

**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY
TUESDAY, AUGUST 28, 2007**

Chairman Kolluri called the Authority into session in the Executive Boardroom of the Authority's Administration Offices, Woodbridge, New Jersey, at 9:50a.m.

PRESENT

Chairman Kris Kolluri; Vice-Chairman Joseph Miele; Treasurer Michael DuPont;; Commissioner Raymond Pocino; (participating via conference telephone) Commissioner Harold Hodes and Commissioner David Evans.

Executive Director Michael Lapolla; Deputy Executive Director/Secretary Diane Scaccetti; Deputy Executive Director/Strategic Planning & Policy Director Mary Murphy; Chief Engineer Richard Raczynski; Electronic Toll Collection Acting Director Dennis Switaj; Finance Director Benjamin Hayllar; Human Resources Director Mary-Elizabeth Garrity; Internal Audit Director James Carone; Law Director George Caceres; Deputy Law Director Ken Rotter; Parkway Maintenance Director Ralph Bruzzichesi; Turnpike Maintenance Director Daniel McNamara; Parkway Operations Assistant Director Ken McGoldrick; Turnpike Operations Director Sean Hill; Purchasing Director Andrea Ward; Technology and Administrative Services Director Brian Gorman; Parkway Tolls Director Clifford Miller; Commander Matthew Walker, New Jersey State Police Troop D; and Assistant Secretary Rose Stanko.

Also present were: General Counsel John Hoffman; Co-General Counsel Judy Verrone; General Consultant Robert Stromsted; Matthew Boxer and Sonia Frontera, Governor's Authorities Unit; Franceline Ehret – President, Frank Forst - Consultant, and Dee Gorczyca – member, Local 194 IFPTE; John Pagliarulo – President, Local 3914 AFSCME; and from the media: Tom Davis, The Bergen Record; and Tom Feeney, The Star Ledger.

NOTICE OF MEETING

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

APPROVAL OF MINUTES

The Secretary reported that ten days (excluding Saturdays, Sundays and holidays) have elapsed since Governor Jon S. Corzine received the proceedings of the July 23rd meeting; he has not exercised his power to veto any items in those minutes. Upon motion made by Commissioner DuPont, seconded by Commissioner Pocino, the minutes of the meeting of July 23, 2007 were unanimously approved.

RECUSALS

The Secretary reported that advisements of recusal have been submitted regarding agenda items: 144-07, 145-07, 149A-07 and 149B-07 for Commissioner Pocino. She then asked for any further recusals or abstentions to be placed on record for this meeting. There was no response.

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

- A. Personnel;
- B. Purchase, Lease or Acquisition of Real Property;
- C. Pending or Anticipated Litigation; and/or
- D. Contract Negotiations.

The motion was made by Commissioner DuPont, seconded by Vice-Chairman Miele and, after a voice vote, the motion was duly adopted by the Board of Commissioners of the New Jersey Turnpike Authority. Minutes of the deliberations conducted in closed Executive Session will be disclosed to the public once the Commissioners determine that the public interest will no longer be served by keeping these deliberations confidential.

When the Chairman adjourned the Executive Session and resumed the public session of the meeting he began by opening the floor to public comment pertaining to items being presented for Board approval. There was no response.

The Members of the Authority moved on the following matters considered in Executive Session.

PERSONNEL

136-07

Human Resources Director Garrity submitted the **Personnel Agenda**, dated August 2007, and requested confirmation of the personnel matters contained therein.

Executive Director Lapolla certified the personnel matters for consideration.

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

137-07

Executive Director Lapolla presented the recommendation contained in his memorandum dated August 15, 2007, concerning **Authorization to Enter into a Successor Collective Bargaining Agreement with Local 194, I.F.P.T.E.**, for the period July 1, 2007 through June 30, 2011.

A successor collective bargaining agreement between the Local 194, I.F.P.T.E, A.F.L. – C.I.O./C.L.C (“Local 194”) and the New Jersey Turnpike Authority (“Authority”) was submitted for consideration. The successor collective bargaining agreement is a four (4) year contract with a

term of July 1, 2007 through June 30, 2011. Made a part hereof is an executive summary noting the major features of the agreement.

One of the most critical features of the successor Collective Bargaining Agreement is that effective January 1, 2008, members of Local 194 will share the costs of health benefits. Specifically, effective January 1, 2008, members of Local 194 will contribute \$600 per year for the administration of their health benefits and by the end of the contract they will contribute \$900 per year.

The terms of the agreement are fair and reasonable to both the employees represented by Local 194 and the Authority. Local 194 has informed the Authority that its members have ratified the terms of the new agreement. Special Labor Counsel joins in recommending that the Authority approve this agreement.

Therefore, approval of a successor collective bargaining agreement between Local 194 and the Authority for the four (4) year period of July 1, 2007 through June 30, 2011 is requested. Authorization is also sought to permit the Executive Director to execute the agreement on behalf of the Authority.

Executive Summary
Local 194, I.F.P.T.E.
Successor Collective Bargaining Agreement

On July 27, 2007, Local 194, I.F.P.T.E and the Authority reached an agreement on a successor collective bargaining agreement for the period of July 1, 2007 through June 30, 2011, subject to ratification by the membership of the union and approval by the Authority's Board of Commissioners.

The key provisions of the successor collective bargaining agreement are:

1. TERM: Four (4) years -- July 1, 2007 through June 30, 2011

2. WAGE INCREASE:

7/1/07	3.0%	7/1/09	3.5%
7/1/08	3.0%	7/1/10	3.5%

The wage increase is the same as that of the State wage package.

In addition, in consideration for Local 194's agreement to affect greater efficiencies in operations and employment levels, the Authority will make a one-time efficiency bonus payment to the members of the union in the amount of one thousand dollars (\$1,000), not to base salary.

3. HEALTH BENEFITS:

a) For the Point of Service and HMO Plans, employees shall pay the following:

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

b) Effective January 1, 2008, the Prescription Medicine co-payment at the retail level will be \$3 for generic drugs, \$10 for brand name where there is no generic equivalent or the doctor certifies that the employee is medically unable to take a generic version of the medication, and \$25 for brand name drugs when there is a generic equivalent. This prescription co-payment schedule is the same as that of the State.

Available funds certified by the Finance Director.

On motion by Vice-Chairman Miele, seconded by Commissioner DuPont, the Authority unanimously approved the Local 194 I.F.P.T.E. Bargaining Agreement; and authorized, as presented, the agreement outlined herein; and received and filed the memoranda.

Executive Director Lapolla presented the recommendation contained in his memorandum dated August 22 2007, concerning **Authorization to Enter into a Successor Collective Bargaining Agreement with AFSCME Local 3914 (3912-3913)**, for the period July 1, 2007 through June 30, 2011.

A successor collective bargaining agreement between the AFSCME Local 3914 (3912-3913) ("Local 3914") and the New Jersey Turnpike Authority ("Authority") was submitted for consideration. The successor collective bargaining agreement is a four (4) year contract with a term of July 1, 2007 through June 30, 2011. Made a part hereof is an executive summary noting the major features of the agreement.

One of the most critical features of the successor Collective Bargaining Agreement is that effective January 1, 2008, members of Local 3914 will share the costs of health benefits. Specifically, effective January 1, 2008, members of Local 3914 will contribute \$600 per year for the administration of their health benefits and by the end of the contract they will contribute \$900 per year.

