

**PUBLIC SESSION
AGENDA
NEW JERSEY TURNPIKE AUTHORITY
TUESDAY, FEBRUARY 26, 2008**

LAW

39-08 Recommendation to Enter into a Programmatic Memorandum of Agreement (MOA) with State Historic Preservation Office (SHPO) and the Army Corps of Engineers (ACE) in Connection with the Parkway Milepost 30 to Milepost 80 Widening Project

Mitigation of Potential Impacts to Historical Resources
Parkway Milepost 30 to 80 Widening Project

As the Garden State Parkway has been designated a historic district, it is necessary to enter into a Programmatic Agreement with the United States Army Corps of Engineers ("ACE") and the New Jersey State Historical Preservation Office ("SHPO") to preserve certain historic elements which have been identified by the parties. It has been determined that the demolition and/or alternation of five (5) bridges over the Parkway, twenty (20) Parkway mainline bridges, four (4) box or arch culverts, and one hundred thirteen (113) drainage culverts will have an adverse effect on the Garden State Parkway historic district. The parties propose to enter into a Memorandum of Agreement ("MOA") which will minimize the adverse affects of the proposed construction and identify specific processes intended to mitigate such adverse affects. Therefore, it is recommended that the Executive Director be authorized to enter into a Memorandum of Agreement with the State Historic Preservation Office, and the United States Army Corps of Engineers.

ENGINEERING

40-08 Recommendation to Enter Into a Contract Agreement with for the Turnpike Truck Electrification Facility

IdleAire Technologies Corporation
Design, Construction, Operation and Maintenance
Truck Electrification System,
Turnpike Service Area 13 (Vince Lombardi)

Funding: Grant, from New Jersey Department of Environmental Protection (NJDEP)

In order to help curtail the harmful effects of global warming and make a notable step toward improvement of the air quality in our state and the health of our residents and visitors, an agreement with the NJDEP was approved at the New Jersey Turnpike Authority (NJTA) Commission Meeting of February 5, 2007. In accordance with this agreement the NJTA has received a \$1,000,000 Grant for implementation of truck electrification technology at Turnpike Service Area 13 (Vince Lombardi). The electrification system will provide climate control, cable television and phone service to the truck cab, thereby negating the need for truckers to idle their engines. The selected contractor will design, install, operate and maintain the system for a term of 15 years, with an option for one 5-year extension. The Authority will share in the revenue generated by the system's use. This agenda item is requesting approval of the selected contractor and the delegation of authority to the Law Department and General Counsel to negotiate the terms and conditions of a final contract.

41-08 Authorization to Pay Rutgers University

For Structural Evaluation and Technical Support
Delaware River Turnpike Bridge, Structure No. P0.00
PR 42919 (Budget Code: 00-78-850-156508-07810001)
Fee: \$185,000

Authorization is requested to make payment to Rutgers University for technical support services related to the investigation and analysis of issues associated with the new bridge deck reconstruction on the Delaware River Turnpike Bridge, a major Turnpike structure.

42-08 Recommendation to Execute Utility Order No. 1188-T for Contract No. T300.064

Adesta, LLC

Ramp NWC Improvements at Turnpike Interchange 18W

Boroughs of Carlstadt and Ridgefield, Bergen County

Supplemental Capital Fund No. 08010005

Cost: \$450,600

The construction of the Ramp NWC improvements, under Contract T300.064, will require the removal and relocation of existing Authority owned fiber optic facilities from the west side of the roadway to the east side. In addition, fiber optic connections will be required for the new Variable Message Signs that will be installed and for the new E-ZPass gantries that will be constructed as part of the new tolling system on the ramp. In this regard, the Authority will prepare a Utility Order in order to reimburse Adesta for the installation of new conduits, fiber optic lines and hand holes. This utility work needs to be completed in advance of the Authority's construction contract in order to permit the construction of the proposed Ramp NWC Improvements.

43-08 Recommendation to Award Contract No. T200.018

J. Fletcher Creamer & Son Inc. and Joseph M. Sanzari, a Joint Venture

Route 3, Route 120 Southbound to Route 3 Eastbound Ramp

New Jersey Department of Transportation

Borough of East Rutherford, Bergen County

Supplemental Capital Fund No. 08010012

Cost: \$12,967,000

This contract will construct two structures to provide a new ramp from Route 120 Southbound to Route 3 Eastbound in the Borough of East Rutherford, Bergen County, New Jersey. In accordance with an agreement between the New Jersey Turnpike Authority (Authority) and the New Jersey Department of Transportation (NJDOT), this contract has been designed and will be constructed by the Authority on the behalf of the NJDOT. Funds for this fully reimbursable contract have already been received by the Authority. This agreement was reached due to this Project's close proximity to the Authority's Contract No. T200.017 "Interchange 16W / Route 3 Ramps Improvements."

44-08 Recommendation to Award Contract No. P200.082

Stavola Contracting Co. Inc.

Pavement Restoration and Miscellaneous Improvements

Parkway Milepost 104.5 to Milepost 116.0

Maintenance Reserve Fund No. 03020005

Cost: \$3,240,690

This contract will provide for the resurfacing of asphalt surface course pavement along the Southbound mainline roadway and ramps and also include resurfacing of the Interchange 114 toll plazas and other incidental work along the Garden State Parkway between Milepost 104.5 to Mile 116.0 in Monmouth County.

45-08 Recommendation to Award Contract No. P200.083

Tilcon New York Inc.
Pavement Restoration and Miscellaneous Improvements
Parkway Milepost 128.1 to Milepost 137.35
Maintenance Reserve Fund No. 03020005
Cost: \$2,333,000

This contract will provide for the resurfacing of Portland Cement Concrete Pavement with asphalt surface course pavement along the Garden State Parkway Northbound mainline roadway and ramps from Milepost 128.1 to Milepost 129.65 and the Northbound right shoulder between Milepost 129.75 and Milepost 137.35 along with Northbound and Southbound ramps at Interchanges 130, 131, 131A and 131B and other incidental work in Middlesex and Union Counties.

46-08 Recommendation to Issue Order for Professional Services Nos. P3165 and P3166

Supervision of Construction Services for

- OPS No. P3165
Kupper Associates
for Contract No. P200.082
Pavement Restoration and Miscellaneous Improvements
Parkway Milepost 104.5 to Milepost 116.0
Fee: \$360,000
- OPS No. P3166
KS Engineers P.C.
for Contract No. P200.083
Pavement Restoration and Miscellaneous Improvements
Parkway Milepost 128.1 to Milepost 137.35
Fee: \$275,000

Small Business Enterprise (SBE) Set-Aside Program
Maintenance Reserve Fund No. 03020005

These OPS' will provide supervision of construction services for Contract No. P200.082 and P200.083 respectively.

47-08 Recommendation to Issue Order for Professional Services No. T3172

LS Engineering Associates Corporation
Engineering Services for the
2008 New Jersey Turnpike Bridge Inspection Program – Part C
Maintenance Reserve Project No. 03010005
Small Business Enterprise (SBE) Set Aside
Fee: \$350,000

This OPS provides for the inspection of the Authority's structures in accordance with the requirements of the 2008 New Jersey Turnpike Main Bridge Inspection Program – Part C. This segment of the program includes inspection of 8 routine bridges located between Mile 118 and Mile 122 along the Turnpike's four mile I-95 extension; inspection of 32 culverts located in Turnpike Maintenance Districts 1, 2, 3, 6 and 7; inspection of 126 sign structures along the entire length of the Turnpike; FHWA Structure Inventory and Appraisal (SI&A) form updates; NJTA Bridge Management System inspections and data collection; on-call special assignments; submittal of inspection and Risk Carrier Summary Reports.

48-08 Recommendation to Issue Supplement No. 4 to GSP Order for Professional Services No. 134-736D-2

Gannett Fleming, Inc.
Post-Design Construction Support Services
Parkway Interchange 142 Improvements
Townships of Union and Hillside, Union County
Township of Irvington, Essex County
Construction Fund No. 06560015
Original Amount of OPS: \$ 8,457,674.35
Amount of Supplement 4: \$ 5,297,453.60
Revised Amount of OPS: \$16,735,127.95

This supplement will compensate Gannett Fleming to perform Post-Design Construction Support Services (CSS) for the Garden State Parkway Interchange 142 Improvements in the Townships of Union and Hillside, Union County and Township of Irvington, Essex County, New Jersey. In general, the services consist of responses to pre-bid contractor questions, attendance at various meetings, approval or certification of working drawings, responses to post-award Requests for Information (RFI), performing construction inspection services for the Union Toll Facility Building and other related services. Award of this supplement is in accordance with the December 2007 cost sharing agreement between the State and New Jersey Turnpike Authority ("NJTA") that requires the NJTA to provide funds to the designer for construction engineering services in advance of the construction award. The funds for this supplement are to be applied toward the Authority's fiscal year 2008 total share of \$10,163,000.

49-08 Recommendation to Issue Supplement A to Order for Professional Services No. T3041

HNTB Corporation
Supervision of Construction Services for Contract No. R-1433
Bridge Deck Reconstruction, Roadway Resurfacing,
Lighting, Miscellaneous Structural Improvements
Structure No. P0.00, Delaware River Turnpike Bridge
2004 Bond Issue Fund No. 07810001
Original Amount of OPS: \$2,005,000
Amount of Supplement A: \$ 355,000
Revised Amount of OPS: \$2,360,000

OPS No. T3041 was issued at the July 2005 Commission Meeting. This Supplement will provide additional unanticipated professional services required as a result of delays imposed by the Authority to mitigate unique structural issues. In addition, the Consultant will assist the Authority in the review, analysis and negotiations that will occur with the Contractor in the settlement of their request for additional compensation.

50-08 Recommendation to Issue Supplement G to Order for Professional Services No. A3053

HNTB Corporation
General Consulting Engineers for the New Jersey Turnpike Authority
Design Services
Woodbridge Traffic Management and Data Center
Supplemental Capital Fund No.: 08000003
Original OPS Amount: \$2,644,922
Amount of Supplement G: \$ 818,949
Revised OPS Amount: \$3,463,416

This supplement will provide for expanded design services which are the result of an extension of the construction schedule; acceleration of the Structural Steel and Foundation Contract and the Building Enclosure Finishes and System Contract; re-coordination efforts associated with the proposed data center resulting from the departure of Unisys and a re-contracting with IBM; design of temporary and final parking lot improvements which were not part of the original scope of services; preparation of Changes of Plan resulting from DCA design changes; and other miscellaneous design issues related to the new Traffic Management Center and Data Center.

51-08 Recommendation to Issue Supplement A to Order for Professional Services No. T3071

Kupper Associates

Supervision of Construction Services for TPK Contract No. R-1318B

I-95 High Mast Lighting,

Turnpike Milepost 117.9 to Milepost 122.0

Construction Fund No. 06510058

Original Amount of OPS: \$311,000

Amount of Supplement A: \$ 32,000

Revised Amount of OPS: \$343,000

OPS No. T3071 was issued at the January 2006 Commission Meeting. This Supplement will provide additional professional services required as a result of a compensable delay experienced on Contract No. R-1318B. The project duration has been extended as a result of maintenance and protection of traffic issues experienced on the contract.

52-08 Recommendation to Issue Supplement A to Order for Professional Services No. A3083

Hill International, Inc.

