

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Gutierrez-Scaccetti, Commissioner
Kevin S. Corbett, President & CEO

NJ TRANSIT
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May 20, 2021

Dear Governor Murphy:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the regularly scheduled meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc., Board of Directors held on Wednesday, May 12, 2021.

Sincerely,

Joyce J. Zuczek

Joyce J. Zuczek
Board Secretary

Enclosures

Honorable Philip D. Murphy
Governor, State of New Jersey
State House
Trenton, NJ 08625

Open Session Minutes of the actions taken at the regularly scheduled Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. conducted virtually by telephone on Wednesday, May 12, 2021. The meetings occurred concurrently.

Board Members

Diane Gutierrez-Scaccetti, Chair
Cedrick T. Fulton, Vice Chair
James D. Adams, Board Member
Dini Ajmani, Treasurer's Representative
Edmund Caulfield, Governor's Representative
Sangeeta P. Doshi, Board Member
Bob Gordon, Board Member
Richard A. Maroko, Board Member
Shanti Narra, Board Member
David A. Rasmussen, Board Member (Non-Voting)

Staff

Kevin S. Corbett, President & Chief Executive Officer (CEO)
Joyce J. Zuczek, Board Secretary
Eric R. Daleo, Senior Vice President, Capital Programs
Christopher Trucillo, Senior Vice President, Chief of Police & Emergency Management
James A. Sincaglia, Acting Senior Vice President & General Manager, Rail Operations
William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer
Joseph E. Snow, Assistant Attorney General, Office of the Attorney General
Caroline Vachier, Deputy Attorney General, Office of the Attorney General

Chair Gutierrez-Scaccetti convened the Open Session at 6:02 p.m. in accordance with the Open Public Meetings Act and Board Secretary Zuczek conducted a roll call. Board Secretary Zuczek announced that adequate notice of the regularly scheduled meetings of the Board of Directors of the New Jersey Transit Corporation and its affiliates and subsidiaries was provided in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Notices were filed on May 6, 2021 with the Secretary of State, sent to newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice.

Approval of Minutes

Chair Gutierrez-Scaccetti asked for a motion to approve the minutes of the April 14, 2021 Board meetings. Board Member James D. Adams made the motion, Board Member Shanti Narra seconded the motion, and it was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

President & CEO’s Monthly Report

President & CEO Corbett said as in previous months, he would start with updates related to COVID-19. To begin, he was deeply saddened to share that they lost another member of the NJ TRANSIT family to COVID-19-related complications. Michael Travisano joined NJ TRANSIT more than 22 years ago, and began his career here as a Car Appearance Maintainer in Rail Operations. Through hard work and dedication, Michael was promoted to Car Inspector in 2002, and spent most of his career working out of the Meadows Maintenance Complex (MMC) in Kearny, New Jersey.

President & CEO Corbett said their deepest condolences go out to Michael’s family, friends, and co-workers. He asked that they keep them all in their thoughts and prayers and then asked for a moment of silence in his honor.

As they mourn the loss of Michael, President & CEO Corbett wanted to note a few promising pandemic-related trends. First, more than 650 locations across New Jersey are administering vaccines, and each of the State’s six mega-sites are now offering no appointment walk-up hours, every day.

In addition, the number of NJ TRANSIT employees currently positive with COVID-19 has decreased considerably this month, with 84 employees currently positive, which is the lowest number of concurrent positive cases since November 2020, and down significantly from a high of 299 positive cases on April 27, 2020. These trends are welcome indications that the State’s robust vaccination program is helping to turn the tide against this virus.

To help ensure that all New Jerseyans have access to vaccines, and to support Governor Murphy’s statewide vaccination goals, NJ TRANSIT was proud to introduce the second phase of their VAXRIDE initiative, which was launched last week. On May 4, 2021, Commissioner Gutierrez-Scaccetti and President & CEO Corbett proudly joined Congressman Donald Payne, Jr. and executives from Novartis and Catalent outside Newark Penn Station to announce an exciting public-private partnership to deliver free travel on NJ TRANSIT to vaccination sites within New Jersey.

Through the generous contributions of Novartis and Catalent, two global healthcare companies, NJ TRANSIT is now offering up to two complimentary round-trip tickets for travel to and from vaccination sites within New Jersey for approximately 11,000 customers receiving their COVID-19 vaccine. These tickets are being offered for bus, rail, and light rail customers through the mobile app, and off-line by visiting one of the Customer Service Office locations or calling the Customer Service Hotline at 973-275-

5555. Tickets are also available for certified Access Link customers, online through the new Access Link Mobile App, and offline by mentioning the program when calling to make an Access Link reservation.

President & CEO Corbett acknowledged Vaughan Williams, Chief Marketing Officer, who led this effort for NJ TRANSIT under the leadership of Anthony Grieco, Senior Vice President of Communications and Customer Experience, along with significant support from Finance and IT teams led by Senior Vice President & Chief Financial Officer Bill Viqueira and Chief Information Officer Lookman Fazal.

President & CEO Corbett also pointed out that partnerships and commitments like this do not occur overnight. This program was an outgrowth of initial collaboration initiated by NJ TRANSIT with leaders at New Jersey-based private healthcare corporations, to seek partners who would be interested in working with them to maximize access to vaccines. President & CEO Corbett said they cannot thank Novartis and Catalent enough for leading the way for the private sector on this innovative partnership, and for working with them to take this project from concept to reality in a matter of months.

President & CEO Corbett said they hope to announce more partnerships, and an expansion to the current program, and will keep them apprised as the program grows. Additional interested potential partners can reach out for more information by emailing vaxride@njtransit.com.

As mentioned earlier, this is the second phase of NJ TRANSIT's VAXRIDE initiative, available at njtransit.com/vaxride, where customers can learn how to obtain their complimentary tickets through the program. This webpage, which also includes State vaccine registration information and a map linking all our services to vaccine sites across the State, has already proven to be an essential tool for New Jerseyans looking to get vaccinated. It has been viewed more than 34,000 times since launching in March and is receiving more than 300 visitors a day.

As another positive sign that they are coming out on the other side of this pandemic, on Wednesday, May 19, 2021, NJ TRANSIT will reopen seating availability at Secaucus, Hoboken, Newark Penn Station, Trenton, Metropark, the Walter Rand Transportation Center, and the Atlantic City Bus and Rail Terminals. This new seating availability follows the recent lifting of indoor capacity limits on businesses, but of course, face coverings and distancing will still be required and enforced.

President & CEO Corbett said they thank their customers for their cooperation and understanding, and they will continue to broaden access to seating at more stations as soon as it's safe to do so, and in line with guidance from State health officials. While vaccinations are clearly working to move trends in the right direction, President & CEO Corbett wanted to be clear about one thing: They are not out of the woods yet.

The Transportation Security Administration (TSA) recently extended its face mask requirement through September 13, 2021, across all transportation modes, and

NJ TRANSIT is not letting up its guard, even one bit. On the contrary, NJ TRANSIT is working harder than ever to maintain the safest possible travel environment for customers and employees. They are also redoubling efforts to reinforce the importance of wearing face coverings on vehicles, in stations, and on platforms.

Toward that end, on April 22, 2021, NJ TRANSIT held their fifth Mask Force distribution effort, where employees throughout the organization volunteered at several stations, and onboard vehicles. To date, they have distributed more than 68,000 masks overall, including masks distributed during all Mask Force events and at customer service and ticket offices throughout the system.

The next Mask Force deployment is scheduled for May 27, 2021. New Jersey Transit Police also remain out in force throughout the system, continuing to conduct their mask compliance details, and providing face masks to those who need them.

President & CEO Corbett said it appears that widescale vaccination, lower transmission and infection rates, the easing of COVID restrictions, and more businesses and governments bringing employees back to the workplace is having a positive effect on ridership. Rail ridership, which for months had been fluctuating between 20 to 25 percent of pre-COVID levels on weekdays, has increased to between 30 to 35 percent over the past several weeks. On weekends over the last few weeks, they have seen average rail ridership climb to approximately 40 percent, and even as high as 50 percent on some lines, which is encouraging. Bus and Light Rail ridership is holding steady at approximately 55 percent of pre-COVID levels systemwide, with Interstate bus ridership into New York rising above the 40 percent mark over the last few weeks for the first time. They will be keeping an eye on these trends in the weeks and months ahead, but they are certainly cause for optimism.

President & CEO Corbett said this month, they have updates to report in each of their three core focus areas: people, technology, and infrastructure. He started with a significant development as it relates to people, which represents another major milestone for NJ TRANSIT over the past year, despite the many challenges brought on by the pandemic. As of today, NJ TRANSIT has fully restored its ranks of locomotive engineers, which had been severely depleted, creating a serious staffing shortage that undermined rail service reliability.

To celebrate this milestone, Commissioner Scaccetti and President & CEO Corbett joined Governor Murphy on April 22, 2021 at a ceremony to commemorate yet another class of locomotive engineers preparing to join their ranks. This class brings their total number of active engineers to over 390, which is the number that constitutes a full roster, and is the first time in more than a decade the engineer ranks have been fully staffed.

Moving forward, they are committed to maintaining a full pipeline of trainees, and regular classes. In fact, another new class began training on February 10, 2021, while three additional classes are projected to begin between now and November, allowing them to keep pace with normal retirements and attrition. A full roster of locomotive engineers will

ultimately translate to a better customer experience, by delivering more reliable and predictable rail service for customers.

Moving on to technology, President & CEO Corbett welcomed Rafi Khan to the NJ TRANSIT family, as their new Chief Information Security Officer (CISO). Rafi now leads their Cybersecurity team and is responsible for managing their information security vision, strategy, and program to minimize potential security risks and further a culture of security stewardship. He will also be building on their recent milestone achievement in September 2020, when NJ TRANSIT became the first public transit agency in the nation to achieve ISO-certification for cyber-security.

Rafi previously served as Senior Associate and Advisor for technology planning and optimization at Open Minds, a business solutions firm specializing in the health and human services industry. Before that, he served as CIO and CISO of Edible Arrangements and Edible Brands, leading its engineering, technology, and security teams spanning 1,300 global locations.

President & CEO Corbett said in light of the recent cyberattacks on critical infrastructure, both here and abroad, cyber-security is more important than ever for essential service providers like NJ TRANSIT.

In related news, President & CEO Corbett was proud to announce that NJ TRANSIT has been selected as a 2021 U.S. CIO 100 winner by CIO.com. The U.S. CIO 100 awards recognize 100 organizations for their achievements in technology innovation. Winners are chosen by a team of external judges, many of them former CIOs, on their use of leading-edge IT practices that produce measurable results.

President & CEO Corbett said they also have significant infrastructure updates to report this week, which is appropriate considering the fact that they were currently in the midst of the nationwide Infrastructure Week.

First, their Portal North Bridge Replacement Project continues to steadily advance, and they remain on track for a construction award by the end of this year. Next week, on May 19, 2021, they will hold a Disadvantaged Business Enterprise (DBE) Outreach Conference for Portal North, where NJ TRANSIT will meet with DBE contractors in their region interested in contributing to this project.

President & CEO Corbett said their aggressive outreach to DBEs shows that they are not just looking at Portal North as a way to improve service, or to help their economy as they emerge from the pandemic. They are also looking at this work as an opportunity, for DBE contractors and for NJ TRANSIT, to develop a larger pool of qualified contractors, who represent the diversity of the business community and the region they serve.

Also, to oversee their Portal North Bridge Replacement Project, NJ TRANSIT proudly welcomed a key new member of their team. On April 26, 2021, they welcomed Mohammed Nasim as the new Chief of Construction Management for this \$1.8 billion

project. Mohammed joins their Capital Programs team from Amtrak, where he served as Project Manager for Gateway Program Projects, including the Hudson River Tunnel and the Portal North Bridge. He brings over 30 years of industry experience in the delivery of large transportation projects, and has led the planning, design, agency coordination, permitting, procurement, and construction of key bridge and tunnel projects in the United States and abroad. Mohammed is already building their internal team and capabilities to deliver on this project of national significance.

President & CEO Corbett said their next infrastructure update took place on April 30, 2021, when Commissioner Gutierrez-Scaccetti and local, county and State officials joined Governor Murphy in Lyndhurst to celebrate the beginning of construction on a new rail station there. This \$31.5 million project will enhance accessibility, mobility, and the customer experience for Lyndhurst customers, and was designed by their in-house team to evoke a classic aesthetic from the glory days of steam rail.

The station will include new elevators at both station buildings, high-level raised platforms for easy boarding and deboarding, enlarged roof canopies, heated waiting areas, and state-of-the-art video and public announcement amenities. This new station also represents just one of the many station enhancement projects advancing through their five-year Capital Plan, including ongoing work at Newark Penn Station, Elizabeth Station, Perth Amboy, New Brunswick, and many others.

Another major station overhaul advanced last month through the April 27, 2021 release of a Request for Proposals (RFP) for the design of a new facility to replace their Walter Rand Transportation Center in Camden, New Jersey. The RFP seeks proposals from qualified firms to conduct Conceptual Design, Preliminary Engineering, Final Design Engineering, and Construction Assistance for this \$250 million project.

This RFP also represents the first major step toward creating a new, modern, expansive Center, which has the potential to transform not just Camden, but also South Jersey, by providing an upgraded regional transit hub to support this region's rapidly growing communities and local economies. This expanded, multi-purpose transit center would: better accommodate the 26 bus lines that serve the facility; provide improved intermodal connectivity with the PATCO Speedline subway and the River LINE light rail; support intercity independent bus services; and provide additional parking, administrative offices, and value capture retail opportunities to the adjacent growing educational and health care corridor. It would also provide an opportunity for integration with zero-emissions buses, as part of their overall efforts to help fully realize Governor Murphy's Energy Master Plan.

Infrastructure was also the main topic on the agenda at an event President & CEO Corbett attended in Philadelphia on April 30, 2021 to celebrate Amtrak's 50th Anniversary. There, President & CEO Corbett was honored to join President Biden, Congressman Payne, Amtrak Chairman of the Board Tony Coscia, Amtrak President Steven Gardner, Deputy Administrator of the Federal Railroad Administration (FRA) and my fellow co-chair of the Northeast Corridor Commission, Amit Bose, and New Jersey's Congressman Donald Payne, Jr., who also serves as the Chairman of the Railroads, Pipelines, and Hazardous

Materials subcommittee for the House Transportation and Infrastructure Committee, and many other dignitaries, to hear the President promote his American Jobs Plan and reinforce his commitment to infrastructure.

President & CEO Corbett said this event was extremely encouraging for those in the industry. It was refreshing to see the federal government's commitment when it comes to their nation's infrastructure, and getting transit the capital resources it needs and deserves. As President Biden made clear, supporting mass transit infrastructure is a critical investment that will yield dividends for generations to come.

President & CEO Corbett took a moment to touch upon NJ TRANSIT's fiscal outlook, as they continue to emerge from the worst of the COVID-19 pandemic. NJ TRANSIT's budget was one topic on the agenda at a press conference he attended with Chair Gutierrez-Scaccetti on April 26, 2021, where they joined Senator Menendez and Senator Booker to celebrate the passage of the American Rescue Plan (ARP). There, they thanked the senators for all their work, and the work of Governor Murphy and the entire New Jersey Congressional Delegation, to secure this desperately needed funding for NJ TRANSIT, and for being such strong advocates for their agency and entire state.

As some may know, the \$1.9 trillion American Rescue Plan includes an estimated \$2 billion for NJ TRANSIT. President & CEO Corbett said this is essential funding, not only for NJ TRANSIT, but for their entire region. These necessary funds should allow NJ TRANSIT to maintain their current service and staffing levels through at least Fiscal Year 2024.

Without these funds, the consequences for NJ TRANSIT and their customers would have been dire, at the very time when more and more customers are beginning to return to the system, and frequent and reliable service is more critical than ever. In addition to the benefits to service reliability and the customer experience, American Rescue Plan funding will be integral to their State's economic recovery as they come out on the other side of this pandemic. President & CEO Corbett said to be clear, a strong NJ TRANSIT is a necessary component of a strong and equitable recovery for their state and region.

President & CEO Corbett wrapped up by returning to their VAXRIDE press conference, where he was joking with Congressman Payne that when he got vaccinated, there were no free rides or free beers being offered, as Governor Murphy announced last week. With all these great new incentives, President & CEO Corbett said he wondered what they will offer next to motivate New Jerseyans to get vaccinated.

President & CEO Corbett said he should have mentioned the NJT Rewards program, as another way they are working to encourage people to use and return to NJ TRANSIT. NJT Rewards is off to a promising start, and proving to be more than a great way to incentivize a return to transit. It is also helping businesses recover as they come out on the other side of this pandemic.

More than 3,000 customers have signed up since they opened registration last month, and participation is growing every day. Over 35 business partners have joined, including restaurants, shopping destinations, entertainment venues and they are adding more offers every day.

President & CEO Corbett noted the General Manager of Laree Adda, a restaurant in Jersey City, said, "The pandemic was very tough for small businesses and especially restaurants, so we are excited and grateful to NJ TRANSIT for offering a Rewards platform for our recovery."

