

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

NJ TRANSIT
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December 16, 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 Thursday, December 9, 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 Thursday, December 9, 2021. The meetings occurred concurrently.

Board Members

Diane Gutierrez-Scaccetti, Chair
Cedrick T. Fulton, Vice Chair
Noreen M. Giblin, Governor's Representative
Andrea Spalla, Treasurer's Representative
James D. Adams, Board Member
Sangeeta P. Doshi, Board Member
Bob Gordon, Board Member
Richard A. Maroko, Board Member – ABSENT
Shanti Narra, Board Member

Staff

Kevin S. Corbett, President & Chief Executive Officer (CEO)
Brian T. Wilton, General Counsel
Joyce J. Zuczek, Board Secretary
James A. Sincaglia, Acting Senior Vice President & General Manager, Rail Operations
Michael P. Kilcoyne, Senior Vice President, Surface Transit & General Manager, Bus Operations
Jeannie Kwon, Senior Vice President & Chief Administrative Officer
Eric R. Daleo, Senior Vice President, Capital Programs
Joseph E. Snow, Assistant Attorney General, Office of the Attorney General

Chair Gutierrez-Scaccetti convened the Open Session at 9:04 a.m. in accordance with the Open Public Meetings Act. Board Secretary Zuczek conducted a roll call and noted Board Member Spalla would join shortly and Board Member Maroko was absent.

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 December 3, 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 November 10, 2021 Board meetings. Board Member Shanti Narra made the motion, Board Member James D. Adams seconded the motion, and it was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes	Yes

President & CEO’s Monthly Report

President & CEO Corbett began with some very sad news. Last month, they tragically lost another member of NJ TRANSIT’s family to COVID-19-related complications. Bessie Lynn Mays was a Bus Operator in our Egg Harbor Township Garage. She served NJ TRANSIT and their customers for 16 years, regularly working the 553 Upper Deerfield to Atlantic City route. She was beloved by her coworkers and was, by all measures, an exceptional employee, with an exemplary driving record and no absences unrelated to COVID over the past two years.

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

President & CEO Corbett said they have also seen an increase this month in the number of currently positive COVID cases among employees. Out of approximately 12,000 employees, 85 were currently positive, up from 32 at the last Board meeting.

As riders come back to transit, they will need to remain masked up on vehicles and within indoor stations and waiting rooms through at least March 18th, 2022, as the Transportation Security Administration (TSA) recently extended its mask mandate through that date. As a reminder, this directive was federally mandated across all public transportation networks throughout the United States, including at airports and onboard commercial aircraft.

To help our customers remain aligned with this directive, NJ TRANSIT has to date distributed more than 145,000 free masks. New Jersey Transit Police Department also remains out in force throughout the system, continuing to conduct their mask compliance details, and providing masks to anyone who needs one.

In terms of ridership, as predicted, they continue to see steady gains as the economy gets back on track. Weekday rail ridership has increased from approximately 50 percent of pre-COVID levels to approximately 55 percent over the past couple of weeks. Average

rail ridership on weekends remained at about 80 percent of pre-COVID levels, while at or approaching 100 percent on some trains.

Intrastate Bus service on weekdays this month has increased from approximately 65 percent of pre-pandemic levels to approximately 70 percent overall, with North Jersey intrastate levels exceeding 75 percent. On weekends, systemwide bus ridership has increased to approximately 80 percent. Interstate bus ridership into New York was approaching 65 percent of pre-COVID levels, up from 60 percent.

Light Rail ridership was also up, from approximately 60 percent of pre-COVID levels to approximately 70 percent this month.

President & CEO Corbett said once again they had a busy agenda, with three significant items up for Board consideration that he wanted to highlight. These items were aligned with the goals in their 10-Year Strategic Plan, NJT2030, including delivering a high-quality customer experience, powering a stronger and fairer economy, and building an accountable, innovative, and inclusive organization.

Later that morning, the Board would consider a significant investment in their fleet, through locomotive engine upgrades and the purchase of 258 new Access Link vehicles. And the Board would consider a significant resiliency upgrade to seven key transit facilities throughout the system.

With increasing ridership, NJ TRANSIT was also better aligning and boosting service to meet current and future demand. For example, now that they have a full roster of locomotive engineers, they were able to better support events like the iconic Army-Navy game, coming up in two days at MetLife Stadium.

On Saturday, December 11, 2021, NJ TRANSIT would provide special rail service to and from the game. They also launched a dedicated web page for the game, available at njtransit.com/armynavy, that provided all the information needed, including rail schedules and ticket purchase information.

In addition to better supporting special events, a full roster of locomotive engineers improves reliability, and allows NJ TRANSIT to strategically add regular scheduled service, as well. As a reminder, new rail schedules went into effect on November 14, 2021, following their last Board meeting, adding 36 trains to the schedule, including 22 new weekday trains, and 14 new trains to the Main/Bergen County Line weekend schedule.

They will also be adjusting service for Christmas and New Year's, including adjustments to better align service for holiday ridership, which they expect to potentially return to pre-COVID demand, as well as for early getaways. President & CEO Corbett said to keep an eye out for this schedule information, which will be released in the next week or so.

In conjunction with holiday schedule adjustments, on November 30, 2021, NJ TRANSIT introduced a new Holiday Campaign, through which they offer several promotional discounts running through the rest of the year to boost ridership. Customers can save on holiday travel by using various promotional codes in the NJ TRANSIT mobile app, including: an invitation for new customers to “Try NJT” to take a free ride; “Buy One, Get One” deals; and discounts to Newark Liberty International Airport and MetLife Stadium for Giants and Jets games.

They also extended the family SuperSaver fare from December 17, 2021 through January 3, 2022, which allows up to two children 11 and younger to travel free with each fare-paying adult. For more information on these promotional deals, please visit njtransit.com/holiday.

Moving on to “infrastructure,” last month President Biden signed the bipartisan Infrastructure deal, which is great news for their Capital Program and customers. This was the kind of investment that begins to wean them off the years of the “Transit Hunger Games,” where agencies routinely competed against each other for limited available funding that did not provide enough to maintain a state-of-good-repair, no less the ability for system and service expansion.

Although they were incredibly grateful for the passage of this landmark legislation, it was important to note that this funding will not be distributed to NJ TRANSIT in a lump sum. Rather, it will augment the federal funding they traditionally receive over a five-year period.

With the passage of this bill, they expect to receive an increase of approximately \$110 million dollars more, each year, than they receive from the traditional federal funding they receive annually, or approximately \$550 million dollars over five years. The FRA and FTA will also be dispersing billions of additional dollars in discretionary competitive grants through this legislation, and NJ TRANSIT will be aggressively pursuing all of the grant opportunities for which they are eligible.

In addition, they were carefully reviewing the legislation to determine which of NJ TRANSIT’s projects specifically can benefit from this significant federal investment. But to be sure, this bill will significantly benefit the Northeast Corridor, through potential funding for the Hudson Tunnel Project and other critical initiatives, which was particularly gratifying to President & CEO Corbett as Co-Chair of the Northeast Corridor Commission.

To celebrate the bill’s passage, Commissioner Gutierrez-Scaccetti and President & CEO Corbett spoke at a press conference hosted by Senators Menendez and Booker at their Bloomfield train station on November 15, 2021. Also, later that morning President & CEO Corbett will testify before the U.S. House of Representatives’ Transportation & Infrastructure Subcommittee on Railroads, Pipelines and Hazardous Materials to discuss the far-reaching significance of the bill, especially as it relates to the critical infrastructure along the NEC between Washington D.C. and Boston.

Speaking of the Northeast Corridor, another significant infrastructure development occurred on December 1, 2021, when the Army Corps of Engineers issued a permit to allow construction of a new Hudson Tunnel and associated tracks. The permit allows construction of two new tunnels, along with the rehabilitation of the existing tunnels, to start once funding is secured, which could be in place by the end of next year, with construction possibly starting by the summer of 2023.

As a reminder, this year in August, NJ TRANSIT, along with their project partners at Amtrak, the Port Authority, and the Gateway Development Commission, successfully submitted to the FTA the new financial plan for this project, and they were optimistic about the outcome of their submission. NJ TRANSIT and Amtrak were also co-applicants for the Army Corps of Engineers permit, which was the last major federal approval needed before construction can begin.

With the infrastructure bill signed into law, and as they advance major projects into construction, it was critical that they have a strong leadership team in place capable of meeting the demands of the Capital Programs. Toward that end, President & CEO Corbett was pleased to welcome to the NJ TRANSIT team Frank Corso, Jr. as their new Chief of Construction Management, and Chrissa Roessner as their new Deputy Chief of Construction Management. Frank and Chrissa will be working in their Capital Programs organization under Senior Vice President of Capital Programs, Eric Daleo.

Frank comes from the New Jersey Turnpike Authority, where he last served as Senior Supervising Engineer, responsible for the management of multiple major capital improvement programs, including new bridge construction, major interchange improvements, and security work. Chrissa will serve as Frank's Deputy, joining NJ TRANSIT from NJDOT, where she most recently served as Senior Executive Service, Executive Manager, and Regional Construction Engineer. President & CEO Corbett asked everyone to join him in welcoming Frank and Chrissa to their team.

To wrap up, President & CEO Corbett briefly discussed a few ways NJ TRANSIT was working to improve, diversify, and give back to the communities they serve. First, as part of their commitment to diversity and to growing the ranks of women in the transportation industry, last month he had the honor of speaking at an event celebrating the first anniversary of the WTS New Jersey chapter.

WTS is an organization dedicated to enhancing the professional and personal advancement of women in the transportation industry. WTS New Jersey was formed last year with one of the most diverse chapter leaderships in the nation, including their very own Jeannie Kwon, who serves as WTS New Jersey's Vice President.

Commissioner Gutierrez-Scaccetti was there, being honored as WTS New Jersey's "Woman of the Year." As President & CEO Corbett said at the event, there was certainly no one more deserving of that honor than Diane, and both Diane and Jeannie are great role models for women looking to join this industry, at what he considers to be a very exciting time.

Finally, NJ TRANSIT offered very special experiences for some very special, less fortunate children this past weekend. On December 3, 2021, they were visited by none other than St. Nick himself, who boarded a NJ TRANSIT train on their Montclair-Boonton Line for the annual Railmen for Children Santa Train.

More than 200 children were invited to ride with Santa on an exciting journey, complete with presents, treats, decorations and lots of holiday cheer. One day later on Saturday, December 4, 2021, NJ TRANSIT again hosted Santa on their River LINE. There, Santa delivered goodies to kids battling childhood illnesses on the transformed River LINE “Polar Express” ride for the Ronald McDonald House of Southern New Jersey.

Bringing joy to these kids, who face so many challenges in their lives, was truly a special aspect of the service they provide. President & CEO Corbett thinks it shows that NJ TRANSIT was not only committed to providing safe and essential transit service, they also strive to improve the lives of people in the communities they serve, in every way they can. These events also generate a tremendous amount of good will and enthusiasm, and help adults and children alike really get into the holiday spirit.

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 the 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.

Murray Bodin said the overlying issue in today’s world was global warming, it affects everything they do, and plans need to be made in the understanding that resources are limited and the way they did things in the past no longer work. He said in last month’s agenda there was a Board Item for new bus garages to be built which was a waste because NJ TRANSIT resources were scarce, and a full garage was not needed to house the buses. Mr. Bodin said it would be better to leave the buses outside with an overhead shed, rather than build a more expensive garage with walls to protect the buses from snow when parked, because the buses were out in the snow anyway.

Over the years, Mr. Bodin said he has discussed flashing traffic lights at railroad crossings which was how things were done in the past and needed to change now because it does not work anymore. He said it was NJ TRANSIT’s responsibility to understand change was now and there was no more waiting. He said NJ TRANSIT was going to build a Gateway Tunnel, and he was one of the ones that recommended NJ TRANSIT for a transportation award for the ARC Tunnel which was essentially the same tunnel. Mr. Bodin said Vice

Chair Fulton and he stood on top of the Henry Hudson Bridge many years ago which still had dotted lines that he put on ten years ago. Lastly, he thanked everyone at NJ TRANSIT who has taught him over the years and wished everyone a Happy Holiday.

Sally Jane Gellert, Chairperson of the Lackawanna Coalition, commented on Board Action Item 2112-89 NJ TRANSIT's Resilience Program Distributed Generation. She said although distributed generation was important for resiliency it was outrageous to spend approximately \$40 million in almost all fossil fuel power when the State has a stated "80x50" goal of moving towards clean renewable energy. Ms. Gellert said although the implications were that power needed for resiliency will be used only as back-up when there was a grid problem, this fact was not actually stated, and having this much ongoing fossil fuel power will only be adding to pollution and climate chaos. She did note the small solar carport canopy at the Wayne Bus Garage, but said it was dwarfed by the overall scale of the project.

Ms. Gellert said the Coalition also noted that this item includes an amendment to a 2016 AECOM contract. They would prefer to have new contracts for new projects, and to make the contracts themselves available to the public with the full agenda document, as done with the labor agreements.

On Board Action Item 2112-90 Capital Programs Management Professional Services, Ms. Gellert said it was outlined in a manner to indicate that NJ TRANSIT's in-house staff was working at full capacity and therefore outside help was needed. They wondered about the advisability of hiring a contractor rather than adding in-house capacity. She said this was a core agency function, and they were concerned by its being outsourced to a private contractor. Ms. Gellert said with so many large-scale projects already being discussed, hiring an outside manager rather than developing in-house capacity seemed like a short-term solution to what will be a long-term need, a standard part of operating responsibility.

The Coalition was disturbed to see no December Board committee meetings on the calendar, and although they realize the standard date for these meetings would be during the holidays, New Year's Eve day. However, they felt moving them a week earlier or later into the first week of the New Year would have been more appropriate. Ms. Gellert said while they would not deny anyone their holiday break or family time, they do wish that these meetings had been rescheduled rather than cancelled.

Ms. Gellert said on Secaucus Track H confusion returned. She said back in July, Lackawanna Coalition Secretary, Daniel Chazin observed issues on the 12:45 p.m. Pascack Valley train and the 12:49 p.m. train to Middletown, New York, with both arriving on Track H at Secaucus, which caused repeated passenger confusion. This issue was quickly resolved, with the Middletown train being moved to Track G. However, she said the new schedule has brought back the problem in a slightly different form. Ms. Gellert said the Suffern train (Bergen County Line) scheduled on Track H, just after the 12:45 p.m. Pascack Valley train, was on the same track and the Middletown train

switched to 12:53 p.m. on Track G (Main Line). She said the former confusion now returns, this time with the Suffern and Spring Valley (Pascack Valley Line).

They suggest the way to solve this issue was to have the 12:49 p.m. train to Suffern, now running via the Bergen County Line, arrive on Track G and have the 12:53 p.m. train to Middletown, New York arrive on Track F. They believe separating these two trains that were four minutes apart will prevent late arriving passengers or those distracted on the platform from boarding the earlier train in error, which was less likely to cause confusion.

Tim Sevener of the New Jersey Association of Rail Passengers said like Ms. Gellert he too was concerned about the distributed generation being planned for the various stations. However, he agreed while it was good for resiliency, and the added features such as LED lighting and reducing energy was good and was always the first step they want to take for sustainability. He said it was good to see the 75 KW carport canopy solar PV System for the Wayne Bus Garage, but this was the only solar to be used with the back-up generators which seemed like NJ TRANSIT was resorting back to the old fossil fuel generators for most of the stations.

Mr. Sevener said as they continue to argue about the NJ TRANSIT GRID, they really want to incorporate solar wherever possible, and alternative energy, along with back-up batteries instead of relying on back-up generators even if they were natural gas, which was cleaner than diesel. He said the one good thing was that these back-up generators were not going to be running all the time, but they should still consider solar back-up power because they must start thinking seriously towards the future and global warming.

Adam Reich wanted to first thank the members of the Operations & Customer Service Committee for the serious attention they gave to his concerns with masking issues on Trains 3817 and 3864 during last week's committee meeting. In particular, he wanted to thank Vice Chair Fulton, Board Member Gordon, and Board Member Narra for listening and responding very seriously to the masking issues, as well as Chief Trucillo's outreach and help on this matter.

Mr. Reich sad on the Customer Advocate position, in the past week he has seen postings on sites like WTS, which President & CEO Corbett mentioned earlier, as well as LinkedIn and what appeared to be a posting. However, some links appeared to be inactive and there was nothing showing on the NJ TRANSIT careers site. Mr. Reich said he was not asking as someone who wished to apply but based on his connections with the Customer Advisory Board and asked someone to clarify when the link would be available and the timeframe for the application period.

Mr. Reich said he was encouraged by a lot of what he did see relative to the job description, including the oversight by the Board rather than the Executive Staff, and reporting and meeting requirements all looked good if the description was accurate. The one thing he was curious about were the nine monthly appearances at the Operations & Customer Service committee meeting, and the providing of five monthly reports which

were the expectations of the Customer Advocate position and the need to be at committee meetings every month even if they were not giving a formal report.

On train 3817, Mr. Reich said they had a cancellation due to mechanical issues and yesterday they had mechanical issues at Princeton Junction and Hamilton stations that made it difficult to get to Trenton though they did make it and he commended the crew. On issues surrounding masking, he would like to know if there are new strategies being worked on and asked if someone would be willing to hold a public hearing with staff taking the lead. On incident reporting, Mr. Reich wanted to know what the procedure was if there was a delay on a train and what type of detail or police report was provided to the Board. He said on November 16, 2021, there was a naked man on Train #3864 who barricaded himself in one of the bathrooms. Lastly, Mr. Reich asked NJ TRANSIT to consider reverse peak riders when making up severe weather and getaway schedules and to reach out to him on his concerns.

Talia Crawford, Tri-State Transportation Campaign Organizer, was happy to provide comments before the Board and said this past week, the Senate passed Bill S2600, which was introduced by Senate Majority Leader, Lorretta Weinberg. She said Tri-State Transportation Campaign applauds Senator Weinberg for her career long dedication to transportation matters in the Garden State, especially public transportation. They thank the Senate for passing S2600 and encourage the Assembly to move this bill along in an expeditious manner before the end of the legislative session.

Ms. Crawford said the bill contained sections which would establish an Office of Customer Advocate, and require greater detail for a capital program, all of which would increase the transparency and accountability of NJ TRANSIT. The bill also requires that NJ TRANSIT hold regular public hearings regarding the Agency's Strategic Plan and Capital Plan, which allows the agency to receive public input on an ongoing basis. They believe this is a key component in setting priorities for NJ TRANSIT.

Ms. Crawford said work still needs to be done to institute the agency changes set forth in S630, the first agency reform bill signed into law by Governor Murphy in December 2018; most notably filling the vacant Board seats. She said to date, NJ TRANSIT has not had a full Board under the new requirements despite the mandate to have all 11 members appointed within 90 days of the signing of the law.

Ms. Crawford is looking forward to working with the Office of the Customer Advocate in the future. She believes the strengthening of this position will make communication between riders and the agency clearer. Additionally, she believes adding Board members who are regular rail and bus riders must be a priority as it was a critical missing perspective and will serve as a vital asset as regular riders can provide a firsthand account of the transit landscape that they experience every day. Ms. Crawford said their perspective and voices matter because they are customers who invest in the system.

Ms. Crawford said the stabilization of NJ TRANSIT's operating budget remains a significant priority, as it lacks dedicated funding sources, and for decades it was subject

to the annual political budget process. She said this unpredictability provides indisputable challenges to long-term planning for the agency and NJ TRANSIT has been flexing its capital dollars to meet operating deficiencies since 1990. Ms. Crawford said this has robbed the agency of over \$410 billion in capital investments, including updating rolling stock and bus fleet and completing much needed system capacity expansion projects. She said the emergency federal funding merely buys the administration and legislature limited time to address this critical issue, and eventually the emergency money will dry up, leaving the agency in the same financial dire straits that it was in before COVID, if not worse.