Construction Management and Inspection Services

Turnpike Authority Traffic Management Center

Supplemental Capital Fund No. 08000003

Original Amount of OPS: \$1,300,000

Amount of Supplement A: \$ 280,000

Revised Amount of OPS: \$1,580,000

OPS No. A3083 was issued at the March 28, 2006 Commission Meeting with an anticipated completion date of March 31, 2007. Subsequent to issuing the OPS, the Authority modified the project approach and made significant changes to the contract documents, as well as adding a third contract to the project that was not anticipated at the time the original scope of services were defined. These changes resulted in the need for additional inspection staff time to properly supervise the construction. This Supplement will compensate Hill International, Inc. for providing additional construction management and inspection services required to cover the extended construction duration of approximately twelve months. The anticipated completion date is March 31, 2008.

53-08 Recommendation to Issue a Type 3 Change Order for Contract No. T200.058

Crisdel Group, Inc.

Change Order No. 2

Resurfacing

Turnpike Milepost 74 to Milepost 122

Maintenance Reserve Fund No. 03010002

Amount of Change Order: \$ 700,000.00 (estimate)

Due to a drainage pipe failure located under the median barrier at approximately Milepost 121 of the I-95 section of the Turnpike, traffic was placed on the southbound inner roadway shoulder in a shifted condition on an emergency basis until permanent repairs can be made. In order to restore traffic to its normal configuration as soon as possible to insure the motoring public's safety, it is recommended that a Type 3 Change Order be issued to Contract No. T200.058. This will authorize Crisdel Group, Inc. to perform substantial immediate repairs necessary to reconstruct approximately 300 lineal feet of drainage pipe in the median and shift traffic back to the travel lanes.

- 54A-08** **Recommendation for Formal Acceptance and Final Payment of:**
Contract P200.004 Agate Construction Co. Inc.
Removal of Southbound Tolls,
Parkway Cape May Toll Plaza
Cape May County
Construction Fund No. 06560037
Amount due Contractor: \$181,598.40
- 54B-08** **TPK Contract R-1492** Ferreira Construction Co. Inc.
Bridge Sound Barrier Removal and Replacement
Turnpike MP 100 to MP 101
City of Elizabeth, Union County
Construction Fund No. 06510005
Amount due Contractor: \$160,975.43
- 54C-08** **GSP Contract 84-1164** Railroad Construction Company Inc.
Parkway Interchange 98 Improvements
Replacement of Route 138 Westbound Bridges
Over the Garden State Parkway
Township of Wall, Monmouth County
2004 Bond Issue Fund No. 07860003
Amount due Contractor: \$107,699.99
- 54D-08** **GSP Contract 87-1126** V. Dilorio & Son Inc.
Ramp from Middlesex-Essex Turnpike to
Southbound Garden State Parkway
Grading, Drainage, Paving and Structures
Parkway Interchange 131B
Woodbridge Township, Middlesex County
Construction Fund No. 06560005
Amount due Contractor: \$32,966.60
- 55-08** **Construction Progress Report for Turnpike and Parkway** - Period Ending 2/8/08.

PURCHASING

- 56A-08** **Recommendation to Award a Public Bid Contract**
Rapid Set Concrete, Mortar Mix with Additives and Accelerators
Woodbury Cement Products
RM-387
Cost: \$107,000
Under this contract, Woodbury Cement Products will provide the Maintenance Departments with Rapid Set Concrete, Mortar Mix with Additives and Accelerators for use on both roadways.
- 56B-08** **Recommendation to Award a Public Bid Contract**
Coin Machine Vault Repairs
Tri Technologies Inc.
RM-400
Cost: \$60,000
Under this contract, Tri Technologies Inc. will provide coin machine vault repairs on Parkway for the Tolls Department.

- 56C-08** **Recommendation to Award a Public Bid Contract**
Major Mechanical Repairs for State Police Vehicles - Turnpike and Parkway
J & S Ford Inc.
RM-410
Cost: \$240,000
Under this contract, J & S Ford Inc. will provide major mechanical repairs for the Turnpike and Parkway State Police vehicles.
- 56D-08** **Recommendation to Award a Public Bid Contract**
Annual Inspection, Certification, and Routine Repair of Rail, Bridge Overhead Hoists
Crane America Services
RM 418
Cost: \$50,000
Under this contract, Crane America will provide the annual inspection, certification, and routine repair of rail, bridge overhead hoists for the Turnpike and Parkway Maintenance Departments.
- 56E-08** **Recommendation to Award a Public Bid Contract**
Removal and Disposal of Hazardous/Non-Hazardous Waste Material and Emergency Spill Response
Allstate Power Vac Inc.
RM-422
Cost: \$128,284
Under this contract, Allstate Power Vac Inc. will provide for the removal and disposal of hazardous/non-hazardous waste material and emergency spill response services on the Turnpike and Parkway.
- 56F-08** **Recommendation to Award a Public Bid Contract**
Respiratory Protection, Ventilation, Fall Protection and other Personal Protection Equipment
A & A Glove & Safety Company
RM-438
Cost: \$51,715.20
Under this contact, A & A Glove & Safety Company will supply the required safety equipment for the Safety Division.
- 56G-08** **Recommendation to Award a Public Bid Contract**
Body Work on Authority Vehicles
Pro-Line Collision Inc.
RM 446 & 468
Cost: \$65,000
Under this contract, Pro-Line Collision Inc. will perform body work on Authority vehicles with a GVW less than 18,000 pounds.
- 56H-08** **Recommendation to Award a Public Bid Contract**
Removal and Transportation and Disposal of Sewage Waste, Grease, and Trap Oil
Russell Reid Waste Hauling and Disposal Co.
RM 471
Cost: \$220,000
Under this contract, Russell Reid Waste Hauling and Disposal Co. will remove, transport and dispose of sewage waste, grease, and trap oil from various Authority facilities for a two-year period.

56I-08 Recommendation to Award a Public Bid Contract

Ford OEM Parts

All American Ford

RM 453

Cost: \$200,000

Under this contract, All American Ford will supply Ford OEM Parts for inventory replenishment.

56J-08 Recommendation to Award a Public Bid Contract

Overhead Scanners and Components

Applied Controls Inc.

R 43501

Cost: \$46,886.77

Under this contract, Applied Controls Inc. will provide seven (7) overhead scanners and components for use by the Technology and Administrative Services (TAS) Department.

56K-08 Recommendation to Increase Amount of Awards

Ford OEM Parts

J & S Ford;

Freehold Ford

Contract Nos. 648 and 649

Cost Increase: \$ 30,000 (\$15,000 each)

Revised Total Amount: \$160,000 (\$80,000 each Contract)

Under these contracts, J & S Ford and Freehold Ford provide Ford replacement parts (OEM) for inventory replenishment. The increases are to pay outstanding invoices and also to permit the Maintenance Departments to use the contracts when the Inventory Division is closed.

56L-08 Recommendation to Increase Amount of Award

Enhancements to CapEx Project Manager System

CapitalSoft Inc.

Contract No. 26354

Cost Increase: \$250,000

Revised Total Amount: \$550,000

Under this contract, Capital Soft Inc. performed Priority One enhancements to the CapEx Project Manager System that was approved at the March 12, 2007 Commission Meeting. It is recommended that this Purchase Order be increased by \$250,000.00 to complete Phase 3 modifications, along with support services required to fully implement the software enhancements and provide necessary training to personnel.

56M-08 Recommendation to Amend and Increase Amount of Award

Cafeteria Services

Sodexo Services Inc.

Contract No. 256

Increase: \$ 55,000

Revised Total Amount: \$174,000

Under this contract, Sodexo Services Inc. provides cafeteria services to the Authority's Traffic Management & Technology Center location. The Patron Services Department has requested this increase to cover payments through the period through May 31, 2008.

56N-08 Ratification of Negotiated Contracts

Snow Plowing Services - Parkway

Nacirema Industries Inc. \$196,200 - 3 year estimated total

A. Montone Construction Inc. \$ 54,500 - 1 year estimated total

Eagle Paving Corp. \$ 42,300 - 1 year estimated total

RM 368 – Negotiated Amounts

At the September 25, 2007 Commission Meeting, authority was given for staff to negotiate snow removal contracts for these three areas to be ratified a future Commission Meeting. Those results are as follows: Nacirema Industries Inc. will provide snow plowing services from Raritan Tolls to Union Tolls; A. Montone Construction Inc. will provide snow plowing services from Asbury Tolls to Raritan Tolls; and Eagle Paving Corp. will provide snow plowing services at Herbertsville. Purchasing and Maintenance staff worked together in the contract negotiations for these areas.

56O-08 Recommendation to Adopt New Policies and Procedures for New Jersey Turnpike Authority Procurement Card ("P-Card")

The procurement card ("P-Card") is a credit card used by purchasing organizations to buy and pay for goods and services. The Authority's P-Card Program may be used to enable personnel to purchase approved goods and services as well as emergencies/exigencies. The P-Card Policy details cardholder eligibility and responsibilities; card limits; prohibited goods and services; purchasing restrictions; approval processes and actions which will be taken in event of violations of the policies and procedures.

GENERAL BUSINESS

57-08 Recommendation to Authorize the 2008 Budget for the Garden State Cultural Center Fund and Garden State Arts Foundation

58-08 Recommendation to Adopt a Preliminary Events Calendar for the Garden State Cultural Center Fund and Garden State Arts Center Foundation and Delegate Authority to New Jersey Turnpike Authority Executive Director to Set the Programming Schedule and Execute Steps Necessary to Facilitate the 2008 Season

59-08 Recommendation to Adopt 2008 Special Project Reserve Fund Project List and 2008 Supplemental Capital Project List with Associated Funding

60-08 Authorization to Increase the 2007 Annualized Amount for the Professional Services Agreement with NW Financial Group LLC – Financial Advisor.

Account: 10-890-445020

Cost Increase: \$17,009.50

Revised Amount: \$92,009.50

61-08 Ratification of Additional Premium Payment for Garden State Parkway Underground Storage Tank Liability Insurance

Willis of New Jersey, Broker

Zurich American, Carrier

Account: 010-00-890-44100

Increase: \$ 7,554 (estimate)

Revised Premium: \$70,030 (estimate)

62-08 Authorization to Pay Pennsylvania Turnpike Commission, as Treasurer, for 2008 Annual Membership Assessment in the E-ZPass Interagency Group (IAG)

Account 890-445900

Amount: \$70,000

- 63-08 Financial Summary** – For the Twelve Months Ended December 31, 2007 and the One Month Ended January 31, 2008.
- 64-08 Recommendation to Authorize Contributions to Ambulance Squads and Fire Departments**
Period: July 1, 2007 through December 31, 2007
Operating Budget Account No. 10-710-442060
Cost: \$143,860
- 65-08 Resume of All Fatal Accidents** – Garden State Parkway and New Jersey Turnpike, Descriptive Account for the Period 1/1/08 to 2/14/08. Each report also includes 2006 – 2007 Yearly Comparisons for the twelve months through December 2007; and 2007 – 2008 Yearly Comparisons for the one month through January 2008.
- 66-08 New Jersey State Police Troops D and E Activity Reports** for December 2007 with 2006 – 2007 Yearly Comparisons; and January 2008 with 2007 – 2008 Yearly Comparisons.

SUBJECT TO CHANGE

**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY
TUESDAY, FEBRUARY 26, 2008**

Chairman Kolluri called the Authority into session in the Executive Boardroom of the Authority's Administration Offices, Woodbridge, New Jersey, at 9:35 A.M.

PRESENT

Chairman Kris Kolluri (participating via telephone); Treasurer Michael DuPont; Commissioner Raymond Pocino; Commissioner Clive Cummis; and (also participating via telephone) Commissioner Harold Hodes and Commissioner David Evans.