In general, President & CEO Corbett said there is a lot of buzz, and they have been hearing from customers and even conductors and train crews on his train to work that riders are really excited about this new program. So, they are looking to expand it, and help local businesses. President & CEO Corbett said again, customers can sign up on their mobile app to begin earning points, and businesses interested in becoming partners can register at njtrewards.com/partner.

Public Comments

Chair Gutierrez-Scaccetti asked the event call operator to open the floor for public comments and to provide instructions for entering the queue to make a public comment. The event call operator said the floor was open for public comments. If individuals wanted to make a public comment, they were instructed to press *1 on their telephone keypad to enter the queue. They would hear a brief tone to indicate they have successfully entered the queue. Priority access would be given to any participant who has pre-registered, and those comments will be taken in turn. They would then take public comments from remaining participants on a first-come first-serve basis. Each person would have three (3) minutes for their public comment. A warning would be provided with one (1) minute remaining and again with 15 seconds remaining.

Andy Weiss wanted to know when the Customer Advocate position was going to be filled because it has been months now since Mr. Mader left. He said the public needs a customer advocate and asked that the Board stop dragging their feet and be more transparent and take action in filling this critical position. Mr. Weiss said they want answers and as a taxpayer and transit rider he deserves it and asked NJ TRANSIT and the Board to provide a timeline to the press and the public regarding when this position is going to be filled.

Mr. Weiss also said he did not understand how this Board could be set-up with 13 Board Members and three out of the 13 members are considered ex-officio. He said this would mean that approximately 21 percent of the Board positions are default and were not elected positions, which was not fair or democratic, and this was unacceptable to him. Mr. Weiss said it was already bad enough this Board was not even elected and thought the whole system was a joke. He said that three out of the 13 Board Members, the DOT Commissioner, Governor's Representative, and the Treasurer were all Governor's

designees who get nominated, and the other 90 percent are appointed by the Governor and said the whole Board system was a tool for the establishment.

Sally Jane Gellert, Chairperson of the Lackawanna Coalition said to Mr. Weiss no employee can be a Customer Advocate. She said go to the New Jersey Association of Rail Passengers or talk to them at the Lackawanna Coalition because they used to have round-table discussions where they talked to the leaders at NJ TRANSIT but not much happened, so it is from the outside that they have to push, not from within.

Ms. Gellert said they were happy to see that station seating will be opened up next week. They are also pleased to see VaxRide as a step forward, but noted that the MTA is making facilities available as vaccination sites and wished that NJ TRANSIT had done the same.

Ms. Gellert said Lackawanna Coalition members and allies have pointed out in the past, when the first train of two on a line was cancelled, and the second was not scheduled to make all stops, the second train would make the additional stops rather than strand people on the platform. She said Al Papp mentioned that he was waiting for a reply from President & CEO Corbett in reference to an email he sent on May 4, 2021 regarding his trip on May 2, 2021. Ms. Gellert said Mr. Papp arrived in Maplewood to take M&E train number 6920, finding out it was cancelled. He then waited for the next train number 6922 and expected that it would stop at Highland Station, but it did not. Ms. Gellert said a number of other people were waiting at the Highland Station and they just watched train number 6922 blow past the station.

Ms. Gellert said other people have noticed this happening and pointed out that this is relatively new, and that in the past either the dispatchers would have alerted the crew to make additional stops, or possibly, although less likely, the crew took it upon themselves to stop for the waiting passengers. She said this was also pointed out by Lackawanna Coalition member Gary Cazin. Ms. Gellert believes a standing policy had been in place for such a situation, and could be restored so that dispatchers, at the same time that they announce the cancellation of the first train, automatically alert the second train crew to make skipped stops, and encourages NJ TRANSIT to restore that practice.

Ms. Gellert wanted to discuss a few items on the agenda. She said the Perth Amboy Accessibility project looked important and said it has been in the works for six years and she would like to see more details. Ms. Gellert also hopes that the physical layout will be as convenient for transfers and will respect the integrity of it being on the National Register of Historic Places. She believes high level platforms should be implemented when possible.

Ms. Gellert also expressed concern about the Portal North Bridge Project especially when they see that Portal South has a low-level bridge plan. She also took issue with maintenance ratios and said continuing to run full length trains while ridership continues to be low means that low passenger mileage adds to wear and tear on railcars for limited usage and revenue. They suggest cutting the number of commuting hour trains and

limiting their length, and some cars could be redeployed along with the new engineers into midday or weekend service when ridership is picking up.

Matthew Smith, State Director for Food & Water Watch, said he was speaking on behalf of his 70,000 plus members. He wanted to share their excitement about the progress for the NJ TRANSITGRID project which has been a hot topic in New Jersey over the last 18-months. Mr. Smith said they have seen in recent months a real commitment from NJ TRANSIT, the Governor, and his Administration to re-envision the project into one that meets the resiliency needs of the agency without creating public harm by producing more pollution. He said doing this in such an innovative way as a clean energy solution for the public was the way to go. Mr. Smith thanked the Board and Administration for this progress.

Mr. Smith said they are also in a new environment and have a Federal Administration who have come in and since NJ TRANSIT's re-envisioning of the NJ TRANSITGRID project has set a higher bar for what they should be doing with public dollars in terms of building a 21st century green economy, which is what they need for their communities to thrive. He said they need a community that promotes public health for all residents, while creating jobs and economic benefits for the states. With the new Administration's commitment to investing in public transit and the transitioning from fossil fuel to 100 percent renewables, they ask that NJ TRANSIT and Governor Murphy reaffirm their commitment as well to do this NJ TRANSITGRID the right way. Mr. Smith said even the re-envisioning of this project sort of left the door open for a fossil fuel based solution, and although they do not believe this is the new goal for NJ TRANSIT and Governor Murphy, they need to see this commitment reaffirmed publicly. He said do not wait until after the election or when the RFP comes out, do it now, and put this project on a path to a homerun.

Matt Kamper of Passengers United said he wanted to talk about three issues tonight. First, he was happy and looking forward to getting back on the NJ TRANSIT system on Friday because he had not been on it since 2019. He said he would be a more frequent rider on the Raritan Valley Line and to keep up the good work.

Secondly, Mr. Kamper said he wanted to speak about Board Action Item 2105-27 for the Portal North Bridge Project. He said he has been in support of this project for quite some time and it needs to get done. Mr. Kamper believes this project would benefit NJ TRANSIT riders, Amtrak riders, and the east coast.

Lastly, Mr. Kamper discussed the Gateway Tunnel Project and was happy to hear President Biden speak at an event in Philadelphia a few weeks ago in support of the Gateway Project. He hopes, sooner rather than later, this project would get pushed forward by the federal government and they can get the money needed to get this project off the ground, after the failed attempts of the previous administration.

Tim Sevenser of the New Jersey Association of Rail Passengers and the Sierra Club said he wants to support the important initiative of rail electrification for climate changing

reasons. He said he has provided the Board with material showing pre-pandemic how there were 300,000 riders on electric rail, but this needs to be extended. Mr. Sevener said this is going to be an interesting experiment with an electric battery powered train which should alleviate the need for diesel locomotives. He said this should not detract from the need to build catenaries and electrify as much of the rail as possible.

Along with the NJ TRANSITGRID, Mr. Sevener said they could have the first solar rail and apply this as a whole to the entire rail system. For example, he said the improvements being done to Perth Amboy Station is a good thing and the high platforms have been supported by his members and the Lackawanna Coalition for quite some time, however he thinks solar should be built right into them. He said solar canopies should be placed in parking areas and over the platforms where people are waiting, which can also be used to power the station and incorporated into powering the rail.

Mr. Sevener said NJARP is also concerned about the preservation of rail rights-of-way and NJ TRANSIT should be too because it is going to be critical in the future. He said plans are being made by the NJARP and a number of groups.

Elizabeth Ndoye, resident of Hoboken, member of the Hoboken Democratic Committee, and member of Don't Gas the Meadowlands Coalition, thanked NJ TRANSIT for moving forward on finding alternatives for the Kearny power plant. She wanted to voice her concern of NJ TRANSIT still talking about the possibility of using natural gas as a source of energy. She said after committing to building a plant powered by alternatives and an alternative energy microgrid, how can NJ TRANSIT now say natural gas may be still on the table. Ms. Ndoye said the public still needs to be included in the redesign process to ensure alternative energy is used in the operation of the plant and the environmental justice communities are being represented. They want a seat at the table in these discussions to ensure NJ TRANSIT is complying with New Jersey's Clean Energy and climate goals.

Ms. Ndoye said the American Lung Association has yet again ranked Hudson and Essex county with an "F" for air quality and at the highest risk for death due to the excessive air pollution. She said during a time of a pandemic when health is already compromised and they are not yet out of the woods, NJ TRANSIT still considering fracked gas is unconscionable. Ms. Ndoye said the people of Kearny, Hoboken, Secaucus, Newark, and many surrounding communities are filled with sons, daughters, fathers, mothers, and grandparents, and asked NJ TRANSIT not to put them at further risk by fueling the plant with natural gas. She said they do not need more methane or CO2 and particulate matter in the precious air they breathe.

Ms. Ndoye said Governor Murphy supports the environmental justice act and wants to make New Jersey the state that leads the nation in the use of clean air and clean energy. She asked that NJ TRANSIT be the first state to lead the way for other states to follow in the implementation of clean energy transportation. They also want Governor Murphy to state publicly that the NJ TRANSITGRID will happen.

Paula Rogovin from the Coalition to Ban Unsafe Oil Trains and Don't Gas the Meadowlands Coalition said last year they were so excited to hear the announcement at the NJ TRANSIT Board of Directors meeting that Governor Murphy had directed NJ TRANSIT to pivot from a cracked gas power plant to a renewable alternative microgrid. She said this came after a year of hundreds of New Jersey residents and students of all ages working to bring about this change. Ms. Rogovin said this was a really big step in stopping pollution and most directly protect environmental justice communities already overburdened by pollution. She said the pivot to a renewable alternative microgrid is so important and significant and should serve as a model for the rest of the state and country.

Ms. Rogovin said when she asked that Governor Murphy announce this change in direction for public transportation, a direction that was highlighted in his Energy Master Plan, they were told the people of New Jersey already know about this plan, but Ms. Rogovin said they actually do not. She said the public should actually learn about the new re-envisioned NJ TRANSITGRID directly from the Governor, and his refusal to publicly announce this change makes many of them weary. Ms. Rogovin said this makes them wonder if he will uphold his commitment to make this project a renewable energy microgrid, not only to make it successful and reputable.

Ms. Rogovin said they have heard from sources that it is possible the NJ TRANSITGRID will do with 100 percent renewables. She said with all the universities and renewable energy entrepreneurs and support from the Biden Administration and new developments in the field of renewable energy they had hoped that Governor Murphy would do everything possible to support this 100 percent renewable project. Lastly, she said as a former kindergarten and first grade teacher they never started a sentence off with maybe we will try to do our best, and said she expected more from the Governor.

Andy Pollack, Regional Director from Passengers United, said he wanted to speak on a couple of items, one being Board Action Item 2105-23, which he would like to see approved because it was important for accessibility at the Perth Amboy Station on the North Jersey Coast Line. He also would like to see Board Action Item 2105-27 approved which was in regard to the Portal North Bridge Project.

Mr. Pollack was pleased to hear today that some of the indoor seating waiting rooms would be opening up but said they need to know when the New York Penn Station seating area will be opened as well. He said on the topic of business restrictions being lifted everyday he wanted to thank Governor Murphy for doing so.

Mr. Pollack said the most important thing he discusses with his team are the buses and that the 319 bus is a very important interstate bus which runs from New York throughout New Jersey, with its final stop in Atlantic City. He said as riders are coming back to the system, they are requesting that NJ TRANSIT once again increase service levels on this 319 bus route. Mr. Pollack said he looks forward to the day when they all can meet in person again at the Headquarters office in Newark.

Adam Reich said to echo comments from earlier any updates that can be provided on the status of the Customer Advocate position and the timeline for filling this position would be greatly appreciated because they need someone within the hierarchy.

Mr. Reich was pleased to hear today that the station seating waiting rooms would be opening up again and said he would encourage the NJ TRANSIT Police to step up and walk around the facilities checking for mask compliance. He said while he was in Trenton on Monday there were people in the station and on the platforms without masks and people were eating in the station, including crew members, which he said was concerning because if crew are not going to follow the guidelines how can they expect them to enforce it.

Mr. Reich said he knows it has been proposed that NJ TRANSIT use some of its transit hubs as vaccination sites and would encourage it because New York City has opened vaccination sites at New York Penn and Grand Central stations and they have been very well received, offering the J&J vaccines.

Mr. Reich said smoking on station platforms is against the law, but he has not seen much enforcement on this and said he saw two riders smoking at the station in Metuchen and also saw a conductor who stepped off the train unmasked to puff on a vape pen. He asked that the Operations and Customer Service Committee members check with Chief Trucillo to provide smoking enforcement statistics and develop a strategy. Mr. Reich also said consider putting a police officer at the stations on the weekend to reach out to casual riders who may not be familiar with NJ TRANSIT policies. Lastly, he would like status on the progress of the How Full Is My Ride App.

Charlton D'Souza, President of Passengers United, said he was very upset with how the 319 bus from New York City to Atlantic City is being handled. He said he has been on the bus on numerous occasions and has seen passengers not wearing masks, eating on the bus, coughing, and said some of the passengers are very confrontational. He suggested that a transit police officer be put on this bus at the Port Authority Bus Terminal before it leaves to ensure everyone is wearing a mask.

Mr. D'Souza said the bus is very bad on Sundays and coming back from Atlantic City returning to New York City the schedule is not good because they only have the following options: a 5:00 p.m., 6:00 p.m., 8:30 p.m. and a 10:30 p.m. bus, then the next bus is not until 12:00 a.m. He asked who came up with this crazy schedule. He said a bus should be running at least every 30-45 minutes.

Mr. D'Souza also said overcrowding is becoming an issue and when passengers get to Trenton, they cannot make their connections to SEPTA trains because the NJ TRANSIT connection options are poor and do not allow enough time because more service needs to be added. He also said notices need to be placed on the bus and the buses need to be cleaned and disinfected more because a lot of the 319 buses were filthy and a lot of people come to New Jersey to spend money and support the state and do not need this.

Mr. D'Souza believes there should be an express 319 bus in the evenings on Sunday leaving Atlantic City going into New York. Lastly, he hopes that President & CEO Corbett will look into this bus issue as well as the Board, and hopes he even rides this bus to see what is going on.

Board Member Doshi thanked NJ TRANSIT for investing in the Walter Rand Transportation Center in South Jersey. She said it was very much appreciated and it would help many people who are transit dependent. She was very excited also and wanted to thank the staff for a great job on VAXRIDE and making this happen.

Board Member Doshi responded to the public speaker who commented on Board Members, stating she did not know if people realized that these were volunteer positions, mostly unpaid. Board Member Doshi said most of them want to make their corner of the world better and that is why they volunteer, and they care about New Jersey and the people. She also gave a shout out and thank you to Noah Lee, a student from Ridgefield Park Jr.-Sr. High School, who reached out to the Board about implementing VAXRIDE and for being so specifically engaged at such an early age, which she said was important.

Board Member Gordon thanked all those that spoke this evening and he appreciated all of their comments.

Board Member Narra wanted to address some of the speakers who asked for specific information on some of the topics related to bus lines and other issues. She as well as the other Board members will make some inquiries and hopefully get some information out to people.

Board Member Caulfield thanked all of the public speakers for their comments.

Vice Chair Fulton thanked all who took the time to share their comments with them and they will indeed look into them. He also said he continued to send condolences to family members, colleagues, and friends who lost people during the pandemic and expressed his thanks to all of the NJ TRANSIT staff for doing such a great job throughout the pandemic.

Chair Gutierrez-Scaccetti said she wanted to echo what Vice Chair Fulton said and gives her deepest sympathy to the Travisano family and to all those that have been impacted by the pandemic.

Public Comment Submitted In Lieu of Speaking

David Smith submitted a comment stating he was a huge rail fan. He knows NJ TRANSIT has the ACES train line from 30th Street Station to Atlantic City still in operation and was wondering if NJ TRANSIT would ever consider restoring the old Blue Comet Line for passenger service and creating an ACES Line from New York City to Atlantic City. Mr. Smith said during most of his life living in New Jersey and spending a lot of time down the shore, he has always wished that the Blue Comet Line would be brought back to life

one day. He urged NJ TRANSIT to think of the opportunity and revenue that rail travel would bring from New York City to Atlantic City.

Advisory Committee Report

Suzanne Mack presented the Advisory Committee Report and said she wanted to echo what Vice Chair Fulton said on how these have been some difficult times and how good it is to be on the road back. She along with Anna Marie Gonnella-Rosato, Chair of the Advisory Committee in South Jersey, agree that if they take a perspective on where they were last year when the pandemic hit, they should congratulate themselves on what's been accomplished. They have kept the network going and have responded to challenges that were unbelievable and have sadly lost members of their own.

Ms. Mack said the Advisory Committee met in April with President & CEO Corbett and Jeffrey Bernstein. She said it was a good and long meeting with a lot of input from the members of the committee on the budget. Ms. Mack said the budget is always a difficult thing to talk about especially in the challenging times they are facing now where they do not have ridership back up where they need it to be. Ms. Mack said putting the budget together which is down on bus and rail, police, system services, and digital technology is taking a hit in all areas. She said the NJ TRANSIT staff is doing a wonderful job of trying to maintain a budget that could move them forward to recovery and the advisory board is amazed at the resiliency that the staff has had in putting the budget together.