The terms of the agreement are fair and reasonable to both the employees represented by Local 3914 and the Authority. Local 3914 has informed the Authority that its members have ratified the terms of the new agreement. Special Labor Counsel joins in recommending that the Authority approve this agreement.

Therefore, approval of a successor collective bargaining agreement between Local 3914 and the Authority for the four (4) year period of July 1, 2007 through June 30, 2011 is requested. Authorization is also sought to permit the Executive Director to execute the agreement on behalf of the Authority.

Executive Summary
AFSCME Local 3914 (3912-3913)
Successor Collective Bargaining Agreement

On August 21, 2007, AFSCME Local 3914 (3912-3913) and the Authority reached an agreement on a successor collective bargaining agreement for the period of July 1, 2007 through June 30, 2011, subject to ratification by the membership of the union and approval by the Authority's Board of Commissioners.

The key provisions of the successor collective bargaining agreement are:

4. **TERM:** Four (4) years -- July 1, 2007 through June 30, 2011

5. **WAGE INCREASE:**

7/1/07	3.0%	7/1/09	3.5%
7/1/08	3.0%	7/1/10	3.5%

The wage increase is the same as that of the State wage package.

6. **HEALTH BENEFITS:**

a) For the Point of Service and HMO Plans, employees shall pay the following:

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

b) Effective January 1, 2008, the Prescription Medicine co-payment at the retail level will be \$3 for generic drugs, \$10 for brand name where there is no

generic equivalent or the doctor certifies that the employee is medically unable to take a generic version of the medication, and \$25 for brand name drugs when there is a generic equivalent. This prescription co-payment schedule is the same as that of the State.

Available funds certified by the Finance Director.

On motion by Vice-Chairman Miele, seconded by Commissioner DuPont, the Authority unanimously approved the AFSCME Local 3914 (3912-3913 Bargaining Agreement; and authorized, as presented, the agreement outlined herein; and received and filed the memoranda.

At this juncture, Chairman Kolluri announced that, with the unanimous approval of the Board, Law Items 139-07, 140-07, 141-07 and 143-07 will be moved as a consent calendar.

LAW

Law Director Caceres identified each item and requested approval. Moved as a group, those items are as follows:

139-07

In the memorandum dated July 16, 2007, concerning the recommendation of **Settlement in the Formal Workers' Compensation Matter of Edward Milano v. New Jersey Turnpike Authority**, Account No. 10-870-405070.

Edward Milano is a 72 year old Toll Collector who has been employed with the Authority for 17 years. This proposed settlement is as a result of a claim petition filed for right wrist and shoulder injuries suffered when petitioner tripped and fell on a grate necessitating ambulance transport to the hospital.

The petitioner is represented by Baer, Arbeiter, Ploshnick, Tanenbaum & Weiss. The Authority is defended by Special Counsel Michele G. Haas of Hoagland, Longo, Moran, Dunst & Doukas. The matter is venued in the district office of New Brunswick before Judge Dietrich.

The petitioner suffered significant injuries to his right shoulder and right wrist. The injuries sustained in the accident aggravated pre-existing degenerative conditions, which rendered resulting surgical repair extensive. Petitioner attorney's demand was high (40% partial total disability or \$83,280.00), citing Mr. Milano's multiple surgeries and age-related complications. Settlement negotiations were at an impasse until Judge Dietrich stepped in and made a reasonable recommendation of 35% partial total disability (\$63,630.00). Given the extent of the aggravation arising out of the accident and the Judge's recommendation on the record, we could not expect a better outcome at trial.

The Law Department has reviewed this matter and agrees with the recommendation of the Authority's third party Workers' Compensation Administrator, Special Counsel and Assistant Director Human Resources - Safety & Benefits. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$63,630.00.

Reviewed by the Human Resources Director; the Executive Director certified the recommendation for consideration.

140-07

In the memorandum dated August 7, 2007, concerning the recommendation of **Settlement in the Formal Workers' Compensation Matter of William Nathanson v. New Jersey Turnpike Authority**, Account No. 10-870-405070.

William Nathanson, 64 years old, retired December 1, 2002, after working 16 years as a toll collector. This proposed settlement is as a result of four claim petitions filed the following injuries: a back injury, a right shoulder lifting injury, a pulmonary/psychiatric claim and a re-opener of a low back injury previously settled for 32-1/2%.

The petitioner is represented by the law firm of Klitzman & Gallagher. The Authority is defended by Special Counsel Frank Dupignac of Hering, Dupignac, Stanzone & Dunn. The matter is venued in the district office of Freehold before Judge Smith.

The proposed Section 20 Settlement was recommended by Judge Smith as an alternative to the customary settlement procedure, whereby Mr. Nathanson's prior 32-1/2% settlement would likely increase to 40% (approximately \$42,500), in addition, settlement of the new pending claims for his shoulder injury and pulmonary/psychiatric would have to be addressed. The latter would significantly ramp up the settlement amount as the findings of evaluators from *both* sides lent credence to psychiatric issues.

As standard settlement costs would be significant, a Section 20 would resolve all claims permanently and relieve the Authority of any future medical treatment. Petitioner's attorney also concurred that a Section 20 would provide an excellent outcome for his client; however, he demanded \$100,000. We appreciate Judge Smith's evenhanded perspective and believe this resolution is in the best interest of the Authority.

The Law Department has reviewed this matter and agrees with the recommendation of the Benefits Manager and Special Counsel. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$42,500.

Reviewed by the Human Resources Director; the Executive Director certified the recommendation for consideration.

141-07

In the memorandum dated July 30, 2007, concerning the recommendation of **Settlement in the Formal Workers' Compensation Matter of Kurt Ostek v. New Jersey Turnpike Authority**, Account No. 10-870-405070.

Kurt Ostek is a 55 year old automotive technician who worked for the Authority for 20 years. This proposed settlement is as a result of a claim petition filed for a right shoulder injury suffered when the petitioner, along with a fellow worker, was lifting a nearly 200 pound diesel engine part over his head. The Petitioner underwent three surgical procedures for complications

arising out of this injury and was not able to return to work, retiring with Ordinary Disability benefits in December 2005.

The petitioner is represented by the law firm of Garces and Grabler. The Authority is defended by Special Counsel Michele G. Haas of Hoagland, Longo, Moran, Dunst & Doukas. The matter is venued in the district office of New Brunswick before Judge Dietrich.

The court was very much involved in the settlement negotiations, noting that despite undergoing three significant surgical procedures, the petitioner was still unable to resume employment. Judge Dietrich indicated that although the petitioner may have been too disabled to return to his automotive position, he was not considered 100% disabled, which precluded any participation/relief from the Second Injury Fund. After determining petitioner's testimony to be credible, the judge delivered her finding of 60% partial total disability or \$183,000.00. In light of the Petitioner's award of Ordinary Disability retirement benefits, the Authority is entitled to an offset of \$281.30 per week. Therefore, the Authority's liability in this matter, after deduction of offset amounts, is \$91,000.00. The Judge's finding in this matter on the record precluded any chance of a better outcome if tried.

The Law Department has reviewed this matter and agrees with the recommendation of the Authority's third party Workers' Compensation Administrator, Special Counsel and Assistant Director Human Resources - Safety & Benefits. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$91,000.

Reviewed by the Human Resources Director; the Executive Director certified the recommendation for consideration.

142-07

Withdrawn.