Deputy Executive Director/Secretary Diane Scaccetti; Chief Engineer Richard Raczynski; Electronic Toll Collection Director Dennis Switaj; Finance Director Benjamin Hayllar; Garden State Art Center Foundation Director of Operations & Programming Mary Ruotolo; Internal Audit Director James Carone; Labor Relations Director John O'Hern; Law Director George Caceres; Deputy Law Director Kenneth Rotter; Maintenance Director Daniel McNamara; Operations Director Sean Hill; Purchasing Director Andrea Ward; Technology and Administrative Services Director Brian Gorman; Tolls Director Robert Quirk; Deputy Commander New Jersey State Police Troop D, Captain Stephen Wolcott; and Assistant Secretary Rose Stanko.

Also present were: General Counsel John Hoffman; Co-General Counsel Judy Verrone; General Consultant James Bettie; Patricia Snyder, NJDOT Policy & Authority Coordination; various individuals consisting of other NJTA employees, interested organizations and general public; and from the media: Larry Higgs, Asbury Park Press; and Tom Feeney, The Star Ledger.

NOTICE OF MEETING

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

APPROVAL OF MINUTES

The Secretary reported that ten days (excluding Saturdays, Sundays and holidays) have elapsed since Governor Jon S. Corzine received the proceedings of the January 22nd meeting; he has not exercised his power to veto any items in those minutes.

Upon motion made by Commissioner DuPont, seconded by Commissioner Hodes, the minutes of the meeting of January 22, 2008 were unanimously approved.

RECUSALS

The Secretary reported that advisements of recusal have been submitted regarding agenda items: 57-08 and 58-08 for Chairman Kolluri; 41-08 for Commissioner Hodes; 44-08 for Commissioner DuPont; and 40-08, 43-08 through 45-08 and 53-08 through 55-08 for Commissioner Pocino. She then asked for any further recusals or abstentions to be placed on record for this meeting. There was no response.

At this juncture, it was determined that a separate Executive Session was not required and Chairman Kolluri opened the floor for comment pertaining to the public items being presented for Board approval. There was no response.

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

PERSONNEL

34-08

Deputy Executive Director Scaccetti submitted the **Personnel Agenda**, dated February 2008, and requested confirmation of the personnel matters contained therein.

The Executive Director certified the recommendations for consideration.

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

35-08

Deputy Executive Director Scaccetti presented the recommendation contained in the memorandum dated February 20, 2008, concerning authorization to **Enter into a Successor Collective Bargaining Agreement with IFPTE Local 196, Chapter 12**, for the period January 1, 2008 through December 31, 2011.

A successor collective bargaining agreement between between the IFPTE Local 196, Chapter 12 ("Local 196, Chapter 12") and the New Jersey Turnpike Authority ("Authority") was submitted for consideration. The successor collective bargaining agreement is a four (4) year contract with a term of January 1, 2008 through December 31, 2011. Made a part hereof is an executive summary noting the major features of the agreement.

One of the most important features of the successor collective bargaining agreement is that retroactive to January 1, 2008, members of Local 196, Chapter 12 will share the costs of health benefits. Specifically, retroactive to January 1, 2008, members of Local 196, Chapter 12 will contribute \$600 per year for the administration of their health benefits and by the end of the contract they will contribute \$900 per year.

The terms of the agreement are fair and reasonable to both the employees represented by the Local 196, Chapter 12 and Authority. Special Labor Counsel joins in recommending that the Authority approve this agreement.

The membership of Local 196, Chapter 12 has not had the opportunity to ratify the agreement. Therefore, approval of a successor collective bargaining agreement between Local 196, Chapter 12 and the Authority for the four (4) year period of January 1, 2008 through December 31, 2011 is respectfully requested pending ratification by the membership of Local

196, Chapter 12. Authorization is also sought to permit the Executive Director to execute the agreement on behalf of the Authority.

Executive Summary
IFPTE Local 196, Chapter 12
Successor Collective Bargaining Agreement

On February 19, 2008, IFPTE Local 196, Chapter 12 and the Authority reached an agreement on a successor collective bargaining agreement for the period of January 1, 2008 through December 31, 2011, subject to ratification by the membership of the union and approval by the Authority's Board of Commissioners.

The key provisions of the successor collective bargaining agreement are:

1. TERM: Four (4) years – January 1, 2008 through December 31, 2011
2. WAGE INCREASE:

| | | | |
|--------|------|--------|------|
| 1/1/08 | 3.0% | 1/1/10 | 3.5% |
| 1/1/09 | 3.0% | 1/1/11 | 3.5% |

The wage increase is the same as that the Authority negotiated with Local 97, Local 193C, Local 194, and AFSCME Local 3914.

3. HEALTH BENEFITS:
 - a) For the Point of Service and HMO Plans, employees shall pay the following:

| | | | |
|--------|----------------|---------|----------------|
| 1/1/08 | \$600 per year | 7/1/10 | \$800 per year |
| 7/1/09 | \$700 per year | 6/30/11 | \$900 per year |

b) Effective April 1, 2008, the Prescription Medicine co-payment at the retail level will be \$3 for generic drugs, \$10 for brand name where there is no generic equivalent or the doctor certifies that the employee is medically unable to take a generic version of the medication, and \$25 for brand name drugs when there is a generic equivalent. This prescription co-payment is the same as that the Authority negotiated with Local 97, Local 193C, Local 194, and AFSCME Local 3914.

The Executive Director certified this agreement recommendation.

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved entering into a Successor Collective Bargaining Agreement with IFPTE Local 196, Chapter 12; and authorized, as presented, the recommendation contained therein; and received and filed the memoranda.

LAW

Law Director Caceres requested approval of item numbers 36-08 through 39-08; moved as a group, those items are as follows:

36-08

In the memorandum dated February 13, 2008, concerning the recommendation to **Settle Formal Workers' Compensation Matter of Maryellen Dabinett v. New Jersey Turnpike Authority**, Account No. 10-870-405070.

Maryellen Dabinett, a 57 year old retired toll collector, suffered an injury to her right shoulder at work on 10/21/2002. The injury also aggravated the Petitioner's pre-existing arthritic condition. Despite surgical intervention, the Petitioner remained sufficiently disabled so as to qualify for Ordinary Disability retirement benefits, retiring effective August 1, 2005. This proposed settlement arises out of a formal claim petition filed by the Petitioner for the shoulder injury.

The petitioner is represented by Samuel Gaylord, Esq. The Authority is defended by Special Counsel James Jude Plaia, Esq. The matter is venued in the district office of Elizabeth before Judge Womack.

In this case, the findings of the Authority's medical permanency evaluator are significant at 12.5% partial total disability and serves to underscore before the court, and for purposes of this settlement request, the extensive nature of the injury and aggravation and renders the proposed settlement of 33.337% partial permanent total disability (\$58,600.00) palatable.

Moreover, citing the Petitioner's underlying arthritic condition and it's material contribution to her overall disability, Judge Womak – exercising his discretionary authority – allowed the Authority a 50% credit/offset from the Petitioner's weekly pension benefit, which reduces the Authority's portion of this settlement to \$38,600.00.

The Law Department has reviewed this matter and agrees with the recommendation of the Benefits Manager and Special Counsel. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$38,600.00.

37-08

In the memorandum dated February 13, 2008, concerning the recommendation to **Settle Formal Workers' Compensation Matter of Mark Geisler v. New Jersey Turnpike Authority**, Account No. 10-870-405070.

Mark Geisler is a 50 year old roadway maintenance employee who has been employed with the Authority for 30 years. This proposed settlement is a re-opened claim petition arising out of a previous back/hip injury, which occurred on September 12, 2002. It should also be note that Mr. Geisler, has applied for Accidental Disability retirement benefits, effective January 1, 2008.

The petitioner is represented by Samuel Denburg of Newman & Denburg. The Authority is defended by Special Counsel Gary M. Price. The matter is venued in the district office of Hackensack before Judge Boogle.

Since the original incident of September 19, 2002 and subsequent settlement of 12.5% partial total disability, Mr. Geisler has undergone a total right hip replacement. It is well documented by the Authority's own referring physicians that the Petitioner's degenerative hip disease was aggravated by the nature of his work for the Authority and that he ultimately would require a total hip replacement. As such it is no surprise that the Authority's own medical permanency evaluation only served to confirm causality, thus rendering this issue only a matter of how much the settlement would be. The presiding Judge Boogle settled that matter by placing a value of 37.5% (\$75,375.00) less the credit for the 12.5 % (\$12,600.00) previously paid, for a net settlement of \$62,775.00.

As noted, Mr. Geisler has an application for Accidental Disability retirement pending before PERS. If he is awarded Accidental Disability retirement benefits, PERS will be entitled to reduce/offset his pension by this award. If Mr. Geisler is granted Ordinary Disability retirement

benefits, the Authority shall be entitled to take the offset. Either scenario will take a number of months to determine however, in the interim, the settlement needs to be resolved. Once we have a determination from PERS, the appropriate offset will be applied.

The Law Department has reviewed this matter and agrees with the recommendation of the Benefits Manager and Special Counsel. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$62,775.

38-08

In the memorandum dated February 19, 2008, concerning authorization to **Enter into Agreement to Acquire Property In Connection with the Parkway Milepost 30 to Milepost 80 Widening Project**, Parkway Section 10: Parcel Nos. (to be assigned later); Block 14, Lots 6, 7, 8, 9, 10, 11 and 12 – Bass River Township, Burlington County, Current Owner: Evergreen Environmental LLC, Project No. 2060001.

At the February 5, 2007 Commission Meeting, the New Jersey Turnpike Authority (NJTA) awarded OPS No. P3119 to Evergreen Environmental LLC to provide certain wetlands mitigation activities in connection with the proposed widening of the Garden State Parkway between mileposts 63 and 80. At the November 9, 2007 Commission Meeting, Supplement A to OPS No. P3119 was issued, related to the same subject.

Related to this mitigation of wetlands and in order to comply with a permit condition to be issued by the New Jersey Department of Environmental Protection Agency ("NJDEP"), it is necessary for the parties to expedite the creation of public access to be located within Bass River Township, Burlington County. As a result, the parties have identified Block 14, Lots 6, 7, 8, 9, 10, 11 and 12 as properties which will need to be transferred from Evergreen Environmental LLC to the NJTA for the nominal consideration of \$1.00. Parcel numbers will be assigned upon transfer of the property. The NJTA will retain ownership of the Property until all mitigation activities are completed after which time the Property will be transferred to a wildlife conservancy for perpetual conservation.

Therefore, it is recommended that the Executive Director be authorized to enter into an agreement with Evergreen Environmental LLC, after review and approval by the Law Department and outside counsel, for purchase of the Property. It is further recommended that the Executive Director, with the concurrence of the Director of Law and the Chief Engineer, be authorized to execute such documents and take such acts which are necessary in furtherance of the intent of the agreement set forth above.

ooo0ooo

The following matters were identified in the Public Session agenda:

LAW

39-08

In the memorandum dated February 21, 2008, concerning authorization to **Enter into a Programmatic Memorandum of Agreement (MOA) with the New Jersey State Historic Preservation Office (SHPO) and the United States Army Corps of Engineers (ACE)**, Mitigation of Potential Impacts to Historical Resources, Parkway Milepost 30 to Milepost 80 Widening Project.

The New Jersey Turnpike Authority (the "Authority") is continuing with its plans to widen the Garden State Parkway between Interchange 30 and Interchange 80. Since the Parkway has been designated an historic district and the proposed widening will result in adverse effects to characteristics that make the Garden State Parkway eligible for listing in the National Register of Historic Places as a historic district, it is necessary to enter into a Programmatic Agreement with the ACE and the SHPO to implement measures to minimize impacts to historical resources which have been identified by the parties. This would include minimizing impacts to the demolition and/or alteration of five (5) overhead bridges, twenty (20) Parkway mainline bridges, four (4) box or arch culverts, and one hundred thirteen (113) drainage culverts will have an adverse effect on the Parkway historic district.