Ms. Mack said one of the things she finds looking at the agendas is it is amazing that despite big challenges, NJ TRANSIT continues to function and thinks tonight the agenda which is light, compared to most, shows very significant issues. She said the Perth Amboy Station Accessibility which complies with the ADA is an unfunded mandate and NJ TRANSIT has been working on this project for a long time. Ms. Mack complimented the NJ TRANSIT staff as they continue to move projects forward on this issue. She said several of the issues like the Portal North Bridge were discussed during their meeting on the budget and could not go without being discussed since it had been delayed under the prior administration. Ms. Mack said it is definitely necessary and is going to be funded partially by the New Jersey Turnpike and they are happy to see this moving forward.

Ms. Mack said the one board item on the agenda she and her committee found interesting was the Temporary Lease Modification and said as NJ TRANSIT's Advisory Board, they have been around a long time when there has been discussion on the impact of what happens within their facilities for the small businesses. She said NJ TRANSIT is trying to help their own lessees who obviously have been impacted terribly by the pandemic because their ridership within the facilities are just not there. Ms. Mack said they totally support the lease modification and support the restart of these small businesses, many of whom have closed and some who have not. She said this is one of the many items that takes them forward.

Ms. Mack said the other Board item that the advisory committee found interesting was the Demolition of the Old Boiler House and said with everything going on this would not

seem like a significant issue, but this facility was built in 1934 and was subject to the Historic Preservation Act. She said this truly is a testament of how well President & CEO Corbett and his staff are doing in keeping everything moving and this was a project that needs to move forward because they are going to get back despite everything that has been thrown at them.

Ms. Mack said she used to discuss Superstorm Sandy, infrastructure issues, flooding and resiliency. She said a lot of the public comments are made on resiliency and would say to the people out there who want more done quickly they have done a very good job. Ms. Mack said the fact that the Board has taken on resiliency and sustainability, they will continue to move forward. She said Anna Marie Gonnella-Rosato may be providing the Advisory Report next month and will always echo these sentiments. Ms. Mack reiterated again that the Advisory Board is there, so the Board can reach out to them to research issues and looks forward to getting back to in-person meetings with the Board so they can provide their viewpoints on passengers.

Board Operations and Customer Service Committee Report

Board Member Caulfield presented the report for the Operations and Customer Service Committee. The Operations and Customer Service Committee received an update on trends, analysis, and actions for rail, bus, light rail, and Access Link. The Committee also received an update on the Cost of Service.

Board Administration Committee Report

Board Member Maroko presented the report for the Administration Committee. The Administration Committee received a Financial Update. The Committee also received updates from Human Resources and Equal Employment Opportunity and Affirmative Action.

Board Capital Planning, Policy, and Privatization Committee Report

Vice Chair Fulton presented the report for the Capital Planning, Policy and Privatization Committee. The Committee discussed the board items for the Perth Amboy Station Accessibility Improvements Project – Construction Management Services Contract Award; and Axon Body Worn Camera Continuation of Services.

Action Items

Board Secretary Zuczek noted Board Members Adams and Gordon were recused from the next item 2105-23. The Operator removed Board Members Adams and Gordon from the meetings.

2105-23: PERTH AMBOY STATION ACCESSIBILITY IMPROVEMENTS PROJECT – CONSTRUCTION MANAGEMENT SERVICES CONTRACT AWARD

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2105-23.

Eric Daleo recommended approval of Action Item #2105-23: Perth Amboy Station Accessibility Improvements Project – Construction Management Services Contract Award.

Approval was requested to enter into a contract with KS Engineers PC of Newark, New Jersey, to provide construction management services for the Perth Amboy Accessibility Improvements Project in the amount not to exceed \$4,233,966.21, plus five percent for contingencies, subject to the availability of funds.

Board Member Shanti Narra made a motion and Vice Chair Cedrick T. Fulton seconded the motion.

Board Member Narra said she was thrilled anytime they can do an accessibility project, but especially this one in Perth Amboy that has been long awaited. She is excited for it to begin.

Rasmussen echoed Board Member Narra’s enthusiasm for the building of this station and echoed her comments.

Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Recused	Yes	Recused	Yes	Yes	Yes	Yes	Yes	Yes

Board Members Adams and Gordon returned to the meetings.

2105-24: AXON BODY WORN CAMERA CONTINUATION OF SERVICES

President & CEO Corbett introduced Christopher Trucillo, Senior Vice President, Chief of Police & Office of Emergency Management, to present Action Item #2105-24.

Christopher Trucillo recommended approval of Action Item #2105-24: Axon Body Worn Camera Continuation of Services.

Approval was requested to enter into a Cooperative Purchasing Program contract with Axon Enterprise, Inc. of Scottsdale, Arizona, for continuation of services in the amount not to exceed \$1,756,050.01.

Board Member Edmund Caulfield made a motion and Board Member Shanti Narra seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2105-25: PURCHASE OF BOTTLED SPRING WATER FOR VARIOUS RAIL OPERATIONS LOCATIONS

President & CEO Corbett introduced James Sincaglia, Acting Senior Vice President/General Manager, Rail Operations, to present Action Item #2105-25.

James Sincaglia recommended approval of Action Item #2105-25: Purchase of Bottled Spring Water for Various Rail Operations Locations.

Approval was requested to enter into a contract with Federal Equipment & Manufacturing Company of Lodi, New Jersey, to supply bottled water at a unit cost of \$4.00 per case, not to exceed a total cost of \$1,604,820, plus ten percent, subject to the availability of funds.

Board Member James D. Adams made a motion and Board Member Edmund Caulfield seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Secretary Zuczek noted Vice Chair Fulton was recused from the next item 2105-26. The Operator removed Vice Chair Fulton from the meetings.

2105-26: ANNUAL NOTICE OF MEETINGS AND DESIGNATIONS

Chair Gutierrez-Scaccetti recommended approval of Action Item #2105-26: Annual Notice of Meetings and Designations. This action item is to adopt the Annual Notice of Meetings for all of the Board of Directors' meetings during Fiscal Year 2022 and to designate Cedrick T. Fulton as Vice Chairperson of NJ TRANSIT Board of Directors and

its subsidiaries and to designate Joyce J. Zuczek as Board Secretary of NJ TRANSIT and its subsidiaries.

Board Member Bob Gordon made a motion and Board Member Richard A. Maroko seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Recused	Yes

Vice Chair Fulton returned to the meetings.

Chair Gutierrez-Scaccetti congratulated Board Secretary Zuczek, noted how well deserved it was that she continues in her position, and said she was not sure why they have to vote on this all the time. She also thanked Vice Chair Fulton for his continued leadership and desire to serve NJ TRANSIT as Vice Chair. Board Secretary Zuczek thanked her. President & CEO Corbett seconded the Chair’s sentiments.

2105-27: NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: PARCEL PAE 210 NORFOLK SOUTHERN RAILWAY CORPORATION FOR PERMANENT ACCESS

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2105-27.

Eric Daleo recommended approval of Action Item #2105-27: NJ TRANSIT – Portal North Bridge Project: Parcel PAE 210 Norfolk Southern Railway Corporation for Permanent Access.

Approval was requested to take any and all actions to acquire Parcel PAE 210 in accordance with the Eminent Domain Law of 1971, not to exceed payment in an amount as discussed in Executive Session, subject to the availability of funds and Federal Transit Administration concurrence.

Approval was also requested to cause filing complaint in condemnation and the filing and recording of a declaration of taking and take any and all actions related to exercise NJ TRANSIT’s power of eminent domain, where necessary, to acquire Parcel PAE 210 for the Portal North Bridge Project and deposit the estimated just compensation with the Clerk of the Superior Court, so long as NJ TRANSIT attempts to acquire these parcels from the property owners through bona fide negotiations as required by the Eminent Domain Act of 1971 before commencing condemnation proceedings.

Board Member Shanti Narra made a motion and Board Member James D. Adams seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2105-28: TEMPORARY RETAIL LEASE MODIFICATION

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer, to present Action Item #2105-28.

William Viqueira recommended approval of Action Item #2105-28: Temporary Retail Lease Modification.

Approval was requested to take any and all actions to implement a temporary lease modification plan in accordance with the terms as discussed in Executive Session.

Board Member Shanti Narra made a motion and Vice Chair Cedrick T. Fulton seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Secretary Zuczek noted Board Member Rasmussen was recused from the next five items: 2105-29, 2105-30, 2105-31, 2105-32, and 2105-33. The Operator removed Board Member Rasmussen from the meetings.

2105-29: PERSONAL INJURY CLAIM OF THE ESTATE OF FABIOLA BITTAR DE KROON

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer, to present Action Item #2105-29.

William Viqueira recommended approval of Action Item #2105-29: Personal Injury Claim of the Estate of Fabiola Bittar de Kroon.

Approval was requested to settle the claim of The Estate of Fabiola Bittar de Kroon through the estate’s attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member Edmund Caulfield made a motion and Board Member James D. Adams seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2105-30: PERSONAL INJURY CLAIM OF DEEPTI CHANANA BHALLA

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer, to present Action Item #2105-30.

William Viqueira recommended approval of Action Item #2105-30: Personal Injury Claim of Deepti Chanana Bhalla.

Approval was requested to settle the claim of Deepti Chanana Bhalla through her attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member Shanti Narra made a motion and Board Member Edmund Caulfield seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2105-31: PERSONAL INJURY CLAIM OF BAGYALAKSHMI SUBRAMANIAN

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer, to present Action Item #2105-31.

William Viqueira recommended approval of Action Item #2105-31: Personal Injury Claim of Bagyalakshmi Subramanian.

Approval was requested to settle the claim of Bagyalakshmi Subramanian through her attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member Shanti Narra made a motion and Vice Chair Cedrick T. Fulton seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2105-32: PERSONAL INJURY CLAIM OF SHELDON KEST

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer, to present Action Item #2105-32.

William Viqueira recommended approval of Action Item #2105-32: Personal Injury Claim of Sheldon Kest.

Approval was requested to settle the claim of Sheldon Kest through his attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member Edmund Caulfield made a motion and Board Member Shanti Narra seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2105-33: PERSONAL INJURY CLAIM OF ELENA KINDLER

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer, to present Action Item #2105-33.

William Viqueira recommended approval of Action Item #2105-33: Personal Injury Claim of Elena Kindler.

Approval was requested to settle the claim of Elena Kindler through her attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member Shanti Narra made a motion and Board Member Bob Gordon seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Member Rasmussen returned to the meetings.

2105-34: OLD BOILER HOUSE DEMOLITION: CONSTRUCTION PROCUREMENT AUTHORIZATION AWARD

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer, to present Action Item #2105-34.

William Viqueira recommended approval of Action Item #2105-34: Old Boiler House Demolition: Construction Procurement Authorization Award.

Approval was requested to enter into a contract with Two Brothers Contracting, Inc., to provide construction services for the demolition of the boiler house at Penn Station Newark in the amount of \$687,349.00, plus ten percent for contingencies, subject to the availability of funds.

Board Member Richard A. Maroko made a motion and Board Member Shanti Narra seconded the motion.

Board Member Adams said he fully supports this Board item and the use of the alternate procurement method due to the circumstances surrounding the condition of this structure. The only thing he asked is that in the future if there is an opportunity, they continue to be good neighbors to the City of Newark and reach out to the city to see if the city can recommend qualified contractors who have the technical capacity and knowledge of the Newark City Demolition process to participate in this alternate procurement method.

Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Executive Session Authorization

Chair Gutierrez-Scaccetti noted they would adjourn to Executive Session, would only return to adjourn the meetings, and no further business would be conducted. Chair Gutierrez-Scaccetti asked for a motion to enter Executive Session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to, the NJ TRANSIT Second Advertising Contract Modification, the Parking Operators COVID Relief, the Garden State Outdoor LLC Settlement Agreement, the Corporate Insurance Program Annual Renewal, the Personal Injury Claim of Bambie J. Banks, the Personal Injury Claim of Franklin Guevara-Rodriguez, and the Personal Injury Claim of Michelle Hill. Board Member Shanti Narra made the motion, Board Member Edmund Caulfield seconded the motion, and it was adopted. At approximately 7:45 p.m., the Board adjourned to Executive Session.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Ajmani	Caulfield	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Return to Open Session

Board Secretary Zuczek conducted a Roll Call as Board Members returned to Open Session. All Board Members returned to Open Session at approximately 8:49 p.m.

Adjournment

Since there was no further business, a motion to adjourn was made by Board Member Shanti Narra, seconded by Board Member Edmund Caulfield, and adopted. The meetings were adjourned at approximately 8:50 p.m.

**NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
REGULARLY SCHEDULED BOARD OF DIRECTORS' MEETINGS**

MAY 12, 2021

MINUTES

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➤ CALL TO ORDER	-
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	59461
➤ PRESIDENT & CEO'S MONTHLY REPORT	59462
➤ PUBLIC COMMENTS	-
➤ ADVISORY COMMITTEE REPORT	-
➤ BOARD COMMITTEE REPORTS	-

ACTION ITEMS

2105-23	PERTH AMBOY STATION ACCESSIBILITY IMPROVEMENTS PROJECT – CONSTRUCTION MANAGEMENT SERVICES CONTRACT AWARD – Authorization to enter into NJ TRANSIT Contract No. 20-044 with KS Engineers PC of Newark, New Jersey, to provide construction management services for the Perth Amboy Accessibility Improvements Project. Construction Management Services in the amount not to exceed \$4,233,966.21, plus five percent for contingencies, subject to the availability of funds.	59485
2105-24	AXON BODY WORN CAMERA CONTINUATION OF SERVICES – Authorization to enter into a Cooperative Purchasing Program, NJ TRANSIT Contract No. 21-317 with Axon Enterprise, Inc. of Scottsdale, Arizona, for continuation of services in the amount not to exceed \$1,756,050.01.	59489
2105-25	PURCHASE OF BOTTLED SPRING WATER FOR VARIOUS RAIL OPERATIONS LOCATIONS – Authorization to enter into NJ TRANSIT Contract No. 20-320 with Federal Equipment & Manufacturing Company of Lodi, New Jersey, to supply bottled water at a unit cost of \$4.00 per case, not to exceed a total cost of \$1,604,820, plus ten percent, subject to the availability of funds.	59495

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
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REGULARLY SCHEDULED BOARD OF DIRECTORS' MEETINGS
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- 2105-26 ANNUAL NOTICE OF MEETINGS AND DESIGNATIONS** – Adopt the Annual Notice of Meetings (Exhibit A) for all of the Board of Directors' meetings during Fiscal Year 2022. **59496**
- Designate Cedrick T. Fulton as Vice Chairperson of the NJ TRANSIT Board of Directors and its subsidiaries.
- Designate Joyce J. Zuczek as Board Secretary of NJ TRANSIT and its subsidiaries.
- 2105-27 NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: PARCEL PAE 210 NORFOLK SOUTHERN RAILWAY CORPORATION FOR PERMANENT ACCESS** – Authorization to take any and all actions to acquire Parcel PAE 210 in accordance with the Eminent Domain Law of 1971, not to exceed payment in an amount as discussed in Executive Session, subject to the availability of funds and Federal Transit Administration concurrence. **59498**
- Authorization to cause filing complaint in condemnation and the filing and recording of a declaration of taking and take any and all actions related to exercise NJ TRANSIT's power of eminent domain, where necessary, to acquire Parcel PAE 210 for the Portal North Bridge Project and deposit the estimated just compensation with the Clerk of the Superior Court, so long as NJ TRANSIT attempts to acquire these parcels from the property owners through bona fide negotiations as required by the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et. seq. before commencing condemnation proceedings.
- 2105-28 TEMPORARY RETAIL LEASE MODIFICATION** – Authorization to take any and all actions to implement a temporary lease modification plan in accordance with the terms as discussed in Executive Session. **59500**
- 2105-29 PERSONAL INJURY CLAIM OF THE ESTATE OF FABIOLA BITTAR DE KROON** – Authorization to settle the claim of The Estate of Fabiola Bittar de Kroon through the estate's attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds. **59501**
- 2105-30 PERSONAL INJURY CLAIM OF DEEPTI CHANANA BHALLA** – Authorization to settle the claim of Deepti Chanana Bhalla through her attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds. **59502**

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
REGULARLY SCHEDULED BOARD OF DIRECTORS' MEETINGS
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- 2105-31 PERSONAL INJURY CLAIM OF BAGYALAKSHMI SUBRAMANIAN – 59503**
Authorization to settle the claim of Bagyalakshmi Subramanian through her attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.
- 2105-32 PERSONAL INJURY CLAIM OF SHELDON KEST – 59504**
Authorization to settle the claim of Sheldon Kest through his attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.
- 2105-33 PERSONAL INJURY CLAIM OF ELENA KINDLER – 59505**
Authorization to settle the claim of Elena Kindler through her attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.
- 2105-34 OLD BOILER HOUSE DEMOLITION: CONSTRUCTION PROCUREMENT AUTHORIZATION AWARD – 59506**
Authorization to enter into NJ TRANSIT Contract No. 21-047X with Two Brothers Contracting, Inc., to provide construction services for the demolition of the boiler house at Penn Station Newark in the amount of \$687,349.00, plus ten percent for contingencies, subject to the availability of funds.
- **EXECUTIVE SESSION AUTHORIZATION 59514**
- **ADJOURNMENT**

APPROVAL OF MINUTES

WHEREAS, the By-Laws provide that the minutes of actions taken at meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors be approved by the Board; and

WHEREAS, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the April 14, 2021 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. were forwarded to the Governor on April 22, 2021;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the April 14, 2021 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Gutierrez-Scaccetti, Commissioner
Kevin S. Corbett, President & CEO



One Penn Plaza East
Newark, NJ 07105-2246
973-491-7000

TO: BOARD OF DIRECTORS
FROM: KEVIN S. CORBETT 
DATE: MAY 12, 2021
SUBJECT: PRESIDENT & CEO'S REPORT – MAY 2021

We have promising pandemic-related trends to report this month. The number of NJ TRANSIT employees currently positive with COVID-19 has decreased considerably, and ridership is trending upwards. In addition, on May 19th, NJ TRANSIT will open seating availability at Secaucus, Hoboken, Newark Penn Station, Trenton, Metropark, the Walter Rand Transportation Center, and the Atlantic City Bus & Rail Terminals, in line with the recent announcement lifting indoor capacity limits on businesses. I was also proud to join Commissioner Gutierrez-Scaccetti, Congressman Donald Payne, Jr., and executives from Novartis and Catalent at a press conference on May 4th to announce an exciting public-private partnership to deliver free travel on NJ TRANSIT to vaccination sites within New Jersey. Through the generous contributions of Novartis and Catalent, NJ TRANSIT is now offering up to two complimentary round-trip tickets for travel to and from vaccination sites within New Jersey for approximately 11,000 customers receiving their COVID-19 vaccine. These tickets are being offered for bus, rail, and light rail customers through our mobile app, and off-line by visiting one of our Customer Service Office locations or calling Customer Service. Tickets are also available for certified Access Link customers, online through the new Access Link Mobile App, and off-line by mentioning the program when calling to make an Access Link reservation.