143-07

In the memorandum dated August 23, 2007, concerning the recommendation for **Authorization for Executive Director to Take All Steps Necessary for the Acquisition of Certain Properties Required for the Turnpike Interchange 12 Final Improvements Project.** Turnpike Section 6G: Parcel Nos. 1034A and 1034B; Block 551, Lots 2 and 3 – Township of Woodbridge, Middlesex County, Project No. 08010013.

On May 31, 2005, the Authority's Commissioners granted the Executive Director authority to take all steps necessary to prepare for acquisition of certain properties required for the Interchange 12 Final Improvements Project ("Project"). At the time this Authorization was based on the plan that the Authority was only obligated to obtain property needed for the construction of the Project and wetlands credits would be purchased to satisfy the wetlands mitigation requirements. Subsequent to that date, the Authority received correspondence from the New Jersey Department of Environmental Protection ("NJDEP") regarding the permit conditions

required for the construction of the Project advising that the purchase of credits from a wetland mitigation bank was not acceptable for this project at this time. As a result of this determination and other instructions received from the NJDEP, the Authority was required to acquire additional properties for the construction of wetlands in order satisfy the permit requirements necessary for the conclusion of the Project.

It has been determined that certain real estate known as Block 551, Lots 2 and 3 in the Township of Woodbridge owned by Sterling Properties, L.L.C. ("Property") is necessary for the satisfaction of this requirement. In furtherance of this acquisition, an appraisal was obtained and the property owners were contacted by the Authority with offers to purchase the property. Shortly after identification of the need for this additional property discussions began with the property owners to obtain immediate right of entry and to identify the scope of the taking. Settlement negotiations immediately followed. After review and consideration by the Authority's Law Department, General Counsel and Real Estate Consultants, the parties have agreed upon a purchase price for the property interests required ("Purchase Price") subject to Commissioner's approval. Upon the recommendation of General Counsel and the Authority's Real Estate Consultant, the Law Department recommends the payment in total of Two Million Eight Hundred Thousand Dollars (\$2,800,000) for the required property interest.

Based upon the foregoing, it is recommended that the Authority's Commissioners authorize the Executive Director to take any and all steps necessary to acquire the property described herein for the amount negotiated with the property owner and to ratify any and all steps taken by the Executive Director in furtherance of same.

Available funds certified by the Finance Director; the Executive Director certified the recommendation for consideration.

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

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The following matters were raised for consideration in the Public Session of the meeting:

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ENGINEERING

(Recusal from items 144-07, 145-07, 149A-07and 149B-07 for Commissioner Pocino).

144-07

Chief Engineer Raczynski presented the recommendation contained in his memorandum dated August 22, 2007, concerning the **Ratification of Award of Contract No. P500.061-1 – Joseph M. Sanzari Inc.** – Construction of Essex Salt Dome, Milepost 150.7 NB, Parkway, Special Project Reserve Fund No. 04028032.

Due to the accelerated schedule to complete this work, the Executive Director was authorized to award this contract, upon the recommendation of the Chief Engineer, after the July 23, 2007 Commission Meeting.

This contract will provide for the construction of a new salt storage facility along the northbound lanes of the Garden State Parkway at Milepost 150.7 near the Essex Toll Plaza, which will be substantially complete by December 31, 2007. The work will consist of construction of a prefabricated dome-shaped salt storage facility with foundation, minor electrical work for interior lighting of the new structure, grading, and paving.

Five proposals were received on August 20, 2007 for the above publicly advertised contract. The low bid, in the amount of \$587,342.30, may be compared to the Engineer's Estimate in the amount of \$516,981.00. The low bidder, Joseph M. Sanzari, Inc., has previously performed similar work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that the award of Contract No. P500.061-1 be ratified to the low bidder, Joseph M. Sanzari Inc. of Hackensack, New Jersey, in the amount of \$587,342.30. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

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

On motion by Vice-Chairman Miele, seconded by Commissioner DuPont, the Authority approved the recommendation; ratified the award of Contract No. P500.061-1 to Joseph M. Sanzari Inc., in the amount of \$587,342.30, as presented; and received and filed the memorandum.

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145-07

Chief Engineer Raczynski presented the recommendation contained in his memorandum dated August 3, 2007, concerning **Award of Contract No. P200.065 – A. E. Stone Inc. –** Resurfacing and Miscellaneous Improvements, Parkway Interchanges 9, 10 and 11, Maintenance Reserve Fund No. 03020005.

This contract involves pavement resurfacing, cross slope improvements and other miscellaneous improvements intended to improve the rideability and drainage characteristics of the three signalized intersections along the Garden State Parkway in Cape May. The contract includes pavement removal, resurfacing, installation of raised pavement markers, pavement striping, cleaning of existing stormwater drainage systems and other miscellaneous improvements.

One proposal was received on August 1, 2007 for the above publicly advertised contract.

The bid, in the amount of \$883,375 may be compared to the Engineer's Estimate in the amount of \$926,356, allocated as follows: \$700,000 in 2007 and \$183,375 in 2008. The sole bidder, A. E. Stone, Inc. has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.065 be awarded to the low bidder, A. E. Stone, Inc. of Egg Harbor Township, New Jersey, in the amount of \$883,375. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. The General Consultant, HNTB Corporation, concurs with this recommendation.

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

On motion by Commissioner DuPont, seconded by Commissioner Evans, the Authority approved the recommendation; authorized award of P200.065 to A. E. Stone Inc., in the amount of \$883,375, as presented; and received and filed the memorandum.

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146-07

Chief Engineer Raczynski presented the recommendation contained in his memorandum dated August 9, 2007, concerning **Issue of Order for Professional Services No. T3116 – Dewberry-Goodkind Inc.** – Design Services for Turnpike Interchange 6 to Interchange 9 Widening Program, Design Section No. 6, Milepost 66.8 to Milepost 68.3, Mercer County, Construction Bond Fund No. 06510057.

In order to facilitate the Final Design of the Turnpike Interchange 6 to 9 Widening Program (Program), the Authority will engage ten engineering firms consisting of: Program Manager - HNTB Corporation; Environmental Consultant - The Louis Berger Group Inc.; and eight Design Engineers, one for each of the eight Final Design Sections. This Order for Professional Services (OPS) will provide professional engineering services associated with final design and preparation of contract documents and other ancillary activities and services required for the final design of Design Section No. 6 of the Program, which includes the relocation of the Interchange 8 Toll Plaza. The limits of this Final Design Section are Milepost 66.8 to 68.3.

This assignment is classified as a "Complex Project" because the fee exceeds \$1,000,000. Twenty-five engineering consulting firms prequalified and eligible in Profile Codes A091 – Bridges: Widening and Modifications; A250 – Fully Controlled Access Highways; and A256 – Toll Plazas (site, islands, tunnels, canopy) were invited to submit Expressions of Interest (EOIs). Five EOIs were received by the closing date of June 4, 2007.

Subsequent to the scoring of EOIs by the Review Committee, three firms were requested to submit Technical and sealed Fee Proposals. The firms are: 1) Dewberry-Goodkind Inc.; 2) PB Americas, Inc.; and 3) DMJM+Harris, Inc. The Review Committee reviewed and evaluated each firm's Technical Proposal. Final scoring resulted in Dewberry-Goodkind, Inc. being the

highest technically ranked firm. The fee submitted has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. T3116 be issued to the firm of Dewberry-Goodkind Inc. of Bloomfield, New Jersey in the maximum amount of \$19,250,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.42, based on a 10% allowance for profit and an overhead rate of 129% or, the firm's overhead rate as determined by Federal Acquisition Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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

On motion by Vice-Chairman Miele, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation; authorized issue of OPS No. T3116 to Dewberry-Goodkind Inc., in the amount of \$19,250,000, as presented; and received and filed the memorandum.