The parties propose to enter into a Programmatic Memorandum of Agreement ("PMOA") which will identify specific processes intended to minimize, where practicable, the adverse affects of the proposed construction and mitigate such adverse affects that may not be minimized. The proposed PMOA would provide that the Authority perform the following: (1) Host and maintain an historic website previously developed by Atlantic City Electric as part of Atlantic City Electric's agreement with SHPO. The cost of this maintenance is expected to be minimal; (2) Ensure the production of a paperback book about the Garden State Parkway similar to the *Images of America* series by Arcadia Publishing and ensure that a quantity will be made available free of charge by the Authority; (3) Ensure that various construction details including bridges, parapets, abutments guiderail and signs, where applicable, will be compatible with the overall character of the Garden State Parkway historic district. Additionally, it may be necessary to perform other minor historical mitigation at little or no cost to the Authority. Since it would be difficult to estimate the cost of the above obligations with any certainty, should the cost of the obligations under this agreement exceed the Executive Director's delegated authority of \$35,000, Commissioner approval shall be sought before any such costlier undertakings.

Therefore, it is recommended that the Executive Director be authorized to enter into a Programmatic Memorandum of Agreement with the State Historic Preservation Office, and the United States Army Corps of Engineers, substantially incorporating the above terms, and such other terms as may be necessitated by this authorization, after review and approval by the Law Department and outside counsel. It is further recommended that the Executive Director, with the concurrence of the Director of Law and the Chief Engineer, be authorized to execute such

documents and take such acts which are necessary and in furtherance of the intent of the agreement set forth above.

Reviewed by the Human Resources Director as appropriate; available funds certified by the Finance Director where applicable; the Executive Director certified the recommendations for consideration.

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

ooo0ooo

ENGINEERING

Chief Engineer Racznyski requested approval of item numbers 40-08 through 55-08. However, noting the recorded recusals, he explained the significance of the contract in item 44-08 and advised that its award at this meeting is imperative.

At this time, General Counsel Hoffman confirmed his previously submitted Opinion and invoked the rule of "stern necessity" for Item 44-08, since a vote cannot be delayed due to the urgency of the contract award. Further, he cited that the Authority's Board is serving with less than the optimal number of members and opined that a vote by Commissioner Pocino would be required under all the given circumstances.

The Engineering items are as follows:

40-08

In his memorandum dated February 14, 2008, concerning the recommendation to **Award a Contract and Delegate Authority to Negotiate Terms of an Agreement – IdleAire Technologies Corporation** – Truck Electrification System, Design, Construction, Operation and Maintenance, New Jersey Turnpike Service Area 13 (Vince Lombardi), Funding: New Jersey Department of Environmental Protection Grant.

Upon the approval of the Executive Director, the Engineering Department advertised for competitive proposals, consistent with the New Jersey Turnpike Authority's procurement law, for the installation of a truck electrification system at the Vince Lombardi Service Area in Ridgefield, Bergen County. The Turnpike Authority has received a grant from the New Jersey Department of Environmental Protection (NJDEP) in the amount of \$1,000,000 for the installation of the truck electrification system. The grant is part of \$2,100,000 in federal Clean Air Act funds that the NJDEP has received. The truck electrification system will be installed within approximately 70 existing truck parking spaces and will provide truckers with heating, ventilation and air conditioning, thereby eliminating the need for truck idling. Amenities such as cable television, internet access, movies and telephone service will also be available. The successful vendor must design, construct, operate and maintain the truck electrification system with the understanding that the Authority will not be providing any funding for the project. The funding required for the installation of the system will be fully paid by the NJDEP grant and the usage fees will be paid by

the truckers to the successful vendor. The successful vendor will enter into an agreement with the Authority for revenue sharing to compensate the Authority for the use of the Service Area 13 property. The Authority is authorized to enter into this agreement pursuant to N.J.S.A. 27:23-9, which provides, in pertinent part, that the Authority may enter into contracts with any person, partnership, association or corporation for the use of Authority property, for certain specified uses and for "any other purpose," and fix the terms, conditions and rents for such use.

Through a Request for Qualifications and subsequent Request for Proposals process, two vendors were prequalified and submitted Technical Proposals: IdleAir Technologies Corporation of Knoxville, Tennessee and CabAire, L.L.C. of Enfield, Connecticut. A designated review committee examined and scored the two proposals for technical merit, resulting in IdleAire Technologies Corporation receiving the higher technical score consistent with the Authority's requirements. Prompt installation of the truck electrification system is a priority in order to ensure its use and operation no later than fall 2008 in time for the winter season.

Accordingly, to expedite the construction, it is recommended that the New Jersey Turnpike Authority Commissioners authorize: (1) award of a contract to IdleAire Technologies Corporation to install a truck electrification system at the Vince Lombardi Service Area and release of NJDEP grant funds as payment therefor; (2) delegation of authority to the Law and Engineering Departments to immediately negotiate the terms and conditions of an agreement between IdleAire Technologies Corporation and the New Jersey Turnpike Authority contingent upon passage of the Governor's Veto Period; and (3) execution by the Executive Director of the final form of an agreement between IdleAire Technologies Corporation and the New Jersey Turnpike Authority, together with any other necessary documentation, upon approval of the Law Department and General Counsel. The Law and Engineering Departments concur in this recommendation.

ooo0ooo

41-08

In his memorandum dated February 12, 2008, concerning the recommendation to **Make Payment to Rutgers University for Structural Evaluation and Technical Support**, Delaware River Turnpike Bridge, Structure No. P0.00, PR 42919, Budget Code: 00-78-850-156508-07810001.

Authorization is requested to make payment to Rutgers University for technical support services required to investigate and analyze structural issues associated with newly constructed bridge decks on the Delaware River Turnpike Bridge, a major New Jersey Turnpike structure.

At the July 2005 Commission Meeting, the New Jersey Turnpike Authority awarded Contract No. R-1433 for improvements to the New Jersey side of the Delaware River Turnpike Bridge. The work included deck reconstruction with high performance concrete (HPC), shoulder area deck repairs, structural steel repairs, bearing replacements, lighting improvements, and roadway resurfacing.

During construction significant technical issues were encountered concerning the structural integrity of the bridge decks related to extensive cracking in the newly placed concrete. This condition compromised the safety of construction workers and the motoring public in the vicinity, which became an immediate concern. Accordingly, due to the emergent nature of this issue, the Authority requested Rutgers University to immediately mobilize and investigate these conditions. Rutgers University was requested to provide these services based on their unique set of capabilities, including their expertise and extensive experience with HPC bridge deck construction with the Authority, ability to perform sophisticated computer modeling of complex bridges like Delaware River Turnpike Bridge, and their laboratory testing facilities. During the investigation all construction activities were suspended until a determination could be made regarding cause and corrective actions required to address these issues. As a result of the Rutgers University investigation, which included strain gauging the superstructure and bridge decks, traffic data collection, controlled load testing, structural analysis, and laboratory testing of concrete samples, multiple revisions to the contract requirements were implemented. As a result of these new procedures, cracking in the subsequently placed bridge decks was significantly reduced. The cost for the aforementioned technical support services provided by Rutgers University is \$142,000. Given the need to quickly address this emergency, an exemption from the requirement to advertise these services, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-9-2.8, would be justified.

In addition, it is necessary to retain Rutgers University to provide follow-up technical support services associated with a final analysis of the completed bridge deck construction and for the development of revised construction procedures for similar future work pursuant to the issues encountered on Delaware River Turnpike Bridge. The cost for these services is \$43,000.

Accordingly, authorization is requested to pay Rutgers University in the amount not to exceed \$185,000, as outlined herein.

ooo0ooo

42-08

In his memorandum dated February 13, 2008, concerning the recommendation to **Execute Utility Order No. 1188-T for Contract No. T300.064 – Adesta, LLC** – Ramp NWC Improvements at Turnpike Interchange 18W, Boroughs of Carlstadt and Ridgefield, Bergen County, Supplemental Capital Fund No. 08010005.

The construction of the Ramp NWC improvements, under Contract T300.064, will require the removal and relocation of existing Authority owned fiber optic facilities from the west side of the roadway to the east side. In addition, fiber optic connections will be required for new Variable Message Signs that will be installed and for the new E-ZPass gantries that will be constructed as part of the new tolling infrastructure on the ramp.

In this regard, the Authority will prepare a Utility Order to reimburse Adesta for the design and installation of new conduits, fiber optic cables and hand holes. This utility work needs to be

completed in advance of the Authority's construction contract in order to permit the construction of the proposed Ramp NWC Improvements.

A cost proposal for this Utility Order was provided by Adesta, LLC in the amount of \$450,600 based on the final improvements and known conditions at the time. The cost proposal is considered reasonable and its approval is recommended. Actual reimbursement to Adesta will be based on competitive bids received by Adesta for the construction components of the work.

It is, therefore, recommended that this Utility Order be authorized in the amount of \$450,600.

ooo0ooo

43-08

In his memorandum dated February 15, 2008, concerning recommendation to **Award TPK Contract No. T200.018 – J. Fletcher Creamer & Son, Inc. and Joseph M. Sanzari, Inc., a Joint Venture** – Route 3, Route 120 Southbound to Route 3 Eastbound Ramp, New Jersey Department of Transportation, Borough of East Rutherford, Bergen County, Supplemental Capital Fund No. 08010012.

This contract will construct two structures to provide a new ramp from Route 120 Southbound to Route 3 Eastbound in the Borough of East Rutherford, Bergen County, New Jersey. In accordance with an agreement between the New Jersey Turnpike Authority (Authority) and the New Jersey Department of Transportation (NJDOT), this contract has been designed and will be constructed by the Authority on behalf of the NJDOT. Funds for this fully reimbursable contract have already been received by the Authority. This agreement was reached due to this Project's close proximity to the Authority's anticipated Contract No. T200.017 "Interchange 16W / Route 3 Ramps Improvements."

Ten proposals were received on February 14, 2008 for the above publicly advertised contract. The low bid, in the amount of \$12,967,000 may be compared to the Engineer's Estimate in the amount of \$13,000,650. The low bidder, J. Fletcher Creamer & Son, Inc. and Joseph M. Sanzari, Inc., a Joint Venture, has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T200.018 be awarded to the low bidder, J. Fletcher Creamer & Son Inc. and Joseph M. Sanzari Inc., a Joint Venture, Hackensack, New Jersey, in the amount of \$12,967,000. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

Reviewed by the Law Director and available funds certified by the Finance Director where appropriate; the Executive Director certified the recommendations for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Cummis, the Authority unanimously approved Engineering items 40-08 through 43-08, as set forth above; authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

ooo0ooo

44-08

In the memorandum dated February 6, 2008 concerning the recommendation to **Award Contract No. P200.082 – Stavola Contracting Co. Inc.** – Pavement Restoration and Miscellaneous Improvements, Parkway Milepost 104.5 to Milepost 116.0, Maintenance Reserve Fund No. 03020005

This contract will provide for the resurfacing of asphalt surface course pavement along the Southbound mainline roadway and ramps and also include resurfacing of the Interchange 114 toll plazas and other incidental work along the Garden State Parkway between Milepost 104.5 to Mile 116.0 in Monmouth County.

