Roadway						
Facilities	93,215	63,601	41,558	46,605	50,808	295,787
Fleet	38,562	40,360	40,096	41,946	43,905	204,869
Service Areas & Arts Center	94,409	17,325	1,875	536	536	114,681
Technology Improvements	68,940	47,392	149,263	160,407	154,475	580,477
Total Non-Roadway	\$ 295,126	168,678	232,792	249,494	249,724	1,195,814
Total Capitalized Projects	\$ 1,306,193	1,290,546	1,644,674	1,744,512	2,075,456	8,061,381
Expensed Projects by Functional Area						
Maintenance of Infrastructure	10,702	5,750	5,250	8,250	6,250	36,202
Traffic Control & State Police	1,200	1,600	1,200	1,200	1,200	6,400
Technology	5,098	1,000	1,500	1,250	1,000	9,848
General & Administrative	1,860	2,702	1,020	737	811	7,130
Total Expensed Projects	\$ 18,860	11,052	8,970	11,437	9,261	59,580
Total Spending (Capitalized+Expensed)	\$ 1,325,053	1,301,598	1,653,644	1,755,949	2,084,717	8,120,961

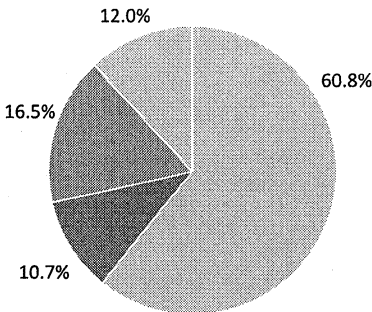
Capital Spending Program (Revenue and Bond Funded)						
Funding Sources						
(\$ In Thousands)	Spending Plan					
Revenue Funded	2024	2025	2026	2027	2028	Total
Maintenance Reserve Fund	\$ 337,312	258,662	274,154	274,221	276,905	1,421,254
Special Project Reserve Fund	114,695	68,936	61,892	64,989	60,729	371,241
Supplemental Capital Program	144,703	53,661	52,864	52,677	52,361	356,266
Total Revenue Funded	\$ 596,710	381,259	388,910	391,887	389,995	2,148,761
Bond Funded	2024	2025	2026	2027	2028	Total
2024-2028 Capital Improvement Program	653,764	884,257	1,255,564	1,364,062	1,694,722	5,852,369
2019 Capital Improvement Program	70,442	36,008	9,170	—	—	115,620
2008 \$7 Billion Capital Improvement Program	4,137	74	—	—	—	4,211
Total Bond Funded	\$ 728,343	920,339	1,264,734	1,364,062	1,694,722	5,972,200
Total Capital Spending	\$ 1,325,053	1,301,598	1,653,644	1,755,949	2,084,717	8,120,961
Percentage Revenue Funded	45.0%	29.3%	23.5%	22.3%	18.7%	26.5%
Percentage Bond Funded	55.0%	70.7%	76.5%	77.7%	81.3%	73.5%

Total Bond & Revenue  
Funding by Category  
(\$8.0 Billion)



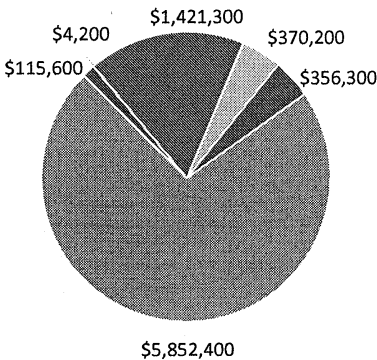
- Bridge Construction, Preservation & Security
- Capacity Enhancements - Turnpike
- Pavement Resurfacing
- Drainage Structures
- Other Roadway Improvements
- Interchanges
- Technology Improvements
- Other Program Categories

Total Bond & Revenue  
Funding by Functional Area  
(\$59.6 Million)



- Maintenance of Infrastructure
- Traffic Control & State Police
- Technology
- General & Administrative

Total Funding by Source  
(\$8.1 Billion)  
(\$ in Thousands)



- Maintenance Reserve Fund
- Special Project Reserve Fund
- Supplemental Capital Program
- 2024-2028 Capital Improvement Program
- 2019 Capital Improvement Program
- 2008 \$7 Billion Capital Improvement Program

Capital Budget (Revenue Funded) (2024 Annual Budget p136)

The 2024 Capital Budget includes the Maintenance Reserve Fund, the Special Project Reserve Fund, and the Supplemental Capital Program. The Capital Budget primarily supports spending on roadways and bridges, scheduled fleet replacement based on target lifecycles, and several multi-year capital program projects such as pavement repairs, replacement of toll collection equipment, etc. The Authority’s revenue funds the spending from the Maintenance Reserve Fund and Special Project Reserve Fund after paying for the operating expenses and debt service. These two funds are separate funds established by the Authority’s Bond Resolution. Transfers from the General Reserve Fund supply the spending for the Supplemental Capital Program. This program is a separate account in the Construction Fund. The Authority’s Bond Resolution establishes the Construction Fund, and allows the creation of a separate revenue funded account.

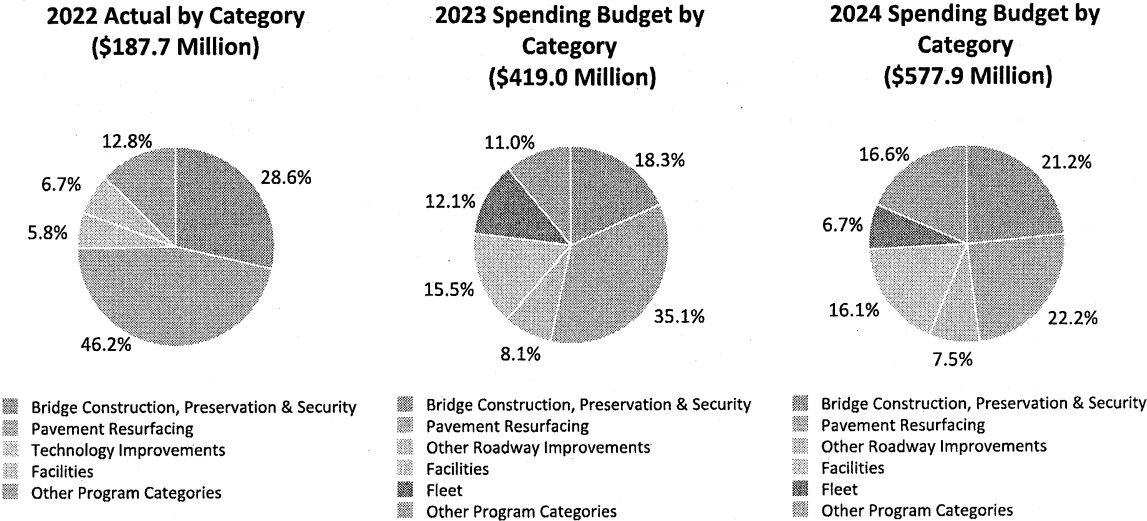
Capital Budget — Spending by Category or Functional Area					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Capitalized Projects by Category					
Roadway					
Bridge Construction, Preservation & Security	\$ 53,717	76,830	122,462	45,632	59.4%
Pavement Resurfacing	86,646	146,946	128,340	(18,606)	(12.7)%
Drainage Structures	7,961	5,421	6,942	1,521	28.1%
Roadway Lighting	1,742	3,214	6,077	2,863	89.1%
Other Roadway Improvements	4,546	33,746	43,379	9,633	28.5%
Total Roadway	\$ 154,889	266,157	307,200	41,043	15.4%
Non-Roadway					
Facilities	12,514	64,812	93,215	28,403	43.8%
Fleet	9,777	50,598	38,562	(12,036)	(23.8)%
Service Areas & Arts Center	(336)	9,708	94,409	84,701	872.5%
Technology Improvements	10,846	27,774	44,464	16,690	60.1%
Total Non-Roadway	\$ 32,801	152,892	270,650	117,758	77.0%
Total Capitalized Projects	\$ 187,690	419,049	577,850	158,801	37.9%
Expensed Projects by Functional Area					
Maintenance of Infrastructure	949	11,774	10,702	(1,072)	(9.1)%
Traffic Control & State Police	1,171	2,046	1,200	(846)	(41.3)%
Technology	3,402	5,173	5,098	(75)	(1.4)%
General & Administrative	409	1,780	1,860	80	4.5%
Total Expensed Projects	\$ 5,930	20,773	18,860	(1,913)	(9.2)%
Total Spending (Capitalized+Expensed)	\$ 193,620	439,822	596,710	156,888	35.7%