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147-07

Chief Engineer Raczynski presented the recommendation contained in his memorandum dated August 8, 2007, concerning **Issue of Order for Professional Services No. P3143 – TranSystems/Lichtenstein** – Inspection of Major Bridges, Parkway, Milepost 28.0 to Milepost 158.2, Maintenance Reserve Fund No. 03020007.

This Order for Professional Service (OPS) provides for the inspection of the Authority's ten major Parkway bridges from Milepost 28.0 to Milepost 158.2 in accordance with the requirements of the NBIS biennial inspection. The engineering services associated with OPS No. P3143 will include inspections, FHWA Structure Inventory and Appraisal updates, and Bridge Management System inspections and data collection.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 25 engineering firms prequalified and eligible under Profile Code D-280C: Bridges, NBIS Program, Complex. Eight firms submitted EOIs by the closing date of June 29, 2007.

Subsequent to the scoring of the Expressions of Interest, Fee Proposals were requested from the top three firms. They are, in the order of technical ranking: 1) TranSystems/Lichtenstein; 2) Chas H. Sells, Inc.; and 3) PB Americas, Inc. The fee submitted by TranSystems/Lichtenstein has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3143 be issued to the firm of TranSystems/Lichtenstein of Paramus, New Jersey in the maximum amount of \$325,000, allocated as follows: \$275,000 in 2007 and \$50,000 in 2008. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.45, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by this awardee pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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

On motion by Commissioner Evans, seconded by Vice-Chairman Miele, the Authority unanimously approved the recommendation; authorized issue of OPS No. T3143 to TranSystems/Lichtenstein., in the amount of \$325,000, as presented; and received and filed the memorandum.

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148-07

Chief Engineer Raczynski presented the recommendation contained in his memorandum dated August 16, 2007, concerning **Issue of Supplement A to Order for Professional Services No. P3074 – Buchart-Horn Inc.** – Supervision of Construction Services for GSP Contract No. 84-1290, Southern Bridge Repairs, Parkway, Milepost 28.0 to Milepost 126.3, Maintenance Reserve Fund No. 03020001.

Order for Professional Services (OPS) No. P3074 was issued at the January 2006 Commission Meeting, in the amount of \$598,000, to provide construction supervision services for GSP Contract No. 84-1290. In response to the Authority's Termination for Convenience Order of March 13, 2007, a claim was received from the contractor on May 11, 2007.

Supplement A will provide for the additional unanticipated professional services required to support the Authority in the close out of this contract resulting from the Termination for Convenience Order and the review, analysis and negotiations that will occur with the Contactor in the settlement of this claim.

The fee of \$107,000 submitted by Buchart-Horn, Inc. for these additional services has been reviewed and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that Supplemental OPS No. P3074A be issued to Buchart-Horn Inc. in the amount of \$107,000 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$598,000 to \$705,000. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.S.A. 19:9-2.8.

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

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; authorized issue of Supplemental OPS No. P3074A to Buchart-Horn Inc. in the amount of \$107,000, as presented; and received and filed the memorandum.

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149A-07 through 149B-07

Chief Engineer Raczynski presented recommendations of the following **Contracts for Formal Acceptance and Final Payment:**

<u>CONTRACT NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT DUE CONTRACTOR</u>
<u>TPK Contract SDE-402</u>	Conti Enterprises Inc. Jersey City Aqueduct Relocation and Seaview Drive Extension, Turnpike Hudson County Construction Fund No. 06510012	\$219,728.67
<u>GSP Contract 30-1305</u>	Tilcon New York Inc. Removal of Bergen Southbound Toll Plaza Parkway, Bergen County Construction Fund No. 06560036	\$609,512.56

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

On motion by Commissioner DuPont, seconded by Commissioner Evans, the Authority accepted the certifications of the Engineers, General Consultants and Chief Engineer as to inspection and completion of the foregoing contracts; the certification of the Authority's Law Department as to liens, claims, surety bonds and Final Payment Certificates; hereby authorized final payment, in the amounts shown, due the contractors for completion of the above contracts; and received and filed the memoranda.

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150-07

Chief Engineer Raczynski presented the **Construction Progress Reports**, Turnpike and Parkway roadways, for the period ending 8/10/07. On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously accepted the Construction Progress Reports and received for file.

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PURCHASING

Purchasing Director Ward identified the purchasing agenda as routine goods and services procured according to public law; noted the urgency attached to the recommendations in items 151I-07 and 151R-07; and requested approval. Moved as a consent agenda group, items 151A-07 through 151R-07 are as follows:

151A-07 through 151H-07

Results of Bidding in response to public advertisement for the commodities

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

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

<u>BIDDERS</u>	<u>BIDS</u>		<u>COMMODITY</u>	<u>VENDOR</u>	<u>COST</u>
<u>INVITED</u>	<u>REC'D</u>				
12	1		Toll Booth Repairs	Meta-Lite Inc. Clifton, NJ	\$ 87,850.00

Original contract term may be extended for two additional one-year terms each under the same price, terms and conditions, at the sole discretion of the Authority. (R-32957).

5	2		Aluminum Lighting Poles & Bases	Flagpoles Inc./ P & K Tubular Products Inc. E. Setauket, NY	\$ 42,150.00
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Original contract term may be extended for two additional one-year terms each under the same terms and conditions, at the sole discretion of the Authority. (R-33668).

6	4		Guardrail & Concrete Stands	Eastern Metal / USA-Sign Elmira, NY	\$ 81,643.40
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Original contract term may be extended for two additional one-year terms each under the same price, terms and conditions, at the sole discretion of the Authority. (R-35147, 35144, 37298).

8	1		Asphalt Paver	H. A. DeHart & Son Inc. Thorofare, NJ	\$ 40,635.00
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This contract includes a 3-Year Option which gives the Authority the right to purchase additional units, confirming to the specifications, at the same terms and conditions for the first Model Year and adjusted agreed-upon price terms for two (2) additional Model Years. (R-36128)

6	2		Cargo Storage Containers	Atlantic Trailer Leasing Inc. Vincentown, NJ	\$ 42,225.85
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Original contract term may be extended for two additional one-year terms each under the same terms and conditions, at the sole discretion of the Authority. (R-37079, 31640, 32095, 32590 (Re-Bid)

4	2		Magnetic Toll Tickets	Magnetic Ticket & Label Corp. Dallas, TX	\$ 292,500.00
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Original contract term may be extended for two additional one-year terms each under the same prices, terms and conditions, at the sole discretion of the Authority. (Requisition Memorandum (RM) 354).

25	3		Tree Trimming and Removal Services	Elite Tree Manalapan, NJ	\$ 400,000.00
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Original contract term may be extended for two additional one-year terms each under the same price, terms and conditions, at the sole discretion of the Authority. (Requisition Memorandum (RM) 361).

11	2		Treated Rock Salt	International Salt Co. Clark Summit, PA	\$5,114,170.70
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Original contract term may be extended for two additional one-year terms each under the same terms and conditions, at the sole discretion of the Authority. The succeeding years of the contract will be adjusted yearly based on the CPI as designated in the average Consumer Price Index for combined New York/Northern New Jersey and Philadelphia/Southern New Jersey areas. However, the maximum increase permitted for any year shall be 5%. (RM 366)

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151I-07

Results of Bidding and Immediate Re-Bid — Snow Removal Services, Garden State Parkway, Requisition Memorandum 368.