Six proposals were received on February 5, 2008 for the above publicly advertised contract. The low bid, in the amount of \$3,240,690 may be compared to the Engineer's Estimate in the amount of \$4,545,750. The low bidder, Stavola Contracting Co., Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.082 be awarded to the low bidder, Stavola Contracting Co., Inc. of Tinton Falls, New Jersey, in the amount of \$3,240,690, allocated as follows: \$2,970,000 in 2008 and \$270,690 in 2009. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

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

On motion by Commissioner Pocino, seconded by Commissioner Cummis, the Authority approved the recommendation; authorized award of Contract No. P200.082 to Stavola Contracting Co. Inc., as presented; and received and filed the memoranda.

ooo0ooo

45-08

In the memorandum dated February 8, 2008 concerning the recommendation to **Award Contract No. P200.083 – Tilcon New York Inc.** – Pavement Restoration and Miscellaneous Improvements, Parkway Milepost 128.1 to Milepost 137.35, Maintenance Reserve Fund No. 03020005.

This contract will provide for the resurfacing of Portland Cement Concrete Pavement with asphalt surface course pavement along the Garden State Parkway Northbound mainline roadway

and ramps from Milepost 128.1 to Milepost 129.65 and the Northbound right shoulder between Milepost 129.75 and Milepost 137.35 along with Northbound and Southbound ramps at Interchanges 130, 131, 131A and 131B and other incidental work in Middlesex and Union Counties.

Five proposals were received on February 7, 2008 for the above publicly advertised contract. The low bid, in the amount of \$2,333,000 may be compared to the Engineer's Estimate in the amount of \$3,382,250. The low bidder, Tilcon New York, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.083 be awarded to the low bidder, Tilcon New York, Inc. of Wharton, New Jersey, in the amount of \$2,333,000, allocated as follows: \$2,100,000 in 2008 and \$233,000 in 2009. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

ooo0ooo

46-08

In his memorandum dated January 31, 2008, concerning recommendation to **Issue Order for Professional Services No. P3165 – Kupper Associates** – for Contract No. P200.082, Pavement Restoration and Miscellaneous Improvements, Parkway Milepost 104.5 to Milepost 116.0; **and Order for Professional Services No. P3166 – KS Engineers P.C.** – Contract No. P200.083, Pavement Restoration and Miscellaneous Improvements, Parkway Milepost 128.10 to Milepost 137.35, Supervision of Construction Services, Small Business Enterprise (SBE) Set-Aside Program, Maintenance Reserve Fund No. 03020005.

Through this single Orders for Professional Services (OPS) procurement process, the Authority will select two consultants to furnish construction supervision services for the referenced contracts. Contract P200.082 will provide for the resurfacing of asphalt surface course pavement along the Parkway Southbound mainline roadway and ramps and also include resurfacing of the Interchange 114 toll plazas and other incidental work. Contract P200.083 will provide for the resurfacing of Portland Cement Concrete Pavement with asphalt surface course pavement along the Parkway Northbound mainline roadway and ramps from Milepost 128.10 to Milepost 129.65 and the Northbound right shoulder between Milepost 129.75 and Milepost 137.35 along with Northbound and Southbound ramps at Interchanges 130, 131, 131A and 131B and other incidental work.

These assignments are classified as "Simple Projects" based on the scope of work being clearly defined and not likely to change during the course of the projects, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 14 engineering firms prequalified and eligible under Profile Code B153 – Roadway Construction Inspection and B154 – Roadway Resurfacing Inspection and registered as SBE's by the New

Jersey Commerce and Economic Growth Commission. Five firms submitted EOIs by the closing date of January 3, 2008. In accordance with the solicitation, the highest ranked firm will be awarded OPS P3165 and the second ranked firm will be awarded OPS P3166.

Subsequent to the scoring of EOIs, Fee Proposals were requested from the top three firms. The firms are: 1) Kupper Associates; 2) KS Engineers, P.C.; and 3) Churchill Consulting Engineers. The fees submitted by Kupper Associates and KS Engineers, P.C.; have been reviewed and are considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3165 be issued to the firm of Kupper Associates of Piscataway, New Jersey, in the maximum amount of \$360,000, allocated as follows: \$330,000 in 2008 and \$30,000 in 2009. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.2, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses.

It is also recommended that OPS No. P3166 be issued to the firm of KS Engineers, P.C. of Newark, New Jersey, in the maximum amount of \$275,000, allocated as follows: \$250,000 in 2008 and \$25,000 in 2009. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.2, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses.

These awards are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by these awardees pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firms were selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

ooo0ooo

47-08

In his memorandum dated February 14, 2008, concerning the recommendation to **Issue Order for Professional Services No. T3172 – LS Engineering Associates Corporation – Engineering Services for the 2008 New Jersey Turnpike Bridge Inspection Program – Part C, Maintenance Reserve Fund No. 03010005, Small Business Enterprise (SBE) Set Aside.**

This Order for Professional Services (OPS) provides for the inspection of the Authority's structures in accordance with the requirements of the 2008 New Jersey Turnpike Bridge Inspection Program – Part C. This segment of the program includes inspection of 8 routine bridges located between Mile 118 and Mile 122 along the Turnpike's four mile I-95 extension; inspection of 32 culverts located in Turnpike Maintenance Districts 1, 2, 3, 6 and 7; inspection of 126 sign structures along the entire length of the Turnpike; FHWA Structure Inventory and Appraisal (SI&A) form updates; NJTA Bridge Management System inspections and data collection; on-call special assignments; submittal of inspection and Risk Carrier Summary Reports.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 12 engineering firms prequalified and eligible under Profile Code D280R: Bridges, NBIS Program, Routine and registered as an SBE by the New Jersey Commerce and Economic Growth Commission. Eight firms submitted EOIs by the closing date of January 18, 2008.

Subsequent to the scoring of the Expressions of Interest, Fee Proposals were requested from the top three firms. They are, in the order of technical ranking: 1) LS Engineering Associates Corporation; 2) KS Engineers, P.C.; and 3) Arora and Associates, P.C. The fee submitted by LS Engineering Associates Corporation has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. T3172 be issued to the firm of LS Engineering Associates Corporation of Montville, New Jersey in the maximum amount of \$350,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.45, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

ooo0ooo

48-08

In his memorandum dated February 21, 2008, concerning the recommendation to **Issue Supplement No. 4 to GSP Order for Professional Services No. 134-736D-2 – Gannett Fleming Inc.** – Post-Design Construction Support Services, Garden State Parkway Interchange 142 Improvements Project, Townships of Union and Hillside, Union County, Township of Irvington, Essex County, Construction Fund No. 06560015.

GSP Order for Professional Services (OPS) No. 134-736D-2 was issued at the February 2004 Commission Meeting, in the amount of \$8,457,674.35 to provide preliminary and final engineering design services for improvements to Parkway Interchange 142. Supplement Nos. 1, 2 and 3, in the total amount of \$2,980,000.00, provided for conversion of design from Metric units to English units, design reclassification of ramps, alternative study of ramp connection from Parkway southbound to I-78 westbound, pavement restoration of I-78, seismic analysis, environmental sampling and revisions to the Interstate Access Approval Document.

Supplement No. 4 will compensate Gannett Fleming to perform post-design construction support services (CSS) for Parkway Interchange 142 Improvements. The construction contract is being awarded by NJDOT. Accordingly, because this is an NJDOT project, post-design CSS are supplemental to the original OPS. In general, the CSS consist of responses to pre-bid contractor

questions, attendance at various meetings, approval or certification of working drawings, responses to post-award Requests for Information (RFI), performing construction inspection services for the Union Toll Facility Building and other related services. Award of this supplement is in accordance with the December 2007 cost sharing agreement between the State of New Jersey and the New Jersey Turnpike Authority (NJTA) that requires the NJTA to provide funds to the designer for construction engineering services in advance of the construction award. The funds for this supplement are to be applied toward the NJTA's fiscal year 2008 total share of \$10,163,000.00.

The fee of \$5,297,453.60 submitted by Gannett Fleming Inc. for these additional services has been reviewed, negotiated and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that Supplement No. 4 to GSP OPS No. 134-736D-2 be issued to Gannett Fleming Inc. in the amount of \$5,297,453.60 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$11,437,674.35 to \$16,735,127.95. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

ooo0ooo

49-08

In his memorandum dated February 8, 2008, concerning the recommendation to **Issue Supplement A to Order for Professional Services No. T3041 – HNTB Corporation** – Supervision of Construction Services for TPK Contract No. R-1433, Bridge Deck Reconstruction, Roadway Resurfacing, Lighting, Miscellaneous Structural Improvements, Structure No. P0.00, Delaware River Turnpike Bridge, 2004 Bond Issue Fund No. 07810001.

Order for Professional Services (OPS) No. T3041 was issued at the July 2005 Commission Meeting in the amount of \$2,005,000 to provide construction supervision services for Contract No. R-1433. This contract provides for improvements to the New Jersey side of the Delaware River Turnpike Bridge, a major New Jersey Turnpike structure. The work includes deck reconstruction, shoulder areas, deck and structural steel repairs, bearing replacement, lighting improvements and roadway resurfacing.

Supplement A will compensate the HNTB Corporation for additional unanticipated professional services to provide construction inspection services required for the extended contract duration, as well as additional material testing costs, which are a direct expense. The contract completion date is being extended as the result of a work suspension initiated by the New Jersey Turnpike Authority (NJTA) and for the additional time required by the contractor to construct scheduled improvements under the modified contract requirements implemented shortly thereafter.

The contract work was suspended to allow for the immediate mobilization of the Design Engineer and Rutgers University, on an emergency basis, to investigate structural issues with the

recently poured new concrete bridge decks. The NJTA requested Rutgers University's participation based on their expertise and considerable past experience with high performance concrete bridge deck construction with the NJTA and their ability to perform sophisticated structural analysis of this major Turnpike bridge structure. Following the investigating team's analysis, recommendations were implemented to mitigate future structural issues, which included significant revisions to the contract requirements. These revisions added time restrictions to key operations employed by the contractor for the preparation and placement of the new concrete bridge decks. The effect of these provisions was to reduce the contractor's allowable working hours, which in turn required more working days for constructing the remaining contract work.

Supplement A also includes additional unanticipated professional services to assist the NJTA in the review, analysis and negotiations with the contractor in the settlement of their request for additional compensation as they relate to the aforementioned issues. OPS No. T3041 provided for construction supervision services for 22 months. As a result of the extended contract duration, supervision of construction services will be extended by 9 months.

The fee of \$355,000 submitted by HNTB Corporation for these unexpected additional professional services and direct expense costs has been reviewed, negotiated and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. T3041A be issued to HNTB Corporation in the amount of \$355,000 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$2,005,000 to \$2,360,000. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

ooo0ooo

50-08

In his memorandum dated February 8, 2008, concerning the recommendation to **Issue Supplement G to Order for Professional Services No. A3053 – HNTB Corporation** – General Consulting Engineers for the New Jersey Turnpike Authority, Design Services, Woodbridge Traffic Management and Data Center, Supplemental Capital Fund No. 08000003.

Order for Professional Services (OPS) No. A3053 was issued to HNTB Corporation at the August 2005 Commission Meeting, to provide for professional engineering services as the General Consulting Engineer (GCE) for the New Jersey Turnpike Authority over a five year term.

Supplement G will provide for expanded design services, which are the result of: an extension of the construction schedule; acceleration of the structural steel and foundation contract and the building enclosure finishes and system contract; re-coordination efforts associated with the proposed data center resulting from the departure of Unisys and a re-contracting with IBM; design of temporary and final parking lot improvements, which were not part of the original scope of services; preparation of Changes of Plan resulting from DCA design changes; and other miscellaneous design issues related to the new Traffic Management Center and Data Center.