Capital Budget — Funding Sources					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Revenue Funded					
Maintenance Reserve Fund	\$ 146,235	278,797	337,312	58,515	21.0%
Special Project Reserve Fund	24,429	109,346	114,695	5,349	4.9%
Supplemental Capital Program	22,956	51,679	144,703	93,024	180.0%
Total Funding Sources	\$ 193,620	439,822	596,710	156,888	35.7%

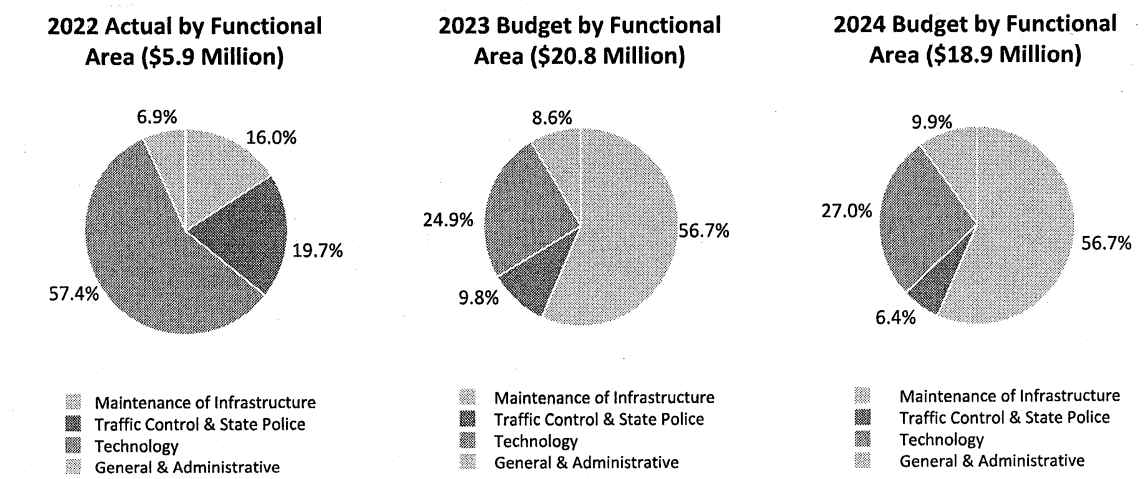
Capital Budget — Revenue Funded – Spending by Category or Functional Area

The Capital Budget includes all revenue-funded capital projects contained in the Maintenance Reserve Fund, Special Project Reserve Fund, and Supplemental Capital Program. The 2024 spending budget is \$596.7 million, an increase of \$156.9 million compared to the 2023 spending budget. The 2024 spending budget includes 21.5% for Pavement Resurfacing, 20.5% for Bridge Construction, Preservation, and Security, and 15.6% for Facilities. Together, they combine for 59.5% of 2024 capitalized project spending. Maintenance of Infrastructure accounts for 56.7% of 2024 expensed projects.

Capital Budget — Capitalized Projects — Spending by Category



Capital Budget — Expensed Projects — Spending by Functional Area



Capital Budget (Revenue Funded)						
Rolling 5-Year Spending Plan by Category or Functional Area						
(\$ In Thousands)	Spending Plan					
	2024	2025	2026	2027	2028	Total
Capitalized Projects by Category						
Roadway						
Bridge Construction, Preservation & Security	\$ 122,462	97,035	108,762	107,631	132,180	568,070
Pavement Resurfacing	128,340	98,581	104,602	102,579	81,579	515,681
Drainage Structures	6,942	5,416	5,502	5,589	5,679	29,128
Roadway Lighting	6,077	4,980	6,787	6,707	3,726	28,277
Other Roadway Improvements	43,379	30,885	48,495	47,814	45,321	215,894
Total Roadway	\$ 307,200	\$ 236,897	274,148	270,320	268,485	1,357,050
Non-Roadway						
Facilities	93,215	63,601	41,558	46,605	50,808	295,787
Fleet	38,562	40,360	40,096	41,946	43,905	204,869
Service Areas & Arts Center	94,409	17,325	1,875	536	536	114,681
Technology Improvements	44,464	12,024	22,263	21,043	17,000	116,794
Total Non-Roadway	\$ 270,650	133,310	105,792	110,130	112,249	732,131
Total Capitalized Projects	\$ 577,850	370,207	379,940	380,450	380,734	2,089,181
Expensed Projects by Functional Area						
Maintenance of Infrastructure	10,702	5,750	5,250	8,250	6,250	36,202
Traffic Control & State Police	1,200	1,600	1,200	1,200	1,200	6,400
Technology	5,098	1,000	1,500	1,250	1,000	9,848
General & Administrative	1,860	2,702	1,020	737	811	7,130
Total Expensed Projects	\$ 18,860	11,052	8,970	11,437	9,261	59,580
Total Spending (Capitalized+Expensed)	\$ 596,710	381,259	388,910	391,887	389,995	2,148,761

Capital Budget — Funding Sources						
(\$ In Thousands)	Spending Plan					
	2024	2025	2026	2027	2028	Total
Revenue Fund						
Maintenance Reserve Fund	\$ 337,312	258,662	274,154	274,221	276,905	1,421,254
Special Project Reserve Fund	114,695	68,936	61,892	64,989	60,729	371,241
Supplemental Capital Program	144,703	53,661	52,864	52,677	52,361	356,266
Total Funding Sources	\$ 596,710	381,259	388,910	391,887	389,995	2,148,761

Maintenance Reserve Fund (2024 Annual Budget p140)

The Maintenance Reserve Fund primarily supports spending for the maintenance and resurfacing of roadways and bridges on both the Turnpike and Parkway. These projects have a combined spending budget for 2024 of \$337.3 million and a rolling five-year spending plan of \$1.4 billion. The spending budget for 2024 is increasing by 21.0% compared to 2023, with 74.4% projected to be spent in the categories of Pavement Resurfacing and Bridge Construction, Preservation, and Security. Most of the increase in 2024 is for Bridge Construction, Preservation, and Security on both roadways, which is increasing by over \$45.6 million, or 59.4%. The 2024 Maintenance Reserve Fund also includes annual funding for work that addresses facilities repairs and upgrades, including major building, roofing, and utility replacements. In addition, in 2024, projects were moved into Maintenance Reserve from the Supplemental Capital Program for Other Roadway Improvements and Facilities. These projects included underground storage tank and equipment storage building replacements at various maintenance districts, as well as toll facility repairs on both roadways.

Maintenance Reserve Fund — Spending by Category					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Capitalized Projects by Category					
Roadway					
Bridge Construction, Preservation & Security	\$ 53,717	76,830	122,462	45,632	59.4%
Pavement Resurfacing	80,591	146,431	128,340	(18,091)	(12.4)%
Drainage Structures	7,961	5,421	6,942	1,521	28.1%
Roadway Lighting	1,742	3,214	6,077	2,863	89.1%
Other Roadway Improvements	1,033	15,102	28,031	12,929	85.6%
Total Roadway	\$ 145,044	246,998	291,852	44,854	18.2%
Non-Roadway					
Facilities	1,191	31,799	45,460	13,661	43.0%
Total Non-Roadway	\$ 1,191	31,799	45,460	13,661	43.0%
Total Spending (Capitalized)	\$ 146,235	278,797	337,312	58,515	21.0%



Maintenance Reserve Fund								
Rolling 5-Year Spending Plan by Category							Prior LTD Spending	Total Project Budget
(\$ In Thousands)	2024	2025	2026	2027	2028	Total 5- Year		
Capitalized Projects by Category								
Roadway								
Bridge Construction, Preservation & Security	\$ 122,462	97,035	108,762	107,631	132,180	568,070	236,298	804,368
Pavement Resurfacing	128,340	98,581	104,602	102,579	81,579	515,681	308,139	823,820
Drainage Structures	6,942	5,416	5,502	5,589	5,679	29,128	30,455	59,583
Roadway Lighting	6,077	4,980	6,787	6,707	3,726	28,277	25,340	53,617
Other Roadway Improvements	28,031	20,693	18,352	21,488	22,772	111,336	3,758	115,094
Total Roadway	\$ 291,852	226,705	244,005	243,994	245,936	1,252,492	603,990	1,856,482
Non-Roadway								
Facilities	45,460	31,957	30,149	30,227	30,969	168,762	21,278	190,040
Total Non-Roadway	\$ 45,460	31,957	30,149	30,227	30,969	168,762	21,278	190,040
Total Spending (Capitalized)	\$ 337,312	258,662	274,154	274,221	276,905	1,421,254	625,268	2,046,522