Service Agreement for snow removal services on the Parkway for the period beginning November 1, 2007 through April 30, 2008. The bid quotations are based on the hourly rates for the number of trucks, and awards are based on total prices. Bids for these items were procured, and authorization is being sought to award contracts to the lowest responsible bidders, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee(s) pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same.

Original contract term may be extended for two additional one-year terms under the same terms and conditions at the sole discretion of the Authority. The succeeding years of the contract will be adjusted yearly based on the CPI as designated in the average Consumer Price Index for combined New York/Northern New Jersey and Philadelphia/Southern New Jersey areas.

However, the maximum increase permitted for any year shall be 5%.

The anticipated expenditure, not to exceed \$59,500, is subject to funding availability at the time of service.

Bidders Invited: 15; Bids Received: 2; Recommendation as follows:

PARKWAY CONTRACTS:

Earle Asphalt Company, Farmingdale, NJ
CONTRACT SPS-3E-07: Interchange 69 North & South

CONTRACT SPC-11E-07: Bricktown Tolls 91

Bids were not received for the following areas: SPN-1E for Bergen/Essex; SPN-3 for Union; SPC-3E for Raritan; SPC-DRIS BR for Driscoll Bridge; SPIO-9 for Asbury; and SPC-10E for Herbertsville. In order to have contracts in place for the commencement of the 2007/2008 snow season, it is recommended that these areas be re-bid immediately.

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151J-07

In the memorandum dated August 14, 2007, concerning a recommendation to **Award a Professional Services Contract – Aon Consulting Inc.** – Actuarial Consulting Services, Budget Code: 010-890-445000.

The Authority requires the services of an actuarial consultant to implement the required Government Accounting Standards Board Statement 45 (“GASB 45”), “Accounting and Financial Reporting by Employers for Post Retirement Benefits other than Pensions.” GASB 45 requires the Authority to include in its 2007 Financial Statement a computation of the Authority’s costs and obligations for post employment benefits such as coverage for health care, disability, prescriptions, and insurance. After the 2007 Financial Statement, the computation of this liability must be performed at least every two years. A GASB 45 is required in 2009. However,

depending on the circumstances, the Authority may also be required to perform GASB 45 Statement in 2008. Thus, the term of the contract is for up to three years.

The Request for Proposal (“RFP”) was advertised in three newspapers and placed on the Authority’s website. The RFP was distributed to eight (8) firms. Proposals were received from the following eight (8) firms: Milliman Inc., New York, NY; CBIZ Benefits & Insurance Services Inc., Cumberland, MD; Aon Consulting Inc. (“Aon”), Somerset, NJ; Gallagher Benefit Services Inc., Marlton, NJ; Hay Group Inc., Jersey City NJ; Wachovia Bank, Reston, VA; Buck Consultants LLC, Secaucus, NJ; and Brown & Brown of PA Inc., Philadelphia, PA. The Executive Director appointed an Evaluation Committee comprising of Staff from the Executive, Finance and Human Resources Departments in accordance with Executive Order No. 37. Proposals for these services were procured, and authorization is being sought to award a contract to the most qualified firm, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.1(b). This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 (Formerly Executive Order 134) and having no objection to same.

After a careful evaluation of the eight proposals, Aon’s proposal received the highest score and was deemed the most responsive to Authority’s requirements for an actuarial consultant. The combination of Aon’s prior professional expertise, proposed actuarial method as well as proposed fee schedule made Aon the most qualified. The Evaluation Committee was unanimous in recommending Aon for the referenced contract.

Accordingly, it is recommended that a professional services contract be awarded to Aon Consulting, Inc. in the amount of \$15,000 for the first year, \$6,000 if needed for the second year and \$15,000 for the third and final year of the contract.

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151K-07

In the memorandum dated August 7, 2007, concerning a recommendation to **Award a Contract, RM 369– Parts Distributors Inc.** – Aftermarket Auto Parts, under a New Jersey Interagency Procurement.

The Port Authority of New York and New Jersey (the “Port Authority”) awarded a contract (No. 4600006842) to Parts Distributors Inc. (“PDI”) for a wide selection of brand named automotive parts. This was a joint procurement among the members of the New Jersey Interagency Procurement Committee which included the New Jersey Turnpike Authority. The Port Authority, which served as lead agency, publicly bid the contract in a manner consistent with New Jersey bid procedures.

The Inventory Division has requested use of the new contract with PDI for one year with two one-year extensions for both Maintenance Departments. Authority Staff participated in the procurement process and concluded that it would be in our best interest to take advantage of the prices offered under the Port Authority Contract. Moreover, PDI has provided satisfactory

services to the Authority in the past at reasonable prices. The prices under the Contract are based on a discount off the Manufacturer's published jobber price sheets. Furthermore, the Maintenance Departments could receive a maximum of two (2) deliveries daily at Turnpike and Parkway facilities, respectively. The total authorized amount will not to exceed \$150,000, per year, including the subsequent two years if the Authority opts to extend the contract.

There was no public advertisement or solicitation of bids for these services as the Authority will take advantage of the Port Authority contract with PDI. The Authority may purchase equipment, goods, materials, and supplies directly from vendors who hold contracts with the State of New Jersey or other State or multi-state authorities, without advertising, pursuant to N.J.A.C. 19:9-2.5(a), promulgated pursuant to the Turnpike Authority's enabling legislation, N.J.S.A. 27:23-1, et. seq.

Accordingly, authorization is requested to award a contract to Parts Distributors Inc., Pennsauken, NJ for aftermarket automotive parts for the period from September 17, 2007 through September 16, 2008, in an amount not to exceed \$150,000. Furthermore, if the Authority opts to extend the contract for the two subsequent years, the total authorized amount will not exceed \$150,000 per year. All monies are subject to funding availability at the time of ordering.

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151L-07

In the memorandum dated August 8, 2007, concerning a recommendation to **Award a Contract, RM 373 – Selecto-Flash Safety Inc.** – Traffic Cones, under a New Jersey Interagency Procurement.

The Inventory Division requisitioned a contract for the supply of 28" wide traffic cones for both roadways. Earlier this year, the Port Authority of New York and New Jersey (the "Port Authority") awarded a contact (No. 4600006852) to Selecto-Flash Safety Inc. for the said traffic cones. This was a joint procurement among the members of the New Jersey Interagency Procurement Committee which included the New Jersey Turnpike Authority. The Port Authority, which served as lead agency, publicly bid the contract in a manner consistent with New Jersey public bid procedures. Authority Staff fully participated in the procurement process and concluded that it would be in our best interest to take advantage of the prices offered under the Port Authority Contract. The contract term is two years commencing on July 13, 2007 through July 12, 2009. The total authorized amount for the two-year term will not exceed \$126,400.

The Authority did not publicly advertise or solicit bids on these services, as we will take advantage of the Port Authority Contract with Selecto-Flash Safety, Inc. The Turnpike Authority may purchase equipment, goods, materials, and supplies directly from vendors who hold contracts with the State of New Jersey or other State or multi-state authorities, without advertising, pursuant to N.J.A.C. 19:9-2.5(a), promulgated pursuant to the Authority's enabling legislation, N.J.S.A. 27:23-1, et. seq.