The fee of \$818,949 submitted by HNTB Corporation for these additional services has been reviewed and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. A3053G be issued to HNTB Corporation in the amount of \$818,949, with compensation on the same basis as the original OPS. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

ooo0ooo

51-08

In his memorandum dated February 5, 2008, concerning the recommendation to **Issue Supplement A to Order for Professional Services No. T3071 – Kupper Associates –** Supervision of Construction Services for TPK Contract No. R-1318B, I-95 Turnpike Section, High Mast Lighting, Turnpike Milepost 117.9 to Milepost 122.0, Construction Fund No. 06510058.

Order for Professional Services (OPS) No. T3071 was issued at the January 2006 Commission Meeting in the amount of \$311,000 to provide supervision of construction services for Contract No. R-1318B. This contract provides for the replacement of existing lighting facilities with new high mast lighting and associated incidental work from milepost 117.9 to milepost 122.0 along the Turnpike's I-95 northern terminus in Bergen County, New Jersey.

Supplement A will provide additional professional services required as a result of a compensable delay experienced on Contract No. R-1318B. The project duration was extended by approximately five months as a result of a Change of Plan issued to address several maintenance and protection of traffic issues, which reduced the contractor's work area and the allowable lane closing hours.

The fee of \$32,000 submitted by Kupper Associates for these additional services has been reviewed, and is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that OPS No. T3071A be issued to Kupper Associates in the amount of \$32,000 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$311,000 to \$343,000. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

ooo0ooo

52-08

In his memorandum dated January 25, 2008, concerning the recommendation to **Issue Supplement A to Order for Professional Services No. A3083 – Hill International Inc. –** Construction Management and Inspection Services, New Jersey Turnpike Authority Traffic Management Center, Supplemental Capital Fund No. 08000003.

Order for Professional Services (OPS) No. A3083 was issued at the March 28, 2006 Commission Meeting in the amount of \$1,300,000 to provide construction management and inspection services for the new Turnpike Authority Traffic Management Center, with an anticipated completion date of March 31, 2007.

Subsequent to issuing the OPS, the Authority modified the project approach and made significant changes to the contract documents, as well as adding a third contract to the project that was not anticipated at the time the original scope of services for OPS No. A3083 were defined. These changes will increase the project duration by about one year, resulting in the need for additional professional services to properly supervise the construction.

Supplement A will compensate Hill International Inc. for providing additional construction management and inspection services required to cover the extended construction duration of approximately twelve months. The anticipated completion date is March 31, 2008.

Hill International submitted a scope and fee for these additional services which has been reviewed and negotiated. A fee of \$280,000 is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that OPS No. A3083A be issued to Hill International in the amount of \$280,000, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$1,300,000 to \$1,580,000. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

ooo0ooo

53-08

In his memorandum dated February 20, 2008, concerning the recommendation to **Issue a Type 3 Change Order, Change Order No. 2 for Contract No. T200.058 – Crisdel Group Inc.** – Resurfacing, Turnpike Milepost 74 to 122, Maintenance Reserve Fund No. 03010002.

The purpose of this Change Order No. 2, Type 3 - is to engage Crisdel Group Inc. to perform additional construction activities within the limits of the referenced contract, but considered beyond their current scope of work.

By way of background, in early December 2007, the Turnpike Maintenance Department responded to a call-out in which a sink hole had occurred in the left travel lane of the southbound inner roadway at approximately milepost 121 in Bergen County on the I-95 section of the Turnpike. Immediate repairs were made and the situation was monitored. Over the next few days, the Maintenance Department was required to place additional asphalt as settlement occurred. It was determined that the sink hole is the result of a failed drainage pipe located in the median under the concrete barrier.

On an emergent basis it was necessary to remove traffic from the vicinity of the sink hole by constructing a temporary traffic shift and placing traffic on the shoulder. On December 13, 2007 Crisdel Group was mobilized for this effort as Contract No. T200.058 provides bid line items for the majority of the work required to install the traffic shift consisting of milling, resurfacing and line striping. In addition, they installed temporary concrete construction barrier and traffic control devices to move traffic away from the affected area.

It will be necessary to reconstruct the drainage pipe in the median in order to make permanent repairs. The Engineering Department engaged Stantec through its on-call services engineering OPS to evaluate various repair options and prepare plans to construct the repairs.

In order to restore traffic to its normal configuration as soon as possible and to insure the motoring public's safety, the Engineering Department recommends that a Type 3 Change Order be issued to Crisdel Group Inc. to construct the repairs immediately upon finalization of the design and subject to weather. It is anticipated that this work will require the removal of portions of the existing concrete median barrier; construction of approximately 300 lineal feet of new drainage pipe, inlets and appurtenances; construction of new concrete median barrier; construction of embankment, pavement, line striping; and other miscellaneous items of work. Crisdell is recommended to perform this work for the following reasons: First, the repairs are within the limits of their current contract and thus can be scheduled without conflict with other contractors. Second, Crisdel was able to quickly and effectively mobilize and perform the emergent traffic shift work in order to safeguard the traveling public by placing the traffic on the shoulder. Third, they are well equipped and prequalified with the Authority to perform this type of construction and have performed other work for the Authority on short notice on several occasions in the past. And lastly, we have found them to be fair, reasonable, accommodating to the Authority's needs, and extremely responsive.

Upon finalization of the design and preparation of the Change of Plan, Crisdel Group, Inc. will be requested to provide a price proposal to perform the work. While an Engineers Estimate is not yet available as the design has not been finalized, preliminary evaluation has determined that the cost is anticipated to be in the magnitude of approximately \$700,000.

It is, therefore, requested that a Type 3 Change Order, Change Order 2 be issued to Contract No. T200.058 to perform the immediate repairs outlined above, upon completion of final design and price negotiation with Crisdel Group Inc. as necessary.

ooo0ooo

54A-08 through 54D-08

Respectively, the following are recommendations of **Contracts for Formal Acceptance and Final Payment:**

| <u>CONTRACT NO.</u> | <u>CONTRACTOR</u> | <u>AMOUNT</u> |
|-----------------------------------|--|----------------------|
| <u>Contract P200.004</u> | Agate Construction Co. Inc. Removal of Southbound Tolls, Parkway Cape May Toll Plaza Cape May County Construction Fund No. 06560037 | \$181,598.40 |
| <u>TPK Contract R-1492</u> | Ferreira Construction Co. Inc. Bridge Sound Barrier Removal and Replacement Turnpike MP 100 to MP 101 City of Elizabeth, Union County Construction Fund No. 06510005 | \$160,975.43 |

| | | |
|------------------------------------|--|--------------|
| <u>GSP Contract 84-1164</u> | Railroad Construction Company Inc. Parkway Interchange 98 Improvements Replacement of Route 138 Westbound Bridges Over the Garden State Parkway Township of Wall, Monmouth County 2004 Bond Issue Fund No. 07860003 | \$107,699.99 |
|------------------------------------|--|--------------|

| | | |
|------------------------------------|--|--------------|
| <u>GSP Contract 87-1126</u> | V. Dilorio & Son Inc. Ramp from Middlesex-Essex Turnpike to Southbound Garden State Parkway Grading, Drainage, Paving and Structures Parkway Interchange 131B Woodbridge Township, Middlesex County Construction Fund No. 06560005 | \$ 32,966.60 |
|------------------------------------|--|--------------|

The Authority accepted the certifications of the Engineers, General Consultants and Chief Engineer as to inspection and completion of the foregoing contracts; the certification of the Authority's Law Department as to liens, claims, surety bonds and Final Payment Certificates, in the amounts shown, due the contractors for completion of the above contracts.

ooo0ooo

55-08

Construction Progress Reports, Turnpike and Parkway roadways, for the period ending 2/08/08.

Reviewed by the Law Director; available funds certified by the Finance Director where applicable; the Executive Director certified the recommendations for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Cummis, the Authority approved Engineering items 45-08 through 55-08, as set forth above; authorized, as presented, the recommendations contained therein; accepted the Construction Progress Report; and received and filed the memoranda.

ooo0ooo

PURCHASING

Purchasing Director Ward identified the purchasing agenda as routine goods and services procured according to public laws, highlighted item 56O-08, and requested approval. Moved as a group, items 56A-08 through 56O-08 are as follows:

56A-08 through 56J-08

Results of Bidding in response to public advertisement for the commodities requisitioned by various departments. Awards are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardees pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same. Bids for these items were procured and authorization is sought to award contracts to the lowest responsible bidders, pursuant to N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2.

Recommendations of contract awards to the low bidders meeting Authority specifications are as follows:

| BIDDERS | BIDS | | | | |
|---|--------------|---|---|---------------------------|--|
| <u>INVITED</u> | <u>REC'D</u> | <u>COMMODITY</u> | <u>VENDOR</u> | <u>COST</u> | |
| 3 | 2 | Concrete & Mortar Mix | Woodbury Cement Products Woodbury, NJ | \$107,000.00 | |
| Original contact terms may be extended for two additional one-year terms each under the same prices, terms and conditions, at the sole discretion of the Authority. (Requisition Memorandum 387) | | | | | |
| 4 | 3 | Coin Machine Vault Repair | Tri-Technologies Inc. Mount Vernon, NY | \$ 60,000.00 | |
| Original contact terms may be extended for two additional one-year terms each under the same prices, terms and conditions, at the sole discretion of the Authority. (RM 400) | | | | | |
| 17 | 5 | Major Mechanical Repairs for State Police Vehicles | J & S Ford Inc. Jersey City, NJ | \$240,000.00 | |
| Original contact terms may be extended for two additional one-year terms each under the same prices, terms and conditions, at the sole discretion of the Authority. (RM 410) | | | | | |
| 3 | 3 | Rail, Bridge, Trolley, Gantry Overhead Hoists & Chain Falls, Inspection & Repair | Crane America Services Pottstown, PA | \$ 50,000.00 | |
| Original contract term may be extended for two additional one-year terms each under the same price, terms and conditions, at the sole discretion of the Authority. (RM 418) | | | | | |
| 20 | 4 | Removal & Disposal of Hazardous Waste & Non-Hazardous Waste & Emergency Spill Response | Allstate Power Vac Inc. Rahway, NJ | \$128,284.00 | |
| Original contract term may be extended for two additional one-year terms each under the same terms and conditions, at the sole discretion of the Authority. (RM 422) | | | | | |
| 18 | 3 | Respiratory Protection, Ventilation, Fall Protection & Personal Protection Equipment | A & A Glove & Safety Co. Collingswood, NJ | \$ 51,715.20 | |
| Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (RM 438) | | | | | |
| 11 | 6 | Body Repair Work, Authority Vehicles, GVW Less than 18,000 Lbs | Pro Line Collision Inc. Runnemede, NJ | \$ 65,000.00 | |
| Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (RM 446 & 468) | | | | | |
| 10 | 2 | Removal & Disposal of Sewage Waste, Grease & Trap Oil | Russell Reid Waste Hauling & Disposal Co. Keasbey, NJ | \$220,000.00 (2 years) | |
| Original contact terms may be extended for two additional one-year terms each under the same prices, terms and conditions, at the sole discretion of the Authority. (RM 471) | | | | | |
| 14 | 7 | Ford OEM Replacement Auto Parts | All American Ford Hackensack, NJ | \$200,000.00 | |
| Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority. (RM 453) | | | | | |
| 5 | 2 | Overhead Scanners & Associated Components | Applied Controls Inc. Malvern, PA | \$ 46,886.77 | |
| This contract includes a 3-Year Option which gives the Authority the right to purchase additional units conforming to the specifications at the same price, terms and conditions for the first model year and adjusted agreed upon price terms for two (2) additional Model Years. (PR 43501) | | | | | |

ooo0ooo

56K-08

In the memorandum dated February 8, 2008 concerning a recommendation to **Increase Amount of Contract Nos. 648 and 649 (RM 277) – J & S Ford Inc. and Freehold Ford Inc.** – Ford OEM Replacement Auto Parts.