Maintenance Reserve Fund — Significant Project Budgets								
(\$ In Thousands)	Spend Plan						Prior LTD Spending	Total Project Budget
Project Name	2024	2025	2026	2027	2028	Rolling 5-Year		
Capitalized Projects								
Prior Approved Projects								
GSP Resurface MP 0-126 Sec 7 (2024)	\$ 45,238	—	—	—	—	45,238	—	45,238
TPK Section 7 MP 54-60 (2024)	23,999	—	—	—	—	23,999	—	23,999
TPK Section 5 MP 48-54 (2024)	22,969	—	—	—	—	22,969	—	22,969
TPK Bridge 2024 MP 92-122 & NBHCE	25,392	52	—	—	—	25,444	1,470	26,914
TPK Bridge 2024 MP 0-92 PHM Ext	17,218	2,601	—	—	—	19,819	1,354	21,173
GSP Bridge Repair 2024 MP 126-172	17,235	721	—	—	—	17,956	1,546	19,502
GSP Bridge Repair 2024 MP 0-126	16,453	46	—	—	—	16,499	1,074	17,573
Major Building Imprv 2024	7,723	—	—	—	—	7,723	—	7,723
MJR Sign & Safety Rpl/Impr 2024	6,011	—	—	—	—	6,011	—	6,011
All Other Prior Approved Projects	145,944	237,995	255,929	258,622	266,321	1,164,811	619,824	1,784,635
Total Prior Approved Projects	\$ 328,182	241,415	255,929	258,622	266,321	1,350,469	625,268	1,975,737
New Projects								
Arts Center Pavement Improvements	6,374	3,476	—	—	—	9,850	—	9,850
Commuter Lot Pavement Improvements	1,030	3,682	3,579	3,579	3,579	15,449	—	15,449
Tunnel Lighting at Irvington	747	1,571	3,275	3,090	—	8,683	—	8,683
Overhead Guide Sign Replacements	—	3,090	3,090	3,090	3,090	12,360	—	12,360
Str. No. P0.00 Miscellaneous Repairs	—	1,617	8,281	4,810	—	14,708	—	14,708
All Other New Projects	979	3,811	—	1,030	3,915	9,735	—	9,735
Total New Projects	\$ 9,130	17,247	18,225	15,599	10,584	70,785	—	70,785
Total Project Budget	\$337,312	258,662	274,154	274,221	276,905	1,421,254	625,268	2,046,522

Special Project Reserve Fund (2024 Annual Budget p144)

The Special Project Reserve Fund has a 2024 budget of nearly \$114.7 million and a rolling five-year spending plan of \$371.2 million. The spending for 2024 is increasing 4.9% compared to 2023. The 2024 Special Project Reserve Fund provides funding for the Authority’s scheduled Major Fleet Replacement Program. There is a decrease in spending for Fleet in 2024 compared to 2023 by 23.8% due to the lessening backlog of vehicle delivery delays that rolled over from previous years.

There is an increase of \$13.3 million, or 93.2% for technology improvements with the continuation of initiatives such as the Advanced Traffic Management System, Capital Program Management Software, and Enterprise Asset Management System, in addition to new upgrades such as CCure Hardware Refresh and Storage Area Network Replacement.

During 2024, approximately 33.6% of the Special Project Reserve Fund spending budget will be for fleet replacement, while 25.9% is budgeted to be spent on Facility improvements such as the Turnpike Milepost 92 Pump House, the Turnpike 6S Wastewater Pre-treatment Plant, and Pleasant Plains and Avalon State Police Sub-Barracks.

Special Project Reserve Fund — Spending by Category or Functional Area					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Capitalized Projects by Category					
Roadway					
Other Roadway Improvements	\$ 765	5,103	—	(5,103)	(100.0)%
Total Roadway	\$ 765	5,103	—	(5,103)	(100.0)%
Non-Roadway					
Facilities	5,441	18,611	29,714	11,103	59.7%
Fleet	9,777	50,598	38,562	(12,036)	(23.8)%
Technology Improvements	2,616	14,261	27,559	13,298	93.2%
Total Non-Roadway	\$ 17,834	83,470	95,835	12,365	14.8%
Total Capitalized Projects					
	\$ 18,599	88,573	95,835	7,262	8.2%
Expensed Projects by Functional Area					
Maintenance of Infrastructure	867	11,774	10,702	(1,072)	(9.1)%
Traffic Control & State Police	1,171	2,046	1,200	(846)	(41.3)%
Technology	3,384	5,173	5,098	(75)	(1.4)%
General & Administrative	409	1,780	1,860	80	4.5%
Total Expensed Projects	\$ 5,830	20,773	18,860	(1,913)	(9.2)%
Total Spending (Capitalized+Expensed)					
	\$ 24,429	109,346	114,695	5,349	4.9%

Special Project Reserve Fund								
Rolling 5-Year Spending Plan by Category or Functional Area							Prior LTD Spending	Total Project Budget
(\$ In Thousands)	2024	2025	2026	2027	2028	Total 5- Year		
Capitalized Projects by Category								
Roadway								
Other Roadway Improvements	\$ —	—	—	—	—	—	1,492	1,492
Total Roadway	\$ —	—	—	—	—	—	1,492	1,492
Non-Roadway								
Facilities	29,714	13,000	5,563	5,563	5,563	59,403	26,500	85,903
Fleet	38,562	40,360	40,096	41,946	43,905	204,869	80,238	285,107
Technology Improvements	27,559	4,524	7,263	6,043	2,000	47,389	14,620	62,009
Total Non-Roadway	\$ 95,835	57,884	52,922	53,552	51,468	311,661	121,358	433,019
Total Capitalized Projects	\$ 95,835	57,884	52,922	53,552	51,468	311,661	122,850	434,511
Expensed Projects by Functional Area								
Maintenance of Infrastructure	10,702	5,750	5,250	8,250	6,250	36,202	13,044	49,246
Traffic Control & State Police	1,200	1,600	1,200	1,200	1,200	6,400	5,397	11,797
Technology	5,098	1,000	1,500	1,250	1,000	9,848	5,540	15,388
General & Administrative	1,860	2,702	1,020	737	811	7,130	1,927	9,057
Total Expensed Projects	\$ 18,860	11,052	8,970	11,437	9,261	59,580	25,908	85,488
Total Spending (Capitalized+Expensed)	\$114,695	68,936	61,892	64,989	60,729	371,241	148,758	519,999