Lastly, the Tri-State Transportation Campaign supports resilience projects that will increase mobility during power outages, extreme weather, or natural disasters, especially for those who are transit dependent and rely on transportation to get to work, essential services, etc.

William Ritzler, Staff Coordinator for the Delaware Valley of Rail Passengers, said they have reviewed the number of service interruption notifications associated with the Atlantic City Rail Line (ACRL) between October 20, 2021 to date. He said the following were a summary of delays and cancellations by cause: crew related 3; signals 2; track related 2; equipment 19; congestion 21; delayed bridge openings 25; slippery rail 4; external factors and other incidents 3. Mr. Ritzler said for a 50-day roll there was a total of 79 events, and it should be noted that the equipment and congestion events occurred due to cascading impacts from previous incidents and reflect the status quo that does not provide enough infrastructure elasticity to reliably address the negative impact of disruptions when they occur.

Mr. Ritzler said the silver lining of the service interruption cloud was the low number of track and signal related issues and the outcome that should be the case given a 9-month long service suspension between September 2018 and May 2019. He said this follows on the heels of another 43 service interruptions that occurred between October 1st and October 19th. Mr. Ritzler believes given the limited levels of service, between 12 trains per day in each direction, the number of service interruptions creates a further disincentive for existing potential passengers. He said NJ TRANSIT needs to review this situation and take all appropriate measures to facilitate improvements. Mr. Ritzler said they have begun to focus on this more because they have heard a substantial number of complaints directed at them about service interruptions on the ACRL since the end of the summer.

Joseph Cliff wished everyone a Happy Holiday Season and a Happy New Year, especially Board Secretary Zuczek and her hardworking staff. He asked that they please livestream the Board presentations during these virtual meetings and said it was a very simple thing to do and would be a help when people are referring to various pages. Also, he said the President & CEO letter and monthly report for November was still posted on the website today and asked that this one be updated and have them posted the evening before the Board meetings.

Mr. Clift said he had three issues today, one the January 10th Board meeting but no committee meetings in advance. Adding to Ms. Gellert's comments, he said the Administration Committee by law was required to comment on any major financial actions by the Board and he was guessing that the Fiscal Year 2022 Operating Budget will be presented in January, although six months late. He asked how they can have this handled by a Board without having an Administration Committee meeting beforehand. Mr. Clift said they have two weeks still in December and a week at the beginning of the New Year to have a remote meeting, so he asked that they add the committee meetings to the calendar prior to the January 10, 2022 Board meeting.

Mr. Clift's second issue was on Capital Programs projects being farmed out and added again to Ms. Gellert's comments that this was a core corporate function that should be done by competent and permanent staff. He said this was once done with the LIRR, farming the projects out denigrates the effort to another on the shelf report, this should be handled in-house, something owned by staff, and not continuously farmed out to consultants.

Mr. Clift's third issue was on the Distributed Generation project's 7.3 Megawatts of natural gas-powered electric production and 75 KW of solar which was one percent and asked how this would fit into the Governor's "80x50" project, which was shocking to him. He asked where the link was in the Capital Plan that refers to this project because he could not find it, and a Board Member at a previous meeting asked that this link be added because the Capital Plan was over 300 pages. Mr. Clift thinks each of the stations merit consideration of a microgrid which was mentioned by Ms. Gellert and Mr. Severer because NJ TRANSIT was missing the opportunity to minimize carbon production and maximize renewables.

Ryan Felmet, rail commuter, said he had issues on the capital funded projects that seemed to be celebrated often but saw them as two separate things in terms of capital projects and operational efficiencies. He said with the leadership that was going on currently, they should be able to see changes here and now. Mr. Felmet said with the Gateway and the articles on federal funding, which was a huge thing for the State, and in looking at 2035 for a completion date for this project, they were more than a decade away, and many of them will be retired, but this will be great for their kids.

Mr. Felmet said he was concerned about what was going on right now and has not seen any changes over the last several years in the agency's on-time performance frequency, service issues, equipment failures, or mechanical issues. He said his line, the Morris & Essex, has seen just as many cancellations. Mr. Felmet said speaking to others in his office, they are experiencing the same things and their employers have altered their schedules to respond to the inefficient and unknown delays that occur too regularly. He believes more time needs to be spent on this issue because these are things that are happening now.

Mr. Felmet agrees with the Tri-State Transportation Campaign on Bill S2600 and Reform Bill 2.0, and said they still have not had a full implementation on the first bill. He said he

spoke to Senator Weinberg directly within the last several weeks and she was pretty confident that the Bill would be passed and obviously it was in the Senate, so he now calls on Assembly Speaker Coughlin to bring a vote to the floor.

Lastly, with everything just said, Mr. Felmet would like the Board to go back and ask President & CEO Corbett, from a leadership standpoint, how would he grade his efforts in the last four years, outside of federal dollars, on whether he has done an adequate job or should be looking at something else. Mr. Felmet believes this organization is in dire need of drastic change and incremental steps are not going to do it for people like himself and others who rely on transportation. He looks forward to hearing President & CEO Corbett's answer to these questions.

Joseph Cavagnaro said he has been riding the rail since he was a child and had several ideas he thought would help NJ TRANSIT make a lot of money. His first idea was making the NJ TRANSIT Meadowlands Sports Complex Line accessible full-time and not just during special events because there were four tracks on the Secaucus Junction lower level to be utilized, and with the new ALP-45DP Locomotives coming in, this would be a great possibility. He also said considering that the American Dream Mall was within walking distance, NJ TRANSIT could bring people there as well and people would not have to pay for parking, which would be awesome.

Mr. Cavagnaro said another possibility would be reinstating ACES, the Atlantic City Express Service that goes from New York, stops at Newark, Philadelphia, and final destination Atlantic City, which would be a really great idea because he did not know how to get to Atlantic City any other way. He would also like to see the Newark Light Rail run full-time and have the Raritan Valley Line run into Penn Station full-time. Mr. Cavagnaro asked that everyone please consider these ideas and have a nice holiday.

Board Member Comments

Board Member Adams said he wanted to thank all the public speakers for taking the time out of their day for a 9:00 a.m. Board Meeting to provide comments, questions, and concerns. As he and his Board colleagues have stated, they take their concerns seriously, write them down, and ask staff about critical issues that come up. He also wanted to thank Chair Gutierrez-Scaccetti for supplying NJ TRANSIT with talented employees, which just goes to show that they do hire internally for key positions.

Board Member Adams wanted to take some time to highlight some key issues that were not mentioned by the speakers. He said every week the Board gets emails and letters for Board comments from the NJ TRANSIT team. Board Member Adams described an email they received. "Three NJ TRANSIT Bus Drivers helped me recover my lost wallet within 90 minutes, the drivers were Sean Jackson, Tasha Brooks, and Rodney Ledwell, they all went above and beyond their duty to help me get my wallet back." Board Member Adams said many were involved, both local, NJ TRANSIT, and the municipalities, and somehow they determined where the wallet was on the bus, and returned it to him. The passenger was very impressed that Sean Jackson took the time to work this out for them, and Tasha

and Rodney were both very gracious in helping make his day by returning the wallet. The customer was impressed with this trio's kindness, thoughtfulness, and professionalism. Board Member Adams said he wanted to point out that this was the type of thing they do not get reports on every day as NJ TRANSIT Board Members, but exemplifies the professionalism, thoughtfulness, and the type of employees they have working for the agency. He acknowledged again Sean Jackson, Tasha Brooks, and Rodney Ledwell for a job well done.

Board Member Doshi thanked all of the public speakers who called in today, expressed their deepest sympathy to Bessie Lynn Mays' family, and thanked the Police for enforcing the mask mandate, because this was not an easy job. Also, to those calling in on sustainability issues, as an Energy & Sustainability Policy Committee Member, they believe in science and are committed to sustainability and saving the environment, in parallel to providing safe and reliable transportation.

Board Member Gordon thanked all the speakers for taking the time to share their thoughts with the Board and said they certainly listen to their comments carefully. He responded to some comments that were made about sustainability, climate change, and the resiliency project criticism based on fossil fuels as opposed to renewables. Board Member Gordon said he works on climate change issues every day and shared his concerns with staff on the focus of these fossil fuel-based resources.

Board Member Gordon said it was important for everyone to understand, per the explanation provided to him, that NJ TRANSIT has to comply with building standards and a number of these facilities were not in compliance with those standards unless they have a back-up system in place tomorrow. There was a need to get these back-up systems in place as soon as possible. He could tell everyone that the grid could go down tomorrow and there are hostile forces that have the capability to do this, and if the lights were to go out in some of these facilities, there was an immediate safety issue.

Board Member Gordon said it would be nice to have some of these facilities relying on renewable energy resources, but given the state of the battery storage technology, that was not really practical, given the need to have something in place right away. In the case with the bus garages, they were designing these new facilities to be able to accommodate charging technology, and an electrified fleet in the future, and making great strides in their efforts to address climate change.

Board Member Narra echoed what her fellow Board Members said in regard to sustainability and the issues that people have been bringing up. She said they have heard everyone over the months regarding climate change, the NJ TRANSITGRID, and they are going to keep their commitment to take this all very seriously and do what they can to keep their promises about what they see for NJ TRANSIT's future.

Board Member Narra wanted to specifically address an issue that Adam Reich brought up. She said the posting for the Customer Advocate position was up, and if there were issues accessing it, she was certain staff heard his comments and will take a look at it.

Board Member Narra hopes they can start going through the resumes and setting up interviews as soon as possible.

Board Member Spalla echoed all the other Board Member's comments and thanked all the members of public for their participation and thoughtful comments.

Board Member Giblin echoed her Board colleagues' comments and thanked the members of the public for taking the time out to provide their comments. She said they really appreciate them.

Vice Chair Fulton said he would say ditto to the Board comments, thought that the points have been made, they do appreciate everyone sharing their comments, and they really do have their eye on the ball.

Chair Gutierrez-Scaccetti said she had no further comments other than echoing those by her Board Members.

Advisory Committee Report

Anna Marie Gonnella Rosato provided the Advisory Committee Report. She was pleased to present the North and South Passenger Advisory Committees Report for December. They learned the latest TSA directives requiring customers to wear masks while inside waiting rooms and on all public transit vehicles, regardless of six-foot rule, will remain in effect until March 18, 2022. Ms. Gonnella Rosato noted on November 9, 2021, New York, New Jersey, and Connecticut reached an agreement on the Federal COVID 19 relief money for public transit, and the good news was NJ TRANSIT will receive \$2.6 billion. She also said the New Jersey Transit Police Department Office of Emergency Management, along with Federal, State, and County local partners, conducted a training exercise on November 20, 2021 at the Wayne Route 23 Transit Center, simulating a transportation incident.

Ms. Gonnella Rosato said the Passenger Advisory Committees thank NJ TRANSIT River LINE for hosting a Polar Express ride with Santa Claus for the Ronald McDonald House of Southern New Jersey on December 4, 2021. She noted children battling serious illnesses and their families rode this specially decorated train, heard caroling elves, and were treated to goodies. Ms. Gonnella Rosato wished she was there to see their faces.

Ms. Gonnella Rosato said NJ TRANSIT was offering holiday rail travel promotions and enhanced services, that began during the Thanksgiving weekend and additional service was added to accommodate early getaways and travel to and from Macy's Thanksgiving Day Parade in New York City and for Black Friday shoppers. She said to reiterate and expand on President & CEO Corbett's transit incentives there were additional travel deals with the upcoming holiday season for those using the NJ TRANSIT App. They were one free round-trip ticket for new customers, and customers going to Newark Liberty International Airport could purchase up to two round-trip rail tickets at a 20 percent discount using the NJ TRANSIT App.

Ms. Gonnella Rosato said there were buy one get one round-trip ticket during two promotional periods and customers traveling to MetLife Stadium for NFL Games could buy four round-trip rail tickets at a 50 percent discount when using the NJ TRANSIT App. She also noted NJ TRANSIT's family supersaver fare allows up to two children eleven and under to travel free with each fare paying adult. Ms. Gonnella Rosato said customers attending the Army Navy Football Game at MetLife Stadium on December 11, 2021 received a 20 percent discount when using the NJ TRANSIT App.

Ms. Gonnella Rosato said active-duty personnel and their dependents, retired veterans, and veterans with service-connected disabilities were eligible for reduced ticket options. On behalf of the Advisory Committees, Ms. Gonnella Rosato added a special congratulations to President & CEO Corbett's son for graduating from the U.S. Naval Academy as First Lieutenant in the Marine Corps, who was currently training as a Fighter Jet Pilot. She asked that President & CEO Corbett pass on their congratulations to his son on this achievement.

Ms. Gonnella Rosato said the last meeting of the year for the North and South Passenger Advisory Committees will be held virtually on December 17, 2021 and President & CEO Corbett would be in attendance. She wished everyone a happy and safe holiday and a Happy New Year.

Chair Gutierrez-Scaccetti thanked Ms. Gonnella Rosato and said on behalf of NJ TRANSIT, they offer their deepest sympathy on the passing of her husband. She knew it was recent and Ms. Gonnella Rosato wanted to be there for the meeting. Chair Gutierrez-Scaccetti applauded her commitment to NJ TRANSIT and said she would keep her in their prayers. Ms. Gonnella Rosato said this was much appreciated and she wanted to thank all of the NJ TRANSIT staff and the Board who have been very supportive in their condolences to her.

Senior Citizen and Disabled Resident Transportation Advisory Committee Report

Philip Harrison provided the Senior Citizen and Disabled Resident Transportation Advisory Committee Report. He said he appreciated this opportunity to address the Board on behalf of the Committee. Mr. Harrison said when he spoke to the Board back in July, they had four vacancies on their committee. They now have recommended three new members to the Executive Director for membership in their committee and have several applicants for the last open position. They are hopeful that by early 2022 they will have a complete committee, which will facilitate their ability to fulfill their function to advocate for seniors and disabled residents of New Jersey in regard to their public transportation needs.

Mr. Harrison pointed out in July that they encourage public comments at their meetings. He said they were happy to announce that they have had a significant amount of public participation at their meetings and will continue to encourage more public participation.

During the last year, they have formed a series of sub-committees, which will deal with specific issues that are important to their committee's mandate.

Mr. Harrison said a dedicated group of members have formed several sub-committees, which are looking into issues dealing with the needs of their constituents in regard to their needs in riding on scheduled NJ TRANSIT bus routes. A Legislative sub-committee has also been formed in order to understand the new legislation that has been forthcoming from the New Jersey Legislature. Additionally, the Legislative sub-committee is keeping the committee abreast of legislation and will look to provide input on the best practices that are to be developed as a result of Bill S2517.

Also, a Dialysis sub-committee was formed with an end towards looking into possibilities for improvement in regard to transportation to dialysis centers. The growing demand for dialysis transportation has put large strains on the paratransit systems. The responses by the various counties and Access Link has varied greatly and the exponential increase of the need for transportation to dialysis has produced an almost insolvable problem for the county systems. The first step of this sub-committee was to send out a questionnaire regarding issues related to dialysis transportation. Mr. Harrison said hopefully some relief can be developed in one or more counties.

Mr. Harrison said they have continued to review the County systems by virtual presentations and will continue to hear talks by the directors via conference call until they are able to meet once again in person. He thanked the dedicated NJ TRANSIT staff members who assist their committee with its work. They were also thankful for the assistance of the New Jersey Council on Special Transportation (NJ COST) members on their committee who also worked with them on enhancing their Community Transportation Network in New Jersey.

Lastly, Mr. Harrison said they appreciated the support of the NJ TRANSIT Board of Directors and thanked them again for giving him the opportunity to address the Board on behalf of the Senior Citizens and Disabled Residents Transportation Advisory Committee.

Board Operations and Customer Service Committee Report

Board Member Giblin 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 Spalla presented the report for the Administration Committee. The Administration Committee received a Financial Update. This included a summary of operating results compared to previous year's comparable period and preliminary budget, twelve-month farebox revenue compared to pre-COVID, passenger revenue actuals

versus pre-COVID, major balance sheet items and Federal COVID-19 relief grant drawdown summary.

Additional information was provided as part of the agenda materials, including the cost-of-service key performance indicators, twelve-month farebox recovery, history of vacancies, attrition and hires, monthly hires by department, ridership and revenue, and a monthly budget-to-actual comparison for July 2021 to October 2021.

Board Capital Planning, Policy, and Privatization Committee Report

Vice Chair Fulton presented the report for the Capital Planning, Policy and Privatization Committee. The Capital Planning, Policy, and Privatization Committee discussed the board item for the Diesel Locomotive (Tier 0) Engine Upgrade; Access Link Vehicle Replacement (258 Cutaway Minibuses); NJ TRANSIT Resilience Program: Distributed Generation Project – Final Design, Construction and Commissioning Design Build Contract and Construction Assistance Services Contract Awards; and Capital Programs Management Professional Services Contract.

Board Safety Committee Report

Board Member Adams presented the report for the Safety Committee. The Safety Committee was provided an update by the Office of System Safety on key safety performance metrics for Rail, Light-Rail, Bus, Access Link, and Capital Construction projects. The Office of System Safety continues to be a resource and partner to all departments within NJ TRANSIT. Through collaborative efforts, key safety metrics continue to trend in a positive direction. As ridership continues to grow, we will increase safety communication to our customers and coworkers, and ensure a safe ride and safe workplace to all.

Chief Trucillo updated the Safety Committee on a number of items, to include the ongoing efforts concerning “mask enforcement” from October 1, 2021 through November 29, 2021. During this period, the police department conducted 98 mask enforcement details. The Chief also briefed the committee on the agency-wide preparation for the Army/Navy game at MetLife Stadium on December 11, 2021.

The chief also briefed the committee on the outreach efforts between October 1st and November 29th. During this period, 1,263 “at-risk” individuals were offered services. During the same reporting period, Transit officers administered “Narcan” 24 times to people who were suffering from a drug overdose, saving 24 lives.

Finally, the Chief briefed the committee on the full-scale exercise that was conducted on Saturday, November 30th at Wayne Station. The exercise involved multiple agencies as well as representative from both Bus and Rail.

Action Items

2112-85: DIESEL LOCOMOTIVE (TIER 0) ENGINE UPGRADE

General Counsel Wilton introduced James Sincaglia, Acting Senior Vice President and General Manager, Rail Operations, to present Action Item #2112-85. James Sincaglia recommended approval of Action Item #2112-85: Diesel Locomotive (Tier 0) Engine Upgrade.

Approval was requested to enter into a contract with Higher Power Industries of Yonkers, New York, for the overhaul, upgrade, and issuance of AESS system kits for four GP40 diesel locomotive engines in the amount not to exceed \$1,463,316.00, plus 10 percent for contingencies, subject to the availability of funds.

Board Member James D. Adams 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.

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

2112-86: PROPOSED LABOR AGREEMENTS: NJ TRANSIT RAIL OPERATIONS, INC. AND THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES (BMWE) AND BROTHERHOOD OF RAILROAD SIGNALMEN

General Counsel Wilton introduced James Sincaglia, Acting Senior Vice President and General Manager, Rail Operations, to present Action Item #2112-86. James Sincaglia recommended approval of Action Item #2112-86: Proposed Labor Agreements: NJ TRANSIT Rail Operations, Inc. and the Brotherhood of Maintenance of Way Employees (BMWE) and Brotherhood of Railroad Signalmen.

Approval was requested to approve the economic terms and other proposed conditions set forth in the Memoranda of Understanding negotiated by NJ TRANSIT Rail Operations and Brotherhood of Maintenance of Way Employees (BMWE) and Brotherhood of Railroad Signalmen (BRS) (Exhibit A), and authorization is requested for the President & CEO, or his designee, to take all necessary steps to finalize and implement same, pending ratification by BMWE and BRS.

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

Board Member Gordon congratulated all parties involved on reaching an agreement.

Board Member Narra reiterated what Board Member Gordon said.

Chair Gutierrez-Scaccetti echoed what Board Member Gordon and Narra said, noted she knows others appreciate NJ TRANSIT staff and the Union for working so hard together to make sure they could resolve these contracts for the benefit of their members, and thanked all involved.