We have significant updates to report in two of our three core focus areas this month – people and infrastructure. With regard to “people,” on April 22nd, Commissioner Gutierrez-Scaccetti and I joined Governor Murphy at a ceremony to celebrate the full restoration of our ranks of locomotive engineers, through another class of graduating locomotive engineers. This class brings the total of active engineers to over 390, which is the number that constitutes a full roster, and is the first time in more than a decade the engineer ranks have been fully staffed. Moving forward, we are committed to maintaining a full pipeline of trainees, and regular classes. Another new class began training on February 10th, while three additional classes are projected to begin between now and November. A full roster of locomotive engineers will ultimately translate to a more reliable and predictable rail service for our customers.

Moving on to infrastructure, our Portal North Bridge Replacement Project continues to steadily advance, and we remain on track for a construction award by the end of the year. On May 19th, we will hold a Disadvantaged Business Enterprise (DBE) Outreach Conference for this project, where we will meet with DBE contractors in our region interested in contributing to this project of national significance. Our aggressive outreach to DBEs shows that we are not just looking at this project as a way to improve service, or to help our economy as we emerge from the pandemic. We are also looking at this project as an opportunity to develop a larger pool of qualified contractors who represent the diversity of the business community and the region we serve.

Also, on April 30th, Commissioner Gutierrez-Scaccetti and local, county, and State officials joined Governor Murphy in Lyndhurst to celebrate the beginning of construction on a new rail station there. This \$31.5 million project was designed by our in-house team to evoke a classic aesthetic from the glory days of steam rail. The station will include new elevators at both station buildings, high-level raised platforms for easy boarding and disembarking, enlarged roof canopies, heated waiting areas, and state-of-the-art video and public announcement amenities.

Another major station overhaul advanced last month through the April 27th release of a Request for Proposals (RFP) for the design of a new facility to replace our Walter Rand Transportation Center in Camden, NJ. This RFP represents the first major step toward creating a new, modern, expansive Center – a \$250 million project – with the potential to transform not just Camden, but also South Jersey, while supporting this region’s rapidly growing communities and local economies. It would also provide an opportunity for integration with zero-emissions buses, as part of our overall efforts to help fully realize Governor Murphy’s Energy Master Plan.

There is plenty to be optimistic about when it comes to infrastructure. I had the honor of joining President Biden, Amtrak Chairman of the Board Tony Coscia, Amtrak President Stephen Gardner, Deputy FRA Administrator Amit Bose and New Jersey Congressman Donald Payne, Jr. in Philadelphia on April 30th to celebrate Amtrak’s 50th Anniversary and to hear the President promote his American Jobs Plan. President Biden also made it clear that supporting mass transit infrastructure is a critical investment that will yield dividends for generations to come – and that is welcome news for NJ TRANSIT!



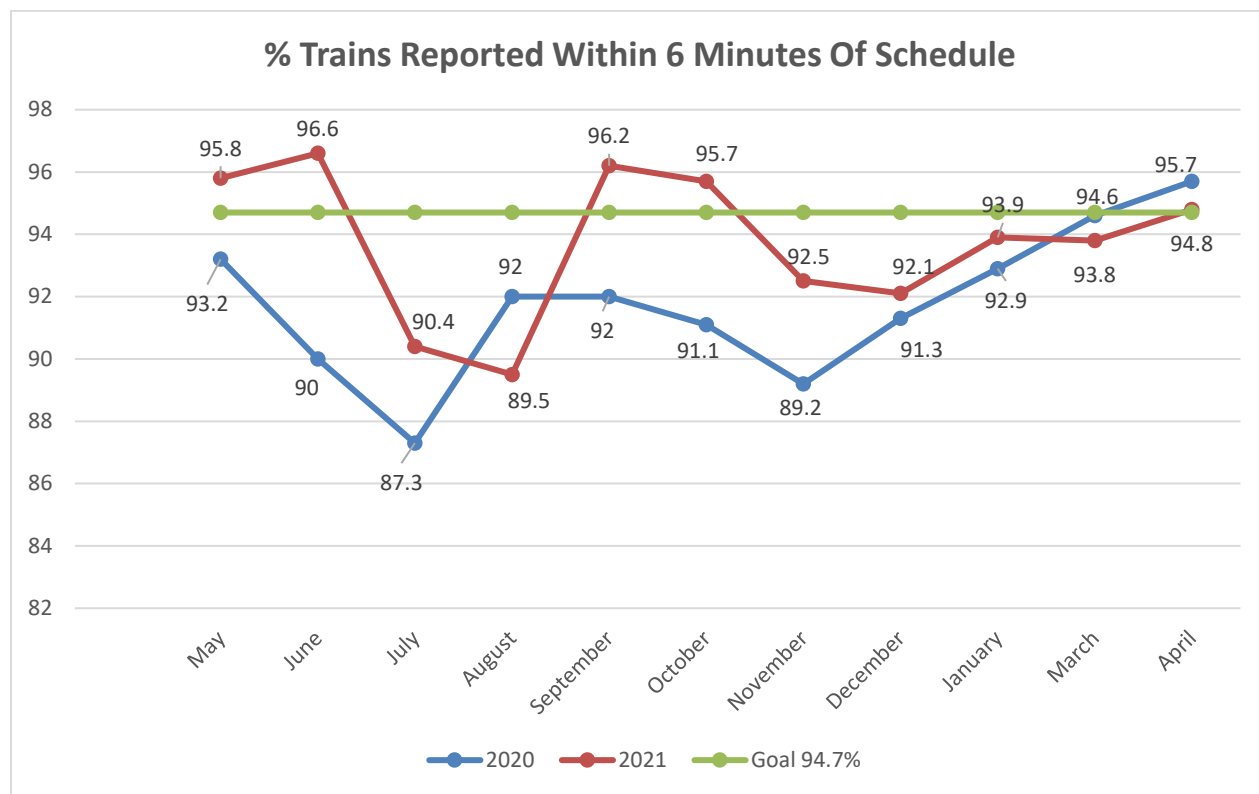
PRESIDENT & CEO'S MONTHLY REPORT
MAY 12, 2021

PRESIDENT & CEO'S MONTHLY REPORT MAY 12, 2021

- 1. PERFORMANCE MEASURES**
- 2. MEAN DISTANCE BETWEEN FAILURES**
- 3. DBE/SBE PROGRAM**
- 4. EMPLOYEE RECOGNITION**

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL MAY 2019 – APRIL 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
April Comparison	95.7%	94.8%	-0.9%
12-Month Average May. 2019 – Apr. 2021	91.8%	93.5%	1.7%

Analysis:

Rail On-time Performance was 94.8% for April 2021. Of the 17,076 trains scheduled to operate, 16,186 were on time, while 890 trains (or 5.2%) were delayed.

Key Causes included:

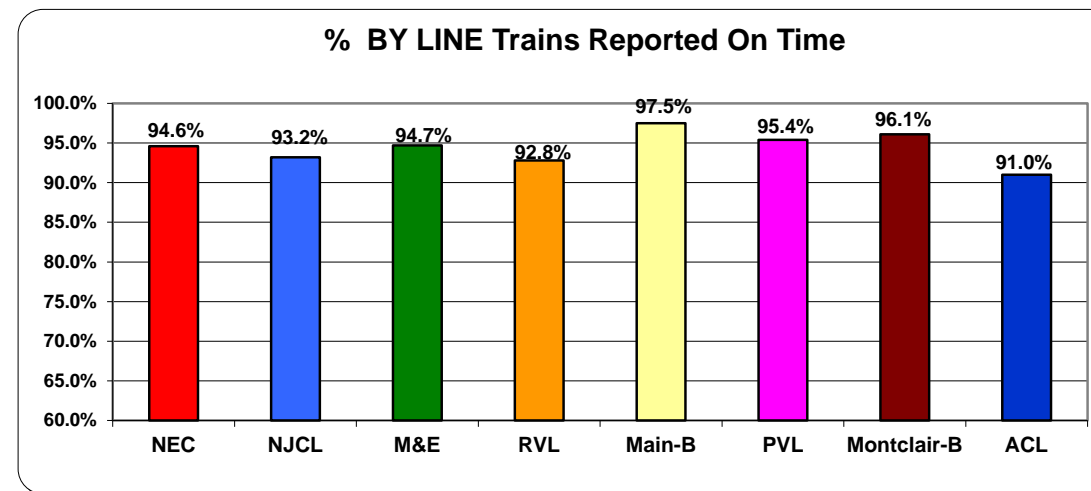
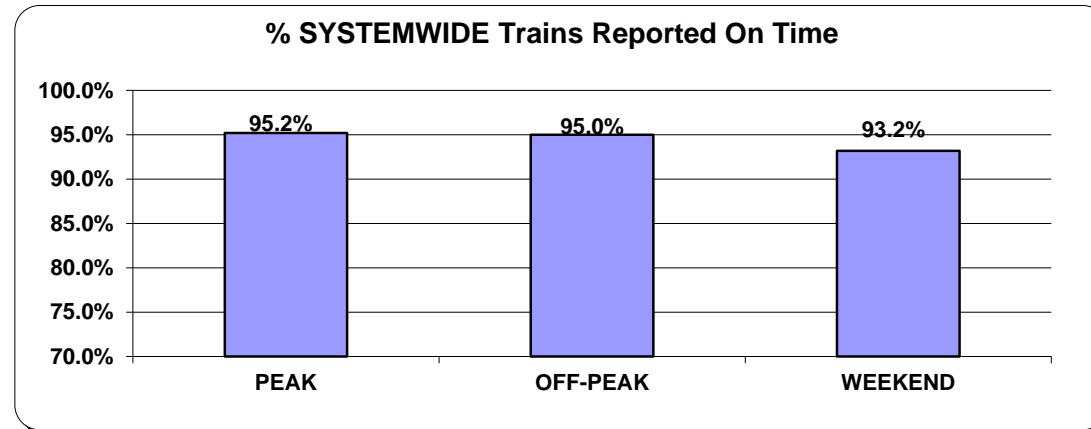
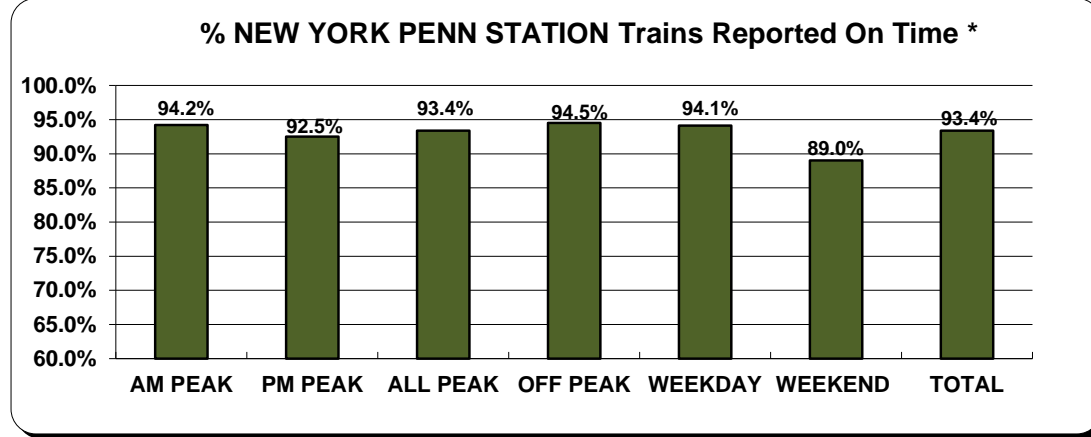
- Amtrak programmed maintenance and NJT open bridge contributed to 42 delays on April 17.
- Amtrak programmed maintenance contributed to 36 delays on April 18.
- Conrail programmed maintenance and NJT PTC mechanical contributed to 71 delays on April 28.

The 12-month Average for Rail On-Time Performance was 93.5%.