Special Project Reserve Fund — Significant Capitalized Project Budgets								
(\$ In Thousands)	Spend Plan						Prior LTD Spending	Total Project Budget
Project Name	2024	2025	2026	2027	2028	Rolling 5-Year		
Capitalized Projects								
Prior Approved Projects								
2024 MJR Fleet Aug Dump Trucks	\$ 8,041	—	—	—	—	8,041	—	8,041
2024 Maintenance Vehicles	5,993	—	—	—	—	5,993	—	5,993
Advanced Traffic Management System Replacement	5,515	—	—	—	—	5,515	1,180	6,695
Stormwater Pump Repl Bldg Reno	3,421	1,646	—	—	—	5,067	1,416	6,483
Avalon Plains Sub-Barracks	3,038	783	—	—	—	3,821	505	4,326
Pleasant Plains Sub-Barracks	3,038	782	—	—	—	3,820	661	4,481
All Other Prior Approved Capitalized Projects	52,460	50,380	48,053	49,509	51,468	251,870	119,088	370,958
Total Prior Approved Projects	\$ 81,506	53,591	48,053	49,509	51,468	284,127	122,850	406,977
New Projects								
CCure Hardware Refresh 2024	5,673	—	—	—	—	5,673	—	5,673
MGCL Upgrades - GSP & TPK	2,318	2,833	—	—	—	5,151	—	5,151
Operations' ITS Devices	479	773	4,182	4,043	—	9,477	—	9,477
Capitalized Projects	5,859	687	687	—	—	7,233	—	7,233
Total New Projects	\$ 14,329	4,293	4,869	4,043	—	27,534	—	27,534
Total Capitalized Project Budget	\$ 95,835	57,884	52,922	53,552	51,468	311,661	122,850	434,511
Special Project Reserve Fund — Significant Expensed Project Budgets								
(\$ In Thousands)	Spend Plan						Prior LTD Spending	Total Project Budget
Project Name	2024	2025	2026	2027	2028	Rolling 5-Year		
Expensed Projects								
Prior Approved Projects								
Engineering & Traffic Studies 2024	4,000	—	—	—	—	4,000	—	4,000
TPK Westerly Alignment Capacity Enhancement Study	1,200	—	—	—	—	1,200	800	2,000
All Electronic Tolling	1,068	1,000	1,500	1,250	1,000	5,818	1,529	7,347
Resiliency	973	250	—	—	—	1,223	1,030	2,253
All Other New Expensed Projects	11,254	9,402	7,470	10,187	8,261	46,574	22,549	69,123
Total Prior Approved Projects	\$ 18,495	10,652	8,970	11,437	9,261	58,815	25,908	84,723
New Projects								
Total New Projects	\$ 365	400	—	—	—	765	—	765
Total Expensed Project Budget	\$ 18,860	11,052	8,970	11,437	9,261	59,580	25,908	85,488
Total Project Budget (Capitalized+Expensed)	\$114,695	68,936	61,892	64,989	60,729	371,241	148,758	519,999

Supplemental Capital Program (Construction Fund – Revenue Funded) (2024 Annual Budget p149)

The Supplemental Capital Program has a 2024 budget of \$144.7 million and a rolling five-year spending plan of \$356.3 million. The budget for 2024 is an increase of 180.0% compared to 2023 due to the continuation of the Service Area Rehabilitation Program within Supplemental Capital. The 2024 budget provides funding to complete Phase 5, which includes four service area locations, and begin Phase 6, which includes two.

The Supplemental Capital Program is also funding several multi-year facility improvement projects, such as those at the Traffic Management Center Administration Building and Chevalier Maintenance Sub-Yard. In addition, the implementation of green initiatives such as the Solar Panel Installation Program and Electric Vehicle Charging Improvements will begin in 2024 at various Authority facilities.

Supplemental Capital Program — Spending by Category or Functional Area					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Capitalized Projects by Category					
Roadway					
Pavement Resurfacing	\$ 6,055	515	—	(515)	(100.0)%
Interchanges	277	—	—	—	—%
Other Roadway Improvements	2,748	13,541	15,348	1,807	13.3%
Total Roadway	\$ 9,080	14,056	15,348	1,292	9.2%
Non-Roadway					
Facilities	5,882	14,402	18,041	3,639	25.3%
Service Areas & Arts Center	(336)	9,708	94,409	84,701	872.5%
Technology Improvements	8,230	13,513	16,905	3,392	25.1%
Total Non-Roadway	\$ 13,776	37,623	129,355	91,732	243.8%
Total Capitalized Projects	\$ 22,856	51,679	144,703	93,024	180.0%
Expensed Projects by Functional Area					
Maintenance of Infrastructure	82	—	—	—	—%
Technology	18	—	—	—	—%
Total Expensed Projects	\$ 100	—	—	—	—%
Total Spending (Capitalized + Expensed)	\$ 22,956	51,679	144,703	93,024	180.0%

Supplemental Capital Program									
Rolling 5-Year Spending Plan by Category							Prior LTD Spending	Future Spending	Total Project Budget
(\$ In Thousands)	2024	2025	2026	2027	2028	Total 5- Year			
Capitalized Projects by Category									
Roadway									
Pavement Resurfacing	\$ —	—	—	—	—	—	27,900	—	27,900
Other Roadway Improvements	15,348	10,192	30,143	26,326	22,549	104,558	36,975	—	141,533
Total Roadway	\$ 15,348	10,192	30,143	26,326	22,549	104,558	64,875	—	169,433
Non-Roadway									
Facilities	18,041	18,644	5,846	10,815	14,276	67,622	21,616	16,934	106,172
Service Areas & Arts Center	94,409	17,325	1,875	536	536	114,681	100,479	—	215,160
Technology Improvements	16,905	7,500	15,000	15,000	15,000	69,405	27,426	—	96,831
Total Non-Roadway	\$129,355	43,469	22,721	26,351	29,812	251,708	149,521	16,934	418,163
Total Spending (Capitalized)									
Total Spending (Capitalized)	\$144,703	53,661	52,864	52,677	52,361	356,266	214,396	16,934	587,596

Supplemental Capital Program — Significant Project Budgets									
(\$ In Thousands)	Spend Plan						Prior LTD Spending	Future Spending	Total Project Budget
Project Name	2024	2025	2026	2027	2028	Rolling 5-Year			
Prior Approved Projects									
Service Area Improvements - Phase 5	\$ 77,695	—	—	—	—	77,695	13,905	—	91,600
Tremley Point Connector Road	7,516	3,481	1,083	318	—	12,398	6,839	—	19,237
TMC Administration Building	7,117	10,033	181	—	—	17,331	2,579	—	19,910
Authority Wide Emergency Services Upgrades	515	1,030	2,060	7,828	8,549	19,982	—	—	19,982
All Other Prior Approved Projects	34,221	15,056	43,875	34,231	33,512	160,895	191,073	16,934	368,902
Total Prior Approved Projects	\$127,064	29,600	47,199	42,377	42,061	288,301	214,396	16,934	519,631
New Projects									
Service Area Improvements - Phase 6	15,450	15,450	—	—	—	30,900	—	—	30,900
Solar Power Implementation Phase II	1,056	5,665	5,665	10,300	10,300	32,986	—	—	32,986
All Other Prior Approved Projects	1,133	2,946	—	—	—	4,079	—	—	4,079
Total New Projects	\$ 17,639	24,061	5,665	10,300	10,300	67,965	—	—	67,965
Total Project Budget	\$144,703	53,661	52,864	52,677	52,361	356,266	214,396	16,934	587,596

Construction Fund (Bond Funded) (2024 Annual Budget p153)

The bond funded capital projects, referred to as the Construction Fund, include — (i) 2024–2028 Rolling Five-Year Capital Improvement Program (2024–2028 CIP), part of the 2020 Long-Range Capital Plan; (ii) 2019 Capital Improvement Program (2019 CIP); and (iii) 2008 \$7 Billion Capital Improvement Program (2008 \$7 Billion CIP). These capital projects are presented on a rolling five-year (2024–2028) spending basis, along with their total project budgets. Each year, a new rolling five-year spending plan will be approved with the changes, if any, to the total project budgets as a part of the annual budget approval process.

Construction Fund — Spending by Category					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Capitalized Projects by Category					
Roadway					
Bridge Construction, Preservation & Security	\$ 238,055	506,861	422,242	(84,619)	(16.7)%
Capacity Enhancements - Turnpike	27,285	40,749	73,015	32,266	79.2%
Capacity Enhancements - Parkway	1,737	3,449	1,070	(2,379)	(69.0)%
Interchanges	3,312	7,701	14,835	7,134	92.6%
Concrete Barrier	19,542	12,821	25,613	12,792	99.8%
Drainage Structures	37,341	94,014	49,894	(44,120)	(46.9)%
Roadway Lighting	19,782	42,454	62,429	19,975	47.1%
Other Roadway Improvements	37,571	75,437	54,769	(20,668)	(27.4)%
Total Roadway	\$ 384,625	783,486	703,867	(79,619)	(10.2)%
Non-Roadway					
Facilities	1,031	6,488	—	(6,488)	(100.0)%
Service Areas & Arts Center	30,319	24,688	—	(24,688)	(100.0)%
Technology Improvements	50,137	26,452	24,476	(1,976)	(7.5)%
Total Non-Roadway	\$ 81,487	57,628	24,476	(33,152)	(57.5)%
Total Spending (Capitalized)	\$ 466,112	841,114	728,343	(112,771)	(13.4)%
Construction Fund — Funding Sources					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Bond Fund					
2024-2028 Capital Improvement Program	262,268	608,468	653,764	45,296	7.4%
2019 Capital Improvement Program	170,658	129,645	70,442	(59,203)	(45.7)%
2008 \$7 Billion Capital Improvement Program	33,186	103,001	4,137	(98,864)	(96.0)%
Total Funding Sources	\$ 466,112	841,114	728,343	(112,771)	(13.4)%