At the March 12, 2007 Commission Meeting (Item 59C-07), authorization was granted to award contracts to J&S Ford Inc. and Freehold Ford Inc. for Ford OEM Replacement Auto Parts for the period April 4, 2007 through April 3, 2008, in an amount not to exceed \$65,000 each. Bids

were procured, and authorization was sought to award a contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2.

The Inventory Section has indicated that, due to the large volume of Ford parts utilized under these contracts, the original authorized funds have been depleted. Therefore, staff is requesting that the Contracts be increased by \$15,000 each to cover the period through April 3, 2008, at which time the Authority may exercise the first of two one-year options to extend these contracts.

Accordingly, authorization is requested to increase Contract No. 648 with J&S Ford, Jersey City, NJ by \$15,000; and Contract No. 649 with Freehold Ford Inc., Freehold, NJ by \$15,000 for the period through April 3, 2008. This will bring Contract Nos. 648 and 649 to a new authorized amount of \$80,000 each, bringing the new total authorized amount not to exceed \$160,000.

ooo0ooo

56L-08

In the memorandum dated February 19, 2008 concerning a recommendation to **Increase Amount of Contract No. 26354 – CapitalSoft Inc.** – Enhancements to CapEx Manager Software, Budget Code 04008019.

In 2005, the Authority awarded a Purchase Order to CapitalSoft Inc. for the web-based electronic bidding software for the construction contracts issued by the Engineering Department (“CapEx Software”). This contract was awarded pursuant to the sole source exception to the public bidding laws of N.J.A.C. 19:9-2.2(d)1 as promulgated under N.J.S.A. 27:23-6.1. Since its implementation, the Engineering Staff identified several modifications that needed to be made to the CapEx Software to provide a more effective construction management system and to comply with recently enacted Laws which affected the Authority. At the December 12, 2006 Commission Meeting, authorization was granted to award a contract to CapitalSoft, Inc. for the initial modifications in the amount not to exceed \$150,000. In 2007, the Engineering Department requested and received an increase to Contract No. 26354 for \$150,000 to complete the modifications and implement the software enhancements required during the initial installation. This brought the new total authorized amount to \$300,000.

The Engineering Department has now requisitioned Phase 3 modifications, along with the support services required to fully implement the software enhancements to the CapEx Software and provide the necessary training to personnel in an amount not to exceed \$250,000.

Accordingly, authorization is requested to increase Contract No. 26354 with CapitalSoft Inc., Richardson, TX for additional enhancements to the CapEx Software by \$250,000.00. The new total authorized amount will not exceed \$550,000.00.

ooo0ooo

56M-08

In the memorandum dated February 6, 2008 concerning a recommendation to **Increase Amount of Contract No. 256 – Sodexo Inc.** – Cafeteria Services, New Jersey Turnpike Authority Traffic Management & Technology Center in Woodbridge.

At the time of the consolidation of the Garden State Parkway and the New Jersey Turnpike, the License Agreement between the Authority (formerly New Jersey Highway Authority) and Sodexo Inc. was continued on a month-to-month basis until either the execution by the parties of a new license agreement or until termination of this agreement. The annual authorized amount of the Contract was \$74,000. At the August 27, 2007 Commission Meeting, due to increased use of the cafeteria services, that amount was increased to \$119,000. For 2008, the Patron Services Division has requested that Contract No. 256 be increased by \$55,000 to pay for cafeteria operation expenses through May 31, 2008. The Purchasing Department and Patron Services Division have commenced drafting a Request for Proposal. Staff anticipates that the solicitation process for a new license agreement will be completed in time for a June 2008 commencement date.

Accordingly, authorization is requested to increase the authorized amount of Contract No. 256 with Sodexo Inc., Trumbull, CT in the amount of \$55,000. This will bring the total authorized amount of this Contract to \$174,000.

ooo0ooo

56N-08

In the memorandum dated February 21, 2008 concerning **Ratification of Negotiated Contract Nos. SPC-3E-07 – Nacirema Industries Inc.; SPCIO-9-07 – A. Montone Construction Inc.; and SPC-10E-07 – Eagle Paving Corporation** – Snow Plowing Services on the Garden State Parkway.

At the September 2007 Commission Meeting, and in accordance with the public bid laws, authorization was granted to negotiate contracts for snow plowing services for the current winter season for the above-referenced contracts. These represent those areas in which no bid proposals were received after two public bid solicitations, N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The authorization also stated that the negotiated contracts would be awarded and then ratified by this Commission.

Staff from the Maintenance and Purchasing Departments contacted several snow plow contractors and successfully negotiated contracts for the three areas, namely: Raritan Toll Plaza to Union Toll Plaza, Asbury Toll Plaza to Raritan Toll Plaza, and Herbertsville Maintenance Yard. Given the fact that the snow season had already commenced, the Maintenance Department requested that the contracts be established immediately following the negotiations and upon the contractors' compliance with legal and administrative terms. The following three vendors met the terms of the contracts and the parties agreed as follows:

Nacirema Industries Inc., Bayonne, NJ

CONTRACT SPC-3E-07: RARITAN TOLL PLAZA TO UNION TOLL PLAZA
Anticipated Annual Expenditure: \$196,200 (three year term, no option to extend)

A. Montone Construction Inc., Holmdel, NJ

CONTRACT AREA SPCIO-9-07: ASBURY TOLLS TO RARITAN TOLLS
Anticipated Annual Expenditure: \$ 54,500 (one year term, with 2 one-year options to extend)

Eagle Paving Corporation, South Toms River, NJ

CONTRACT AREA SPC-10E-07: HERBERTSVILLE MAINTENANCE YARD (MP 91.8 TO 105)
Anticipated Annual Expenditure: \$ 42,300 (one year term, with 2 one-year options to extend)

Accordingly, authorization is requested to ratify the contracts at the negotiated unit prices submitted. The anticipated annual expenditures will not exceed the stated total amounts subject to funding availability at the time of service.

ooo0ooo

56O-08

In the memorandum dated February 21, 2008 concerning **Recommendation to Adopt The Procurement Card Policies and Procedures**

For several months, New Jersey Turnpike Authority (the "Authority") personnel have been conducting a pilot program utilizing the procurement / purchasing card (the "P-Card"). The P-Card is a credit card used by purchasing organizations to buy goods and services. The State of New Jersey currently has a contract with Citibank to use their P-Card and the Authority has chosen to participate in the CitiBank Contract. The purpose of the P-Card Program is to enable Authority employees to procure goods and services more efficiently. The P-Card Program may be used for the purchase of approved goods and services at specified locations, as well as for emergencies / exigencies approved by executive personnel, all consistent with applicable laws and Authority procurement procedures. Through implementation of the P-Card Program, the Authority expects to: procure goods and services on a timely basis at reduced costs, subject to appropriate internal controls; streamline the purchasing and payment processes; and reduce the overall value of the Authority's in-house inventory.

Given the use of the P-Card, it is necessary to adopt policies and procedures for use by Authority personnel ("P-Card Policy"). The P-Card Policy will, among other things, detail cardholder eligibility and responsibilities; P-Card limits; prohibited goods and services; purchasing restrictions; and approval processes and actions which will be taken in event of violations of the policies and procedures. Submitted to the Commissioner's for consideration, the P-Card Policy & Procedures have been reviewed by General Counsel and the Law Department and are now recommended for adoption.

Reviewed by the Law Director; available funds certified by the Finance Director where applicable; the Executive Director certified the recommendations for consideration.

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the fifteen (15) item Purchasing agenda; and authorized, ratified or adopted, as presented, the recommendations contained therein; and received and filed the memoranda.

ooo0ooo

GENERAL BUSINESS

At this time, Chairman Kolluri requested Commissioner DuPont to move the following two items:

57-08

Garden State Arts Foundation Director Ruotolo presented the recommendation contained in her memorandum dated February 6, 2008, concerning **Adoption of the 2008 Cultural Center Fund Budget.**

The submitted documents and supporting schedules summarize the proposed operating budget for the Year 2008 for the Garden State Cultural Center Fund and Garden State Arts Foundation.

Comptroller Walters and Director Ruotolo collectively made the projections of revenues and expenses based on existing Foundation/CCF agreements and scheduled events.

The Garden State Cultural Center Fund in conjunction with the Garden State Arts Foundation provides a series of free programs annually. Certain performances and events are scheduled specifically for school children and senior citizens. These performances are presented at the PNC Bank Arts Center in Holmdel and at various venues statewide. Evening classical and cultural events are open to the general public. International Heritage Festivals representing major ethnic communities throughout our state are also a part of this program.

It is therefore recommended that the Authority adopt the proposed 2008 Budget for the Garden State Cultural Center Fund and Garden State Arts Foundation.

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

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation; adopted the proposed 2008 budget for the Garden State Cultural Center Fund and Garden State Arts Foundation as submitted; and received and filed the memoranda.

oooOooo

58-08

Garden State Arts Foundation Director Ruotolo presented the recommendation contained in her memorandum dated February 6, 2008, concerning **Adoption of Preliminary Events Calendar and Delegate Authority to Executive Director to Set the 2008 Programming Schedule– Garden State Cultural Center Fund and Garden State Arts Foundation**

The Garden State Cultural Center Fund in conjunction with the Garden State Arts Foundation provides a series of free programs annually. Certain performances and events are scheduled specifically for school children and for senior citizens. These performances are presented at the PNC Bank Arts Center in Holmdel and at various venues statewide. Evening classical and cultural events are open to the general public. International Heritage Festivals

representing major ethnic communities throughout our state are also a part of this program. These events are held exclusively at the PNC Bank Arts Center.

A Garden State Arts Foundation and Garden State Cultural Center Fund 2008 preliminary calendar of events was submitted for Commissioner's review.

The process for the 2008 Program year has been initiated. Authorization is requested to delegate to the Executive Director the authority to set the 2008 schedule and to enter into and execute any and all contracts with performing artists, agents and vendors, not to exceed an amount of \$1.3 million (total cost of all programming for the 2008 season) and to take other steps necessary to facilitate the agenda for the 2008 season.

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

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation; adopted a preliminary events calendar and delegated authority to the New Jersey Turnpike Authority's Executive Director to set the 2008 Programming Schedule for the Garden State Cultural Center Fund and Garden State Arts Foundation, as outlined above; and received and filed the memoranda.

ooo0ooo

At this time Commissioner DuPont turned the meeting back over to Chairman Kolluri.

59-08

Deputy Executive Director Scaccetti presented the recommendation contained in the memorandum dated February 21, 2008, concerning **Authorization to Adopt the 2008 Special Project Reserve Fund Project List and 2008 Supplemental Capital Fund Project List with Associated Funding.**

Submitted to the Board for consideration is the 2008 Special Project Reserve Fund Project List and the 2008 Supplemental Capital Fund Project List.

The Authority's bond resolution requires that each year the Special Project Reserve Fund is replenished from prior year spending to a total value of \$50,000,000. Based on 2007 spending, we are required to transfer \$24,400,000 of revenues to the Special Project Reserve Fund in 2008. In addition, a list of Special Project Reserve Fund Projects is adopted annually. Funding for each project will be submitted for approval as well as authorization to award any contracts associated with the projects. The listing includes those projects that are recommended for 2008 with a spending cap of \$26,000,000.

The second listing is of the Supplemental Capital Fund Projects for 2008. The spending cap for the Supplemental Capital Fund in 2008 is \$120,000,000, leaving approximately \$40,000,000 as a reserve in the General Reserve Fund.