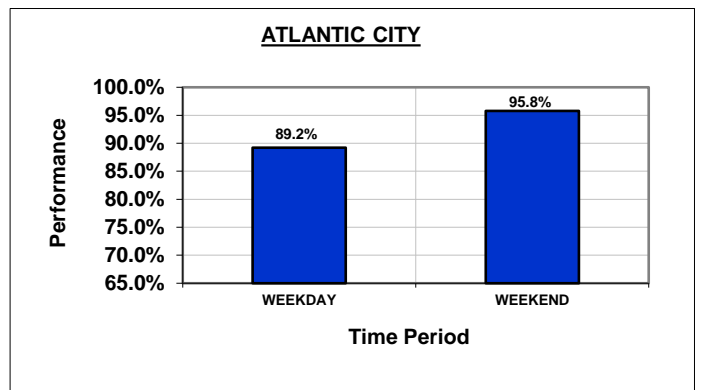
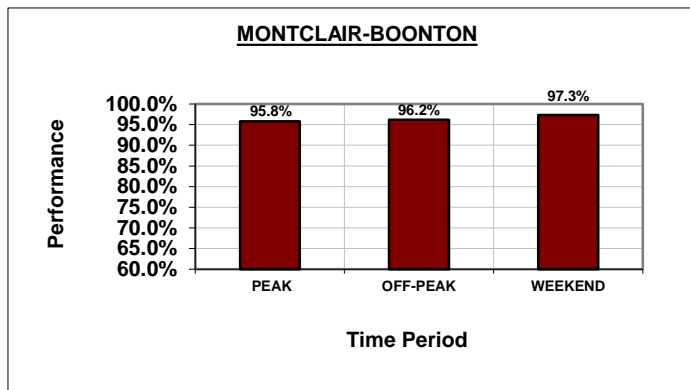
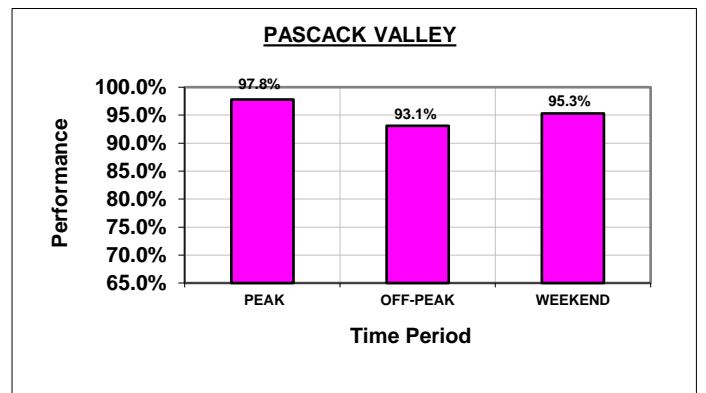
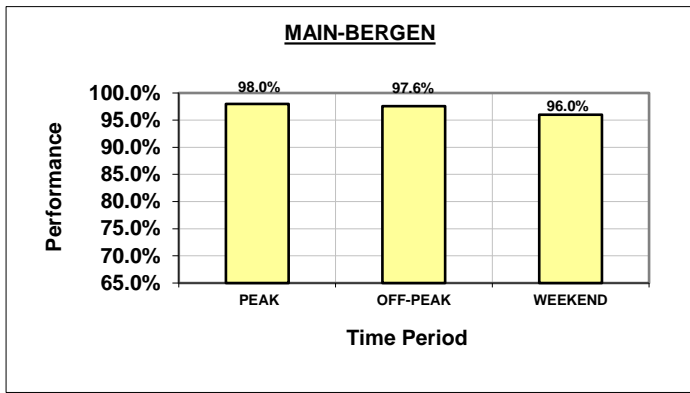
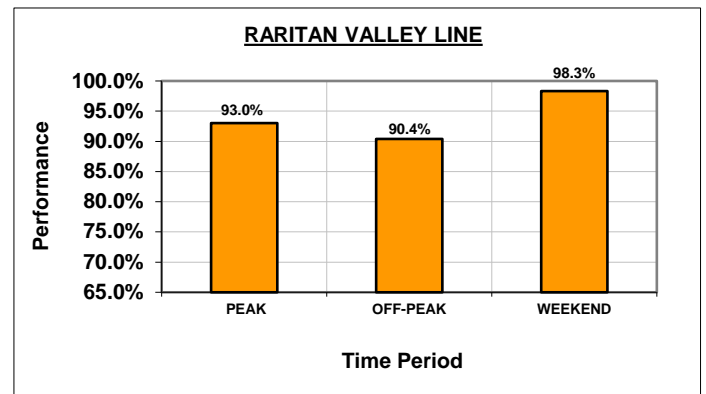
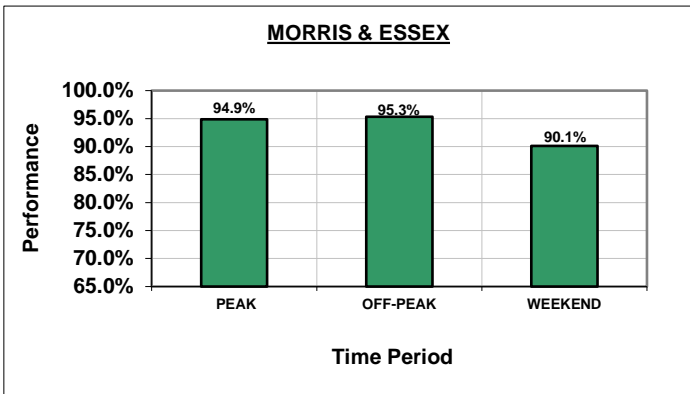
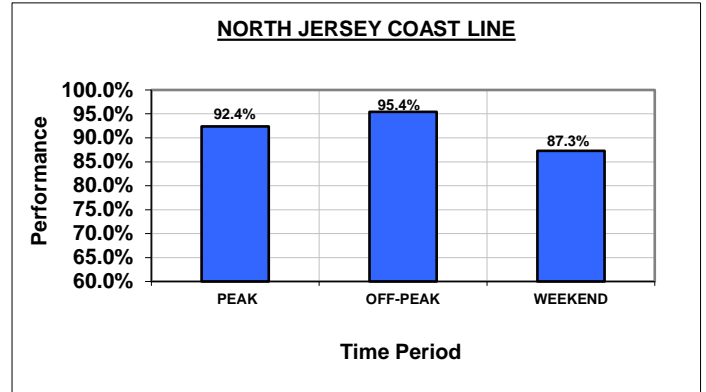
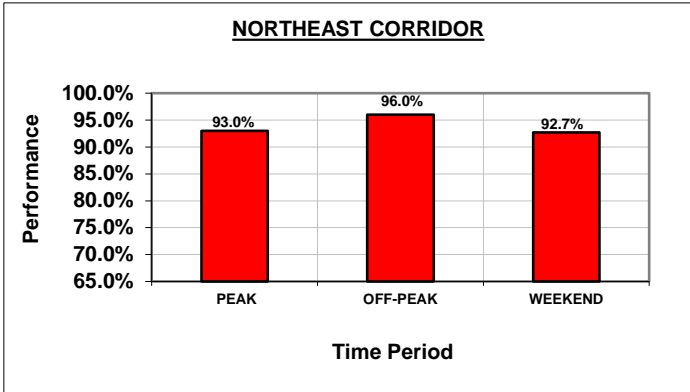
ON-TIME PERFORMANCE RAIL

SUMMARY BY TIME PERIOD APRIL, 2021

* NOTE: A train is reported late if it arrives at its final station stop more than 5:59 minutes later than the advertised schedule.



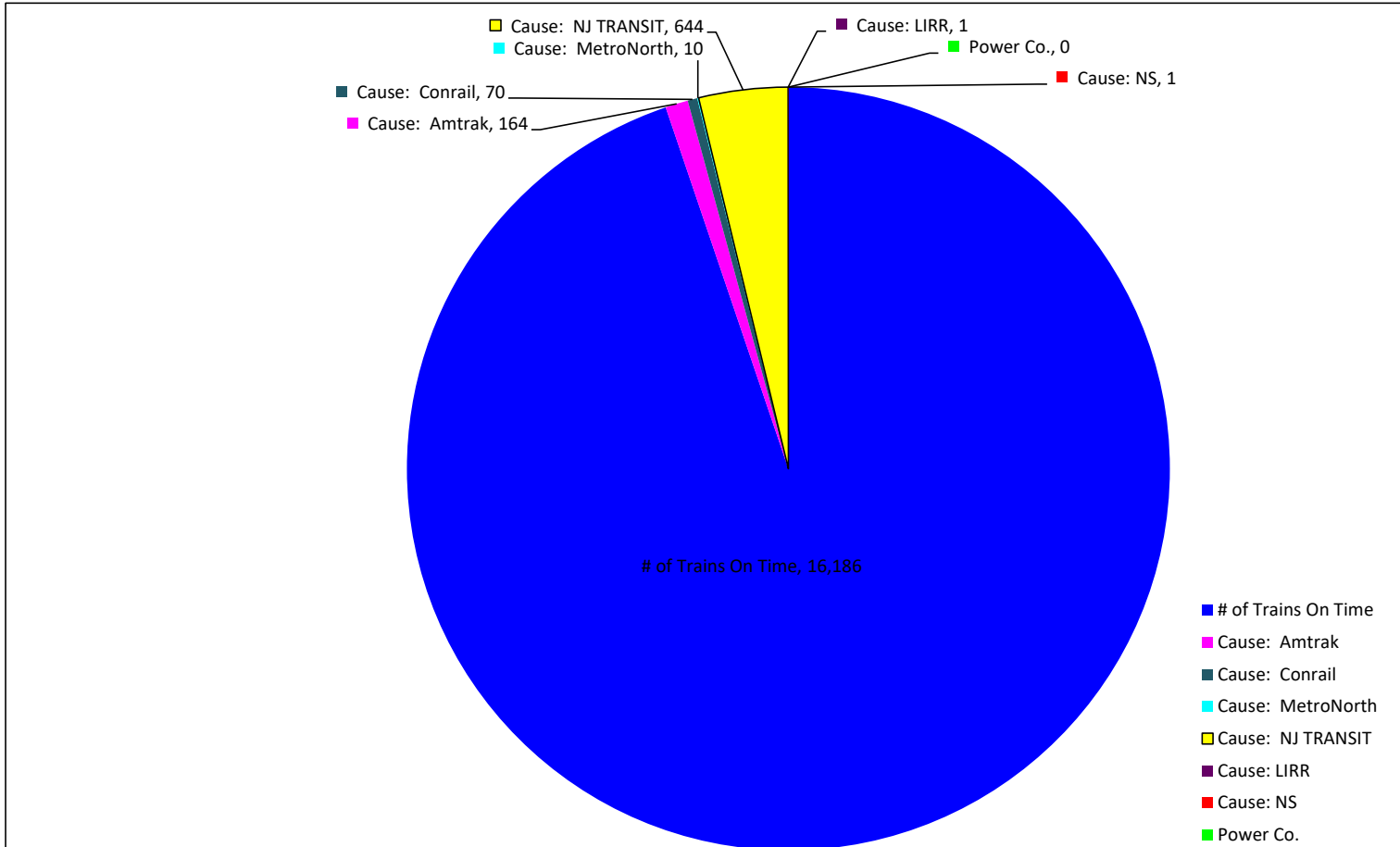
ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD APRIL, 2021



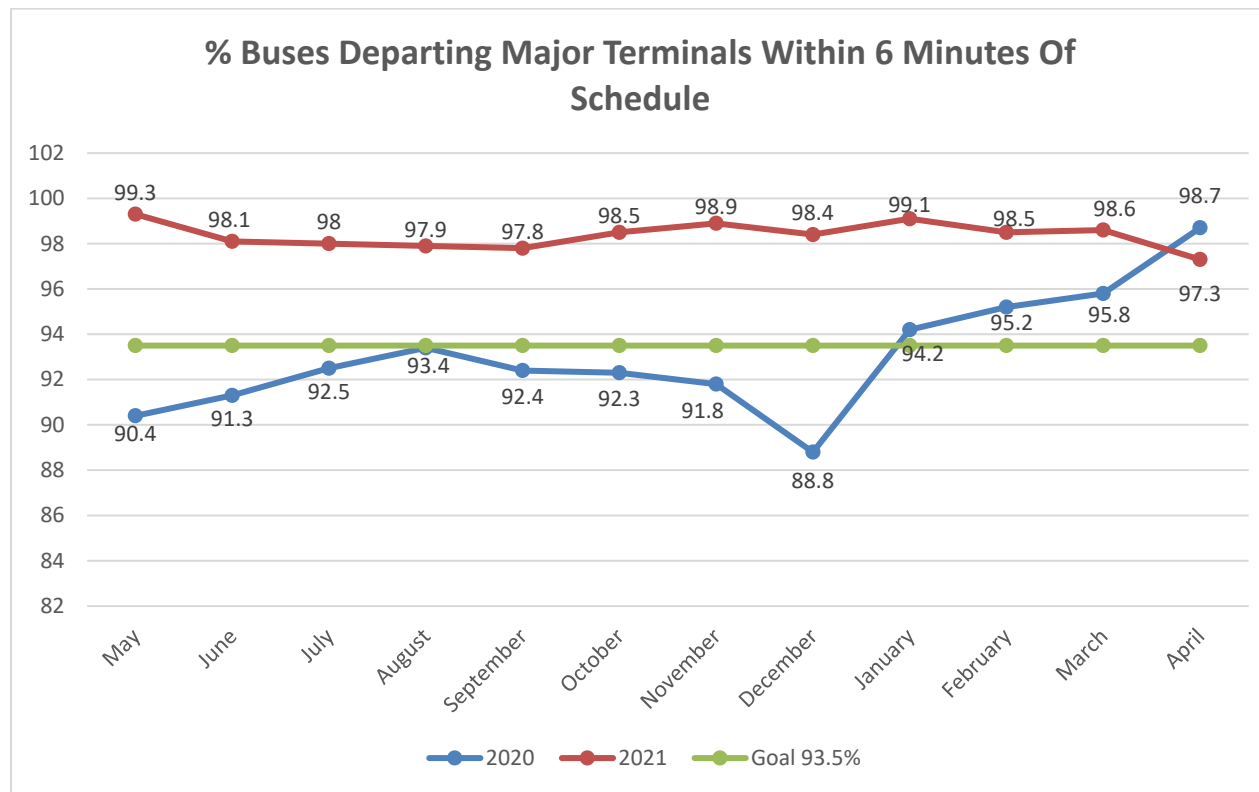
NJ TRANSIT Performance - APRIL, 2021

Late NJ TRANSIT Trains

# of Trains On		Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause: LIRR	Cause: NS	Power Co.
# of Trains On Time	16,186	164	70	10	644	1	1	0
# of Late Trains	890	0.96%	0.41%	0.06%	3.77%	0.01%	0.01%	0.00%
Total # of Trains	17,076							
Percentage On Time	94.8%							



NJ TRANSIT ON-TIME PERFORMANCE BUS May 2019 – April 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
April Comparison	98.7%	97.3%	-1.4%
12-Month Average May 2020 – April 2021	93.1%	98.4%	5.3%

Analysis*:

Bus On-Time Performance systemwide was 97.3% for the month of April 2021. Of the 40,318 scheduled departures, 1080 experienced delays.

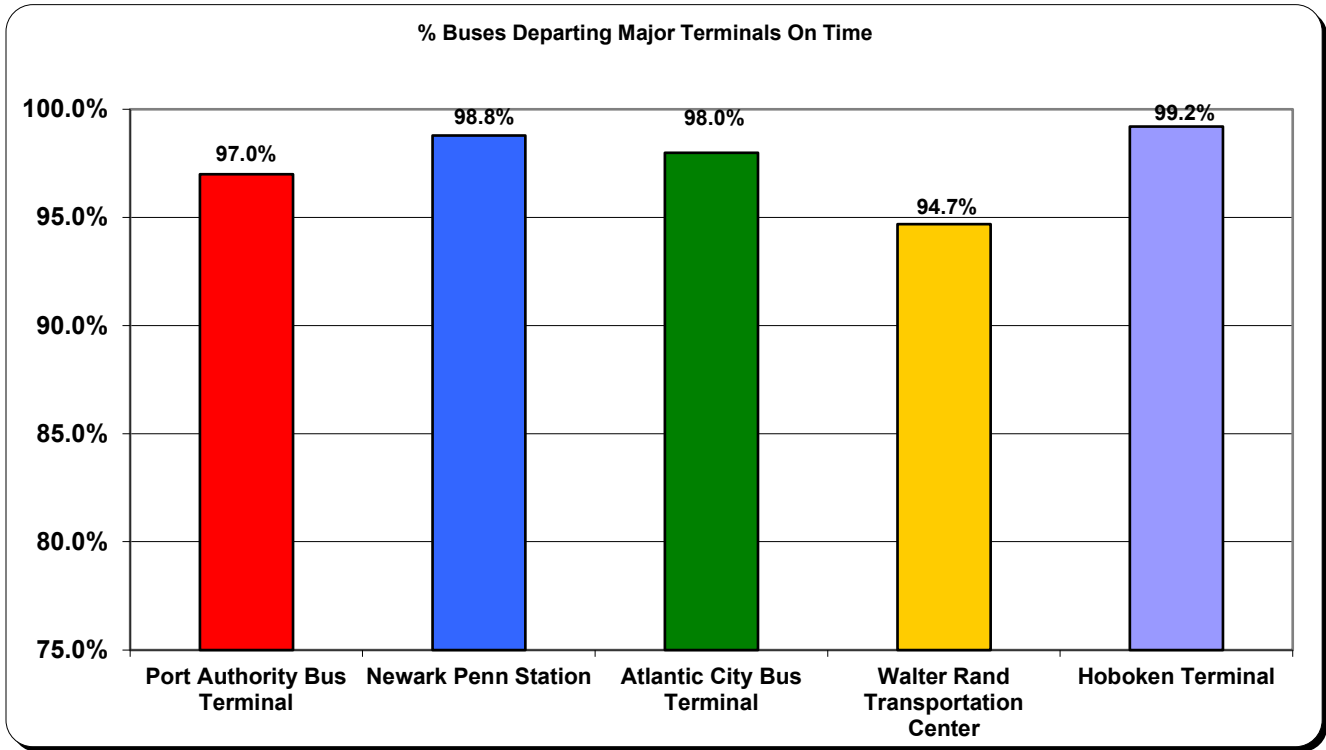
Key Causes included:

- Minor delays were caused due to weather, detours, traffic, and road construction on various days at Port Authority Bus Terminal
- Delays due to mechanical issues and police activity impacted service on several days at Newark Penn.
- For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

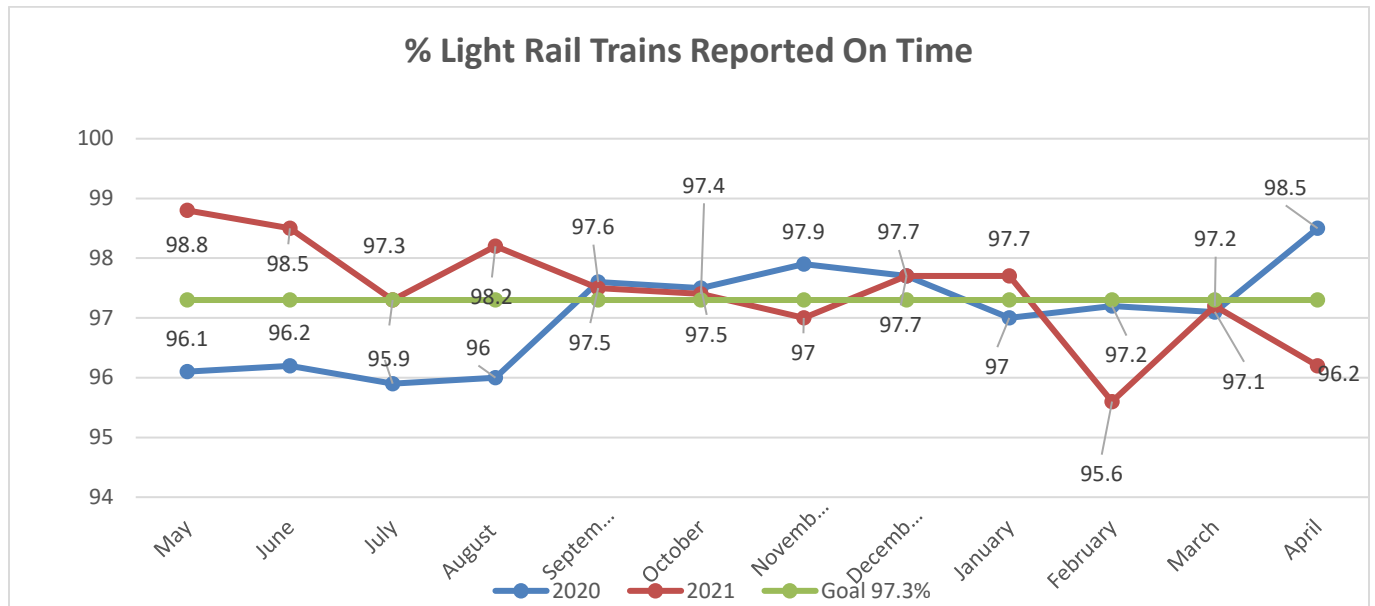
The 12-month average for Bus On-Time Performance was 98.4%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL May 2019 – April 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
April Comparison	98.5%	96.2%	-2.3%
12-Month Average May 2020 – April 2021	97.1%	97.4%	0.03%

Analysis: Light Rail On-Time Performance system wide was 96.2% for the month of April 2021. Of the 27,774 scheduled departures, 1,077 experienced delays.