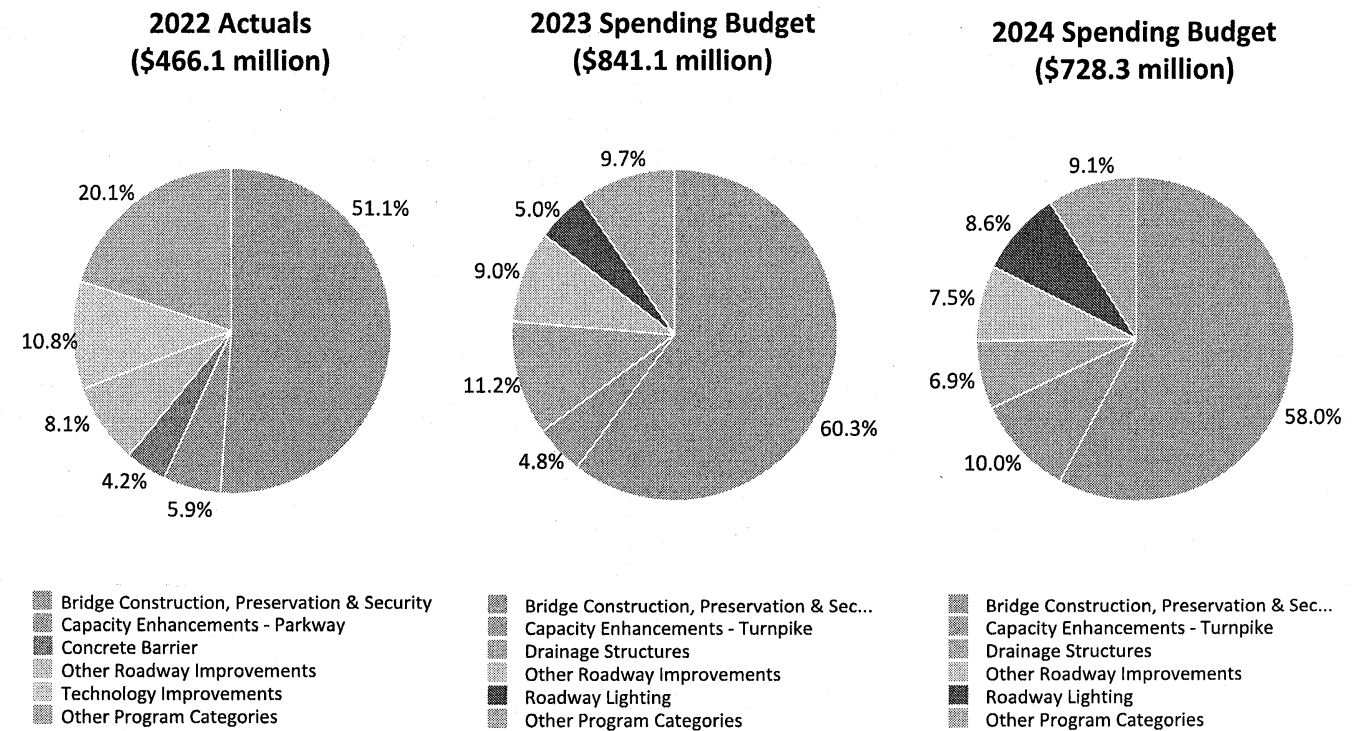
Construction Fund (Bond Funded)						
Rolling 5-Year Spending Plan by Category						
	Spending Plan					
(\$ In Thousands)	2024	2025	2026	2027	2028	Total
Capitalized Projects by Category						
Roadway						
Bridge Construction, Preservation & Security	\$ 422,242	364,922	383,779	239,650	59,945	1,470,538
Capacity Enhancements - Turnpike	73,015	109,310	379,610	590,192	1,138,045	2,290,172
Capacity Enhancements - Parkway	1,070	4,769	9,402	31,894	19,182	66,317
Interchanges	14,835	44,299	44,547	102,745	106,100	312,526
Concrete Barrier	25,613	77,569	64,764	29,139	82,486	279,571
Drainage Structures	49,894	69,434	88,061	79,722	72,223	359,334
Roadway Lighting	62,429	83,025	62,126	71,975	49,188	328,743
Other Roadway Improvements	54,769	131,643	105,445	79,381	30,078	401,316
Total Roadway	\$ 703,867	884,971	1,137,734	1,224,698	1,557,247	5,508,517
Non-Roadway						
Technology Improvements	24,476	35,368	127,000	139,364	137,475	463,683
Total Non-Roadway	\$ 24,476	35,368	127,000	139,364	137,475	463,683
Total Spending (Capitalized)	\$728,343	920,339	1,264,734	1,364,062	1,694,722	5,972,200
Construction Fund — Funding Sources						
	Spending Plan					
(\$ In Thousands)	2024	2025	2026	2027	2028	Total
Bond Fund						
2024-2028 Capital Improvement Program	653,764	884,257	1,255,564	1,364,062	1,694,722	5,852,369
2019 Capital Improvement Program	70,442	36,008	9,170	—	—	115,620
2008 \$7 Billion Capital Improvement Program	4,137	74	—	—	—	4,211
Total Funding Sources	\$728,343	920,339	1,264,734	1,364,062	1,694,722	5,972,200

Construction Fund – Spending by Category (2024 Annual Budget p155)

The Construction Fund includes all bond-funded capital projects in the 2024-2028 Capital Improvement Program, 2019 Capital Improvement Program, and the 2008 \$7.0 Billion Capital Improvement Program. The 2024 budget includes a significant increase in Capacity Enhancements - Turnpike with the first design awards for the Newark Bay-Hudson County Extension and Turnpike Interchanges 1 - 4 Programs commencing. Also increasing significantly in 2024 are Concrete Barrier and Roadway Lighting as multiple projects have scope of work changes.

Overall, the Construction Fund spending in 2024 is budgeted to decrease by \$113 million, or 13.4%, mainly in the Program Categories of Bridge Construction Preservation and Security and Drainage Structures. This is driven by the anticipated completion of some projects within these categories, and the review and prioritization of planned projects and construction contracts, which forced some out beyond the rolling five-year period, such as the Delaware River Turnpike Bridge Replacement. With the support of its engineering consultants, the Authority updated programs within the Long-Range Capital Plan based on urgency and available funding from bond proceeds. If it was determined that a project would begin after the rolling five-year period, it was not included in the 2024 Annual Budget and will remain a part of the Long-Range Capital Plan.

Construction Fund – Capitalized Projects – Spending by Category



2024-2028 Capital Improvement Program (2024 Annual Budget p156)

The 2024-2028 Capital Improvement Program (2024-2028 CIP), derived from the 2020 Long-Range Capital Plan, approved in May 2020, has a rolling five-year spending plan of \$5.9 billion. The average annual spending is approximately \$1.2 billion per year. This is a significant increase from current spending due to the commencement of several Long-Range Capital Plan initiatives within the next few years, including the Turnpike Capacity Enhancements of the Newark Bay-Hudson County Extension and Turnpike Interchanges 1 - 4, as well as the All-Electronic Tolling Conversion on the Parkway.

Bridge Construction, Preservation, and Security is the most significant driver of the 2024 spending budget at 53.4% of the total \$653.8 million, with an increase of \$10.6 million, or 3.1%. Several projects that are already underway or expected to begin include Turnpike Bridge Replacements at mileposts W110.42 Sawmill Creek, W111.48 Berry's Creek, and W112.72B at Interchange 16W; the Interchange 17 Ramp Bridge Replacement; the Turnpike Bridge Rehabilitation at Mileposts W107, E107, and 84 N&S; the Deck Rehabilitation of the Turnpike Westerly Bridges; and the Replacement of TPK Superstructure E111.15.

The spending budgets for Roadway Lighting and Concrete Barrier are also increasing by \$20.0 million, or 47.1%, and \$12.9 million, or 102%, respectively. This is primarily due to the change of scope of several Roadway Lighting Upgrade and Median Barrier projects within the programs. In addition, Interchanges are increasing by \$11.2 million, or 375.1%, as the Authority moves forward with operational improvements on the Parkway between mileposts 80 and 83. These increases are offset by a decrease in Drainage Structures by \$44.1 million, or 46.9%, as a few culvert rehabilitation projects are near completion and others with starting dates moved beyond 2024.