Accordingly, authorization is requested to award a contract to Selecto-Flash Safety Inc., Cedar Grove, NJ, for traffic cones for a two-year term for the period through July 31, 2009, in an amount not to exceed \$126,400, subject to funding availability at the time of ordering.

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151M-07

In the memorandum dated August 13, 2007, concerning a recommendation to **Award a Sole Source Contract – ACS Transport Systems Inc.** – Miscellaneous Toll Equipment Parts and Supplies, RM 367.

Several automatic coin machines and related toll equipment are installed on the Garden State Parkway and the New Jersey Turnpike, respectively. The current contracts for the supply of miscellaneous toll equipment parts and supplies have expired. Thus, the Toll Collections Departments have requisitioned one joint contract for the supply of miscellaneous toll equipment parts and supplies for both roadways for the period October 1, 2007 through September 30, 2008, in an amount not to exceed \$200,000 (Parkway \$80,000; Turnpike \$120,000).

Since the late 90's, ACS has supplied both roadways with the requisite toll equipment parts as a sole source provider. ACS is the manufacturer of the automatic coin machines and related toll equipment, which are also proprietary to the company. Since these required replacement parts and supplies are not available through any other source in the United States, it is recommended that the award be made under the sole source procurement authorization of N.J.A.C. 19:9-2.2(d)1 as promulgated under N.J.S.A. 27:23-6.1. The exception is also consistent with Executive Order No. 37. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee(s) pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same.

Accordingly, authorization is requested to award a contract to ACS Transport Systems Inc., Norcross, Georgia, for the period October 1, 2007 through September 30, 2008, in an amount not to exceed \$200,000. The Authority may opt, at its sole discretion, to extend the contract for two additional one-year terms at the same terms and conditions. The expenditures will be subject to availability of funding at the time of ordering.

A sole source procurement exception resolution in accordance with N.J.A.C. 19:9-2.2(d)1, as promulgated under N.J.S.A. 27:23-6.1, follows as **Resolution 151M-07**:

RESOLUTION FOR SOLE SOURCE PROCUREMENT
MISCELLANEOUS TOLL EQUIPMENT PARTS AND SUPPLIES

WHEREAS, the Toll Collection Departments requisitioned a contract with ACS Transport Systems, Inc. of Norcross, Georgia for miscellaneous toll equipment parts and supplies for the automatic coin machines; and

WHEREAS, ACS Transport Systems, Inc. will supply ribbons and miscellaneous toll equipment parts for toll equipment located in selected manned lanes on the New Jersey Turnpike and for the replacement parts for the automatic coin machines, including validation and accounting machines which are installed at the Raritan South and Asbury Park Toll Plazas on the Garden State Parkway; and

WHEREAS, the cost of the miscellaneous toll equipment parts and supplies for the automatic coin machines for the Garden State Parkway and the New Jersey Turnpike will not exceed \$200,000, collectively, for the period October 1, 2007 through September 30, 2008; and

WHEREAS, the miscellaneous toll equipment parts and supplies for the automatic coin machines is proprietary to ACS Transport Systems, Inc., who is the sole supplier in the United States; and

WHEREAS, the Authority's regulations pursuant to N.J.A.C. 19:9-2(d)1 promulgated under N.J.S.A. 27:23-6.1 permits sole source procurement when only one source of the required service exists.

NOW, THEREFORE, BE IT RESOLVED THAT the Authority's Commissioners hereby authorize and approve the sole source contract for miscellaneous toll equipment parts and supplies for the automatic coin machines with ACS Transport Systems, Inc. of Norcross Georgia for the period October 1, 2007 through September 30, 2008, in an amount not to exceed \$200,000, as a sole source exception to procurement by public advertisement permitted by N.J.A.C. 19:9-2.2(d)1 promulgated under the Authority's enabling legislation, N.J.S.A. 27:23-6.1.

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151N-07

In the memorandum dated August 13, 2007, concerning a recommendation to **Award a Sole Source Contract – Cisco Systems** – Renewal of Advanced Optical Network in Support of the Cisco Networking Systems, R-37413, Budget Code: 00-010-833-427010.

The Technology and Administrative Services Department has requisitioned the renewal of the Advanced Optical Network in support of the Authority's data networks for the period through July 31, 2008. The annual cost will not exceed \$60,000.

Cisco's optimization services, which include the Authority's Advanced Optical Network, are proprietary to Cisco Systems, the manufacturer of both the hardware and software products. These products and services are provided solely by Cisco Systems and Cisco employees. No other vendor is capable of providing the products and services essential to support the Authority's data network. Thus, this is an exceptional circumstance and it is, therefore, recommended that these products and services be procured without public advertisement as a sole source exception to the public bidding laws and consistent with Executive Order No. 37.

Accordingly, authorization is requested to award a sole source contract to Cisco Systems of San Jose, CA, for the renewal of the Advanced Optical Network in an amount not to exceed \$60,000. The award will be made under the sole source procurement authorization of N.J.A.C. 19:9-2.2(d)1 as promulgated under N.J.S.A. 27:23-6.1. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the awardee(s) pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same. The Authority may opt, at its sole discretion, to extend the contract for two additional one-year period under the same terms and conditions.

A sole source procurement exception resolution in accordance with N.J.A.C. 19:9-2.2(d)1, as promulgated under N.J.S.A. 27:23-6.1, follows as **Resolution 151N-07**:

RESOLUTION FOR SOLE SOURCE PROCUREMENT
RENEWAL OF ADVANCED OPTICAL NETWORK SUPPORT
FOR CISCO NETWORKING SYSTEMS

WHEREAS, the Technology and Administrative Services Department has requisitioned the renewal of the Advanced Optical Network for the period August 1, 2007 through July 31, 2008; and

WHEREAS, the Advanced Optical Network is used to support the Authority' data networks; and

WHEREAS, Cisco's optimization services, which include the Authority's Advanced Optical Network, are proprietary to Cisco Systems; and

WHEREAS, the hardware and software products and services for the Advanced Optical Network can only be procured from Cisco Systems; and

WHEREAS, the annual cost for the renewal of the Advanced Optical Network will be in an amount not to exceed \$60,000; and

WHEREAS, the Authority's regulations pursuant to N.J.A.C. 19:9-2(d)1 promulgated under N.J.S.A. 27:23-6.1 permits sole source procurement when only one source for the required product exists.

NOW, THEREFORE, BE IT RESOLVED THAT the Authority's Commissioners hereby authorize and approve the award of a contract to Cisco Systems for the renewal of Advanced Optical Network for the period August 1, 2007 through July 31, 2008, in an amount not to exceed \$60,000, as a sole source exception to procurement by public advertisement permitted by N.J.A.C. 19:9-2.2(d)1 promulgated under the Authority's enabling legislation, N.J.S.A. 27:23-6.1.

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151O-07

In the memorandum dated August 14, 2007, concerning a recommendation to **Increase Authorized Amount of Contract No. 256 – Sodexho Inc.** – Cafeteria Services, Authority's Traffic Management & Technology Center in Woodbridge.

At the time of the consolidation of the Garden State Parkway and the New Jersey Turnpike, the License Agreement between the Authority (formerly New Jersey Highway Authority) and Sodexho, Inc. was continued on a month-to-month basis until either the execution by the parties of a new license agreement or until termination of this agreement. The annual authorized amount of the contract was \$74,000. Due to increased use of the cafeteria services that amount has been exceeded. Thus, the Patron Services Division has requested that Contract No. 256 be increased by \$45,000 to cover payments through the end of this year. In the meanwhile, the Purchasing Department and Patron Services Division are drafting a Request for Proposal to solicit a new contract to commence in January, 2008.