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

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

2112-87: ACCESS LINK VEHICLE REPLACEMENT (258 CUTAWAY MINIBUSES)

General Counsel Wilton introduced Michael Kilcoyne, Senior Vice President, Surface Transit and Bus Operations, to present Action Item #2112-87. Michael Kilcoyne recommended approval of Action Item #2112-87: Access Link Vehicle Replacement (258 Cutaway Minibuses).

Approval was requested to enter into a contract through Maryland Transit Administration Cooperative Purchasing Contract CTR000880 - Small Buses for LOTS & Mobility with Coach & Equipment Bus Sales of Penn Yan, New York and NJ TRANSIT COOP No. 21-031 for the purchase of 258 cutaway buses for Access Link service in the amount of \$22,207,980, plus five percent for contingencies, for a total contract authorization of \$23,318,379, subject to the availability of funds.

Board Member James D. Adams 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.

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

2112-88: BACKGROUND CHECK SERVICES

General Counsel Wilton introduced Jeannie Kwon, Senior Vice President and Chief Administrative Officer, to present Action Item #2112-88. Jeannie Kwon recommended approval of Action Item #2112-88: Background Check Services.

Approval was requested to enter into a contract with Inquiries Acquisition, LLC dba Inquiries Screening, to provide professional services to NJ TRANSIT for comprehensive

background check services at a cost not to exceed \$3,363,250.00, plus five percent for contingencies, subject to the availability of funds.

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

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

2112-89: NJ TRANSIT RESILIENCE PROGRAM: DISTRIBUTED GENERATION PROJECT – FINAL DESIGN, CONSTRUCTION AND COMMISSIONING DESIGN BUILD CONTRACT AND CONSTRUCTION ASSISTANCE SERVICES CONTRACT AWARDS

General Counsel Wilton introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2112-89. Eric Daleo recommended approval of Action Item #2112-89: NJ TRANSIT Resilience Program: Distributed Generation Project – Final Design, Construction and Commissioning Design Build Contract and Construction Assistance Services Contract Awards.

Approval was requested to enter into a contract with Dynamic US, Inc. for Final Design, Construction and Commissioning (Design/Build) at six selected NJ TRANSIT facilities, including Broad Street Station, Secaucus Station, Wayne Bus Garage, Meadowlands Bus Garage, Greenville Bus Garage, and the Port Imperial Ferry Terminal, at a cost not to exceed \$39,084,778.10, plus five percent for contingencies, subject to the availability of funds.

Approval was also requested to amend NJ TRANSIT Contract No. 16-001 with AECOM, of Piscataway, New Jersey, to provide Phase 2 - construction assistance services, at a cost not to exceed \$1,056,495.00, plus five percent for contingencies, subject to the availability of funds.

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

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

2112-90: CAPITAL PROGRAMS MANAGEMENT PROFESSIONAL SERVICES CONTRACT

General Counsel Wilton introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2112-90. Eric Daleo recommended approval of Action Item #2112-90: Capital Programs Management Professional Services Contract.

Approval was requested to enter into a contract with Anthony D’Amico/Anthony D’Amico, LLC of New York, for a professional services contract in an amount not to exceed \$750,000.00, plus five percent for contingencies, subject to the availability of funds.

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

Board Member Adams said he fully supported this item and understood there were times when the team has to bring in experts or people who they do not have on staff to provide expert professional services. He said he was in the public sector for 30 years and did almost the exact same thing, hiring in-house for long-term staffing or employment needs and consultants to fill some of the gaps. Board Member Adams said earlier some of the speakers implored NJ TRANSIT to hire in-house. He said it was a tough balance to make that decision, but fully supported this item and the team for getting outside consultants to fill a gap.

Board Member Adams noted the agreement was for Anthony D’Amico being the sole proprietor or sole source, having used him previously for three years. He said whenever he looks at one of these types of agreements, the first thing he looks at are the DBE and SBE Goals. In this case they were zero percent, and the team explained to him why they were supporting that endeavor. While he supports the team’s decision on this zero percent SBE Goal, he wanted to implore that Mr. D’Amico, if possible, give NJ TRANSIT a good faith effort to increase that goal from zero percent. Board Member Adams said it was 2021 and very difficult for him to believe that there was no talented Black, Brown, or Female firms that could help Mr. D’Amico provide the services to NJ TRANSIT that they expect.

Board Member Gordon endorsed all the comments made by Board Member Adams.

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

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes

Chair Gutierrez-Scaccetti said before they discuss Executive Session it was remised of her that she missed the Committee Report on Energy & Sustainability and asked if Vice Chair Fulton could provide the report.

Board Energy and Sustainability Policy Committee Report

Vice Chair Fulton presented the report for the Energy and Sustainability Policy Committee. The Energy and Sustainability Policy Committee discussed updates to NJ TRANSITGRID, which included the procurement schedule and anticipated release of the Request for Proposals for the project. The Committee also received a briefing from SVP Eric Daleo and his staff regarding NJ TRANSIT’s Distributed Generation project, and a briefing on NJ TRANSIT’s energy efficiency efforts, including NJ TRANSIT’s participation in the local government energy audit program at over a dozen NJ TRANSIT facilities.

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 Transit Oriented Development Contract – Metropark and the Personal Injury Claim of Elizabeth Dauble.

Board Member Andrea Spalla made the motion, Board Member Shanti Narra seconded the motion, and it was adopted. At approximately 10:34 a.m., the Board adjourned to Executive Session.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Absent	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 11:03 a.m.

Adjournment

Since there was no further business, a motion to adjourn was made by Board Member James D. Adams, seconded by Board Member Shanti Narra, and adopted. Chair Gutierrez-Scaccetti wished everyone a very Happy Holiday Season. The meetings were adjourned at approximately 11:04 a.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

DECEMBER 9, 2021

MINUTES

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➤ CALL TO ORDER	-
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	61310
➤ PRESIDENT & CEO'S MONTHLY REPORT	61311
➤ PUBLIC COMMENTS	-
➤ ADVISORY COMMITTEE REPORT	-
➤ SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ADVISORY COMMITTEE REPORT	-
➤ BOARD COMMITTEE REPORTS	-

ACTION ITEMS

2112-85	DIESEL LOCOMOTIVE (TIER 0) ENGINE UPGRADE – Authorization to enter into NJ TRANSIT Contract No. 21-032 with Higher Power Industries of Yonkers, New York, for the overhaul, upgrade, and issuance of AESS system kits for four GP40 diesel locomotive engines in the amount not to exceed \$1,463,316.00, plus 10 percent for contingencies, subject to the availability of funds.	61334
2112-86	PROPOSED LABOR AGREEMENTS: NJ TRANSIT RAIL OPERATIONS, INC. AND THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES (BMWE) AND BROTHERHOOD OF RAILROAD SIGNALMEN – Authorization to approve the economic terms and other proposed conditions set forth in the Memoranda of Understanding negotiated by NJ TRANSIT Rail Operations, Inc. and the labor unions and authorization for the President & CEO, or his designee, to take all necessary steps to finalize and implement same, pending ratification.	61335
2112-87	ACCESS LINK VEHICLE REPLACEMENT (258 CUTAWAY MINIBUSES) – Authorization to enter into a contract through Maryland Transit Administration Cooperative Purchasing Contract CTR000880 – Small Buses for LOTS & Mobility with Coach & Equipment Bus Sales of Penn Yan, New York and NJ TRANSIT COOP 21-031 for the purchase of 258 cutaway buses for Access Link service in the amount of \$22,207,980, plus five percent for contingencies, for a total contract authorization of \$23,318,379, subject the availability of funds.	61344

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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2112-88 BACKGROUND CHECK SERVICES – Authorization to enter into NJ TRANSIT Contract No. 22-000 with Inquiries Acquisition, LLC dba Inquiries Screening to provide professional services to NJ TRANSIT for comprehensive background check services at a cost not to exceed \$3,363,250.00, plus five percent for contingencies, subject to the availability of funds. 61348

2112-89 NJ TRANSIT RESILIENCE PROGRAM: DISTRIBUTED GENERATION PROJECT– FINAL DESIGN, CONSTRUCTION AND COMMISSIONING DESIGN BUILD CONTRACT AND CONSTRUCTION ASSISTANCE SERVICES CONTRACT AWARDS – Authorization to enter into NJ TRANSIT Contract No. 19-033xr with Dynamic US Inc. for Final Design, Construction and Commissioning (Design/Build) at six selected NJ TRANSIT facilities, including Broad Street Station, Secaucus Station, Wayne Bus Garage, Meadowlands Bus Garage, Greenville Bus Garage, and the Port Imperial Ferry Terminal, at a cost not to exceed \$39,084,778.10, plus five percent for contingencies, subject to the availability of funds. 61349

Authorization to amend NJ TRANSIT Contract No. 16-001 with AECOM, of Piscataway, New Jersey, to provide Phase 2 - construction assistance services, at a cost not to exceed \$1,056,495.00, plus five percent for contingencies, subject to the availability of funds.

2112-90 CAPITAL PROGRAMS MANAGEMENT PROFESSIONAL SERVICES CONTRACT - Authorization to enter into NJ TRANSIT Contract No. 22-025 with Anthony D'Amico/Anthony D'Amico, LLC of New York, for a professional services contract in an amount not to exceed \$750,000.00, plus five percent contingency, subject to the availability of funds. 61364

➤ **EXECUTIVE SESSION AUTHORIZATION 61366**

➤ **ADJOURNMENT**

APPROVAL OF MINUTES

WHEREAS, the By-Laws provide that the minutes of actions taken at the November 10, 2021 meeting 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 November 10, 2021 Board Meeting 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 November 18, 2021;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the November 10, 2021 Board Meeting 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

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

TO: BOARD OF DIRECTORS
FROM: KEVIN S. CORBETT
DATE: DECEMBER 9, 2021
SUBJECT: **PRESIDENT & CEO'S REPORT – DECEMBER 2021**



We once again have a busy agenda today, with several items up for Board consideration. To highlight three of the items this month, the Board will consider a significant investment in our fleet, through locomotive engine upgrades and the purchase of 258 new Access Link vehicles. And, the Board will consider a significant resiliency upgrade to seven key transit facilities throughout our system.

As ridership continues to increase, NJ TRANSIT is better aligning and enhancing service to meet current and future demand, while working to attract customers back to transit at the same time. For example, now that we have a full roster of locomotive engineers, we are able to better support events like the iconic Army-Navy game being played in two days at MetLife Stadium. On December 11th, NJ TRANSIT will provide special rail service to and from the game. We also launched a dedicated web page for the game, available at njtransit.com/armynavy, which includes rail schedules and ticket purchase information. New rail schedules also went into effect on November 14th – adding 36 trains to the schedule, including 22 new weekday trains and 14 new trains to the Main/Bergen County Line weekend schedule. In addition, we introduced a new Holiday Campaign, through which we are offering several promotional discounts running through the rest of the year. For more information on these deals, please visit njtransit.com/holiday.

Moving on to “infrastructure,” last month President Biden signed the bipartisan Infrastructure deal, which is great news for our Capital Program and our customers. Although we are incredibly grateful for the passage of this landmark legislation, it’s important to note that this funding will not be distributed to NJ TRANSIT in a lump sum. Rather, it will augment the federal funding we traditionally receive over a five-year period. With the passage of this bill, we expect to receive an increase of approximately \$110 million more each year than we receive from the traditional federal funding we receive annually – or approximately \$550 million over five years. The FRA and FTA will also be dispersing billions of additional dollars in discretionary competitive grants through this legislation, and we will be aggressively pursuing all of the grant opportunities for which we are eligible.

In addition, we are carefully reviewing the legislation to determine which of our projects specifically can benefit from this significant federal investment. We do know that it will significantly benefit the Northeast Corridor, through potential funding for the Hudson Tunnel Project and other critical initiatives, which is particularly gratifying to me as Co-Chair of the Northeast Corridor Commission. To celebrate the bill’s passage, Commissioner Gutierrez-Scaccetti and I spoke at a press conference hosted by Senators Menendez and Booker at our Bloomfield train station on November 15th. Also, later this morning I will testify before the U.S. House of Representatives’ Transportation & Infrastructure Subcommittee on Railroads, Pipelines and Hazardous Materials to discuss the far-reaching significance of the bill, especially as it relates to the critical infrastructure along the NEC between Washington D.C. and Boston.

Speaking of the Northeast Corridor, another significant infrastructure development occurred on December 1st, when the Army Corps of Engineers issued a permit to allow construction of a new Hudson Tunnel and associated tracks. The permit allows construction of two new tunnels, along with the rehabilitation of the exiting tunnels, to start once funding is secured, which could be in place by the end of next year, with construction possibly starting by the summer of 2023. NJ TRANSIT and Amtrak were co-applicants for the Army Corps of Engineers permit, which is the last major federal approval needed before construction can begin.

With the infrastructure bill signed into law – and as we advance major projects into construction – it’s critical that we have a strong leadership team in place capable of meeting the demands of the Capital Programs. Toward that end, we are pleased to welcome to the NJ TRANSIT team Frank Corso, Jr. as our new Chief of Construction Management, and Chrissa Roessner as our new Deputy Chief of Construction Management. Frank comes to us from the New Jersey Turnpike Authority, where he last served as Senior Supervising Engineer, responsible for the management of multiple major capital improvement programs. Chrissa will serve as Frank’s Deputy, joining NJ TRANSIT from NJDOT, where she most recently served as Senior Executive Service, Executive Manager, and Regional Construction Engineer. Please join me in welcoming Frank and Chrissa to our team.



PRESIDENT & CEO'S MONTHLY REPORT

December 9, 2021

PRESIDENT & CEO'S MONTHLY REPORT

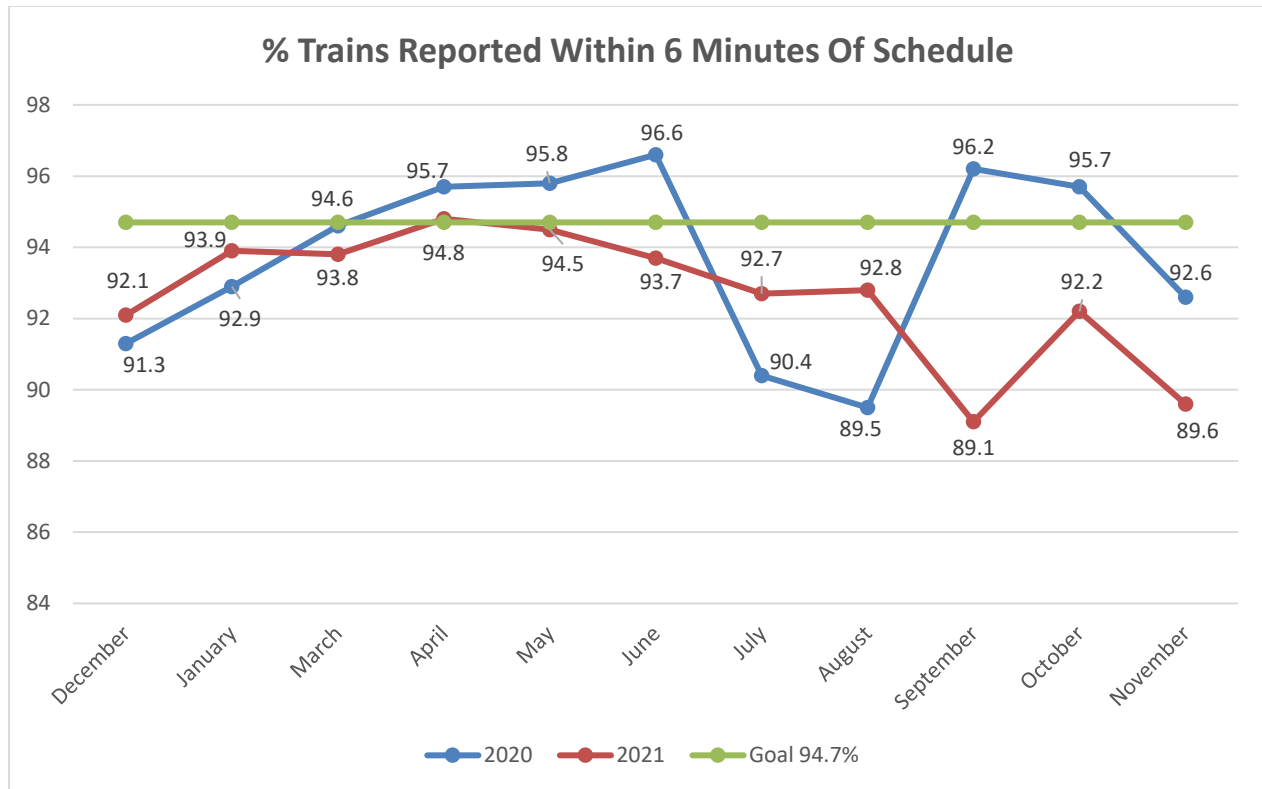
December 9, 2021

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

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL

DECEMBER 2019 – NOVEMBER 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
November Comparison	92.6%	89.6%	-3.0%
12-Month Average Dec. 2019 – Nov., 2021	93.5%	92.6%	-0.9%

Analysis:

Rail On-Time Performance was 89.6% for November 2021. Of the 17,363 trains scheduled to operate, 15,559 were on time, while 1,804 trains (or 10.4%) were delayed.