2024-2028 Capital Improvement Program Spending by Category					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Capitalized Projects by Category					
Roadway					
Bridge Construction, Preservation & Security	\$ 146,953	\$ 338,803	349,404	10,601	3.1%
Capacity Enhancements - Turnpike	27,233	40,749	73,015	32,266	79.2%
Capacity Enhancements - Parkway	1,737	3,449	1,070	(2,379)	(69.0)%
Interchanges	524	2,981	14,163	11,182	375.1%
Concrete Barrier	3,605	12,615	25,481	12,866	102.0%
Drainage Structures	37,341	94,014	49,894	(44,120)	(46.9)%
Roadway Lighting	19,782	42,454	62,429	19,975	47.1%
Other Roadway Improvements	8,074	51,846	54,190	2,344	4.5%
Total Roadway	\$ 245,249	586,911	629,646	42,735	7.3%
Non-Roadway					
Facilities	152	—	—	—	—%
Technology Improvements	16,867	21,557	24,118	2,561	11.9%
Total Non-Roadway	\$ 17,019	21,557	24,118	2,561	11.9%
Total Spending (Capitalized)	\$ 262,268	608,468	653,764	45,296	7.4%

2024-2028 Capital Improvement Program									
Rolling 5-Year Spending Plan by Category							Prior LTD Spending	Future Spending	Total Project Budget
(\$ In Thousands)	2024	2025	2026	2027	2028	Total 5- Year			
Capitalized Projects Category									
Roadway									
Bridge Construction, Preservation & Security	\$ 349,404	328,914	374,609	239,650	59,945	1,352,522	413,823	792,117	2,558,462
Capacity Enhancements - Turnpike	73,015	109,310	379,610	590,192	1,138,045	2,290,172	208,133	9,502,971	12,001,276
Capacity Enhancements - Parkway	1,070	4,769	9,402	31,894	19,182	66,317	2,014	—	68,331
Interchanges	14,163	44,225	44,547	102,745	106,100	311,780	7,471	161,956	481,207
Concrete Barrier	25,481	77,569	64,764	29,139	82,486	279,439	9,082	93,418	381,939
Drainage Structures	49,894	69,434	88,061	79,722	72,223	359,334	94,357	178,176	631,867
Roadway Lighting	62,429	83,025	62,126	71,975	49,188	328,743	69,466	3,366	401,575
Other Roadway Improvements	54,190	131,643	105,445	79,381	30,078	400,737	34,608	—	435,345
Total Roadway	\$629,646	848,889	1,128,564	1,224,698	1,557,247	5,389,044	838,954	10,732,004	16,960,002
Non-Roadway									
Facilities	—	—	—	—	—	—	253	—	253
Technology Improvements	24,118	35,368	127,000	139,364	137,475	463,325	73,709	107,463	644,497
Total Non-Roadway	\$ 24,118	35,368	127,000	139,364	137,475	463,325	73,962	107,463	644,750
Total Spending (Capitalized)	\$653,764	884,257	1,255,564	1,364,062	1,694,722	5,852,369	912,916	10,839,467	17,604,752

2024-2028 Capital Improvement Program - Significant Project Budgets									
(\$ In Thousands)	Spend Plan					Rolling 5- Year	Prior LTD Spending	Future Spending	Total Project Budget
Project Name	2024	2025	2026	2027	2028				
Capitalized Projects									
Prior Approved Projects									
TPK Deck Recon MP 83 to 88	\$ 86,584	19,644	—	—	—	106,228	122,642	—	228,870
TPK Bridges W110_111_112	42,994	45,267	32,334	726	—	121,321	11,439	—	132,760
TPK I/C 17 Ramp Bridge Replace	19,997	73,885	75,867	26,711	—	196,460	5,969	—	202,429
Deck NBHCE Bridges Zones 2-3	19,582	35,544	34,352	20,391	—	109,869	8,304	—	118,173
TPK I/C 1-4 MP 26.2-31.3	19,274	25,760	53,166	110,924	93,362	302,486	460	155,022	457,968
GSP All Electronic Tolling Program	19,235	29,788	121,775	138,189	136,300	445,287	644	106,746	552,677
Deck Rehab TPK Westerly Brdges	12,047	42,320	45,949	19,169	—	119,485	3,328	—	122,813
TPK NBHCE Section 2 (NBB)	10,892	14,586	178,859	118,517	270,788	593,642	746	2,078,731	2,673,119
GSP MP 80-83 Operational Imprv	9,209	43,378	44,547	102,745	106,100	305,979	6,056	161,956	473,991
TPK Grade Separated Median U-Turns	4,850	13,269	45,061	46,807	25,998	135,985	1,563	—	137,548
TPK NBHCE Section 1 (Int 14)	3,652	8,603	9,019	51,349	273,639	346,262	—	1,839,338	2,185,600
TPK Sprstruct Rplc Str E111.15	3,244	5,728	36,696	48,148	31,028	124,844	907	—	125,751
TPK I/C 1-4 MP 31.3-36.5	14,493	19,284	33,340	107,502	112,923	287,542	348	66,853	354,743
TPK NBHCE Section 3 (Int 14A)	1,101	4,996	5,275	31,668	78,266	121,306	—	1,091,142	1,212,448
All Other Prior Approved Projects	372,823	413,519	390,973	382,974	458,384	2,018,673	750,510	5,184,017	7,953,200
Total Prior Approved Projects	\$639,977	795,571	1,107,213	1,205,820	1,586,788	5,335,369	912,916	10,683,805	16,932,090
New Projects									
GSP LED Lighting Various Locations	1,236	335	20,600	20,600	20,600	63,371	—	—	63,371
Superstructure Replacement of Turnpike Str. Nos. P2.05E, P2.05W, P2.27E and P2.27W	927	2,884	5,912	25,750	13,926	49,399	—	—	49,399
Bridge Parapet Upgrades	773	4,326	41,509	27,913	—	74,521	—	—	74,521
Secaucus to Meadowlands Transitway	7,725	54,075	15,450	—	—	77,250	—	—	77,250
All Other Prior Approved Projects	3,126	27,066	64,880	83,979	73,408	252,459	—	155,662	408,121
Total New Projects	\$ 13,787	88,686	148,351	158,242	107,934	517,000	—	155,662	672,662
Total Project Budget									
Total Project Budget	\$653,764	884,257	1,255,564	1,364,062	1,694,722	5,852,369	912,916	10,839,467	17,604,752

2019 Capital Improvement Program (2024 Annual Budget p160)

This program was approved by the Board of Commissioners in April 2019 and includes capital improvement projects focusing on bridge deck improvements, shoulder widening, and replacement of hybrid changeable message signs. The 2024 spending budget is \$70.4 million, with a rolling five-year spending plan of \$115.6 million. The 2024 spend, which is \$59.2 million less than the 2023 spending budget, represents a decrease of 45.7%. This decrease is due to the substantial completion of projects in 2023. In 2024, the 2019 Capital Improvement Program combined total project budget will increase to \$765.0 from \$736.6, primarily to cover the increased costs in two existing projects with the Passaic River Bridge Rehabilitation and Service Area Rehabilitation.