Key Causes included:

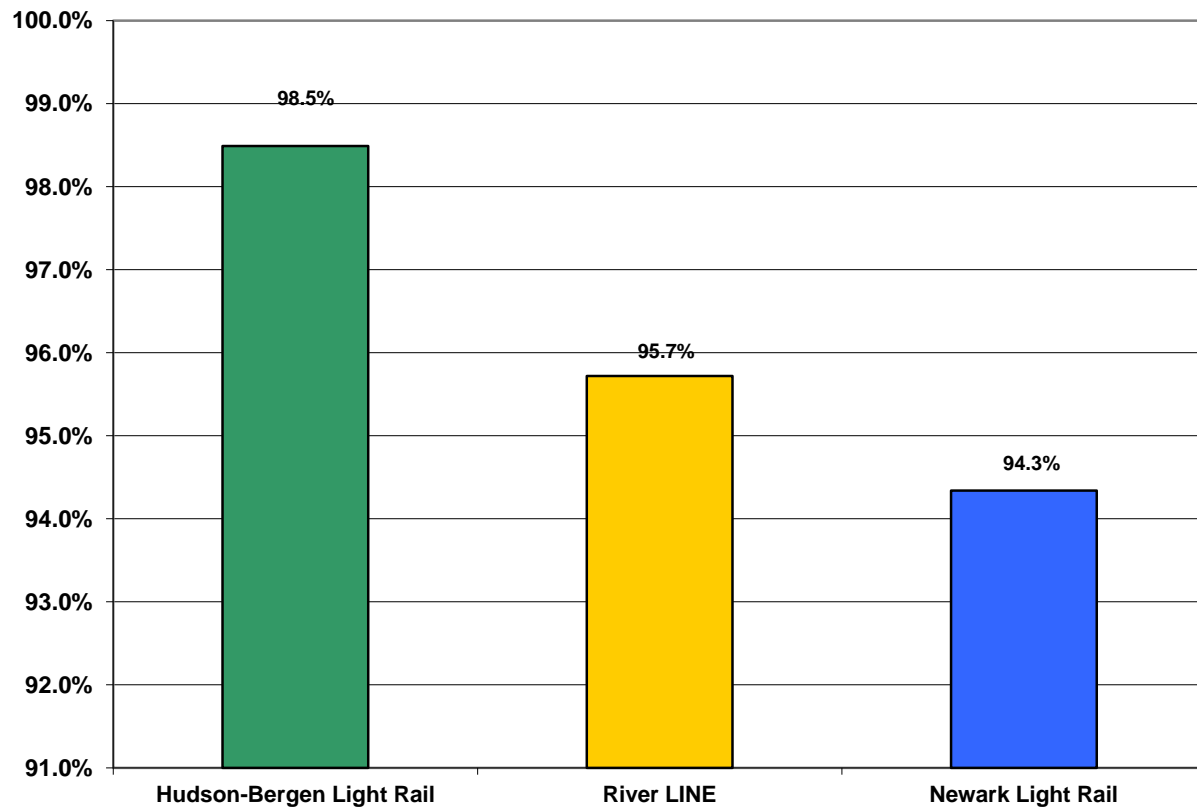
- **Newark Light Rail** – Personnel shortage issues, mechanical issues and switch issues on various days impacted service.
- **River Line** – LVR equipment malfunctions and police activity affected multiple trains on multiple dates.
- **Hudson-Bergen Light Rail**– Police activity, door issues and a switch problem impacted service on multiple days.

The 12-month Average for Light Rail On-Time Performance was 97.4%

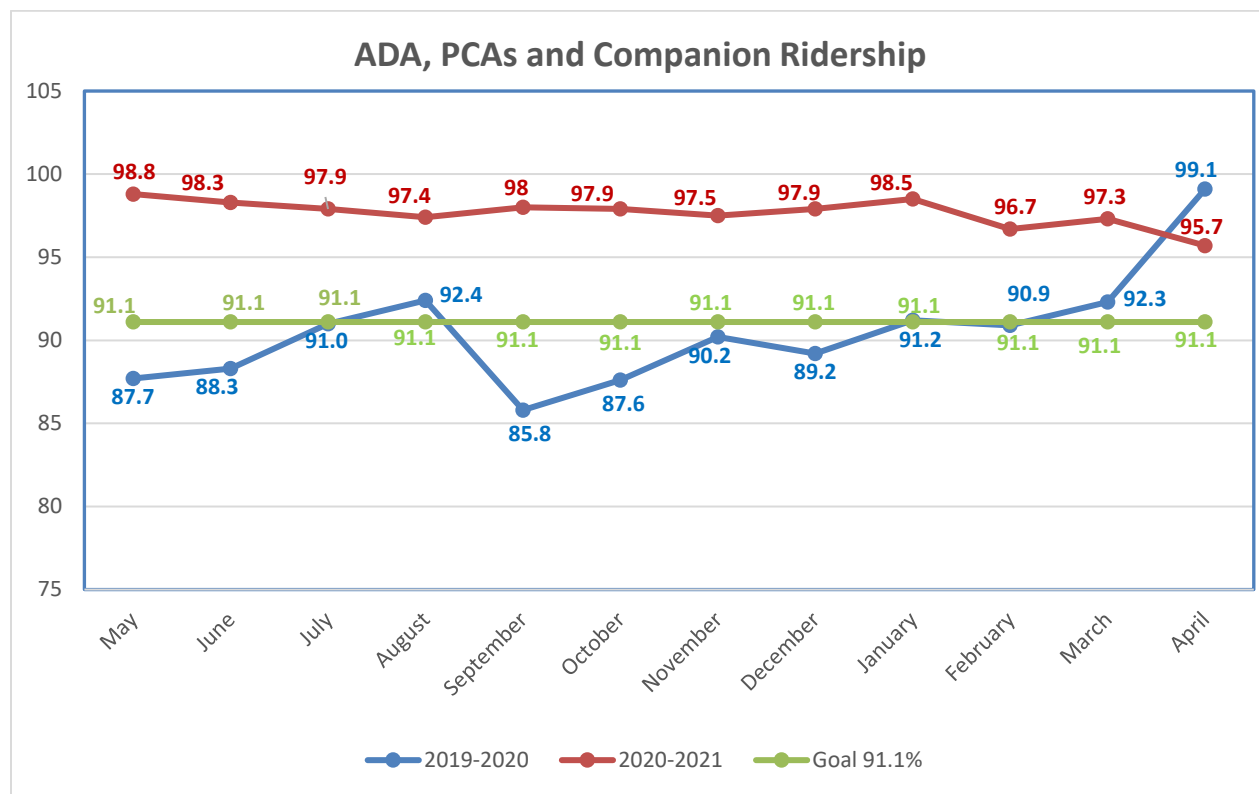
ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE April 2021

% Light Rail Trains Reported On Time



NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK MAY 2019– APRIL 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
April Comparison	99.1%	95.7%	-3.4%
April Ridership	38,55	90,195	51,840
12-Month Average May 2020 – April 2021	90.5%	97.7%	7.2%

Analysis:

Access Link On-Time Performance was 95.7% for April 2021. In serving 100,773 total riders, for 90,195 ADA customers trips, 3,898 (or 4.3%) experienced delays.

Key Causes included:

- Customer no-shows and delays
- Vehicle operator coverage

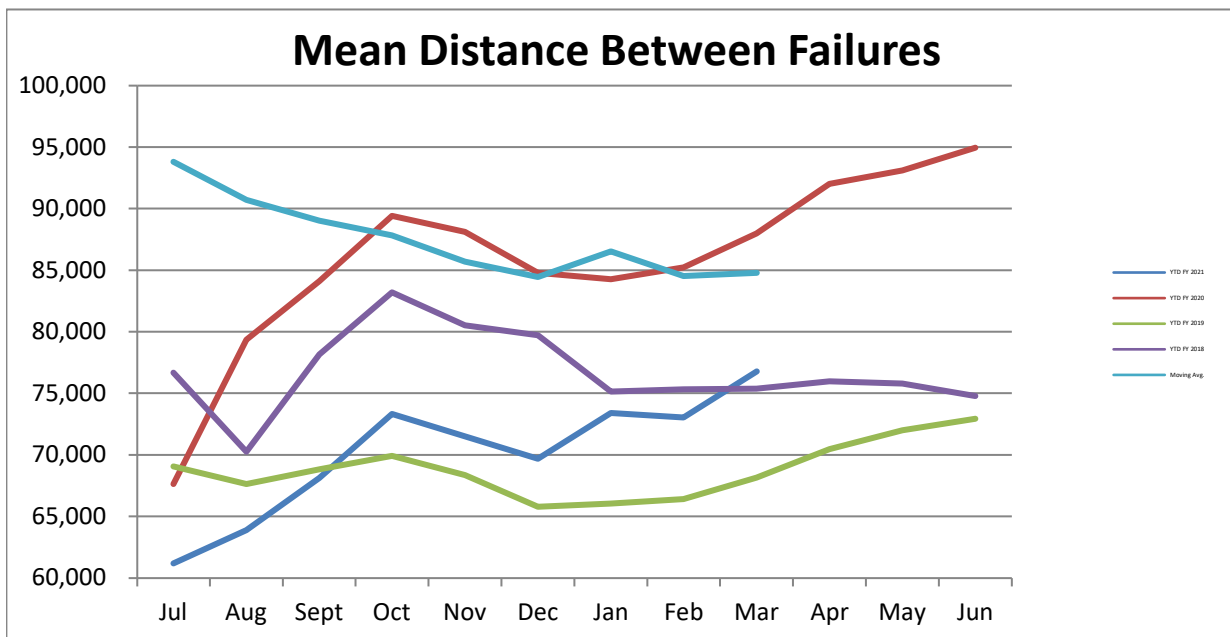
The 12-month Average for Access Link On-Time Performance was 97.7%.

MEAN DISTANCE BETWEEN FAILURES

March 2021

NJ TRANSIT Rail Operations
Mean Distance Between Failures

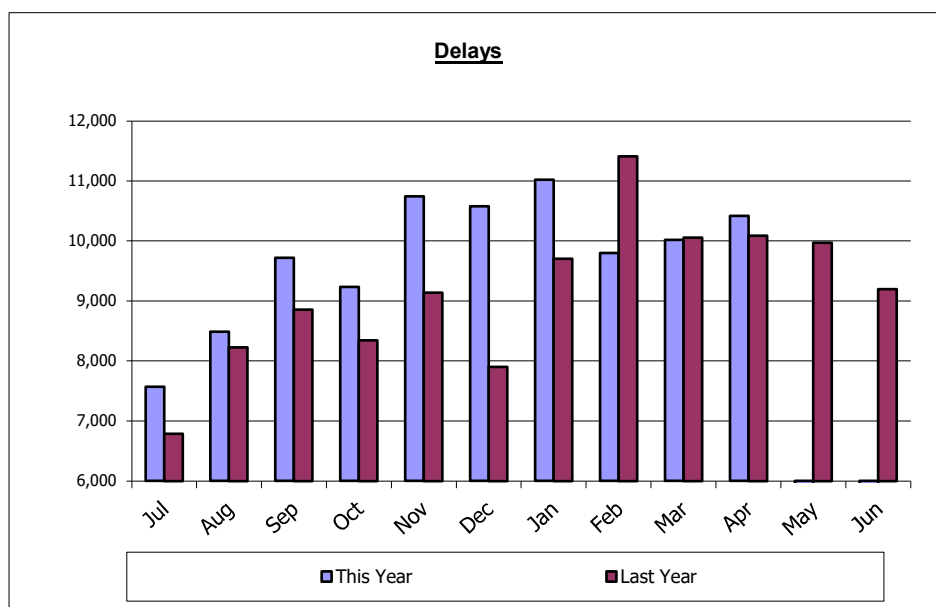
					12 Month
Month	YTD FY2021	YTD FY2020	YTD FY2019	YTD FY2018	Moving Avg.
Jul	61,198	67,634	69,055	76,674	93,809
Aug	63,891	79,350	67,612	70,263	90,718
Sept	68,109	84,111	68,823	78,151	89,016
Oct	73,320	89,410	69,913	83,213	87,817
Nov	71,498	88,101	68,356	80,523	85,702
Dec	69,664	84,773	65,796	79,711	84,451
Jan	73,392	84,273	66,025	75,139	86,531
Feb	73,030	85,233	66,391	75,324	84,529
Mar	76,790	87,973	68,141	75,376	84,772
Apr	-	92,007	70,447	75,968	-
May	-	93,119	71,986	75,787	-
Jun	-	94,969	72,930	74,776	-



Garage Performance Parameters

April 2021

Location	Miles Between In-Service Delays			
	FY2021 Goal	This Month	FY2021 YTD	FY2020 YTD
Fairview	5,500	6,468	4,482	3,434
Greenville	7,000	6,676	5,430	4,455
Market Street	8,000	7,102	5,840	6,497
Meadowlands	9,500	5,400	5,492	5,094
Oradell	10,000	8,183	8,302	6,574
Wayne	16,000	15,725	18,535	14,595
Northern Division	-	7,984	7,425	6,428
Big Tree	8,800	6,893	5,240	5,274
Hilton	10,200	10,365	7,844	7,258
Howell	16,750	37,024	30,524	31,025
Ironbound	9,600	12,249	9,395	7,241
Orange	9,250	5,205	4,994	5,341
Morris	10,500	51,658	21,767	26,585
Central Division	-	11,170	9,261	8,689
Egg Harbor	15,500	14,139	15,863	18,705
Hamilton	13,000	9,350	11,308	11,248
Newton Avenue	12,000	16,220	17,279	13,427
Washington Twp.	14,500	20,438	19,958	21,565
Southern Division	-	15,072	16,431	16,874
Bus Operations	-	10,419	9,602	8,790

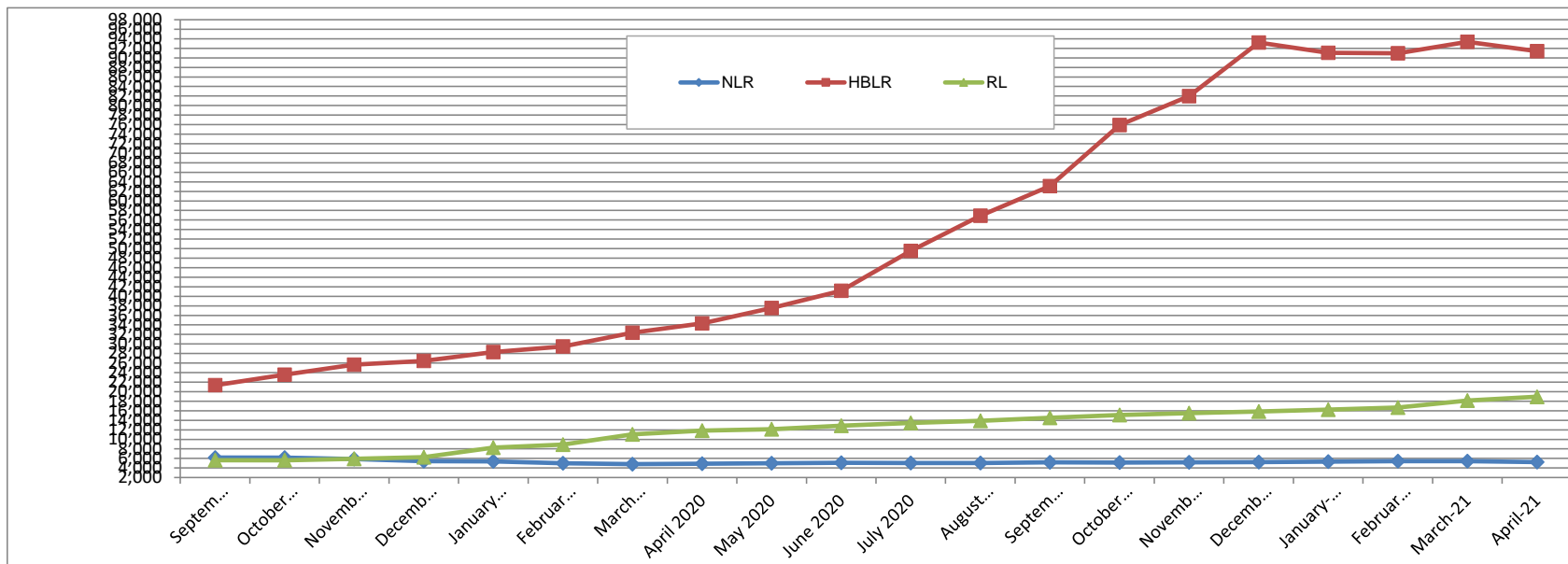


NJ TRANSIT - LIGHT RAIL, April 2021

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF * April 2021	MDBSF * March 2021
Newark Light Rail	5,252	5,445
Hudson Bergen	91,397	93,358
River LINE	18,941	18,161

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



DBE/SBE PROGRAM

NJ TRANSIT - DBE/SBE Participation for April 2021**State Funded Contracts****State Fiscal Year 2021 - July 1, 2020 through June 30, 2021**

During the month of **April 2021** NJ TRANSIT awarded **\$67,965,847.78** in state funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$1,555,465.00** or **2.29%**.