Key Causes included:

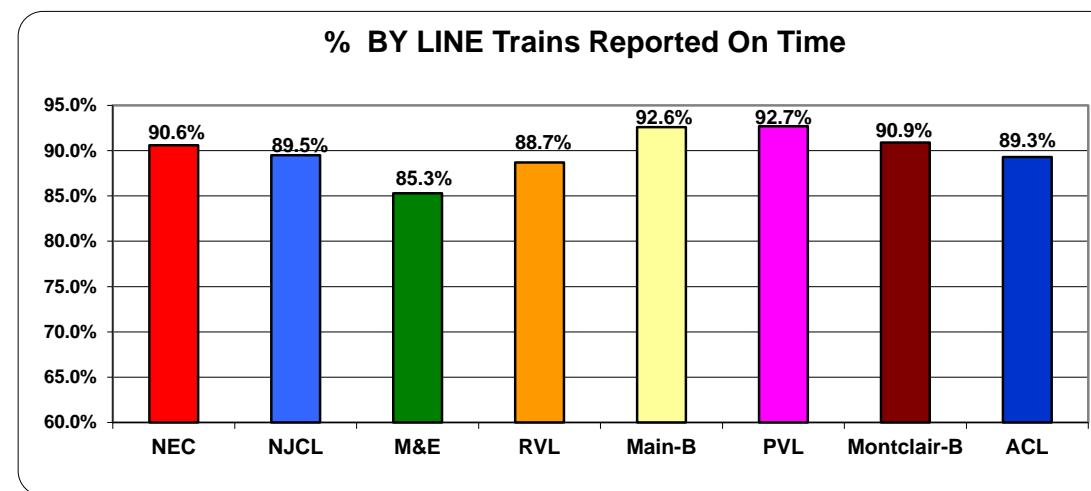
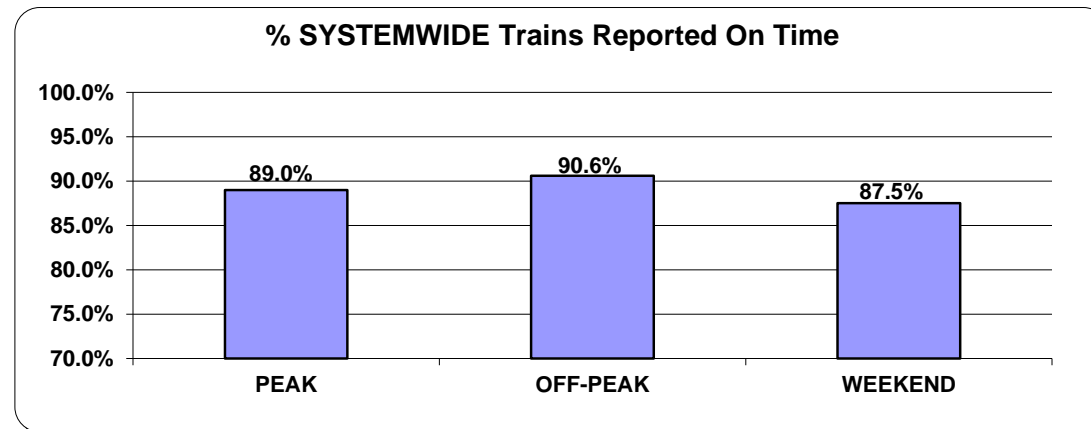
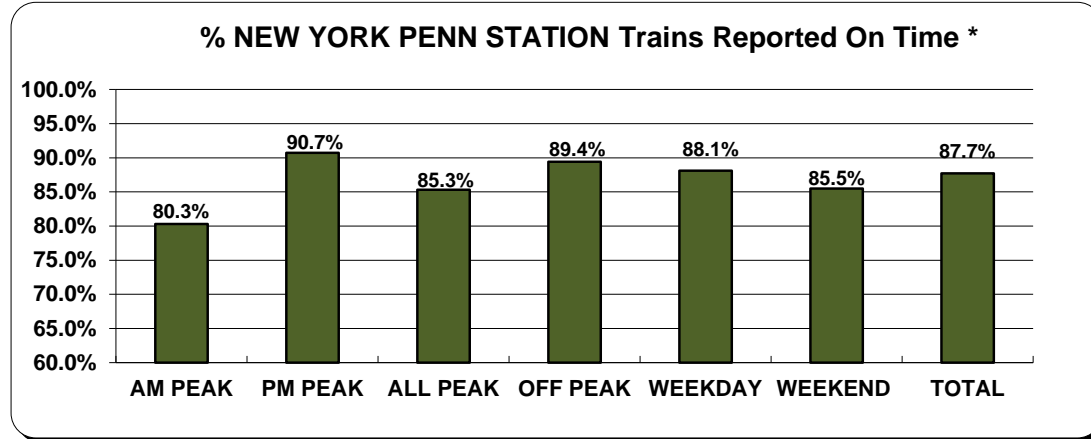
- Amtrak programmed maintenance, NJT weather/wheel slip and electric locomotive issues contributed 104 delays on November 12.
- NJT PTC mechanical, trackside interference, power interruption and weather/wheel slip contributed 59 delays on November 13.
- Amtrak programmed maintenance, NJT weather wheel slip, PTC mechanical, diesel issue, staffing issues and heavy travel contributed 71 delays on November 14.

The 12-month Average for Rail On-Time Performance was 92.6%.

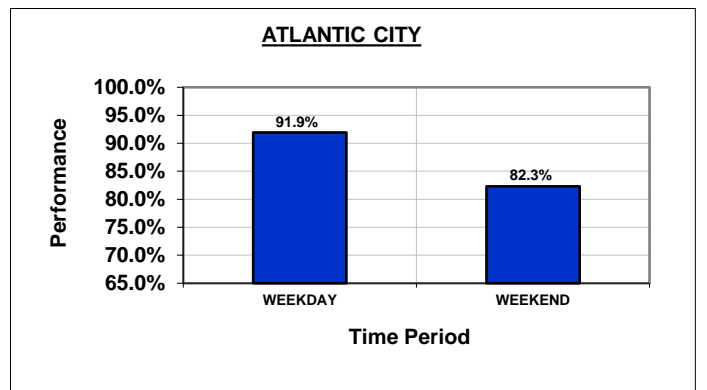
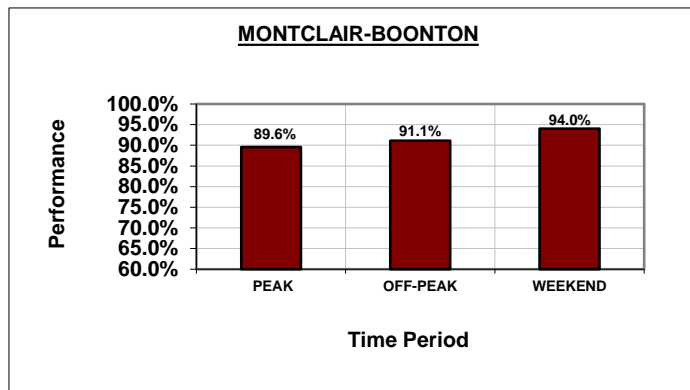
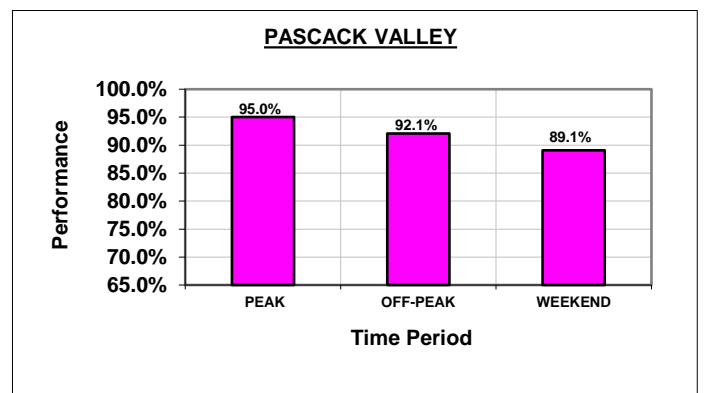
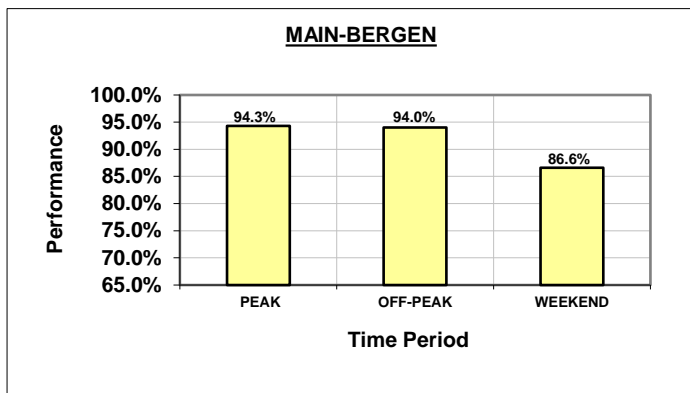
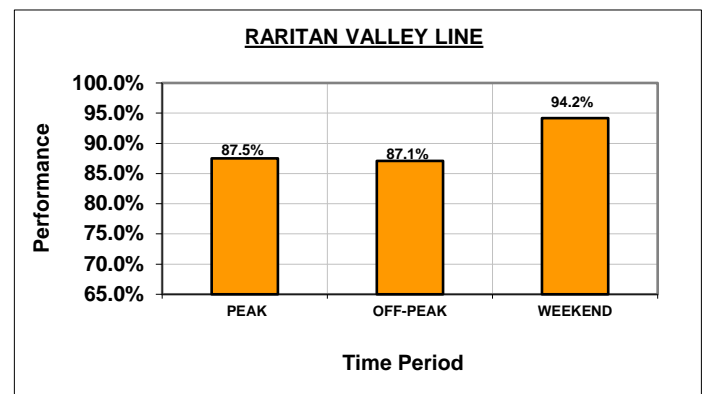
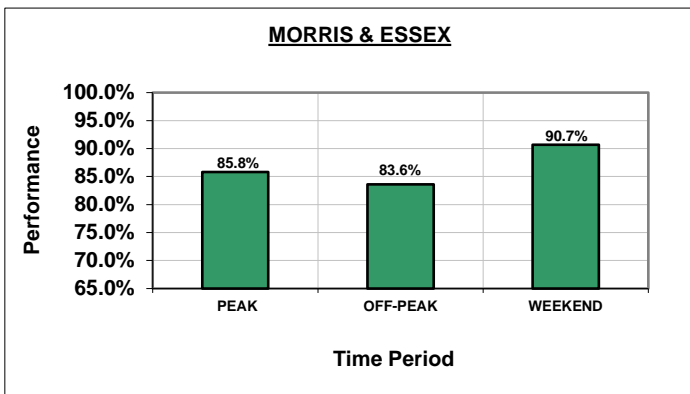
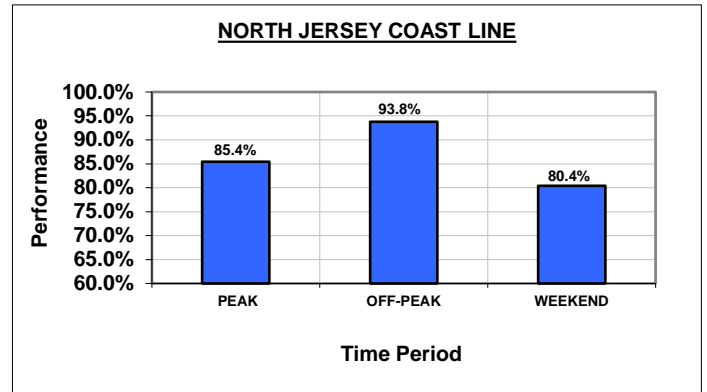
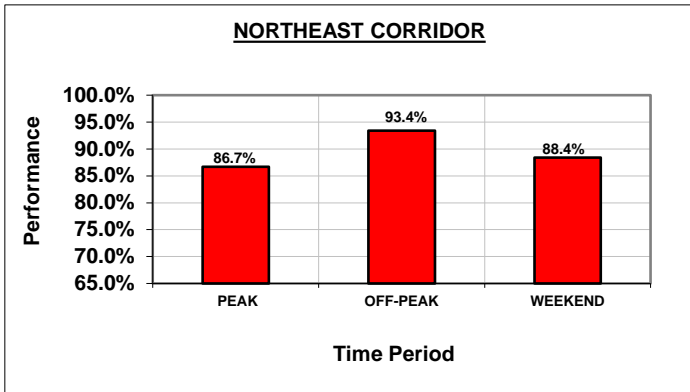
ON-TIME PERFORMANCE RAIL

SUMMARY BY TIME PERIOD November 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.



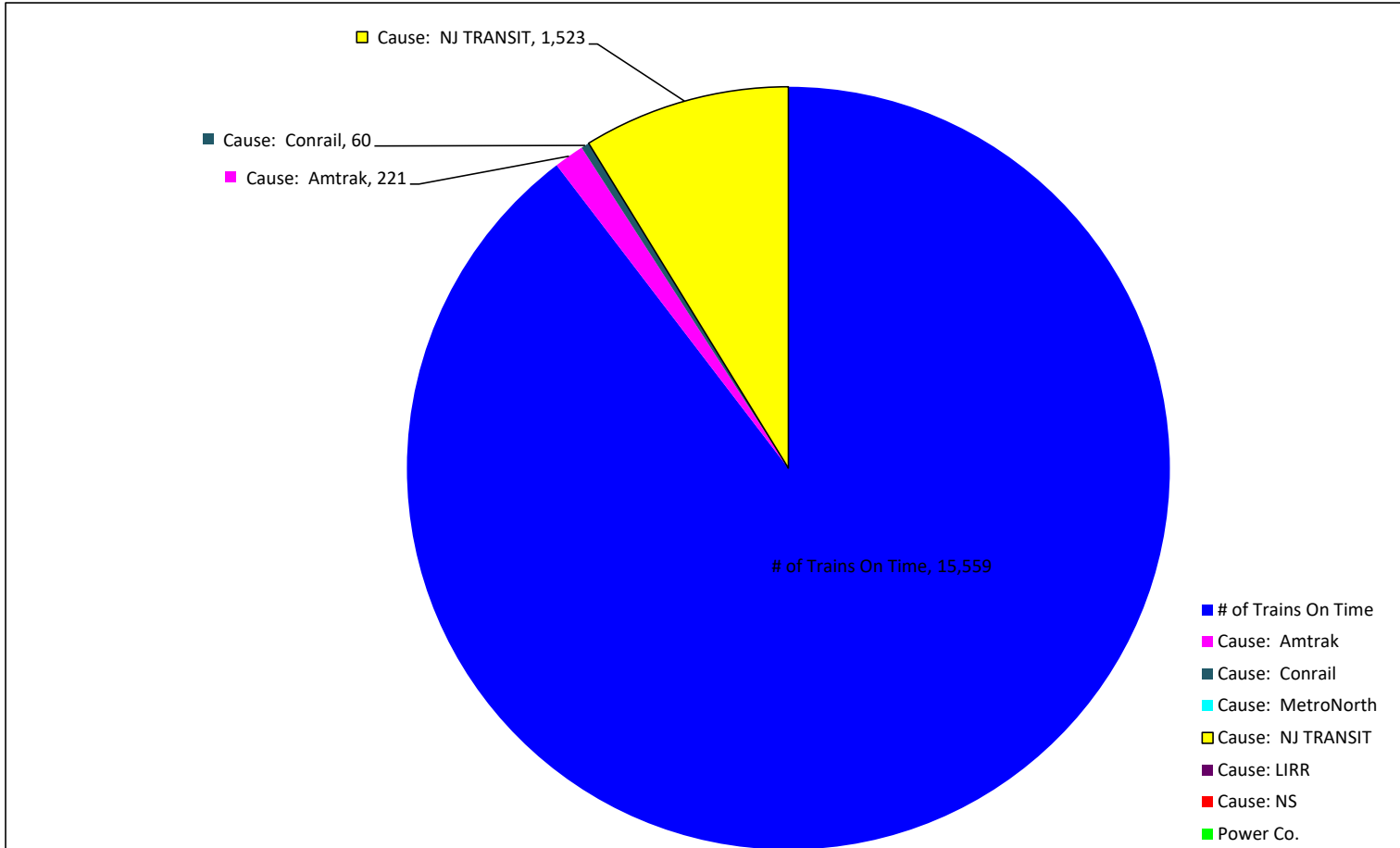
ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD November 2021



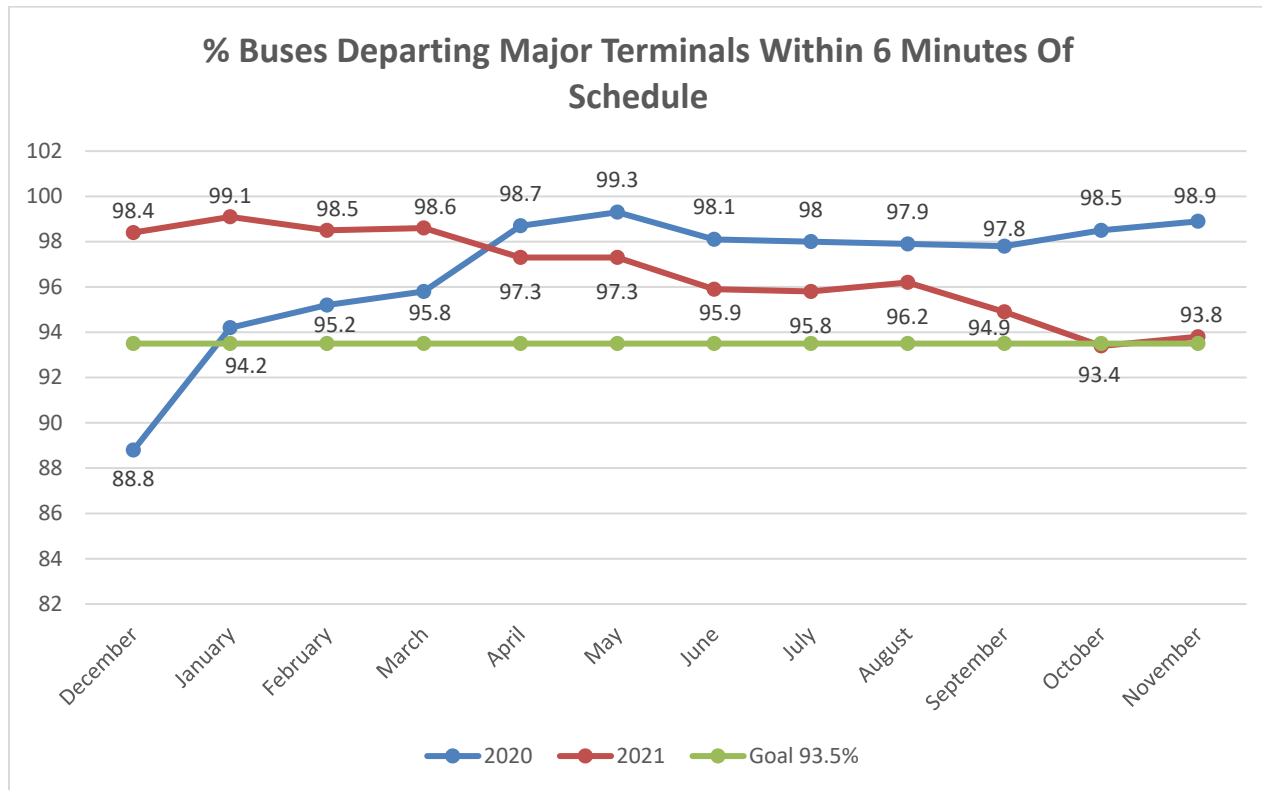
NJ TRANSIT Performance - November 2021

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	15,559	221	60		1,523			
# of Late Trains	1,804	1.27%	0.35%	0.00%	8.77%	0.00%	0.00%	0.00%
Total # of Trains	17,363							
Percentage On Time	89.6%							



NJ TRANSIT ON-TIME PERFORMANCE BUS December 2019 – November 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
November Comparison	98.9%	93.8%	-5.1%
12-Month Average Dec 2020 – Nov 2021	96.8%	96.6%	0.2%

Analysis*:

Bus On-Time Performance systemwide was 93.8% for the month of November 2021. Of the 39,711 monitored departures, 2461 experienced delays.

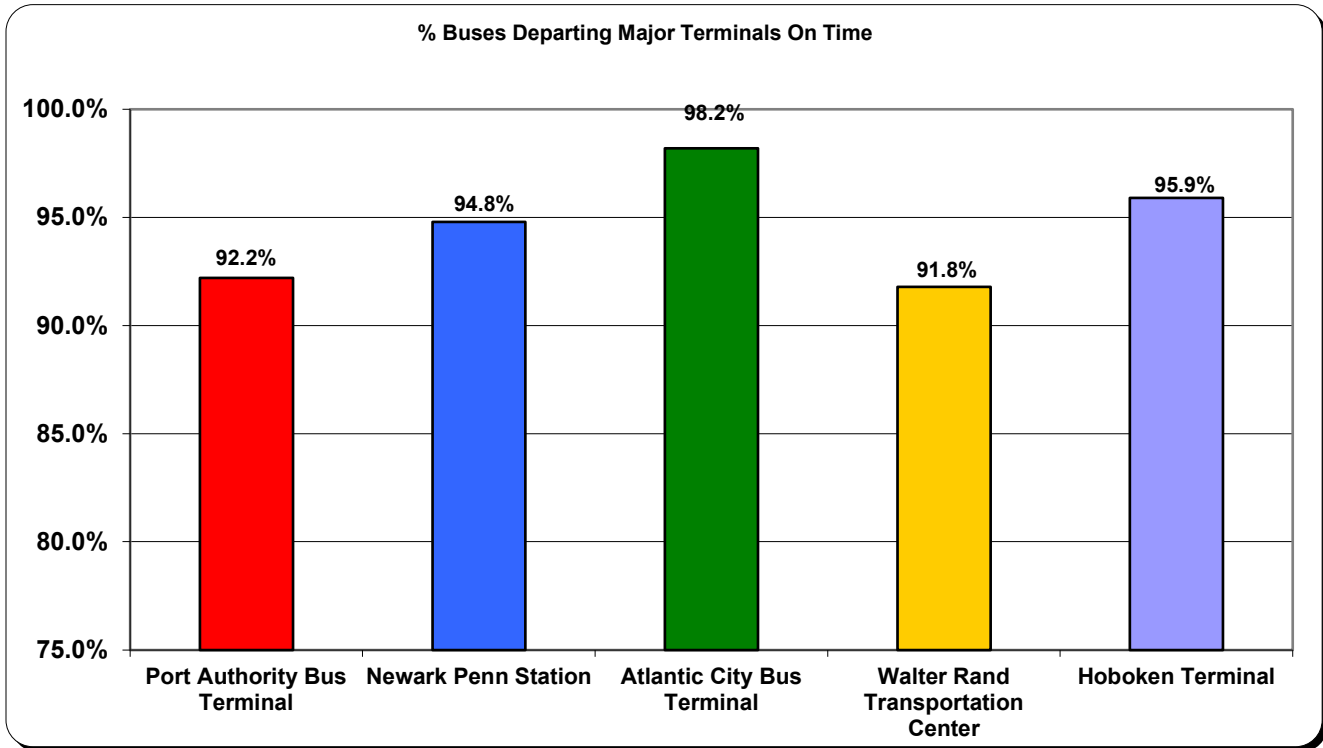
Key Causes included:

- At PABT, on the 19th heavy inbound traffic due to gridlock alert contributed to the delays.
- At Newark Penn, on the 2nd , mechanical issues, motor vehicle accidents causing delays, road construction and detours contributed to delays. On the 10th, motor vehicle accidents, mechanical issues, road construction and detours caused delays. On the 16th, a suspicious bag on a bus caused police activity, mechanical issues, and construction detours caused delays.
- 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 96.6%.