Accordingly, authorization is requested to increase the authorized amount of Contract No. 256 with Sodexho Inc., Trumbull, CT, in the amount of \$45,000. This will bring the total authorized amount of this Contract to \$119,000.

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151P-07

In the memorandum dated August 20, 2007, concerning a recommendation to **Increase Authorized Amount Contract No. 682 – Traffic Lines Inc.** – Line Striping, Garden State Parkway.

At the April 24, 2007 Commission Meeting, authorization was granted to award a contract to Traffic Lines Inc. for Line Striping of ramps and mainline of the northern areas of the Parkway in an amount not to exceed \$170,063.90 for the period through November 30, 2007. Bids were procured, and authorization was sought to award a contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2.

Traffic Lines, Inc. commenced the line striping as specified. However, as the work progressed, Parkway Maintenance personnel discovered that ramps within the Northern Areas had been overlooked in the computation of linear feet, and these additional areas needed to be painted. Given the goals to enhance safety on the Parkway and to complete the project on schedule, the Maintenance Department has requested an increase of the authorized amount of Contract No. 682 by \$40,538.37 to cover the outstanding costs to complete the contract.

Accordingly, authorization is requested to increase Contract No. 682 with Traffic Lines Inc., Farmingdale, NJ, by \$40,538.37. This will bring Contract No. 682 to a new total authorized amount not to exceed \$210,602.27.

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151Q-07

In the memorandum dated August 13, 2007, concerning a recommendation to **Award Contracts for Routine Towing Services and Emergency Services on the Garden State Parkway** for Zones 10 and 16; and **Routine Towing Services on the New Jersey Turnpike** for Service Provider Location Nos. 1 and 5.

After consolidation the New Jersey Turnpike Authority promulgated new uniform regulations for the procurement of contracts for Routine Towing and Emergency Services on the Garden State Parkway and Routine Towing Services on the New Jersey Turnpike ("Towing Services"). This process has been ongoing for several months and contracts have been awarded in several Zones on the Garden State Parkway and in several Service Provider Locations on the New Jersey Turnpike (collectively, "Zones" and "Service Provider Locations" are referred to herein as "Zones"). This Item refers specifically to Towing Services on the New Jersey Turnpike in Zones 1 and 5 and on the Garden State Parkway in Zone Nos. 10 and 16.

As of this date, the Authority is desirous of awarding and finalizing those contracts as set forth in Exhibit A. Exhibit A identifies the number of prequalified garage facilities, the number of contracts solicited for each Zone on the Parkway and on the Turnpike and the number of bids actually received, as well as the Final Weighted Price submitted by each bidder.

Award contracts are recommended to the garage facilities, as identified in Exhibit A, for Routine Towing Services and Emergency Services for Zone Nos. 10 and 16 on the Garden State Parkway; and, to the garage facilities named, for Routine Towing Services for Zone Nos. 1 and 5 on the New Jersey Turnpike.

Bids were procured, and authorization is being sought to award these contracts to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1 and N.J.A.C. 19:9-2.2. Due to the non-compensatory nature of these services, these contracts were not subject to Public Law 2005 requirements. The Law Department has reviewed this procurement and concurs in these recommendations.

EXHIBIT A

PARKWAY

Zone 10 (2 garage facilities prequalified, 2 bids received, 2 contracts awarded)

	<u>Bid Towing Charges</u>	<u>Total Weighted Price</u>
Julian's Garage Inc.	A. \$54.00; B. \$5.00; C. \$12.50	<u>\$71.50</u>
P & J Auto Body Inc.	A. \$54.00; B. \$5.00; C. \$12.50	<u>\$71.50</u>

Zone 16 (4 garage facilities prequalified, 4 bids received, 2 contracts awarded)

	<u>Bid Towing Charges</u>	<u>Total Weighted Price</u>
Bergen Brookside Towing	A. \$22.47; B. \$0.24; C. \$0.24	<u>\$22.95</u>
Tumino's Towing Inc.	A. \$0; B. \$0; C. \$0	<u>\$0</u>
Lenox Towing Service	A. \$54.00; B. \$5.00; C. \$12.50	<u>\$71.50</u>
Twin Towing	A. \$39.60; B. \$4.75; C. \$ 9.75	<u>\$54.10</u>

TURNPIKE

Zone 1 (1 garage facility prequalified, 1 bid received, 1 contract awarded)

	<u>Bid Towing Charges</u>	<u>Total Weighted Price</u>
Nick's Auto Repair L.L.C.	A. \$48.00; B. \$10.00; C. \$25.00	<u>\$83.00</u>

Zone 5 (2 garage facilities prequalified, 2 bids received, 2 contracts awarded)

	<u>Bid Towing Charges</u>	<u>Total Weighted Price</u>
Johnson Specialized Transportation Inc.		
t/a Burlington Auto Service	A. \$48.00; B. \$10.00; C. \$25.00	<u>\$83.00</u>
Hainesport Enterprises Inc.	A. \$48.00; B. \$10.00; C. \$25.00	<u>\$83.00</u>

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151R-07

In the memorandum dated August 22, 2007, concerning a recommendation to **Delegate Authority to the Executive Director to Award a Contract – [Vendor to Be Determined] –**

In-Ground Vehicle Lift, R-36629.

The Turnpike Maintenance Department requisitioned a Two-post Modular In-Ground Lift System (including installation and removal of an existing lift) at District No. 3 in Crosswicks, NJ.

The contract was advertised and requests for bids distributed to prospective bidders. The bid opening date was initially scheduled for September 5, 2007. However, the Turnpike Maintenance Department requested that that date be brought forward to August 23rd to facilitate installation of the lift system prior to the commencement of the 2007/2008 snow season. Thus, the Purchasing Department publicized the new bid opening date on the Authority's website. Prior to the bid opening, a potential bidder, who did not attend the mandatory site inspection, argued that the solicitation process was flawed because the information on the website was insufficient with respect to the change of the bid opening date. (This vendor only saw a portion of the website.) The Law Department and General Counsel reviewed the matter and concluded that while the Authority provided adequate notice of the date change, it was prudent to postpone the bid opening to permit additional bidders to participate, and to avoid a potential bid protest, which could further delay the award of contract.

The bid opening date was changed back to September, 5, 2007 and all prospective bidders notified. Given the Turnpike Maintenance Department's desire to complete the contract (including demolition, construction and installation of the lift) prior to the winter season, the September

Commission Meeting (plus the ten-day veto period) would be untimely. The garage bays are essential for vehicle mechanical services performed on snow equipment/vehicles.

Accordingly, it is recommended that the Executive Director be delegated the authority to award a contract for a two-post modular in-ground lift system to the lowest responsible bidder following the bid opening with the ratification of the award at the September Commission Meeting. Bids will be procured, and authorization will be sought to award a contract(s) to the lowest responsible bidder(s), in accordance with N.J.S.A. 52:32-17 and N.J.A.C. 17:14-1.1. In addition, the award will be contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same.

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

On motion by Vice-Chairman Miele, seconded by Commissioner DuPont, the Authority approved the eighteen (18) item purchasing agenda; authorized the recommendations, as set forth above; and received and filed the memoranda.