State Fiscal Year 2021 YTD (July 1, 2020 through April 30, 2021) NJ TRANSIT awarded **\$320,513,604.64** in state funded contracts. Of that total, SBEs received **\$44,660,735.34** or **13.93%**.

Note: The above reflects the Procurement Report of Awards received May 5, 2021.

SBE Goal Attainment from July 1, 2020 through June 30, 2021 (SFY 2021)

Category 1 SBEs	\$1,735,994.76	0.54%
Category 2 SBEs	\$5,938,366.71	1.85%
Category 3 SBEs	\$8,294,649.05	2.59%
Category 4 SBEs	\$325,843.00	0.10%
Category 5 SBEs	\$19,164,152.27	5.98%
Category 6 SBEs	\$9,201,729.55	2.87%

FTA Funded Contracts (Updated Quarterly – next update will occur July 2021)**Federal Fiscal Year (FFY) 2021 - October 1, 2020 through September 30, 2021**

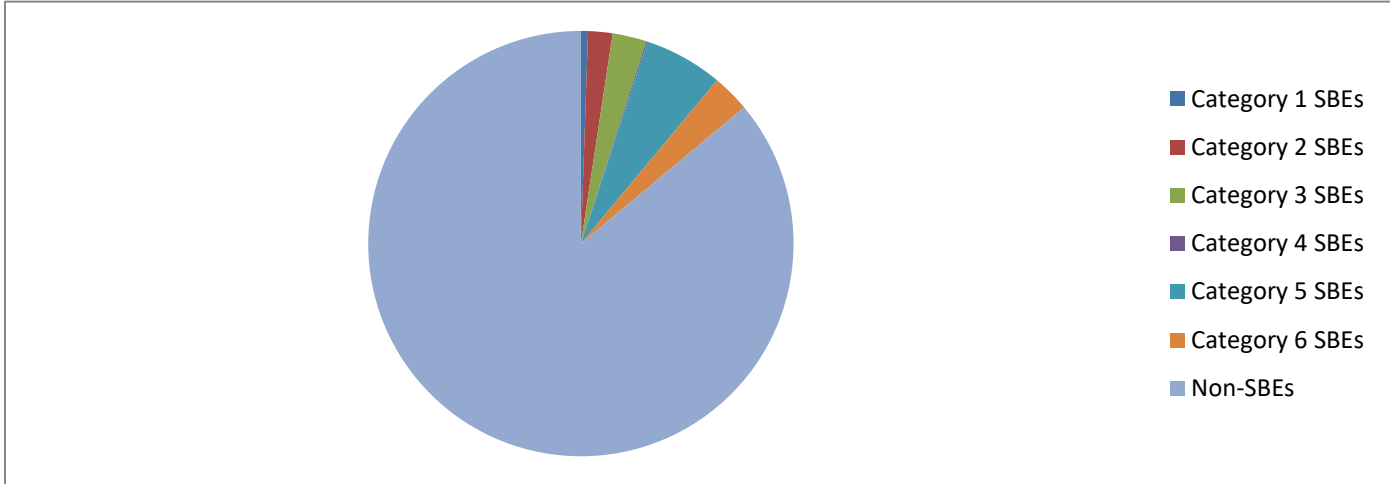
During the **2nd Quarter** (January 1, 2021 – March 31, 2021) the FTA funded share of NJ TRANSIT's federal contracts awarded was **\$9,027,695.00**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$975,000.00** or **10.80%**.

FFY 2020 through FFY 2021 Q2 (October 1, 2019 – March 31, 2021) NJ TRANSIT awarded **\$378,936,172.10**** in federally funded contracts. Of that total, DBEs received **\$31,489,220.22** or **8.310%**.

**Numbers reflect federal share*

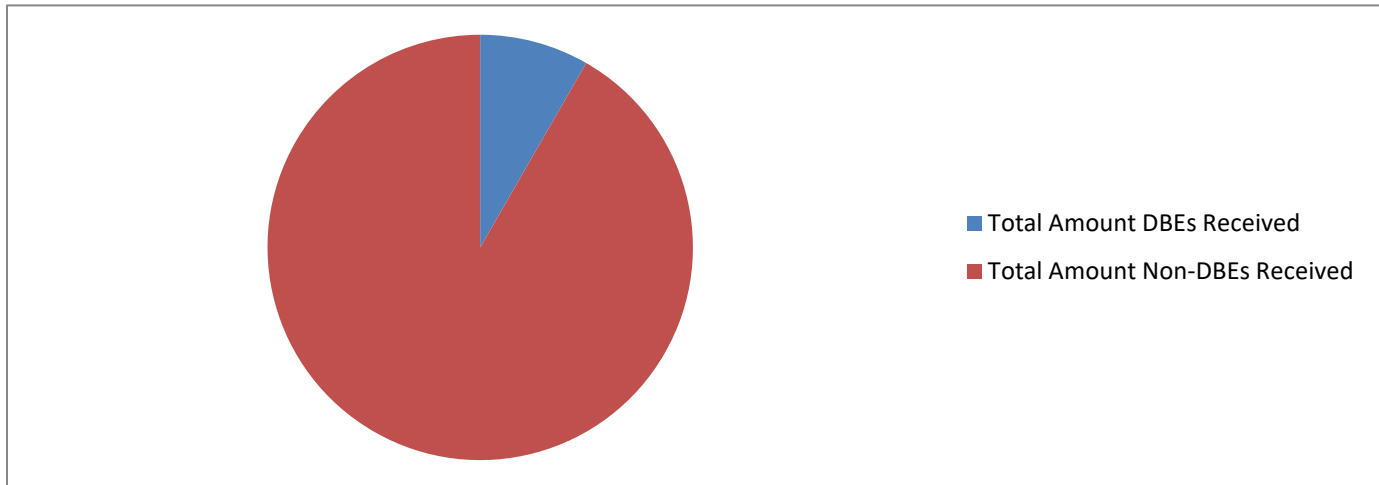
*** Number includes subrecipient awards*

<i>Category 1 SBEs</i>	\$1,735,994.76	0.54%
<i>Category 2 SBEs</i>	\$5,938,366.71	1.85%
<i>Category 3 SBEs</i>	\$8,294,649.05	2.59%
<i>Category 4 SBEs</i>	\$325,843.00	0.10%
<i>Category 5 SBEs</i>	\$19,164,152.27	5.98%
<i>Category 6 SBEs</i>	\$9,201,729.55	2.87%
<i>Non-SBEs</i>	\$275,852,869.30	86.07%



DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FY 2020-2022

Total Amount DBEs Received	\$31,489,220.22	8.310%
Total Amount Non-DBEs Received	\$347,446,951.88	91.69%



EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

The following NJ TRANSIT employees retired recently:

1. Darrin Barron, Sr. Quality Control Specialist -- MMC -- 35 years
2. Joe Chester, Locomotive Engineer -- Various -- 48 years
3. Andrew Cioffi, Conductor -- Various -- 10 years
4. David Fryer, Asst. Conductor -- Various -- 22 years
5. Harry Hammel, Asst. Conductor -- Various -- 18 years
6. Jeanie Jackson, Conductor -- Various -- 34 years
7. William Kilpatrick, Electrician -- Morrisville -- 13 years
8. Steve Mikola, Conductor -- Various -- 33 years
9. William Muscianisi, Tech -- MMC -- 28 years
10. Richard Rubel, Manager Stations -- Secaucus --- 3 years
11. Albert Stewart, Jr., Lead Maintainer -- Red Bank -- 34 years

ACTION ITEMS

ITEM 2105-23: **PERTH AMBOY STATION ACCESSIBILITY IMPROVEMENTS PROJECT –
CONSTRUCTION MANAGEMENT SERVICES CONTRACT AWARD**

Perth Amboy Accessibility Improvements will include two new high-level platforms with four elevators and upgraded restrooms.

- Seeking authorization to enter into NJ TRANSIT Contract No. 20-044 with **KS Engineers PC** of Newark, New Jersey, for Construction Management Services of the Perth Amboy Accessibility Improvement project in the amount of **\$4,233,966.21**, plus five percent for contingencies, subject to the availability of funds.



ITEM 2105-23: PERTH AMBOY STATION ACCESSIBILITY IMPROVEMENTS PROJECT – CONSTRUCTION MANAGEMENT SERVICES CONTRACT AWARD

Authorization of this contract will allow for the construction management services.

- Perth Amboy Station currently serves an average of approximately 874 weekday passenger trips.
- This project was identified as a capital need in *NJ TRANSIT A 5-Year Capital Plan: An Unconstrained Vision for NJ TRANSIT* (as approved by the NJ TRANSIT Board of Directors in October 2020).



ITEM 2105-23: PERTH AMBOY RAILROAD STATION ACCESSIBILITY IMPROVEMENTS PROJECT – CONSTRUCTION MANAGEMENT SERVICES CONTRACT AWARD

WHEREAS, the Perth Amboy Train Station is a historic commuter rail station on the North Jersey Coast Line in the City of Perth Amboy, Middlesex County, in the state of New Jersey; and

WHEREAS, the existing historic station, constructed in 1927, is an outstanding example of Renaissance Revival style architecture; and

WHEREAS, the station is listed on the State National Registers of Historic Places; and

WHEREAS, the station will be fully accessible consisting of two high-level platforms, new stairs, four elevators, lighting, canopies, communications and Closed-Circuit TV (CCTV); and

WHEREAS, this project was identified as a capital need in the *NJ TRANSIT A 5-Year Capital Plan: An Unconstrained Vision for NJ TRANSIT*, as approved by the NJ TRANSIT Board of Directors in October 2020; and

WHEREAS, on July 8, 2020, a Request for Proposals (RFP) was advertised on NJ TRANSIT's website, *The Star-Ledger*, and *The Times of Trenton*; and

WHEREAS, a Pre-Bid Conference was held on Monday, July 21, 2020; and

WHEREAS, Technical Proposals were received on October 15, 2020 from 13 firms; and

WHEREAS, KS Engineers PC was identified as the highest and best qualified firm to provide Construction Management Services for the project; and

WHEREAS, The NJ TRANSIT Office of Business Development (OBD) assigned a 21% Race Conscious Disadvantaged Business Enterprise (DBE) goal for the project; and

WHEREAS, OBD reviewed and approved the 21% DBE utilization commitment identified by KS Engineers, P.C.; and

WHEREAS, the Federal Transit Administration and Transportation Trust Fund are the anticipated sources of funding for this project;

BE IT THEREFORE RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 20-044 with KS Engineers PC of Newark, New Jersey, to provide construction management services for the Perth Amboy Accessibility Improvements Project in the amount not to exceed \$4,233,966.21, plus five percent for contingencies, subject to the availability of funds.



New Jersey Transit Police Department

Axon Body Worn Camera
Service Continuation
Presentation



Background

In 2016, The New Jersey Transit Police Department implemented the usage of Body Worn Cameras department wide in an effort to boost data and record collection, enhance transparency, and strengthen community-law enforcement relationships.



Legal requirements

In 2020, Governor Murphy and the New Jersey State Legislature enacted Bill 1163 requiring that “every uniformed state, county, and municipal patrol law enforcement officer shall wear a body worn camera that electronically records audio and video while acting in the performance of their official duties”



FISCAL IMPACTS

Requested Authorization : \$ 1,756,050.01

Past Authorizations:

<i>Original Purchase</i>	<i>July 2016</i>	<i>\$ 1,677,773.34</i>
<i>Add-On 1</i>	<i>July 2017</i>	<i>\$ 186,310.67</i>
<i>Add-On 2</i>	<i>April 2018</i>	<i>\$ 123,885</i>
<i>Add-On 3</i>	<i>June 2019</i>	<i>\$ 7,635</i>
<i>Add-On 4</i>	<i>July 2019</i>	<i>\$ 8,985</i>
<i>Total Previous Purchase</i>		<i>\$ 2,004,589.01</i>

Expenditures to Date: \$ 2,004,589.01

Total Project Cost: \$ 4,065,000

Projected Date of Completion: Continuation of services, immediate

Capital Program Amount: \$4,065,000

Operating Budget Amount: \$ 0

Anticipated Source of Funds: Capital Budget

PRINTS ID Number: NJT01158 (RKP1000)

DBE/SBE Goal: SBE 0% This is a COOP contract

Related/Future Authorizations: Additional funds allocated up to \$243,949.99 for additional hardware and licensing purchases for future hires

Impacts on Subsequent Operating Budgets: No impact until 2026 when contract must be renewed





- The contract for these services from a cooperative purchasing vendor, Axon Services, Inc. of Scottsdale, Arizona has been established using Capital funding through Sourcewell contract number 010720-AXN.
- The budget of \$1,756,050.01 for continuation of all services and warranties has been approved by NJTPD and NJT Procurement with DAG oversight.
- Continuation of services for body worn camera licensing and services contract will allow the Police Department continued use of cloud storage, hardware and software for video documentation and record/data collection.
- Storage of existing videos is required to comply with NJ AG guidelines and requirements for mandatory body worn camera usage, evidentiary and retention policies.
- The Department has considerable infrastructure in place which is not compatible with any other body worn camera system whether it be hardware or software.
- This licensing will provide the NJTPD with an additional 5 years of service, as well as periodic hardware/software upgrades and cloud storage.

ITEM 2105-24: AXON BODY WORN CAMERA CONTINUATION OF SERVICES

WHEREAS, NJ TRANSIT Police Department seeks the continuation of services and continuation of established body worn camera infrastructure; and

WHEREAS, these services have been reviewed and approved by NJ TRANSIT Procurement Department with oversight by the Office of the Attorney General; and

WHEREAS, these services have already been allotted funds in 2020 from the capital budget in the amount of \$2,000,000; and

WHEREAS, the vendor, Axon Enterprise, Inc. of Scottsdale, Arizona, has proprietary software that is the only system compatible with our current body worn camera infrastructure;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into a Cooperative Purchasing Program, NJ TRANSIT Contract No. 21-317, with Axon Enterprise, Inc. of Scottsdale, Arizona, for continuation of services in the amount not to exceed \$1,756,050.01.

ITEM 2105-25: PURCHASE OF BOTTLED SPRING WATER FOR VARIOUS RAIL OPERATIONS LOCATIONS

WHEREAS, NJ TRANSIT employs approximately 4,100 represented operational employees in the Transportation, Mechanical, and Engineering Departments of Rail Operations; and

WHEREAS, the collective bargaining agreements of the railroad unions and OSHA regulations stipulate ready access to potable water in the workplace; and

WHEREAS, The Office of Business Development assigned a 0% SBE goal to this project. OBD reviewed and approved the 100% SBE utilization commitment identified by Federal Equipment & Manufacturing Company; and

WHEREAS, following a competitive procurement process, Federal Equipment & Manufacturing Company of Lodi, New Jersey, was determined to be the responsive, responsible bidder with the lowest unit price providing the best overall value in the interest of NJ TRANSIT;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 20-320 with Federal Equipment & Manufacturing Company of Lodi, New Jersey, to supply bottled water at a unit cost of \$4.00 per case, not to exceed a total cost of \$1,604,820, plus ten percent, subject to the availability of funds.

ITEM 2105-26: ANNUAL NOTICE OF MEETINGS AND DESIGNATIONS

WHEREAS, the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., NJ TRANSIT Morris, Inc. have regular meetings of the Board of Directors; and

WHEREAS, pursuant to the Open Public Meetings Law, P.L. 1975, c.231, an annual notice of regular meetings of the Board of Directors must be disseminated; and

WHEREAS, Public Law 2018, chapter 162 requires the Board to hold a minimum of 10 public Board meetings per year and one-half of the total number of meetings shall be held in the evening; and

WHEREAS, the Annual Notice of Meetings must be prominently posted in one public place reserved for announcements of this type, transmitted to newspapers, filed with the Secretary of State, and transmitted to any person who requests notice of meetings; and

WHEREAS, Public Law 2018, chapter 162 requires the annual designation of a Vice Chairperson of the NJ TRANSIT Board of Directors and an annual designation of a Board Secretary by the NJ TRANSIT Board of Directors;

NOW, THEREFORE, BE IT RESOLVED that the Annual Notice of Meetings, Exhibit A, for all of the Board of Directors' meetings during Fiscal Year 2022 is adopted; and

BE IT FURTHER RESOLVED that the Annual Notice of Meetings shall be disseminated in accordance with the provisions of the Open Public Meetings Act, P.L. 1975, c.231 and Public Law 2018, chapter 162; and

BE IT FURTHER RESOLVED that Cedrick T. Fulton is designated as Vice Chairperson of the NJ TRANSIT Board of Directors and its subsidiaries; and

BE IT FURTHER RESOLVED that Joyce J. Zuczek is designated as Board Secretary of NJ TRANSIT and its subsidiaries.