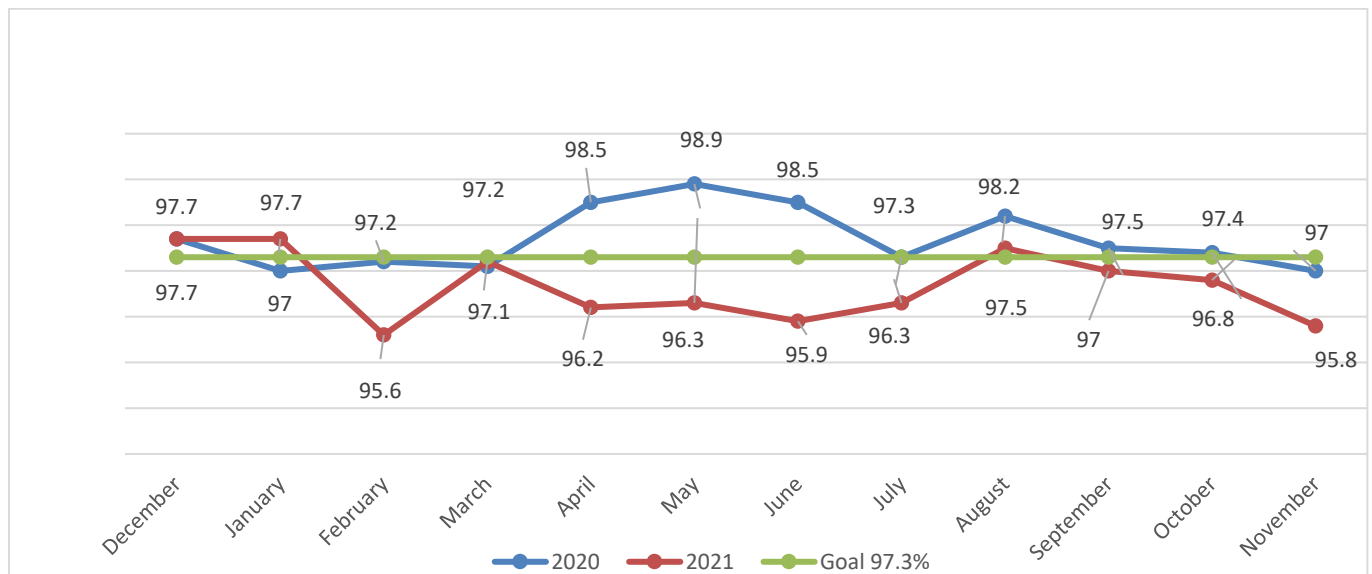
* The higher than usual OTP is the result of the state-wide lockdowns and little to no traffic interference.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL November 2021



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL December 2019 – November 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
November Comparison	97.0%	95.8%	-1.2%
12-Month Average December 2020 – November 2021	97.7%	96.6%	-1.1%

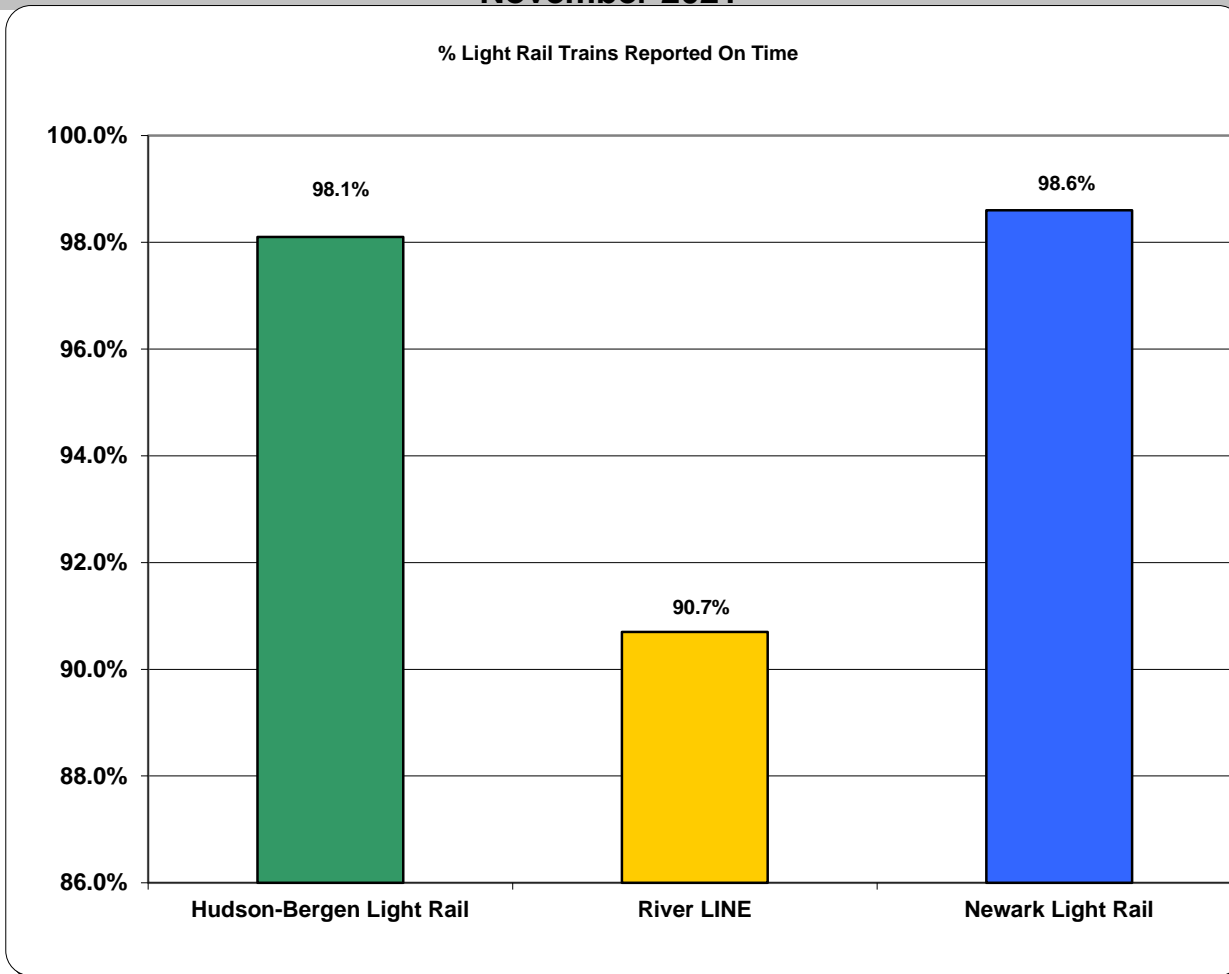
Analysis: Light Rail On-Time Performance system wide was 95.8% for the month of November. Of the 26,485 scheduled departures, 1,106 experienced delays.

Key Causes included:

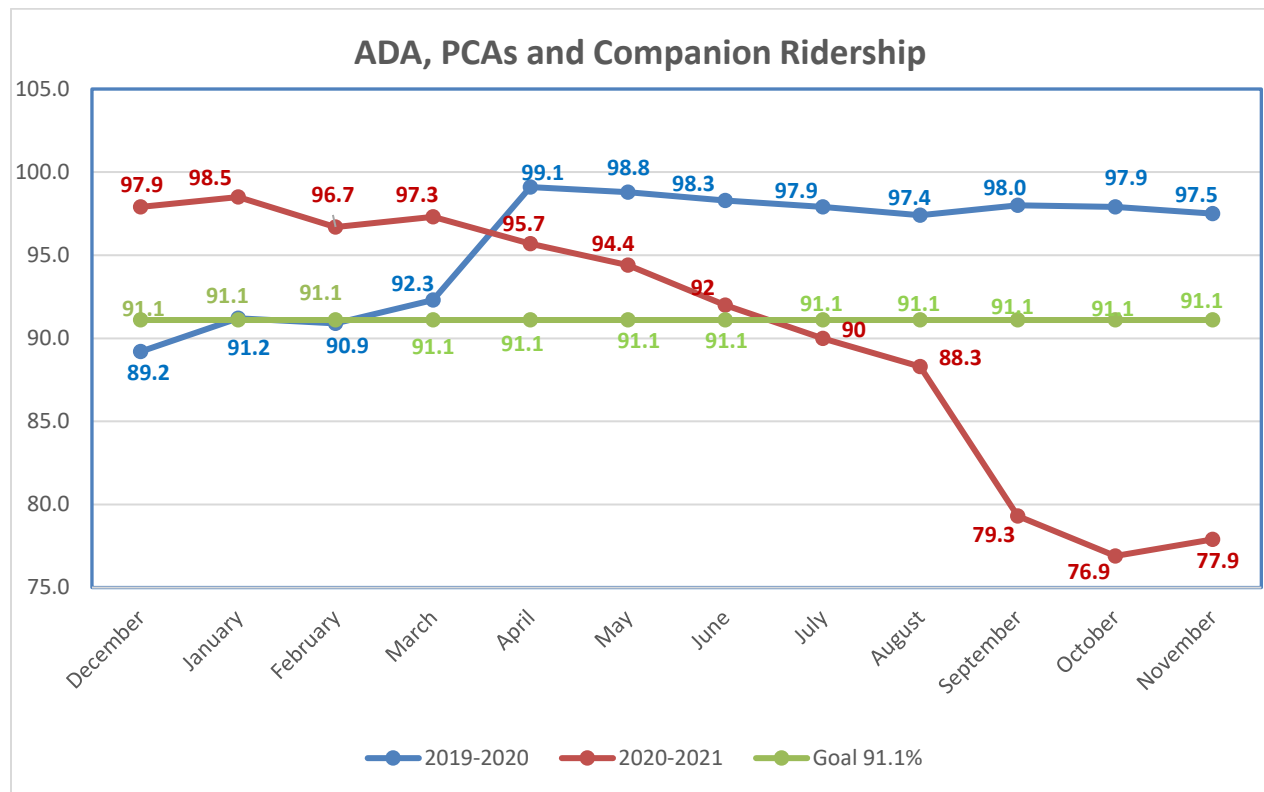
- **Newark Light Rail** – Staffing issues on 11/5, 11/8, 11/16, and 11/19 affected 28 trains. Police activity on 11/9 and 11/24 affected 16 trains. LRV mechanical issues resulted in 24 affected trains on 11/8 and 15 affected trains on 11/18.
- **River LINE** – Incidents involving general maintenance and equipment issues taking place across multiple dates, including engine, door, signal, and brake issues. 89 trains were affected due to switch issues between 11/15 and 11/16. Motor vehicle fouling tracks on 11/19 and 11/20 resulted in delays. Police activity on 11/12, 11/15, and 11/16 resulted in 5 affected trains. External passenger incidents affecting OTP on 11/4, 11/5, 11/6, 11/10, 11/18 and 11/22. Track obstruction (animals in gauge) affected 5 trains on 11/23. Track obstruction (trespasser) on 11/15 affected 4 trains.
- **HBLR** – Incidents involving general maintenance of LRV taking place across multiple dates, including door, power/propulsion issues, brakes and other issues. Police activity affecting OTP on 11/5, 11/8, 11/12, 11/13, 11/16, 11/18, 11/19, 11/20, 11/24, 11/25, 11/26, 11/27, 11/28, and 11/30. Motor vehicle fouling tracks on 11/1, 11/6, and 11/23 resulted in 135 affected trains. External passenger incidents affecting OTP on 11/2, 11/11, 11/13, 11/17, 11/19, and 11/30.
- The 12-month Average for Light Rail On-Time Performance was 96.6%

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE November 2021



NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK DECEMBER 2019–NOVEMBER 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
November Comparison	97.5%	77.9%	-19.6%
November Ridership	77,081	102,152	25,071
12-Month Average November 2020 – October 2021	95.7%	90.4%	-5.3%

Analysis:

Access Link On-Time Performance was 77.9% for November 2021. In serving 109,030 total customers, for 102,152 ADA customer trips, 22,555 (or 22.1%) experienced delays.

Key Causes included:

- Regions 5 & 6, 45-60 minute delays due to operator shortage
- Major delays throughout the month due to increased traffic volume and congestion
- Customer no-shows

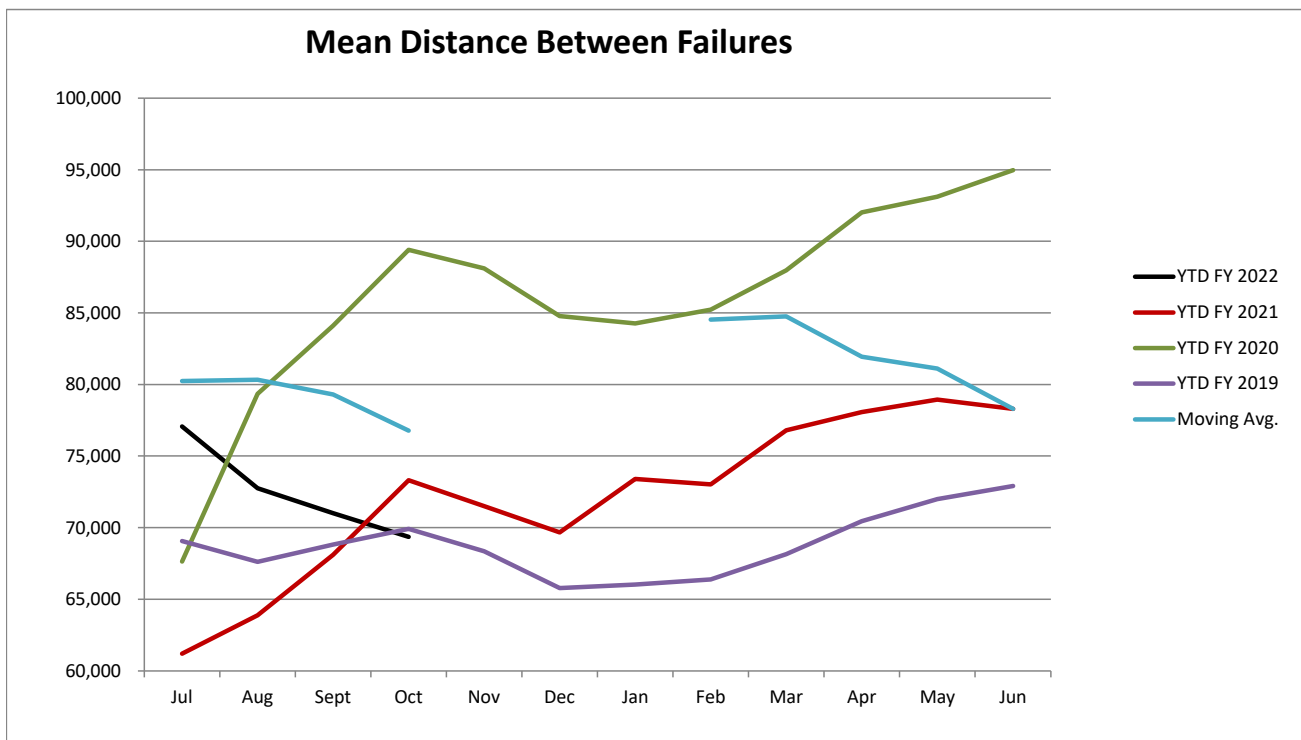
The 12-month Average for Access Link On-Time Performance was 90.4%.

MEAN DISTANCE BETWEEN FAILURES

October 2021

NJ TRANSIT Rail Operations
Mean Distance Between Failures

Month	YTD FY 2022	YTD FY 2021	YTD FY 2020	YTD FY 2019	12 Month Moving Avg.
Jul	77,087	61,198	67,634	69,055	80,232
Aug	72,743	63,891	79,350	67,612	80,333
Sept	71,005	68,109	84,111	68,823	79,307
Oct	69,368	73,320	89,410	69,913	76,783
Nov	-	71,498	88,101	68,356	-
Dec	-	69,664	84,773	65,796	-
Jan	-	73,392	84,273	66,025	-
Feb	-	73,030	85,233	66,391	84,529
Mar	-	76,790	87,973	68,141	84,772
Apr	-	78,072	92,007	70,447	81,931
May	-	78,962	93,119	71,986	81,101
Jun	-	78,300	94,969	72,930	78,300

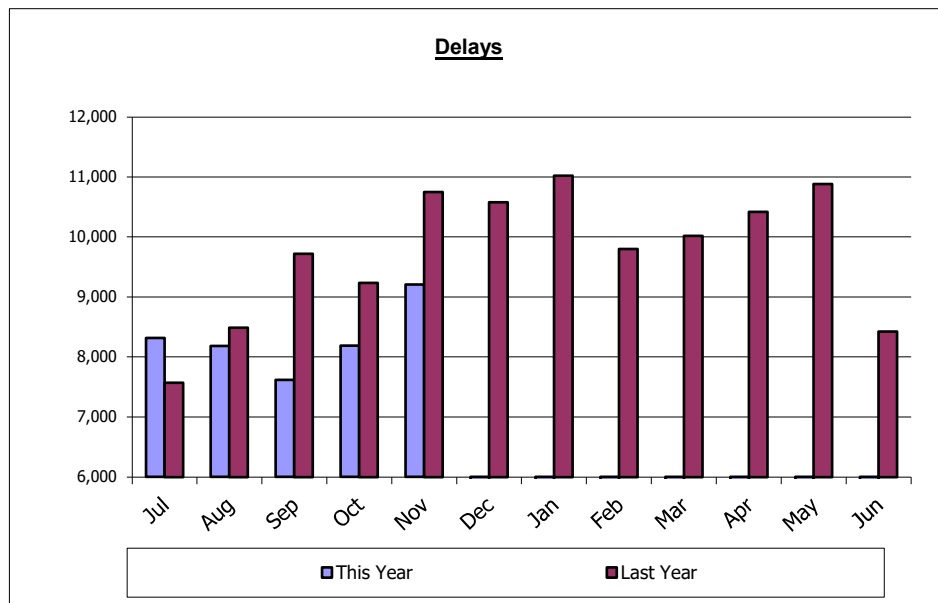


* FY2022 Numbers reflect start of FY2022

Garage Performance Parameters

November 2021

Location	Miles Between In-Service Delays			
	FY2022 Goal	This Month	FY2022 YTD	FY2021 YTD
Fairview	5,500	5,935	5,710	3,677
Greenville	7,000	5,468	5,639	5,155
Market Street	8,000	4,391	4,123	5,485
Meadowlands	9,500	7,241	6,694	5,415
Oradell	10,000	6,125	4,755	7,933
Wayne	16,000	13,224	13,964	17,419
Northern Division	-	6,845	6,206	6,941
Big Tree	8,800	4,397	5,312	4,291
Hilton	10,200	12,183	7,814	6,620
Howell	16,750	27,983	27,054	29,594
Ironbound	9,600	7,942	7,832	8,477
Orange	9,250	4,769	4,098	4,625
Morris	10,500	49,273	28,789	48,021
Central Division	-	9,077	8,321	8,343
Egg Harbor	15,000	15,982	12,487	17,065
Hamilton	13,000	11,475	9,659	11,390
Newton Avenue	14,000	17,517	16,954	17,251
Washington Twp.	16,000	23,659	18,183	20,178
Southern Division	-	17,260	14,141	16,950
Bus Operations	-	9,204	8,269	8,975