It is recommended that the Authority adopt the submitted lists and authorize the 2008 spending caps.

ooo0ooo

60-08

Deputy Executive Director Scaccetti presented the recommendation contained in her memorandum dated February 21, 2008, concerning **Increase Annual Authorized Amount to NW Financial Group LLC for Financial Advisory Services**, Account 010-890-445020.

At the October 24, 2005 Commission Meeting, the Authority awarded a professional services agreement to NW Financial Group LLC for financial advisory services. The agreement was for an annual amount not to exceed \$75,000, plus actual expenditures, and had an initial term of two years with an option to extend an additional on-year period at the Authority's discretion.

Based upon the Authority's satisfaction with the services provided by NW Financial Group LLC to date, the Authority exercises its one-year renewal option in November 2007. Recently, NW Financial Group LLC has done additional review and analysis of the Authority's Series 2000B – G and Series 2003D Auction Rate Bonds which have been impacted by the actual and potential ratings downgrades of several municipal bond insurers. Based upon this unanticipated additional work, billings for 2007 exceed the annual authorized amount by \$17,010.

Therefore, approval is recommended to increase the authorized amount payable to NW Financial Group LLC by \$17,010. This will bring the total authorized amount for 2007 to \$92,010.

ooo0ooo

61-08

Deputy Executive Director Scaccetti presented the recommendation contained in her memorandum dated February 20, 2008, concerning authorization to **Increase Premium for Underground Storage Tank Liability Policy – Zurich American Insurance Company – Garden State Parkway Underground Storage Tanks**, Account 010-00-890-441000.

At the January 22, 2008 Commission Meeting, the New Jersey Turnpike Authority's Commissioners authorized the renewal of various insurance policies. The renewal premium quoted by the Zurich American Insurance Company for the Underground Storage Tank Liability Policy for Garden State Parkway facilities was inaccurately quoted at \$62,476 given the Authority's limits of liability of \$1 million each claim and a \$10 million policy aggregate. The correct renewal premium is \$68,671 or \$6,195 more than the previously authorized \$62,476 renewal premium. All other terms and conditions will remain as expiring.

Accordingly, it is recommended that the Commissioners authorize an additional \$6,195 to reflect the corrected total amount of \$68,671 as the accurate renewal premium for the Underground Storage Tank Pollution Liability Policy.

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

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved General Business items 59-08 through 61-08; adopted and authorized the recommendations contained therein; and received and filed the memoranda.

ooo0ooo

62-08

Electronic Toll Collection Director Switaj presented the recommendation contained in his memorandum dated January 28, 2008, concerning **Authorization to Pay Pennsylvania Turnpike Commission** as Treasurer, 2008 Annual Assessment, Membership in the E-ZPass Interagency Group, Account No. 890-445900.

By Commission action on December 19, 1991, approval was granted for the New Jersey Turnpike Authority to join with other regional toll agencies for the purpose of procuring compatible, regional electronic toll collection technology. Membership in this group, known as the Interagency Group (IAG), includes 23 agencies across 12 states.

Representatives from these agencies meet regularly to address ongoing operational and technological issues. Each year, the Executive Committee of the IAG approves a financial plan that includes member assessments. The Pennsylvania Turnpike Commission (PTC) was designated as Treasurer in overseeing the IAG budget. For 2008, the Authority's assessment is \$70,000.

Therefore, approval of payment to the PTC is requested, in the amount of \$70,000, for the E-ZPass Interagency Fund.

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

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation; authorized the 2008 payment to the Pennsylvania Turnpike Commission as Treasurer of the IAG, in the amount of \$70,000, as presented; and received and filed the memorandum.

ooo0ooo

63-08

Finance Director Hayllar presented the financial results of the New Jersey Turnpike Authority for the Twelve Months ended December 31, 2007 and One Month ended January 31, 2008. On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority's **Financial Summary** was unanimously accepted and received for file.

ooo0ooo

64-08

Operations Director Hill presented the recommendation contained in his memorandum dated January 25, 2008, concerning **Contributions to Ambulance Squads and Fire Departments**, Period of July 1, 2007 through December 31, 2007, Operating Budget Account No. 10-710-442060.

It has been the policy of the New Jersey Turnpike Authority to make contributions to volunteer ambulance squads and fire departments that are on-call or provide services on the Turnpike.

Ambulance squads have been paid a standby contribution and per call contribution. Fire Departments have been paid a standby contribution and a contribution based on the number of apparatus responding per call.

The submitted schedules list all ambulance squads and fire departments, which provided service to the Authority for the period from July 1, 2007 through December 31, 2007 and the recommended contributions. For this period, 43 ambulance squads responded to 600 calls and 38 fire departments responded to 295 calls using 374 pieces of equipment.

Authorization is requested to make the contributions as detailed totaling \$143,860.

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

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; authorized contributions to Ambulance Squads and Fire Departments, in the total amount of \$143,860, as presented; and received and filed the memoranda.

ooo0ooo

65-08

Resume of All Fatal Accidents – Garden State Parkway and New Jersey Turnpike. Submitted by Operations Director Hill, it contains a descriptive account for the Period 1/1/08 to 2/14/08 and each report also includes 2006 – 2007 Yearly Comparisons for the twelve months through December 2007; and 2007 – 2008 Yearly Comparisons for the one month through January 2008.

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously accepted the Resume' and received for file.

ooo0ooo

66-08

New Jersey State Police Troops D and E - Reports of Activities for the months ending December 2007 with 2006 – 2007 Yearly Comparisons; and January 2008 with 2007 – 2008 Yearly Comparisons, was submitted by Captain Wolcott, Troop D Deputy Commander.

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

ooo0ooo

At this juncture, Chairman Kolluri opened the floor to public comment on other matters. There was no response.

ooo0ooo

The motion to adjourn was made by Commissioner DuPont, seconded by Commissioner Pocino and, after the voice vote, the motion was duly adopted. The Authority adjourned at 9:50 A.M., to meet on Tuesday, March 25, 2008, at 9:30 A.M.

ooo0ooo

The Assistant Secretary acknowledges receipt of the following documents for file:

COMMUNICATIONS

Copy of Letter dated January 7, 2008, from New Jersey Governor Jon Corzine appointing Clive S. Cummis a Commissioner of the New Jersey Turnpike Authority.

Copy of Letter dated January 25, 2008 to New Jersey Governor Jon Corzine from Joseph (J.P.) Miele advising of his resignation as a Commissioner of the New Jersey Turnpike Authority.

REPORTS OF PURCHASES – under Resolution 40-95 Executive Directors Delegated Authority for the Period: October 1, 2007 – October 31, 2007; Period: November 1, 2007 – November 30, 2007; and Period: January 1, 2008 – January 31, 2008.

REPORT OF UTILITY ORDERS – Period ending February 8, 2008; under EDDA 117-05.

REPORT OF CHANGE ORDERS, TYPE 1 AND TYPE 2 – Period: January 5, 2008 through February 7, 2008.

AGREEMENTS/CONTRACTS:

Deed and Closing Documents – To New Jersey Turnpike Authority, from Rhims Properties Inc., Dated August 31, 2007 – Turnpike Section 5G: Parcels 1029A-1, 1029A-2 and C1029; Block 374, Lot 36, Borough of Carteret, Middlesex County, Turnpike Interchange 12 Final Improvements Project; authorized 7/12/06.

Deed – To New Jersey Turnpike Authority, from Elizabeth Braun, Estate of John Shaw, Dated May 23, 2007 – Turnpike Section 4G: Parcel 1076; Block 17, Lot 13, East Windsor, Mercer County, Turnpike Interchanges 6 to 9 Widening; authorized 10/31/06.

Deed – To New Jersey Turnpike Authority, from Janice Borocz, Dated December 27, 2007 – Turnpike Section 3E: Parcel 260; Block 101, Lot 7, Chesterfield Township, Burlington County, Turnpike Interchange 6 to Interchange 9 Widening; authorized 9/25/07.

Deed – To Carteret Gardens Associates, from New Jersey Turnpike Authority, Dated March 16, 2007 – Turnpike Section 5G: Parcel 1033; Roosevelt Avenue Access ROW, Borough of Carteret, Middlesex County, Turnpike Interchange 12 Final Improvements Project; authorized 2/5/07.

Contract Agreement RM 388, dated 1/11/08 – Innovative Municipal Products (US), Inc. – for Liquid Deicing Materials; authorized 11/09/07.

Contract No. T100.022 – RML Construction Inc.; authorized 12/10/07.

Contract No. T100.055 – Gardner M. Bishop; authorized 1/22/08.

Contract No. P200.076 – H & G Contractors Inc.; authorized 12/10/07.

Contract No. T700.069 – The Dawson Corporation; authorized 12/10/07.

ORDERS FOR PROFESSIONAL SERVICES:

OPS No. LA108 – First Express Title Agency LLC – On-Call Professional Title Insurance Services; authorized 11/09/07.

OPS No. LA 202 – Martin Appraisal Associates Inc. – On Call Professional Appraisal Services; authorized 8/29/06.

OPS No. LA 214 – Insight Appraisal Group – On Call Professional Appraisal Services; authorized 11/09/07.

OPS No. LA 215 – Aspen Valuation Group – On Call Professional Appraisal Services; authorized 11/09/07.

OPS No. T3138 – H2M Associates Inc. – Remediation Systems, Operation & Maintenance; authorized 12/10/07.

OPS No. T3145 – C & B Architects / Engineers Inc. – Supervision of Construction Services; authorized 11/09/07.

OPS No. A3150 – Hatch Mott MacDonald – Underground Storage Tank (UST) System Inspection & Maintenance; authorized 12/10/07.

OPS No. P3151 – CMX Inc. – Design Services; authorized 12/10/07.

OPS No. T3152 – Dewberry-Goodkind Inc. – Design Services; authorized 12/10/07.

OPS No. P3153 – TranSystems Corporation – 2008 Bridge Inspection Services; authorized 12/10/07.

OPS No. P3154 – KS Engineers PC – 2008 Bridge Inspection Services; authorized 12/10/07.

OPS No. T3155 – Stone & Webster Inc. – Supervision of Construction Services; authorized 12/10/07.

OPS No. P3156 – Kupper Associates – Supervision of Construction Services; authorized 1/22/08.

OPS No. P3159 – Greenman-Pedersen Inc. – Supervision of Construction Services; authorized 1/22/08.

OPS No. T3163 – TranSystems Corporation – Design Services; authorized 1/22/08.

Supplemental TPK OPS No. 2049A – The RBA Group Inc. – Design and Environmental Permitting Services; authorized 1/22/08.

Supplemental OPS No. T3037B – DMJM Harris Inc. – Design Services; authorized 12/10/07.

Supplemental OPS No. A3053F – HNTB Corporation – Design Services and Construction Inspection, Automation of Certain Manual Entry Lanes, DATIMs, Electronic Toll Collection, E-ZPass; authorized 11/09/07.

Supplemental OPS No. P3100A – PB Americas Inc. – 2007 Bridge Inspection Services; authorized 1/22/08.

Supplement P to Professional Services Agreement Contract – ACS State and Local Solutions Inc., Electronic Toll Collection, E-ZPass System, dated 10/16/07; authorized 9/25/07.

Rose Stanko
Assistant Secretary

APPROVED:

Kris Kolluri, Chairman and NJ Department of Transportation Commissioner

Michael R. DuPont, Treasurer

Harold L. Hodes, Commissioner

David G. Evans, Commissioner

Raymond M. Pocino, Commissioner

Clive S. Cummis, Commissioner