2019 Capital Improvement Program — Spending by Category					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Capitalized Projects by Category					
Roadway					
Bridge Construction, Preservation & Security	\$ 70,414	75,521	69,838	(5,683)	(7.5)%
Interchanges	2,788	2,135	—	(2,135)	(100.0)%
Concrete Barrier	5,927	206	—	(206)	(100.0)%
Other Roadway Improvements	27,940	22,200	246	(21,954)	(98.9)%
Total Roadway	\$ 107,069	100,062	70,084	(29,978)	(30.0)%
Non-Roadway					
Service Areas & Arts Center	30,319	24,688	—	(24,688)	(100.0)%
Technology Improvements	33,270	4,895	358	(4,537)	(92.7)%
Total Non-Roadway	\$ 63,589	29,583	358	(29,225)	(98.8)%
Total Spending (Capitalized)	\$ 170,658	129,645	70,442	(59,203)	(45.7)%

2019 Capital Improvement Program								
Rolling 5-Year Spending Plan by Category							Prior LTD Spending	Total Project Budget
(\$ In Thousands)	2024	2025	2026	2027	2028	Total 5- Year		
Capitalized Projects Category								
Roadway								
Bridge Construction, Preservation & Security	\$ 69,838	36,008	9,170	—	—	115,016	264,685	379,701
Interchanges	—	—	—	—	—	—	42,365	42,365
Concrete Barrier	—	—	—	—	—	—	27,505	27,505
Other Roadway Improvements	246	—	—	—	—	246	136,876	137,122
Total Roadway	\$ 70,084	36,008	9,170	—	—	115,262	471,431	586,693
Non-Roadway								
Service Areas & Arts Center	—	—	—	—	—	—	109,271	109,271
Technology Improvements	358	—	—	—	—	358	68,632	68,990
Total Non-Roadway	\$ 358	—	—	—	—	358	177,903	178,261
Total Spending (Capitalized)	\$70,442	36,008	9,170	—	—	115,620	649,334	764,954

2019 Capital Improvement Program - Significant Project Budgets								
(\$ In Thousands)	Spend Plan					Rolling 5- Year	Prior LTD Spending	Total Project Budget
Project Name	2024	2025	2026	2027	2028			
Capitalized Projects								
Passaic River Bridge Rehab	\$ 44,931	30,985	9,170	—	—	85,086	57,057	142,143
GSP Str 160.6 to 161.9 NB SB	23,941	4,988	—	—	—	28,929	54,333	83,262
All Other Prior Approved Projects	1,570	35	—	—	—	1,605	537,944	539,549
Total Project Budget	\$70,442	36,008	9,170	—	—	115,620	649,334	764,954

2008 \$7 Billion Capital Improvement Program (2024 Annual Budget p163)

The Authority's 2008 \$7 Billion Capital Improvement Program was adopted in October 2008, with the first contract awarded in 2009. In September 2018, the program was amended to extend the end date of the program to award new contracts until December 31, 2020. The 2008 \$7 Billion CIP included the successful widening of the Turnpike between Interchanges 6 and 9 and the widening of the Parkway between mileposts 35 and 80. Most work remaining within open projects includes post-construction and mitigation monitoring within various Interchange and Other Roadway Improvement projects. The rolling five-year spending plan represents the winding down of this Capital Improvement Program, as most projects are completed or are near completion.

2008 \$7 Billion Capital Improvement Program — Spending by Category					
(\$ In Thousands)	2022 Actual	2023 Budget	2024 Budget	\$ Δ from 2023	% Δ from 2023
Capitalized Projects by Category					
Roadway					
Bridge Construction, Preservation & Security	\$ 20,688	92,537	3,000	(89,537)	(96.8)%
Capacity Enhancements - Turnpike	52	—	—	—	—%
Interchanges	—	2,585	672	(1,913)	(74.0)%
Concrete Barrier	10,010	—	132	132	—%
Other Roadway Improvements	1,557	1,391	333	(1,058)	(76.1)%
Total Roadway	\$ 32,307	96,513	4,137	(92,376)	(95.7)%
Non-Roadway					
Facilities	879	6,488	—	(6,488)	(100.0)%
Total Non-Roadway	\$ 879	6,488	—	(6,488)	(100.0)%
Total Spending (Capitalized)	\$ 33,186	103,001	4,137	(98,864)	(96.0)%



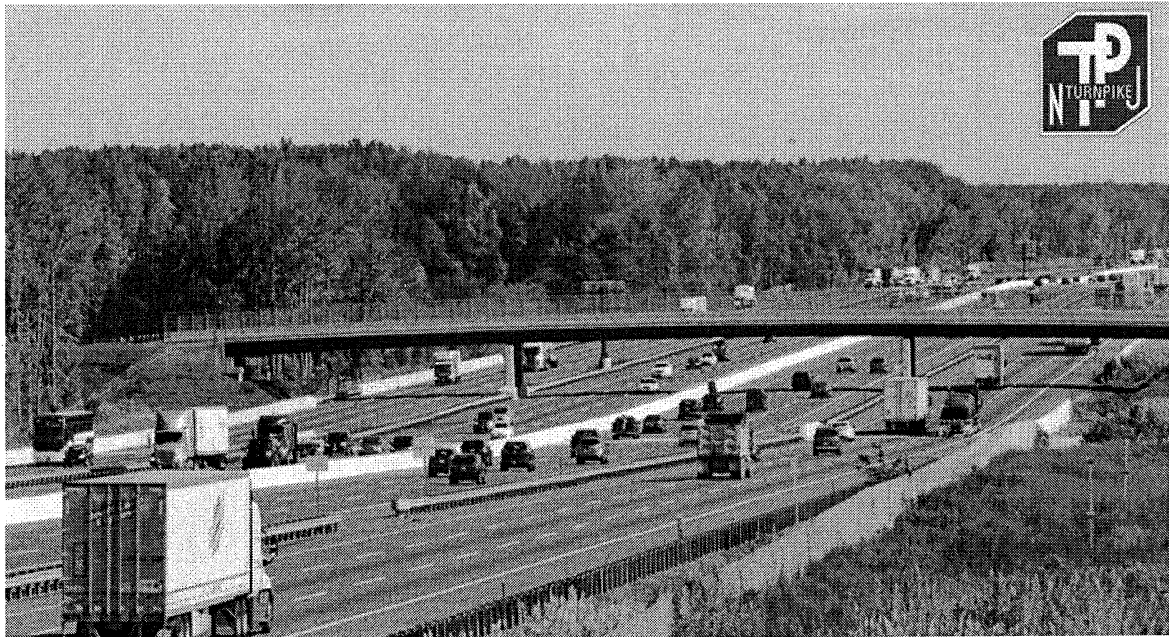
2008 \$7 Billion Capital Improvement Program								
Rolling 5-Year Spending Plan by Category							Prior LTD Spending	Total Project Budget
(\$ In Thousands)	2024	2025	2026	2027	2028	Total 5- Year		
Capitalized Projects Category								
Roadway								
Bridge Construction, Preservation & Security	\$ 3,000	—	—	—	—	3,000	1,744,937	1,747,937
Capacity Enhancements - Turnpike	—	—	—	—	—	—	2,131,547	2,131,547
Capacity Enhancements - Parkway	—	—	—	—	—	—	574,818	574,818
Interchanges	672	74	—	—	—	746	1,033,518	1,034,264
Concrete Barrier	132	—	—	—	—	132	51,435	51,567
Drainage Structures	—	—	—	—	—	—	61,913	61,913
Other Roadway Improvements	333	—	—	—	—	333	714,832	715,165
Total Roadway	\$ 4,137	74	—	—	—	4,211	6,313,000	6,317,211
Non-Roadway								
Facilities	—	—	—	—	—	—	682,789	682,789
Total Non-Roadway	\$ —	—	—	—	—	—	682,789	682,789
Total Spending (Capitalized)								
Total Spending (Capitalized)	\$ 4,137	74	—	—	—	4,211	6,995,789	7,000,000

2008 \$7 Billion Capital Improvement Program - Significant Project Budgets								
(\$ In Thousands)	Spend Plan					Rolling 5- Year	Prior LTD Spending	Total Project Budget
Project Name	2024	2025	2026	2027	2028			
Capitalized Projects								
Contingency	\$ 3,000	—	—	—	—	3,000	52,476	55,476
Median Barrier Improvements	132	—	—	—	—	132	51,435	51,567
Interchange Improvements	269	—	—	—	—	269	414,262	414,531
Parkway Int 9, 10 & 11 Improve	403	74	—	—	—	477	83,925	84,402
Sign Replacements Phase II	193	—	—	—	—	193	157,500	157,693
Parkway Mainline Shoulder Imp	140	—	—	—	—	140	360,595	360,735
All Other Projects	—	—	—	—	—	—	5,875,596	5,875,596
Total Project Budget	\$ 4,137	74	—	—	—	4,211	6,995,789	7,000,000

This concludes the New Jersey Turnpike Authority's 2024 Annual Budget in Brief. For a more in-depth review, please see the full-length budget, which can be found on our website, <https://www.njta.com/>



Garden State Parkway



New Jersey Turnpike

**MEMORANDUM OF AGREEMENT****Teamsters Local 97****-and-****New Jersey Turnpike Authority**

The New Jersey Turnpike Authority ("Authority") and Teamsters Local 97 ("Union"), having engaged in negotiations for a Collective Negotiations Agreement ("Contract") to succeed the one that expired on June 30, 2023, hereby agree to the following amendments to the Contract as set forth below.