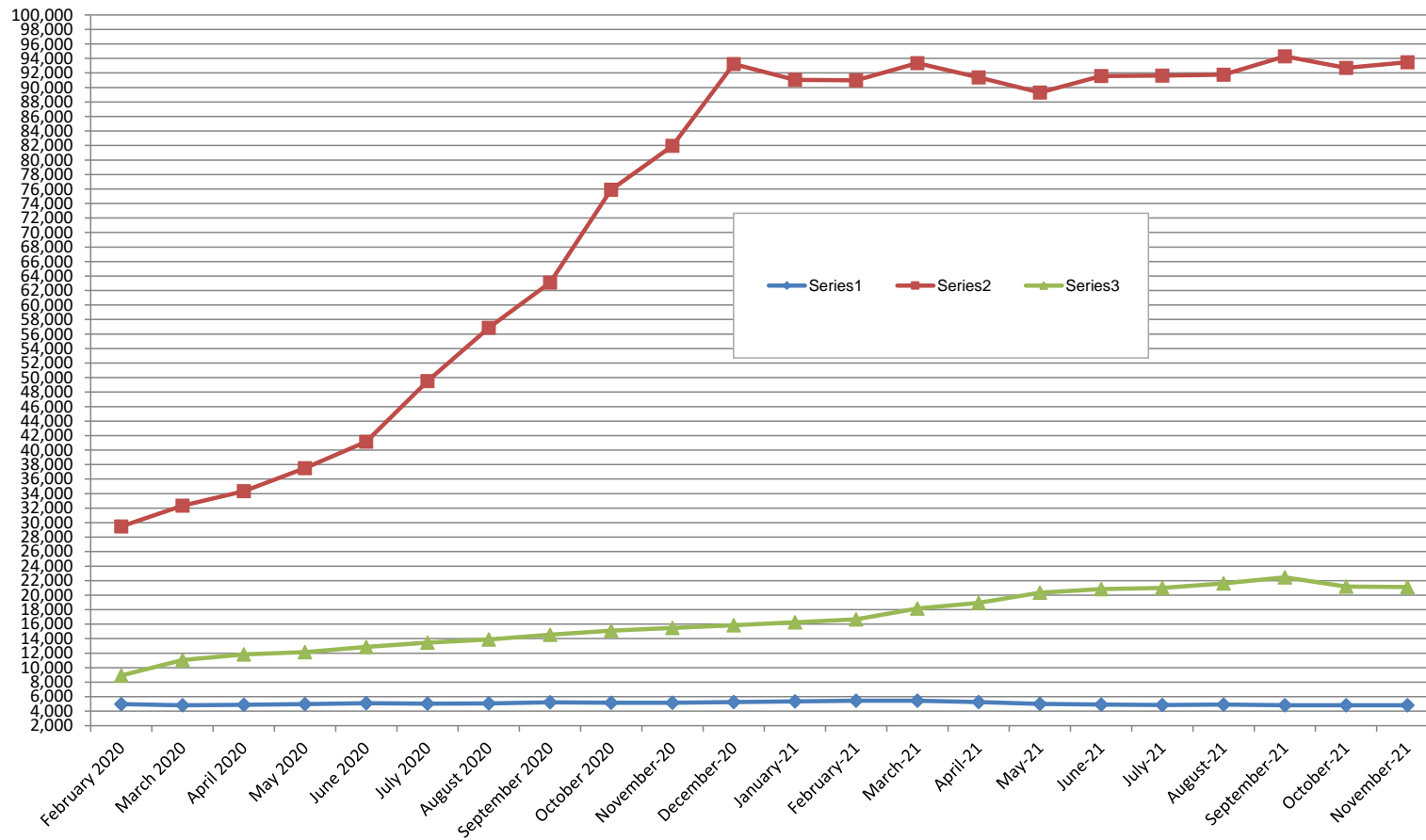


NJ TRANSIT - LIGHT RAIL, November 2021

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF *	
	November 2021	October 2021
Newark Light Rail	4,812	4,828
Hudson Bergen	93,491	92,687
River LINE	21,129	21,165

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



DBE/SBE PROGRAM

NJ TRANSIT - DBE/SBE Participation for November 2021

State Funded Contracts

State Fiscal Year 2022 - July 1, 2021 through June 30, 2022

During the month of **November 2021** NJ TRANSIT awarded **\$25,568,883.66** in state funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$6,479,402.00** or **25.34%**.

State Fiscal Year 2022 YTD (July 1, 2021 through June 30, 2022) NJ TRANSIT awarded **\$58,295,491.09** in state funded contracts. Of that total, SBEs received **\$14,981,197.62** or **25.70%**.

Note: The above reflects the Procurement Report of Awards dated December 3, 2021.

SBE Goal Attainment from July 1, 2021 through June 30, 2022 (SFY 2022)

Category 1 SBEs	\$132,430.00	0.23%
Category 2 SBEs	\$3,961,917.64	6.80%
Category 3 SBEs	\$9,833,800.98	16.87%
Category 4 SBEs	\$365,700.00	0.63%
Category 5 SBEs	\$687,349.00	1.18%
Category 6 SBEs	\$0.00	0.00%

FTA Funded Contracts (Updated on a quarterly basis– next update will occur January 2022)

Federal Fiscal Year (FFY) 2022 - October 1, 2021 through September 30, 2022

**Numbers reflect federal share*

*** Number includes subrecipient awards*

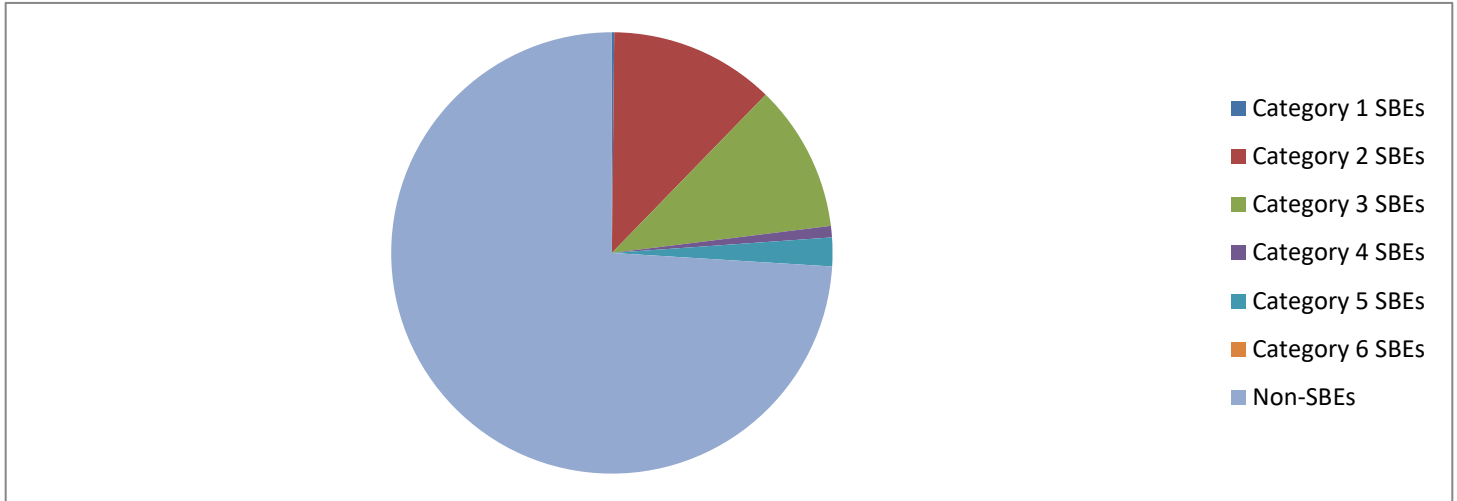
Transit Vehicle Manufacturer (TVM)¹ Awards

(Next update will occur in January 2022)

¹ Transit Vehicle Manufacturers (TVMs) will be reported to the President and CEO on a quarterly basis in the same manner that FTA-funded contracts are currently reported. TVMs are manufacturers whose primary business purpose is to build vehicles specifically for public mass transportation. The “TVM” designation indicates that the intended contract recipient/awardee has submitted to the Federal Transit Administration a plan to utilize Disadvantaged Business Enterprises on their contracts. NJ TRANSIT does not place a separate goal on Transit Vehicle Manufacturers.

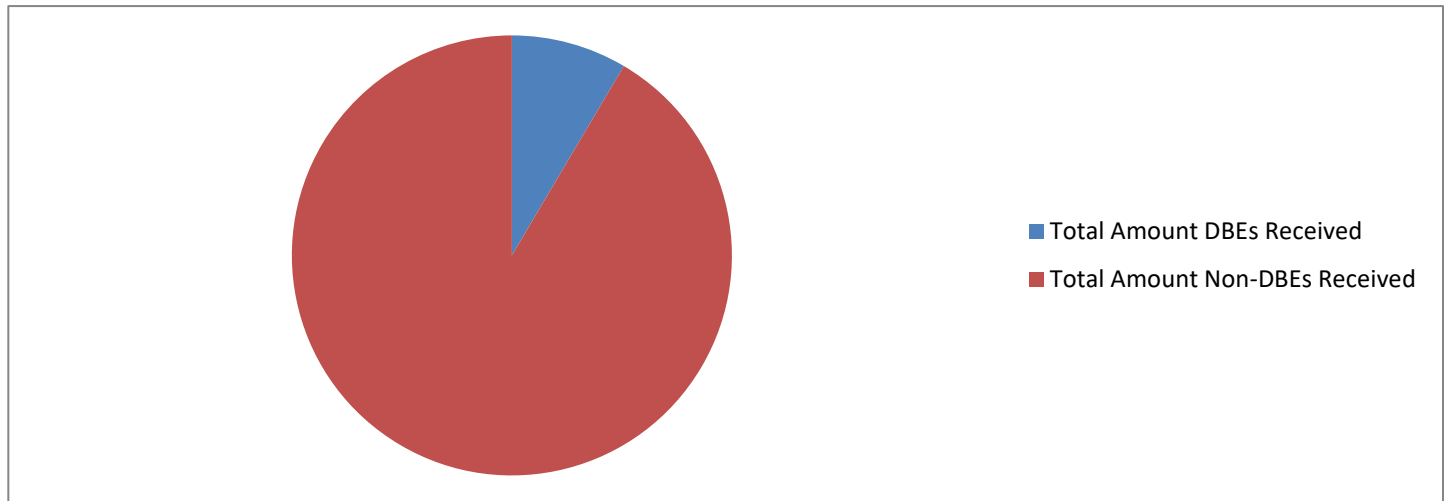
STATE CONTRACTS
STATE FYTD 2022

<i>Category 1 SBEs</i>	\$132,430.00	0.23%
<i>Category 2 SBEs</i>	\$3,961,917.64	6.80%
<i>Category 3 SBEs</i>	\$9,833,800.98	16.87%
<i>Category 4 SBEs</i>	\$365,700.00	0.63%
<i>Category 5 SBEs</i>	\$687,349.00	1.18%
<i>Category 6 SBEs</i>	\$0.00	0.00%
<i>Non-SBEs</i>	\$43,314,293.47	74.30%



DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FY 2020-2022

Total Amount DBEs Received	\$33,785,863.22	8.499%
Total Amount Non-DBEs Received	\$363,735,022.02	91.50%



EMPLOYEE RECOGNITION

The following NJ TRANSIT employees retired recently:

1. James Buccine, Welding Supervisor -- Dover-- 38 years
2. Lawrence Johnson, Track Supervisor -- Penn Plaza HQ -- 34 years
3. Frank Lemos, Assistant Conductor -- Various -- 31 years
4. Timothy Mccorristin, Assistant Conductor -- Various -- 20 years
5. Mark Oravets, Locomotive Engineer ET -- Summit -- 11 years
6. Daniel Watersaw, Lead Technician -- Various -- 33 years
7. Shyh Ma, Operator -- Meadowlands -- 13 years
8. Robert Wilson, Mechanic A -- Newark -- 46 years
9. Zacharie Cadet, Operator -- Hilton Garage -- 23 years
10. Pierre Degagne, Mechanic A -- Newark -- 17 years
11. Edward Dombrowski, Mechanic A -- Ironbound Garage -- 30 years
12. Russell Lighten, Operator -- Hilton Garage -- 20 years
13. Terrence Fullam, Mechanic A -- Wayne -- 28 years
14. Rickey Wynn, Repairman A -- Orange -- 27 years
15. Annette Fedd, Inspector -- Inspector -- Oradell -- 25 years
16. Jean Lubin, Operator -- Operator -- Orange -- 16 years
17. Luis Dos Reis, Manager Rail Communications -- Hoboken -- 31 years
18. Richard Merkel, Customer Communications Associate -- Newark Penn Plaza -- 18 years
19. Regina Reider, Background Verification -- Maplewood -- 43 years
20. Fred Scoleri, Manager Rail Infrastructure Maintenance -- Hoboken -- 27 years
21. Victor Viscomi, Director QA/QC -- Meadows Maintenance Complex -- 34 years

ACTION ITEMS

ITEM 2112-85: DIESEL LOCOMOTIVE (TIER 0) ENGINE UPGRADE

WHEREAS, NJ TRANSIT's existing GP40 diesel locomotives 4300-4303, which are currently used as work engines to support rail operations, were originally built from 1965-1968; and

WHEREAS, the engines for these GP40 diesel locomotives were overhauled in 1995 and are in need of another overhaul to maintain a state of good repair; and

WHEREAS, the overhaul, disassembly, cleaning, repair, and renewal of these engines will extend their useful life; and

WHEREAS, the upgrade of the engines to comply with Environmental Protection Agency (EPA) Tier 0 locomotive emissions standards; and

WHEREAS, the addition of an Automatic Engine Start/Stop (AESS) system to reduce environmental impacts such as engine and noise emissions as well as minimize wear on locomotive components; and

WHEREAS, upon completion of a competitive procurement process, it was determined that Higher Power Industries of Yonkers, New York, was the most responsive, lowest bidder;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 21-032 with Higher Power Industries of Yonkers, New York, for the overhaul, upgrade, and issuance of AESS system kits for four GP40 diesel locomotive engines in the amount not to exceed \$1,463,316.00, plus 10 percent for contingencies, subject to the availability of funds.

ITEM 2112-86: PROPOSED LABOR AGREEMENTS: NJ TRANSIT RAIL OPERATIONS, INC. AND THE BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES (BMWE) AND BROTHERHOOD OF RAILROAD SIGNALMEN.

WHEREAS, NJ TRANSIT Rail Operations, Inc. (“NJT Rail”) and the Brotherhood of Maintenance of Way Employees (BMWE) and the Brotherhood of Railroad Signalmen (BRS) have negotiated Labor Agreements for the approximately 550 employees represented by BMWE and BRS; and

WHEREAS, represented BMWE and BRS employees of NJ TRANSIT Rail Operations have negotiated tentative labor agreements with NJ TRANSIT Rail Operations management; and

WHEREAS, the terms and conditions of the agreements are set forth in individual Memoranda of Understanding (“MOU”); and

WHEREAS, employees represented by the BMWE and BRS are currently voting and/or preparing to send ballots on the ratification of the Union’s Memoranda of Understanding with NJ TRANSIT Rail Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the economic terms and other proposed conditions set forth in the Memoranda of Understanding negotiated by NJ TRANSIT Rail Operations and Brotherhood of Maintenance of Way Employees (BMWE) and Brotherhood of Railroad Signalmen (BRS) (Exhibit A), and staff seeks authorization for the President & CEO, or his designee, to take all necessary steps to finalize and implement same, pending ratification by BMWE and BRS.

MEMORANDUM OF UNDERSTANDING
BETWEEN
BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION
REPRESENTING
TRACK, BRIDGE, AND BUILDING DEPARTMENT EMPLOYEES
AND
NEW JERSEY TRANSIT RAIL OPERATIONS

The parties hereby agree to the following terms and conditions of employment for a new labor agreement (“Agreement”) for the period January 1, 2020, through June 30, 2024.

This Memorandum of Understanding is subject to ratification by the membership of the BMWED and final approval by the New Jersey Transit Board of Directors.

This Agreement amends the agreement between BMWED and New Jersey Transit Rail Operations (NJTRO) amended through December 31, 2019. The rules in the agreement are changed only to the extent indicated herein and remain otherwise unchanged and in full force until changed in accordance with provisions of the Railway Labor Act, as amended. The rule changes set for in this Memorandum of Understanding shall be effective upon date of ratification unless otherwise specified.

1. **Wages**

Effective July 1, 2020, wages shall be increased two percent (2%) over the rates in effect on June 30, 2020.

Effective July 1, 2021, wages shall be increased two and one quarter percent (2.25%) over the rates in effect on June 30, 2021.

Effective January 1, 2022, wages shall be increased two- and one-quarter-percent (2.25%) over the rates in effect on December 31, 2021.

Effective July 1, 2022, wages shall be increased two- and one-half percent (2.5%) over the rates in effect on June 30, 2022.

Effective July 1, 2023, wages shall be increased three (3%) over the rates in effect on June 30, 2023.

2. **Retroactive Wages**

Every active employee, any employee who died during the term of agreement from January 1, 2020 up to ratification, any employee who retired with a Railroad Retirement annuity between January 1, 2020 and full and final ratification, as well as any employee who resigned and who was not in and out of service status for a dismissal at the time or subject to a pending dismissal from a serious disciplinary charge shall receive payment for service under the above schedule, said retroactive payment to be made by January 24, 2022 or as soon as practical but in no event later than 90 days after full ratification.

3. **Holiday**

Add Juneteenth as a holiday.

4. **Bereavement Leave**

Add Step-parent. Employees may attend the funerals for any of the persons covered by this rule on any of the three (3) bereavement days.

5. **Paying Off**

All payroll, including shortage adjustments and expense payments, will be made electronically, via direct deposit only. Paper paychecks and pay advices are discontinued.

6. **Electronic Communication**

The parties recognize that this provision is not subject to negotiations, however, for sale of clarity, the parties have agreed to insert this provision in the Instant Memorandum of Understanding. Namely, NJTRO and NJT corporation will use electronic communication to the email address furnished each employee for various notices from the Human Resources, Pension, EEO, Employee Benefits and other Departments. Correspondence from the NJTRO Infrastructure Engineering and Labor Relations Departments shall continue by current methods.