EXHIBIT A

ANNUAL NOTICE OF MEETINGS: FISCAL YEAR 2022

**NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.**

In accordance with the "Open Public Meetings Act," P.L. 1975, c.231 and Public Law 2018, chapter 162 the above organizations will hold regular meetings, open to the public, on the second Wednesday of the month for the period July 1, 2021 through June 30, 2022, except as noted below. The Board shall hold a minimum of 10 public board meetings per year. One-half of the total number of meetings of the Board shall be held in the evening.

Unless otherwise indicated, meetings will be held at NJ TRANSIT's Corporate Headquarters in Newark, New Jersey. The meetings will convene in the Board Room at NJ TRANSIT's Headquarters, One Penn Plaza East, Ninth Floor, Newark, New Jersey.

The specific dates and times are as follows:

July 21, 2021 (3 rd Wednesday)	6:00 p.m. Evening
August 2021	NO MEETING
September 15, 2021 (3 rd Wednesday)	9:00 a.m.
October 20, 2021 (3 rd Wednesday)	6:00 p.m. Evening
November 10, 2021	9:00 a.m.
December 9, 2021 (2 nd Thursday)	9:00 a.m.
January 2022	NO MEETING
February 9, 2022	6:00 p.m. Evening
March 14, 2022 (2 nd Monday)	6:00 p.m. Evening
April 13, 2022	9:00 a.m.
May 11, 2022	6:00 p.m. Evening
June 8, 2022	9:00 a.m.

**ITEM 2105-27: NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT:
PARCEL PAE 210 NORFOLK SOUTHERN RAILWAY
CORPORATION**

WHEREAS, NJ TRANSIT is an instrumentality of the State of New Jersey and is authorized to operate rail passenger service in New Jersey and between points in New Jersey and points in other states pursuant to the New Jersey Public Transportation Act of 1979, as amended; and

WHEREAS, Portal Bridge is an existing two-track, railroad swing bridge that spans the Hackensack River in New Jersey between the Towns of Kearny and Secaucus in Hudson County, New Jersey; and

WHEREAS, Portal Bridge is a critical infrastructure for Amtrak and NJ TRANSIT, enabling movement between destinations east and west of the Hudson River; and

WHEREAS, the existing Portal Bridge, due to its age, design and current condition, represents a single point of failure on the Northeast Corridor (“NEC”) which is particularly critical to commuter rail transit between New Jersey and New York City for which NJ TRANSIT is responsible; and

WHEREAS, the replacement of the existing Portal Bridge by a new Portal Bridge (the “Project”), which will be constructed at a higher elevation above the Hackensack River, will eliminate the need for a moveable span that interrupts rail operations and results in delays due to mechanical failures and will allow for a 10 percent increase in peak hour passenger capacity; and

WHEREAS, when constructed, there will be a new, two-track fixed structure that will eliminate the need for the moveable span, which currently interrupts rail operations and results in delays due to mechanical failures which are further exacerbated by the existing structure’s age; and

WHEREAS, NJ TRANSIT has received past board authorization for NJ TRANSIT to offer and make compensatory payments to property owners that hold title to property from which rights are needed for the Project by conducting bona fide negotiations as required by the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et. seq. before commencing condemnation proceedings where necessary; and

WHEREAS, Parcel PAE 210 is a private property owned by Norfolk Southern Railway Corporation, located in the Town of Secaucus and the City of Jersey City, New Jersey, and is a proposed acquisition of a Permanent Construction Access Easement needed for the Project and in particular for future reconstruction, repair, maintenance and emergency of the Portal North Bridge and the NEC; and

WHEREAS NJ TRANSIT has received a temporary license from Norfolk Southern to allow for access during construction of the Project but does not have permanent rights beyond June 2028, and acquisition of a perpetual right of access from the public streets in Jersey City will ensure NJ TRANSIT's long term access east of the Hackensack River to this area of the NEC; and

WHEREAS, NJ TRANSIT has received a full funding Grant Agreement from the Federal Transit Administration in the amount of \$766.5 million and will be a primary source of funding for the Portal North Bridge Project and has available state funding for acquisition;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to take any and all actions to acquire Parcel PAE 210 in accordance with the Eminent Domain Law of 1971, not to exceed payment in an amount as discussed in Executive Session, subject to the availability of funds and Federal Transit Administration concurrence; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is further authorized to cause filing complaint in condemnation and the filing and recording of a declaration of taking and take any and all actions related to exercise NJ TRANSIT's power of eminent domain, where necessary, to acquire Parcel PAE 210 for the Portal North Bridge Project and deposit the estimated just compensation with the Clerk of the Superior Court, so long as NJ TRANSIT attempts to acquire these parcels from the property owners through bona fide negotiations as required by the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et. seq. before commencing condemnation proceedings.

ITEM 2105-28: TEMPORARY RETAIL LEASE MODIFICATION

WHEREAS, the COVID-19 pandemic has resulted in dramatic ridership reductions throughout NJ TRANSIT's rail system. As a result, NJ TRANSIT's retail tenants (the "Retail Tenants") have been severely impacted, as their businesses are dependent on rail passenger traffic to generate sales; and

WHEREAS, at the start of the pandemic in 2020, NJ TRANSIT, at the request of the Retail Tenants, tried to provide temporary rent relief in the form of rent deferment for a four-month period (the "Rent Deferment Period"). In accordance with this temporary relief, the Retail Tenants were required to begin paying back the rent deferred, starting in January 2021 (in equal installments for six months); and

WHEREAS, despite this rent deferment relief, the Retail Tenants' sales continued to suffer, as rail ridership levels failed to increase significantly. As a result, most of the Retail Tenants were forced to close their businesses. Some of them remain closed to this day; however, those who have resumed operations are not generating sufficient revenue to sustain their operations; and

WHEREAS, the Retail Tenants have been unable to begin paying back the rent deferred, as they were required to do. In addition, they have not been able to pay their rent for the months subsequent to the Rent Deferment Period. Instead, the Retail Tenants have requested further financial relief; and

WHEREAS, in an effort to provide financial assistance in support of the continued relationship with the Retail Tenants during these difficult times, NJ TRANSIT recommends providing further temporary financial relief, through a lease modification, based on the criteria and terms discussed in Executive Session; and

WHEREAS, NJ TRANSIT recommends a temporary modification to the leases of these eligible Retail Tenants, in accordance with the terms discussed in Executive Session; and

WHEREAS, if the temporary modification recommended above is approved, NJ TRANSIT's total revenue related to the eligible Retail Tenants would be reduced by an amount discussed in Executive Session;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to take any and all actions to implement a temporary lease modification plan in accordance with the terms as discussed in Executive Session.

ITEM 2105-30: PERSONAL INJURY CLAIM OF DEEPTI CHANANA BHALLA

WHEREAS, Article VI, Section II of the By-Laws requires Board Authorization for settlement of claims in excess of \$500,000; and

WHEREAS, Deepti Chanana Bhalla has presented a claim with a probable settlement cost greater than \$500,000; and

WHEREAS, staff has reviewed the claim and recommends settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to settle the claim of Deepti Chanana Bhalla through her attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

ITEM 2105-31: PERSONAL INJURY CLAIM OF BAGYALAKSHMI SUBRAMANIAN

WHEREAS, Article VI, Section II of the By-Laws requires Board Authorization for settlement of claims in excess of \$500,000; and

WHEREAS, Bagyalakshmi Subramanian has presented a claim with a probable settlement cost greater than \$500,000; and

WHEREAS, staff has reviewed the claim and recommends settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to settle the claim of Bagyalakshmi Subramanian through her attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

ITEM 2105-32: PERSONAL INJURY CLAIM OF SHELDON KEST

WHEREAS, Article VI, Section II of the By-Laws requires Board Authorization for settlement of claims in excess of \$500,000; and

WHEREAS, Sheldon Kest has presented a claim with a probable settlement cost greater than \$500,000; and

WHEREAS, staff has reviewed the claim and recommends settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to settle the claim of Sheldon Kest through his attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

ITEM 2105-33: PERSONAL INJURY CLAIM OF ELENA KINDLER

WHEREAS, Article VI, Section II of the By-Laws requires Board Authorization for settlement of claims in excess of \$500,000; and

WHEREAS, Elena Kindler has presented a claim with a probable settlement cost greater than \$500,000; and

WHEREAS, staff has reviewed the claim and recommends settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to settle the claim of Elena Kindler through her attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

ITEM 2105-34 NEWARK PENN STATION OLD BOILER HOUSE DEMOLITION

The Old Boiler House (OBH) Construction Contract will include demolition of the Stack and selective demolition of the north, south, and west walls of the OBH. Several historic features will also be salvaged for future use. The structural steel framing and the east wall is to be left in place. The existing boilers and hazardous material will be removed, and the below-grade pit will be cleaned of all debris.

- Seeking authorization to enter into NJ TRANSIT Contract No. 21-047X with Two Brothers Contracting, Inc., of Totowa, New Jersey, for the demolition of the Newark Penn Station Old Boiler House in the amount not to exceed **\$687,349**, plus ten percent for contingencies, subject to the availability of funds.

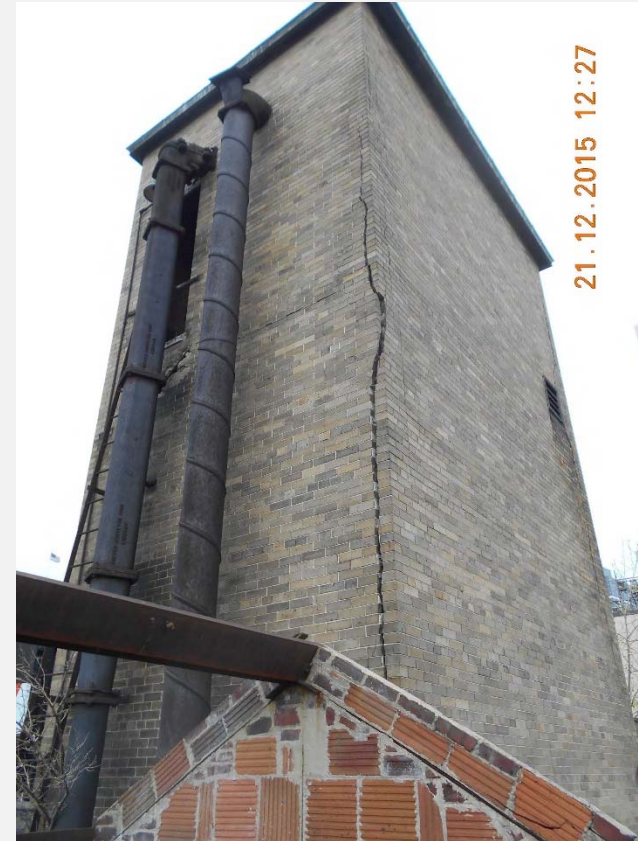


ITEM 2105-34 NEWARK PENN STATION OLD BOILER HOUSE DEMOLITION



- Constructed in 1934, the Old Boiler House is located in the City of Newark, Essex County, NJ and adjacent to Newark Penn Station on Edison Place.

ITEM 2105-34 NEWARK PENN STATION OLD BOILER HOUSE DEMOLITION



- Due to the advanced deterioration of the brick masonry components, and the proximity of the Old Boiler House to the surrounding community, steps have been taken by NJ TRANSIT to mitigate the risk to public safety.

ITEM 2105-34 NEWARK PENN STATION OLD BOILER HOUSE DEMOLITION

- **January 2021** - Building structural inspection performed; Hazmat material inspection performed.
- **February 2021** – Both Inspection reports received.
 - Immediate action recommended to mitigate potential structural failure risks to public safety.
- **February 2021** - Emergency installation of temporary concrete barriers with fencing, signage and traffic control measures completed.



- **March 2021** – New Jersey Department of Community Affairs Notice of Unsafe Structure issued with an order to demolish the structure or correct unsafe conditions by no later than October 2021.

ITEM 2105-34 NEWARK PENN STATION OLD BOILER HOUSE DEMOLITION

- **March 2021** – Discussions initiated with FTA regarding Section 106 requirements.
- **April 2021** - Section 106 process completed.
- **April 2021** - Construction Bid Package forwarded to four (4) Qualified Construction Demolition Contracting Firms.



ITEM 2105-34 NEWARK PENN STATION OLD BOILER HOUSE DEMOLITION

Summary - Goal: To address various structural, historic, and hazmat issues at the OBH at Newark Penn Station.

Summary - The Ask: Authorization for an amount not to exceed **\$687,349**, plus ten percent for contingencies, subject to the availability of funds.



**ITEM 2105-34: OLD BOILER HOUSE DEMOLITION: CONSTRUCTION
PROCUREMENT AUTHORIZATION AWARD**

WHEREAS, NJ TRANSIT's Old Boiler House Demolition Project is to eliminate the existing public safety and structural capacity concerns related to the Old Boiler House in the City of Newark, Essex County, New Jersey; and

WHEREAS, the Old Boiler House is located at Newark Penn Station along Edison Place and is adjacent to the Edison Park & Ride; and

WHEREAS, severe deterioration visibly observed in the Old Boiler House façade has raised concerns for both the safety of pedestrians walking near the building and the vehicular traffic; and

WHEREAS, because of the critical and hazardous condition of the building, NJ TRANSIT has received a Notice of Unsafe Structure by the New Jersey Department of Community Affairs; and

WHEREAS, it was determined that, as NJ TRANSIT had recently evaluated the potential rehabilitation and reuse of the Old Boiler House as part of a federally funded project, any action likely to result in an adverse effect to the Old Boiler House required review under the National Historic Preservation Act; and

WHEREAS, the demolition of the Old Boiler House will provide a safer area for both pedestrian thoroughfare and vehicular traffic along Edison Place and Platform E (Track 5) of Newark Penn Station; and

WHEREAS, NJ TRANSIT staff sought to utilize an alternative procurement method where quotes were solicited from a limited number of qualified contractors who have demonstrated technical capacity and knowledge of the Newark Penn Station environment, including the adjacent Edison Place roadway and sidewalk, and abutting railroad corridor; and

WHEREAS, according to NJ TRANSIT By-laws Article VI, Section 3.a.3, Contracting Powers, "For any amount, if the Executive Director determines that an emergency exists which will seriously interrupt public transportation service or create a serious risk to health or safety or cause NJ TRANSIT or the State to lose a significant amount of money or significantly jeopardize the assets of NJ TRANSIT and actions need to be taken in advance of the next Board meeting; providing, however, that when the expenditure exceeds \$500,000 the President & CEO may act only after consulting with the Chair or in her absence, the Vice Chairperson; and

WHEREAS, this action is made pursuant to Executive Order No. 37 and pursuant to N.J.S.A. 27:25-11(g)(3)(c), N.J.S.A. 52:34-10(b), N.J.A.C. 16:72-1.5(e)(7); and

WHEREAS, a Request for Quotation was solicited via email to four qualified contractors on April 16, 2021; and

WHEREAS, a field site visit was held on April 27, 2021; and

WHEREAS, quotes were received electronically from four contractors and opened on April 30, 2021 at NJ TRANSIT Headquarters in Newark; and

WHEREAS, a zero percent Small Business Enterprise (SBE) goal was established for the Old Boiler House Demolition – Construction Contract 21-047X; and

WHEREAS, upon completion of a competitive procurement process, Two Brothers Contracting, Inc. of Totowa, New Jersey, was determined to be the lowest responsive and responsible bidder; and

WHEREAS, Two Brothers Contracting, Inc. is a certified SBE firm; and

WHEREAS, Transportation Trust Fund is the anticipated sources of funding for this project;

NOW, THEREFORE, BE IT RESOLVED, that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 21-047X with Two Brothers Contracting, Inc., to provide construction services for the demolition of the boiler house at Penn Station Newark in the amount of \$687,349.00, plus ten percent for contingencies, subject to the availability of funds.

EXECUTIVE SESSION AUTHORIZATION

BE IT HEREBY RESOLVED pursuant to N.J.S.A. 10:4-12 and N.J.S.A. 10:4-13 that the Board of Directors of the New Jersey Transit Corporation hold an executive session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to the NJ TRANSIT Second Advertising Contract Modification, the Parking Operators COVID Relief, the Garden State Outdoor LLC Settlement Agreement, the Corporate Insurance Program Annual Renewal, the Personal Injury Claim of Bambie J. Banks, the Personal Injury Claim of Franklin Guevara-Rodriguez, and the Personal Injury Claim of Michelle Hill; and

BE IT FURTHER RESOLVED that it is expected that discussions undertaken at this executive session could be made public at the conclusion of these matters as appropriate.