**A. Article VI: Wages****1. Section 1. General Wage Increases:**

- a. July 1, 2023 3.50% ATB
- b. July 1, 2024 3.50% ATB
- c. July 1, 2025 3.50% ATB
- d. July 1, 2026 3.50% ATB

2. **Section 1 and Appendix A:** Effective and retroactive to 7/1/23, the minimum starting salary shall be \$18.00 per hour or the 3.5% across-the-board increase, whichever is greater; 7/1/24, \$20.00 per hour, or the 3.5% across-the-board increase, whichever is greater.

Effective July 1, 2024, add a new Step 10, increasing TOR by 3.0%. Any unit member at TOR for 12 months or more as of July 1, 2024, shall be moved to the new Step 10 on that date. All unit members who do not move to the new Step 10 on July 1, 2024, shall move according to the step movement procedure in the contract. The 3.0% additional step shall be calculated based on Step 9 after applying the July 1, 2024, 3.5% ATB

3. **Section 3:** Increase meal allowance to \$21.00 effective July 1, 2023.

4. **Section 7:** Increase the shoe allowance by \$25.00 (total \$120) effective 7/1/23.

034874

5. Section 8:

a. Increase all standby pay to 8 hours at the employee's regular rate of pay rate. Employees scheduled for standby duty during a holiday shall receive an additional 2 hours at their regular rate of pay. Standby shall include those on the "duty book" and who are placed on-call i.e., any employee who is required to carry a communications device and respond when contacted.

6. Section 11 (formerly Schedule F): Effective July 1, 2023, increase emergency bonus from \$100.00 to \$125.00.

B. Article VII: Hours of Work and Overtime

1. Section 3.C (New): Employees shall be guaranteed overtime in ½ hour increments of work or pay at time-and-one-half (1.5x) when working overtime.

2. Section 6, replace with: In emergencies involving snow or ice control, employees who work 24 consecutive hours shall receive overtime pay for all consecutive hours worked prior to and after the 24 consecutive hours. Example: If an employee works overtime starting at 2 am on Monday night and continues to work until he starts his regular shift on Monday morning at 7 am and continues to 2 am on Tuesday, he shall be paid overtime for all time worked from 2 am Monday until he is released from duty.

C. Article VIII, Holidays

Section 1: Add Juneteenth. (State Holiday).

D. Article XV, Bereavement

Section 1: Employees shall receive day-for-day time off for bereavement leave based on the number of hours in their shift. In no event, however, shall an employee receive more than 40 hours of bereavement leave for each covered relative. Nothing herein shall alter or amend the

existing number of days per event provided for in the contract, based upon the familial relationship of the deceased relative.

E. **Article XX, Sick Days, Sick Days as Personal Days, Personal Days**

**Section 2:** Effective 1/1/24, increase the Personal leave conversion to 6 days.

F. **Article XXII: Health Benefits**

1. **Section 1,** replace with:

a. Employee Healthcare Contributions – The parties agree that the contribution charts attached to the August 30, 2022 Healthcare MOA, appended to this Agreement, that set contribution rates for each healthcare plan offered by the Authority based on a percentage of salary shall remain in effect unless modified by mutual agreement.

b. **Section 3:** Delete.

2. **OUTLINE OF HEALTH BENEFITS PLAN.**

a. **Section 1:** Replace “at costs based upon Ch. 78, P.L. 2011,” with “at costs as set forth in the Healthcare MOA, appended to this Agreement...”

b. **Section 2** (New and renumber existing Sections): All employees shall be given a one-time opportunity to enroll in the DACH4 Plan during the 2024 Open Enrollment period. Following the 2024 open enrollment period, the DACH4 Plan will become a legacy plan and no employees outside the DACH4 Plan shall be permitted to enroll in this plan going forward. With this exception, during each open enrollment period, employees will have the option of enrolling in any offered plan. (Terms of 11/01/23 MOA to be incorporated into successor agreement).

c. Section 6: Increase coverage for out-of-network benefits in the Non-HMO Vision Plan (VISD3) to \$125.00; Bifocal Lenses to \$135.00; Trifocal lenses to \$150.00; and 12-month supply of contact lenses to \$210.00.

3. Section K, Survivor Benefits. End the first sentence at "deceased employee or retiree" and delete through the bullet points. Add the following: A retiree's surviving spouse and any eligible covered dependent (collectively, the "survivor") shall continue to receive Lifetime Health Benefits after the retiree's death until the survivor's death or ineligibility for coverage, except that if the surviving spouse gets remarried, the benefits shall expire on the date that alternative benefits become available that are not substantially diminished benefits or substantially more expensive to the survivor. If benefits are available as a result of remarriage, it will be presumed that the alternative benefits are neither substantially diminished nor substantially more expensive. To continue coverage, the survivor shall demonstrate to the Authority that the alternative benefits are substantially diminished or substantially more expensive. The Authority's determination shall be final and not subject to challenge through the grievance and arbitration procedure in the applicable bargaining agreement, or any other means. A surviving spouse will have the right to obtain from the Turnpike a decision on whether her/his health benefits will expire if she/he remarries by providing the Turnpike with the benefit plan of her/his perspective spouse.

At all times the surviving spouse and/or eligible dependent shall remain responsible for the cost of Medicare Part B, where applicable.

1. Article XXIII, Pensions and Retirement

1. Section 1. RETIREE HEALTH BENEFITS

a. Delete "Lifetime" means life of the retiree.

b. Replace the last sentence with: The Authority will pay the full cost of retiree lifetime health benefits for employees who had at least 15 years of service in the pension system on or before June 28, 2011. Employees who did not have at least 15 years of service on the pension system on or before June 28, 2011, shall pay based on his/her pension benefit the same percentage that he/she was paying as an active employee immediately prior to retirement or 1.5% of their pension benefit, whichever is less.

c. Subsection B, replace with: The Authority will pay the full cost of retiree lifetime health benefits for employees who had at least 15 years of service in the pension system on or before June 28, 2011. Employees who did not have at least 15 years of service on the pension system on or before June 28, 2011 shall pay based on his/her pension benefit the same percentage that he/she was paying as an active employee immediately prior to retirement or 1.5% of their pension benefit, whichever is less.

d. Subsection D. All retirees that meet the eligibility criteria for and are receiving Lifetime Health Benefits shall be eligible to receive: (1) the same dental and vision benefits they received as active employees; and (2) Reimbursement for the cost of Medicare Part B standard premium.

3. Section 2: Update contract language to reflect separation bonus eligibility consistent with Paragraph 20 of the MOA dated November 5, 2021.

J. **Article XXVIII, Miscellaneous**

Section 10 (New): The 4-Day Work Week Pilot Program is extended through June 30, 2024. The Authority shall provide reasonable notice (at least 30 days) of a change or discontinuation of the 4-Day Work Week Pilot Program, and an opportunity to negotiate upon request. The status quo from which the parties may negotiate shall be that which existed prior to the Pilot Program.

K. **Term of Agreement**

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July 1, 2023 through June 30, 2027.

L. Appendices A & B

Incorporate proposed increases and step guide revisions.

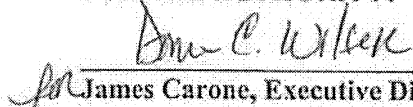
M. The parties agree to implement the attached Non-DOT and DOT drug and alcohol policies.

N. All other proposals of the parties not set forth herein are withdrawn.

O. This MOA is subject to ratification by the membership of the Union and approval by the Authority's Board of Commissioners. The Union and its bargaining committee agree that it will recommend ratification of this MOA to the membership. The Union shall notify the Employer in writing of the result of the ratification vote within 24 hours of the conclusion of the voting. The Authority shall likewise notify the Union of the approval by the Authority.

P. The undersigned represent that they are authorized to enter into this MOA on behalf of their respective constituencies. Upon ratification of the MOA by the Union, the Authority will draft a new contract and present it to the Union for review, approval, and execution.

FOR THE AUTHORITY:

  
James Carone, Executive Director

Dated: 1/25/24

FOR THE UNION:

  
Maria Perez, President

Dated: 1/24/24

  
George Burr, Recording Secretary & BA

Dated: 1-24-24

  
A.J. Donnelly, Chief Shop Steward

01/24/2024