7. Health and Welfare Benefits

- a. Change the out-of-network reimbursement methodology from 80% of Fair Health to 180% of Centers of Medicare and Medicaid Services (CMS) standard.
- b. Add Dispense as Written (DAW) cost containment provision for prescription drug plan.
- c. All prescription drugs to be filled using National Preferred Formulary (NPF) standard.
- d. Specialty drugs to be filled via mail order only. In a situation following the initial prescribing of a medication by a physician in which the employee or dependent must commence use of the medication immediately, the drug may be filled once at a retail pharmacy.
- e. Effective July 1, 2022, the requirement for NJT to provide “triple option” dental plans shall terminate. NJT will seek quotes from various insurance companies to provide employees with dental plans of equal or better provisions than at present.
- f. There will be no “true up” of health contribution increases, as provided in the Memorandum of Understanding dated June 24, 2016. Additionally, there will be no health premium increases during the term of this Memorandum of Understanding.
- g. Effective July 1, 2022, the HMO plan will be discontinued and all employees in that plan will be placed in a new EPO Plan, which has coverage within as well as outside the State of New Jersey. This plan provides benefits equal to or greater than the HMO plan. The employee monthly premium for that plan will be \$155 per month. Effective July 1, 2022, employees in the HMO Plan who have attained five (5) years of service may remain in the EPO Plan or transfer to the DA10 Plan, as stipulated in provision 5 (d) of the Memorandum of Understanding signed June 24, 2016. All employees hired on/after July 1, 2022, will be required to be in the EPO for their initial five (5) years of service, following which they may remain in the EPO Plan or transfer to the DA10 Plan, as stipulated in provision 5(d) of the Memorandum of Understanding signed June 24, 2016.
- h. The Traditional Plan and the Enhanced Traditional Plan for retirees will be terminated and replaced with the DA10 Plan for all retirees and their spouses for those retirees who are at least 60 years of age and who have a minimum of 30 years of service with NJTRO. There will be no monthly contribution toward the premium of the DA10 Plan for retirees and their spouses, and eligibility will be the same as with the Traditional Plan for retirees and their spouses.

8. Claims

All provisions which require automatic payment of claims if the Carrier fails to respond within time limits will be eliminated. Carrier’s failure to respond within time limits will (a) require the Carrier to pay the claimant a two (2) hour penalty at straight time rates, and (b) automatically give the Organization the right to move the claim to the next step in the grievance procedure should they choose to do so.

9. Term

This Agreement shall continue in full force and effect from January 1, 2020 through June 30, 2024.

10. Moratorium

There shall be moratorium on the serving the Section 6 Notices until April 1, 2024, not become effective until July 1, 2024.

This Memorandum of Understanding constitutes the complete agreement of the parties with the respect to changes in the Collective Bargaining Agreement reached with the undersigned on November 22, 2021.

For the Organization:

For the Company:

Michael Barrett
General Chairman

S.M. Drayzen
DGM- Labor Relations & Administration

APPROVED:

J.A Devine, III
Director- Labor Relations (Administration)

Sean D. Gerie
National Division Vice-President

APPROVED:

Kevin Corbett
President and CEO
New Jersey Transit Corporation

MEMORANDUM OF UNDERSTANDING
BETWEEN
BROTHERHOOD OF RAILROAD SIGNALMEN
AND
NEW JERSEY TRANSIT RAIL OPERATIONS

The parties hereby agree to the following terms and conditions of employment for a new labor agreement (“Agreement”) for the period January 1, 2020, through June 30, 2024.

This Memorandum of Understanding is subject to ratification by the membership of the BRS and final approval by the New Jersey Transit Board of Directors.

This Agreement amends the agreement between BRS and New Jersey Transit Rail Operations (NJTRO) amended through December 31, 2019. The rules in the agreement are changed only to the extent indicated herein and remain otherwise unchanged and in full force until changed in accordance with provisions of the Railway Labor Act, as amended. The rule changes set for in this Memorandum of Understanding shall be effective upon date of ratification unless otherwise specified.

1. Wages

Effective July 1, 2020, wages shall be increased two percent (2%) over the rates in effect on June 30, 2020.

Effective July 1, 2021, wages shall be increased two and one quarter percent (2.25%) over the rates in effect on June 30, 2021.

Effective January 1, 2022, wages shall be increased two- and one-quarter-percent (2.25%) over the rates in effect on December 31, 2021.

Effective July 1, 2022, wages shall be increased two- and one-half percent (2.5%) over the rates in effect on June 30, 2022.

Effective July 1, 2023, wages shall be increased three (3%) over the rates in effect on June 30, 2023.

2. Retroactive Wages

Every active employee, any employee who died during the term of agreement from January 1, 2020 up to ratification, any employee who retired with a Railroad Retirement annuity between January 1, 2020 and full and final ratification, as well as any employee who resigned and who was not in and out of service status for a dismissal at the time or subject to a pending dismissal from a serious disciplinary charge shall receive payment for service under the above schedule, said retroactive payment to be made by January 19, 2022 or as soon as practical but in no event later than 90 days after full ratification.

3. Holiday

Add Juneteenth as a holiday.

4. Bereavement Leave

Add Step-parent. Employees may attend the funerals for any of the persons covered by this rule on any of the three (3) bereavement days.

5. Paying Off

All payroll, including shortage adjustments and expense payments, will be made electronically, via direct deposit only. Paper paychecks and pay advices are discontinued.

6. Electronic Communication

The parties recognize that this provision is not subject to negotiations, however, for sale of clarity, the parties have agreed to insert this provision in the Instant Memorandum of Understanding. Namely, NJTRO and NJT corporation will use electronic communication to the email address furnished each employee for various notices from the Human Resources, Pension, EEO, Employee Benefits and other Departments. Correspondence from the NJTRO Transportation and Labor Relations Departments shall continue by current methods.

7. Health and Welfare Benefits

- a. Change the out-of-network reimbursement methodology from 80% of Fair Health to 180% of Centers of Medicare and Medicaid Services (CMS) standard.
- b. Add Dispense as Written (DAW) cost containment provision for prescription drug plan.
- c. All prescription drugs to be filled using National Preferred Formulary (NPF) standard.
- d. Specialty drugs to be filled via mail order only. In a situation following the initial prescribing of a medication by a physician in which the employee or dependent must commence use of the medication immediately, the drug may be filled once at a retail pharmacy.
- e. Effective July 1, 2022, the requirement for NJT to provide “triple option” dental plans shall terminate. NJT will seek quotes from various insurance companies to provide employees with dental plans of equal or better provisions than at present.
- f. There will be no “true up” of health contribution increases, as provided in the Memorandum of Understanding dated June 24, 2016. Additionally, there will be no health premium increases during the term of this Memorandum of Understanding.
- g. Effective July 1, 2022, the HMO plan will be discontinued and all employees in that plan will be placed in a new EPO Plan, which has coverage within as well as outside the State of New Jersey. This plan provides benefits equal to or greater than the HMO plan. The employee monthly premium for that plan will be \$155 per month. Effective July 1, 2022, employees in the HMO Plan who have attained five (5) years of service may remain in the EPO Plan or transfer to the DA10 Plan, as stipulated in provision 5 (d) of the Memorandum of Understanding signed June 24, 2016. All employees hired on/after July 1, 2022, will be required to be in the EPO for their initial five (5) years of service, following which they may remain in the EPO Plan or transfer to the DA10 Plan, as stipulated in provision 5(d) of the Memorandum of Understanding signed June 24, 2016.
- h. The Traditional Plan and the Enhanced Traditional Plan for retirees will be terminated and replaced with the DA10 Plan for all retirees and their spouses for those retirees who are at least 60 years of age and who have a minimum of 30 years of service with NJTRO. There will be no monthly contribution toward the premium of the DA10 Plan for retirees and their spouses, and eligibility will be the same as with the Traditional Plan for retirees and their spouses.

8. Displacement Rights

Amend Rules 2-A-4, 2-B-1, 2-C-1 (b) and 3-E-1 (a) as follows: Delete "within ten (10) calendar days" and replace with "within five (5) working days".

9. Term

This Agreement shall continue in full force and effect from January 1, 2020 through June 30, 2024.

10. Moratorium

There shall be moratorium on the serving the Section 6 Notices until April 1, 2024, not become effective until July 1, 2024.

This Memorandum of Understanding constitutes the complete agreement of the parties with the respect to changes in the Collective Bargaining Agreement reached with the undersigned on November 22, 2021.

For the Organization:

For the Company:

Frank Davidson
General Chairman

S.M. Drayzen
DGM- Labor Relations & Administration

James Finnegan
Vice President Commuter, Passenger, Transit/
Political Director

J.A Devine, III
Director- Labor Relations(Administration)

APPROVED:

Kevin Corbett
President and CEO
New Jersey Transit Corporation

ITEM 2112-87: ACCESS LINK VEHICLE REPLACEMENT (258 CUTAWAY MINIBUSES)



ITEM 2112-87: ACCESS LINK VEHICLE REPLACEMENT (258 CUTAWAY MINIBUSES)



- Access Link Minibuses have a Useful Lifecycle of five (5) years or 250,000 miles. Access Link currently has 258 minibuses that fall into this range.
- This authorization will ensure that NJ TRANSIT remains in compliance with its federal obligation to provide ADA paratransit service.
- Access Link provided 965,559 passenger trips during FY-21.

ITEM 2112-87: ACCESS LINK VEHICLE REPLACEMENT (258 CUTAWAY MINIBUSES)



- Staff seeks authorization to enter into Maryland Transit Administration Cooperative Purchasing Contract CTR000880 – Small Buses for LOTS & Mobility with Coach & Equipment Bus Sales of Penn Yan, NY and NJ TRANSIT COOP 21-031 for the purchase of 258 cutaway buses for Access Link service.
- This authorization will allow TRANSIT to enter into a Cooperative Purchasing Agreement with Maryland Transit Administration for this purchase to replace current 2014, 2015, and 2016 vehicles that have reached or exceeded their useful life.
- This authorization will allow Access Link to modernize an aging fleet at a total cost of \$22,207,980, plus five percent contingency.

ITEM 2112-87: ACCESS LINK VEHICLE REPLACEMENT (258 CUTAWAY MINIBUSES)

WHEREAS, in July 1990, the Americans with Disabilities Act (ADA) was signed into law requiring public entities operating fixed route transportation systems to provide paratransit services for individuals with disabilities; and

WHEREAS, NJ TRANSIT's ADA paratransit program known as Access Link was established to provide public transportation to people with disabilities who are unable to use local bus service according to the federally mandated American with Disabilities Act (ADA) of 1990. Access Link sub-contracts paratransit service to be provided in 18 of the 21 counties in New Jersey; and

WHEREAS, NJ TRANSIT – Access Link is seeking to purchase 258 Cutaway Minibuses through a Cooperative Purchasing Agreement with Maryland Transit Administration to replace current 2014, 2015 and 2016 vehicles that have reached or exceeded their useful life. This effort will be executed utilizing State funds through the Capital budget; and

WHEREAS, replacement of vehicles that have reached the end of their useful life is of critical importance to the continued safe, reliable, and efficient Access Link operations; and

WHEREAS, providing uninterrupted Access Link service for the provision of ADA paratransit is a requirement of the ADA and Federal Government; and

WHEREAS, this Procurement has a zero percent SBE goal as it is a cooperative purchase under the Maryland Transit Administration Cooperative purchasing Contract CTR000800;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into a contract through Maryland Transit Administration Cooperative Purchasing Contract CTR000880 - Small Buses for LOTS & Mobility with Coach & Equipment Bus Sales of Penn Yan, New York and NJ TRANSIT COOP No. 21-031 for the purchase of 258 cutaway buses for Access Link service in the amount of \$22,207,980, plus five percent for contingencies, for a total contract authorization of \$23,318,379, subject to the availability of funds and Board approval.

ITEM 2112-88: BACKGROUND CHECK SERVICES

WHEREAS, NJ TRANSIT hires about 1,900 full-time and part-time employees, each of whom is required to undergo a comprehensive background check. In addition, any current employee who is promoted, transferred or reclassified from a non-safety sensitive position to a safety sensitive position is also required to undergo a comprehensive background check; and

WHEREAS, NJ TRANSIT's ongoing efforts to manage costs, mitigate risk, and to improve processes, NJ TRANSIT seeks to procure a Third-Party Provider to execute all background checks; the Third-Party Provider will also provide NJ TRANSIT with a self-service portal for managing compliance, faster turnaround times, and a real-time dashboard for metrics; and

WHEREAS, NJ TRANSIT advertised a Request for Proposal and received 10 competitive proposals; and

WHEREAS, a Technical Evaluation Committee ranked Inquires Screening as the highest ranked firm and, following negotiations, NJ TRANSIT determined Inquiries Screening's proposal to be the most advantageous to NJ TRANSIT, price, technical solutions, and other factors; and

WHEREAS, NJ TRANSIT's Office of Business Development assigned a 17 percent Category 2 Small Business Enterprise goal for the Contract, and Inquiries Screening's proposal included a Small Business Enterprise commitment of 17 percent;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is hereby authorized to enter into NJ TRANSIT Contract No. 22-000 with Inquiries Acquisition, LLC dba Inquiries Screening, to provide professional services to NJ TRANSIT for comprehensive background check services at a cost not to exceed \$3,363,250.00, plus five percent for contingencies, subject to the availability of funds.

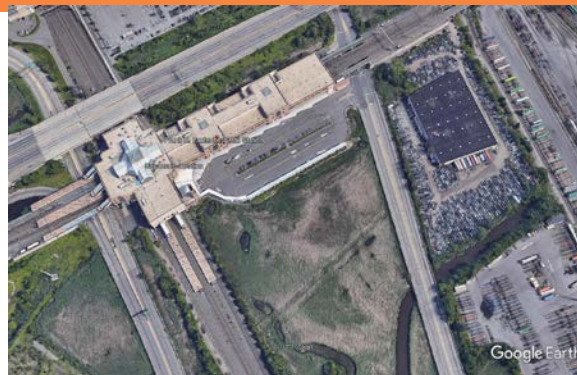
NJ TRANSIT RESILIENCE PROGRAM: DISTRIBUTED GENERATION PROJECT– FINAL DESIGN, CONSTRUCTION AND COMMISSIONING, DESIGN BUILD CONTRACT AND CONSTRUCTION ASSISTANCE SERVICES CONTRACT AWARDS

ITEM: 2112-89 DECEMBER 9, 2021

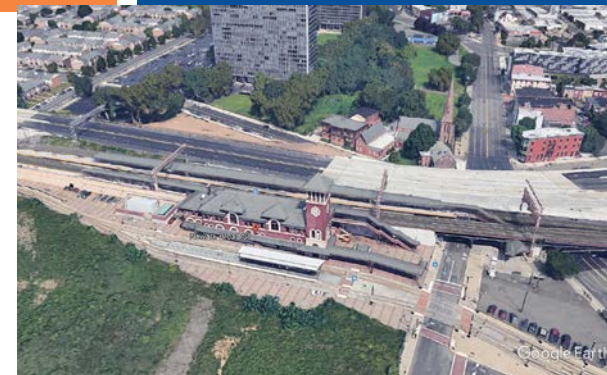




PORT IMPERIAL FERRY TERMINAL



SECAUCUS STATION



BROAD STREET STATION



WAYNE BUS GARAGE

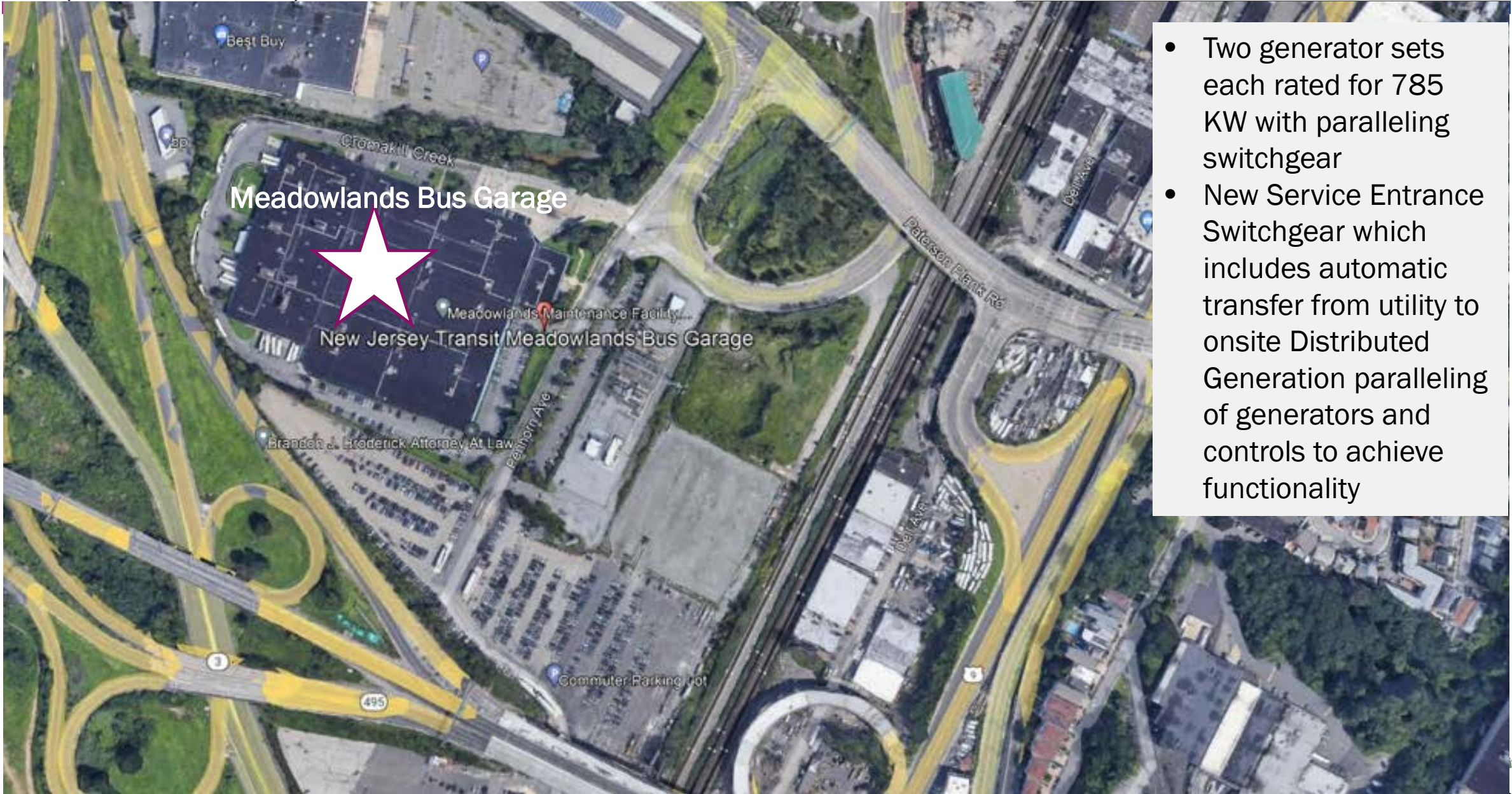


MEADOWLANDS BUS GARAGE

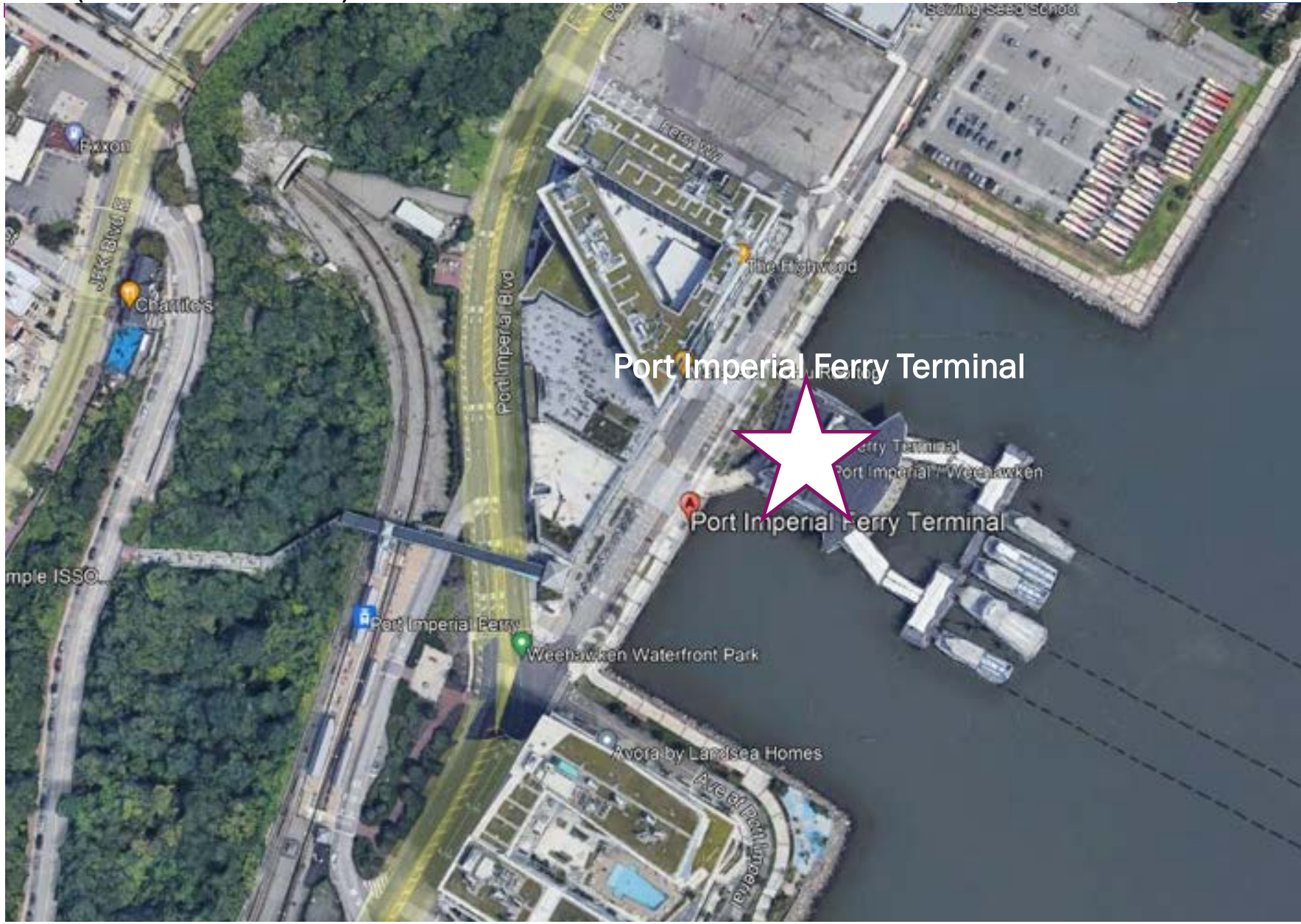


GREENVILLE BUS GARAGE

- ❖ Seven facilities were identified as critical in providing uninterrupted passenger services; six of those facilities with site-specific improvements to its power source are included in this project (see above)
- ❖ These facilities serve the majority of NJ TRANSIT's customers
- ❖ An on-site power source would ensure the necessary power runs the entire facility operations
- ❖ These facilities have generators that are operating beyond their useful life and are undersized for each facility's current operational needs



- Two generator sets each rated for 785 KW with paralleling switchgear
- New Service Entrance Switchgear which includes automatic transfer from utility to onsite Distributed Generation paralleling of generators and controls to achieve functionality



- Reinforce the existing building framing to support additional loads on the roof
- Construct new electrical closets on the existing roof to house the necessary electrical infrastructure from the first floor and to ensure a fully powered terminal building in the event of a utility grid disruption
- Relocate the existing 275 KW generators to the new electrical closets on the roof

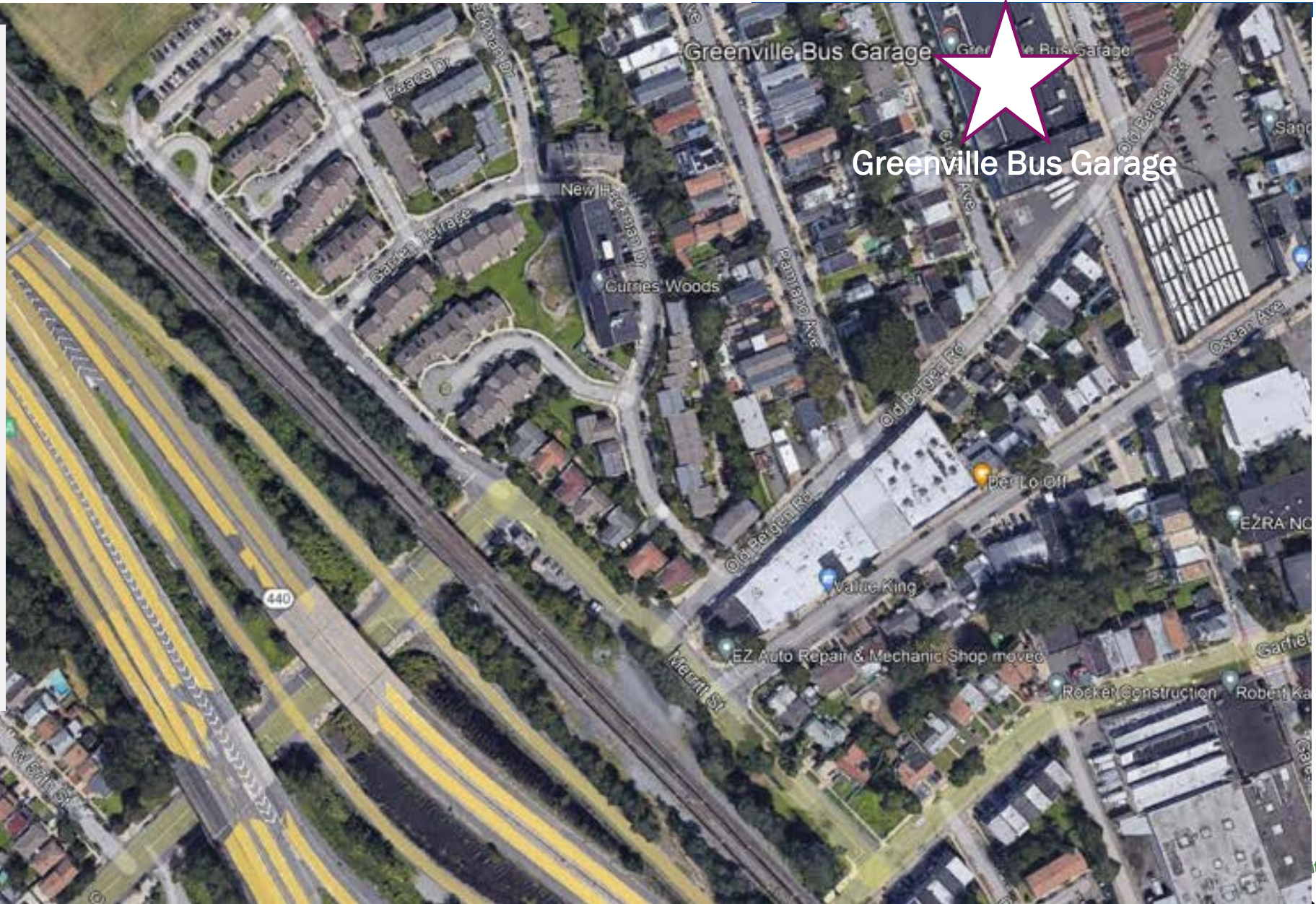


- Two generator sets each rated for 1035 KW (1293 KVA)
- Install Critical Bus Switchboard that includes necessary switchgear and controls to operate the two new standby generators in parallel and distribute power
- 200 KW Load Banks
- New Automatic Transfer Switch (ATS) to provide power to equipment not served by the existing emergency power panels
- New emergency power panel between the existing power panel (ATS) and the loads it services
- Modify the existing BMS to add the existing elevator Control Panels and HVAC fans (NOT AC compressors)



- Replace existing 100 KW generator and ATS with a new 200 KW generator with a new ATS
- Install a new Emergency Distribution Panel (increased availability of emergency power)
- Replace two elevator starters with soft starters

- Revising service entrance feed to incorporate an ATS to isolate the Greenville Garage from the utility in the event of a utility outage
- Provide a new 500 KW generator with 125 KW automatic load bank
- Addition of Distributed Generation load monitoring and automated load control



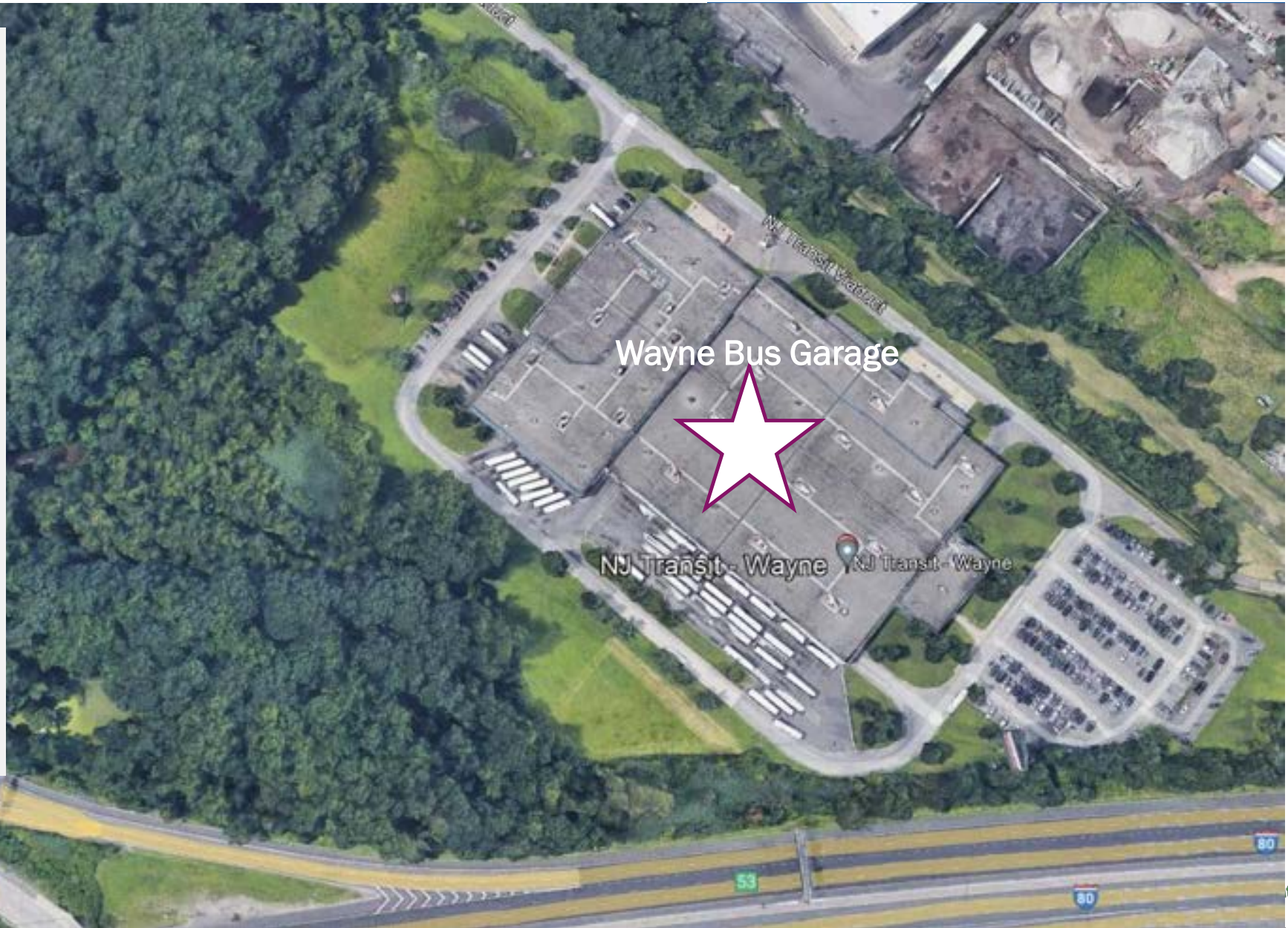
Wayne Facility – Failure Points and Early Action

- Facility-wide power losses had occurred for several years
- DG staff launched actions to determine failure points in the existing Facility Power Supply Controls
- Failure point causing nuisance tripping was identified and faulty equipment was replaced
- Modern and programmable units will facilitate upgrades of the overall Facility Power Distribution System
- New provisions planned for monitoring and recording power conditions at this site
- Alternative power generation technologies for the site will allow full operation of facility during emergency outage

WAYNE BUS GARAGE

OPERATIONAL LOADS	CURRENTLY SUPPORTED	SUPPORTED IN FUTURE
Emergency lighting	X	X
Fuel dispensing equipment	X	X
Heat		X
Air conditioning		X
Exhaust fans		X
Lifts		X
Pneumatic/electric tools		X
Computers		X
Facility controls		X
Day room		X
Locker room		X
Garage door electrical/mechanical opening		X

- One generator set rated for 1000 KW (1250 KVA), installed in a weatherproof sound attenuated walk-in enclosure
- One 675 KW 480V Rotary UPS System
- Micro Grid Controller
- 75 KW carport canopy solar PV system
- 480V 3 phase 2000 amp. Service Switchboard
- 800 amp. ATS with new Distribution Panel to provide power to supplement current system



7th DG Site: Newark Penn Station (NPS)

- Two (2) 1000 KW standby generators will distribute power to all critical loads
- The new generation assets, associated switchgear, and auxiliary equipment will be located in the Old Boiler House (OBH) building
- The Newark Penn Station Complex critical load list includes a large quantity of motors

TIMELINE OF ACTIVITIES

Action	Date
Invitation for Bid (IFB) is issued: Distributed Generation Program	November 18, 2020
Anticipated Notice to Proceed	March 2022
Completion of project	July 2025

- ❖ Staff is seeking Board authorization to enter into a contract with Dynamic US Inc. for IFB 19-033xr for Final Design, Construction and Commissioning at six (6) selected NJ TRANSIT facilities including Broad Street Station, Secaucus Station, Wayne Bus Garage, Meadowlands Bus Garage, Greenville Bus Garage and the Port Imperial Ferry Terminal

NJ TRANSIT CONTRACT NO. 19-033xr RESULTS

COMPANY	TOTAL BID PRICE
DYNAMIC US, INC.	\$39,084,778
TC ELECTRIC, LLC.	\$42,622,000
DCO ENERGY, LLC.	\$45,257,332
AMERESCO, INC.	\$51,769,924
RAILROAD CONSTRUCTION COMPANY, INC.	\$54,875,000

- ❖ **BE IT FURTHER RESOLVED** that the Chair or President & CEO is authorized to amend NJ TRANSIT Contract No. 16-001 with AECOM, of Piscataway, NJ to provide construction assistance services, at a cost not to exceed \$1,056,495.00, plus five percent for contingencies, subject to the availability of funds



ITEM 2112-89: NJ TRANSIT RESILIENCE PROGRAM: DISTRIBUTED GENERATION PROJECT– FINAL DESIGN, CONSTRUCTION AND COMMISSIONING DESIGN BUILD CONTRACT AND CONSTRUCTION ASSISTANCE SERVICES CONTRACT AWARDS

WHEREAS, for several weeks, Superstorm Sandy disabled much of northern New Jersey's regional electric power system, such that rail services were inoperable, either for lack of electric traction power to drive locomotives and rail cars, or to energize key signal and communications systems that allow centralized control of trains; and

WHEREAS, in the aftermath of the storm, NJ TRANSIT made immediate repairs to restore service, and began identifying opportunities to increase the rail system's resilience against future extreme weather events; and

WHEREAS, among the concepts considered was the implementation of resilient power generation in select critical passenger transportation facilities such as train stations, bus maintenance facilities and a ferry terminal; and

WHEREAS, this Distributed Generation solution would extend passenger mobility during a commercial grid outage; and

WHEREAS, the Distributed Generation Project will provide distributed energy resources located at key rail, bus, light rail and select ferry terminal locations; 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 July 2021); and

WHEREAS, On July 2, 2021, an Invitation for Bid (IFB) was released on BID EXPRESS, NJ TRANSIT's electronic bid system, and in *The Star-Ledger* and *Trenton Times* to obtain bids from prequalified contractors to provide Construction Services for the Distributed Generation Project; and

WHEREAS, Bids were received electronically from five pre-qualified firms and opened on September 2, 2021 at 2:00 p.m. at NJ TRANSIT Headquarters in Newark; and

WHEREAS, The NJ TRANSIT Office of Business Development (OBD) assigned a 14 percent Race Conscious Disadvantaged Business Enterprise (DBE) goal for the project. OBD reviewed and approved the 15.35 percent DBE utilization commitment identified by Dynamic US, Inc.; and

WHEREAS, NJ TRANSIT Contract No. 16-001 was approved by the NJ TRANSIT Board of Directors on May 11, 2016 for Phase 1 of a two-phase contract with AECOM, of Piscataway, New Jersey; and

WHEREAS, staff proposes to implement a contract change order to AECOM, to act as owner's representative in a construction assistance capacity to advise and act on behalf of NJ TRANSIT; and

WHEREAS, The NJ TRANSIT Office of Business Development (OBD) assigned a 20 percent Race Conscious Disadvantaged Business Enterprise (DBE) goal for the project. OBD reviewed and approved the 20.94 percent DBE utilization commitment identified by AECOM Inc.; and

WHEREAS, the Federal Transit Administration and Transportation Trust Fund are 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. 19-033xr with Dynamic US Inc. for Final Design, Construction and Commissioning (Design/Build) at six selected NJ TRANSIT facilities, including Broad Street Station, Secaucus Station, Wayne Bus Garage, Meadowlands Bus Garage, Greenville Bus Garage, and the Port Imperial Ferry Terminal, at a cost not to exceed \$39,084,778.10, plus five percent for contingencies, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to amend NJ TRANSIT Contract No. 16-001 with AECOM, of Piscataway, New Jersey, to provide Phase 2 - construction assistance services, at a cost not to exceed \$1,056,495.00, plus five percent for contingencies, subject to the availability of funds.

ITEM 2112-90: CAPITAL PROGRAMS MANAGEMENT PROFESSIONAL SERVICES CONTRACT

WHEREAS, NJ TRANSIT has ambitious plans for the development of a comprehensive capital program and the development of a new capital planning and budgeting system to support capital development; and

WHEREAS, this work will support the development of electronic document management, planning, cost management, schedule management and workflow solution for the centralized storage of certain documents, communications, and reports related to the program management functions of NJ TRANSIT's Capital Programs Department; and

WHEREAS, with in-house capital staff already working at full capacity, NJ TRANSIT continues to require outside assistance in researching the system's needs and building a sustainable capital plan from the results; and

WHEREAS, NJ TRANSIT sought a vendor to provide services, resources, and tools to support a successful implementation of a hosted application to replace the Agency's existing reporting systems and to implement a new system; and

WHEREAS, NJ TRANSIT strives to conduct its financial and administrative processes in the most efficient and effective way possible; and

WHEREAS, NJ TRANSIT is currently leading a corporate initiative to re-engineer its business processes to achieve a best in class status; and

WHEREAS, part of this initiative is an evaluation as to where and how to best perform certain aspects of the capital budgeting process, which is critical to NJ TRANSIT's corporate mission; and

WHEREAS, with nearly 40 years of experience across the Metropolitan Transportation Authority, Anthony D'Amico/Anthony D'Amico, LLC (ADLLC) possesses invaluable direct experience with developing capital construction projects and seeing them to completion; and

WHEREAS, in accordance with N.J.A.C. 16:72-1.5(e), NJ TRANSIT issued a Request for Proposal from one uniquely qualified vendor, ADLLC, based on its knowledge and expertise; and

WHEREAS, NJ TRANSIT previously contracted with ADLLC to provide Capital Programming assistance; and

WHEREAS, for this reason, other consulting firms would require a substantial amount of time to become well-versed in these same areas, which, in turn, would result in additional costs passed on to NJ TRANSIT; and

WHEREAS, the NJ TRANSIT Office of Business Development established a zero percent SBE goal for this contract; and

WHEREAS, the Transportation Trust Fund is the anticipated source 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. 22-025 with Anthony D'Amico/Anthony D'Amico, LLC of New York, for a professional services contract in an amount not to exceed \$750,000.00, plus five percent contingency, 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 Transit Oriented Development Contract – Metropark and the Personal Injury Claim of Elizabeth Dauble; 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.