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GENERAL BUSINESS

152-07

Technology and Administrative Services Director Gorman presented the recommendation contained in his memorandum dated August 10, 2007, concerning a recommendation to **Issue Utility Order NJFON-Adesta-13 – Adesta LLC** – for Design and Installation of Fiber Optic Cabling at 28 New Jersey Turnpike Interchanges for the Automatic Vehicle Identification (AVI) Remote Monitoring Project, Budget Code: Special Project Reserve Fund (SPRF) 04008015.

Authorization is sought to issue a utility order to Adesta LLC for the design and installation of fiber optic cabling at 28 New Jersey Turnpike Interchanges. The project supports an Electronic Toll Collection project which will develop and deploy a remote monitoring system for the Automatic Vehicle Identification (AVI) application. This monitoring system is projected to reduce maintenance costs and improve system availability. This utility order will provide for the following:

1. Design Services – Adesta LLC will design a proposed fiber optic cable route from Turnpike equipment shelters (huts) to designated AVI readers or other cabinets at 28 various Turnpike Interchange locations.

2. Installation Services - Adesta LLC will install fiber optic cable from Turnpike equipment shelters (huts) to designated AVI readers or other cabinets at 28 various Turnpike Interchange locations. Adesta LLC will further terminate and test all fiber optic connections.

The total of the utility order will not exceed \$210,000 and is fully funded.

Therefore, it is requested that the New Jersey Turnpike Authority authorize the issuance of Utility Order NJFON-Adesta-13 to Adesta LLC for design and installation of fiber optic cabling at 28 New Jersey Turnpike Interchanges for the AVI Remote Monitoring Project.

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

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation; authorized issue of Utility Order NJFON-Adesta-13 to Adesta LLC, in the amount of \$210,000, as presented; and received and filed the memorandum

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153-07

Deputy Executive Director Scaccetti presented the recommendation contained in her memorandum dated August 23, 2007, concerning **Authorization to Renew the following Insurance Policies: Excess Umbrella Liability Insurance – Self-Insured General/Automobile Insurance**, Account No. 10890-441010-10890; **Major Bridge and Property Insurance – New Jersey Turnpike**, Account No. 10890-441030-10890; and **Public Officials and Employment Practices Liability Insurance**, Account No. 10890-441040-10890.

The New Jersey Turnpike Authority maintains various insurance policies to protect its assets, and to maintain compliance with the Authority’s Bond Resolution. In the summer of 2006, the above-referenced insurance policies were renewed through a competitive Request for Proposal process, in compliance with all applicable statutes, resolutions, and executive orders. The awards were for a period of three years. This is the second year of the award period.

The broker of record for each insurance policy is required to solicit three competitive quotations to present for the renewal period of September 1, 2007 through September 1, 2008. All coverages are as expiring. The following is the result of their efforts:

- Excess Umbrella Liability Insurance – Self-Insured General/Automobile Liability
Broker of Record: Risk Strategies Co. Inc. Carriers are as follows:

<u>LAYER</u>	<u>CARRIER</u>	<u>PREMIUM</u>
\$25 million excess	National Union	\$ 921,500
\$2 million/\$3 million SIR	(AIG)	
\$25 million excess	Arch Specialty	\$ 232,180
\$25 million		
\$25 million excess	XL Insurance America	\$ 108,584
\$50 million		
\$25 million excess	National Union	\$ 58,100
\$75 million		
	Total Premium	\$1,320,364
	PLIGA Surcharge – 1.6% (not applicable to Arch)	\$ 17,411
	<u>TOTAL COST:</u>	<u>\$1,337,775</u>
- Major Bridge and Property Insurance - New Jersey Turnpike.
Broker of Record: NIA Group Associates. Carriers – quota-shared basis: Westchester Surplus Lines Company and Lexington Insurance Company.
TOTAL PREMIUM: \$2,333,388

- Public Officials and Employment Practices Liability Insurance

Broker of Record: Risk Strategies Co. Inc. Carriers are as follows:

<u>CARRIER</u>	<u>LIMITS OF LIABILITY</u>	<u>PREMIUM</u>
National Union Insurance Co. (Incumbent) an AIG Co.	\$20 million	\$ 400,000
	PLIGA Surcharge	\$ 6,400
National Specialty Ins. Co. (Incumbent)	\$10 million	\$ 150,000
	PLIGA Surcharge	\$ 2,400
	<u>TOTAL COST:</u>	<u>\$ 558,800</u>

Approval is therefore requested to renew the above-referenced insurance policies with the brokers of record, carriers and premiums as set forth above.

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

On motion by Commissioner DuPont, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation; authorized renewal of the three insurance programs, in the total amount of \$4,229,963, as presented; and received and filed the memorandum

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154-07

Executive Director Lapolla presented the recommendation contained in his memorandum dated August 24, 2007 concerning **Authorization to Negotiate and Execute an Agreement with New Jersey Transit to Assist in New Jersey Transit Meadowlands Project**, Supplemental Capital Budget Project No. 08017022.

Authorization is requested to delegate to the Executive Director the authority to negotiate and execute an agreement with the New Jersey Transit Corporation (NJ Transit) whereby the New Jersey Turnpike Authority would provide financial assistance in an amount not to exceed \$32,000,000 towards the construction of rail access to the Meadowlands complex. This funding would supplement the \$150,000,000 provided by the Port Authority of New York and New Jersey in 2004 for design and construction of the rail link.

NJ Transit, the New Jersey Department of Transportation and the New Jersey Sports & Exposition Authority are advancing this project jointly to promote better access and egress and to foster economic development and redevelopment at the Meadowlands complex. Alternative methods of access will reduce congestion and promote safety on the New Jersey Turnpike Authority roadways, and therefore will reduce the need for the New Jersey Turnpike Authority to expand its roadway networks, ramp systems and feeder patterns at greater expense than the proposed contribution.

The initial phase of the project includes the construction of two new tracks, each approximately 12,300 feet in length and connected to the Pascack Valley Line. The rail station will include one side and one center-island platform, each approximately 710 feet in length to accommodate an 8-car train. The fully accessible platforms will include escalators, stairs, elevators and a waiting area for customers. The station will be located between the new Xanadu commercial

and entertainment complex currently under construction, the Big M Racetrack and the new Giants/Jets football stadium.

Such contributions are permitted by the authorizing legislation creating the New Jersey Turnpike Authority. The contribution is funded from non-toll sources of revenue and will be paid from the new 2007 Supplemental Capital Budget Project “NJ Transit Meadowlands”; Project number 08017022.

Reviewed by the Law Director, available funds certified by the Finance Director.

On motion by Vice-Chairman Miele, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation; authorized the delegation of authority to the Executive Director to negotiate and execute an agreement with New Jersey Transit Corporation, in the amount of \$32 Million, as presented; and received and filed the memorandum

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155-07

Finance Director Hayllar presented the financial results of the New Jersey Turnpike Authority for the Seven Months ended July 31, 2007. On motion by Commissioner DuPont, seconded by Commissioner Pocino, the New Jersey Turnpike Authority’s **Financial Summary** was unanimously accepted and received for file.

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156-07

Resume of All Fatal Turnpike Accidents for the period 1/01/07 – 8/16/07, with yearly 2006-2007 comparisons through June and July; was submitted by Turnpike Operations Director Hill. On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously accepted the resume’ and received for file.

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157-07

Resume of All Fatal Parkway Accidents for the period 1/01/07 – 8/16/07, with 2006-2007 comparisons through June and July, was submitted by Parkway Operations Assistant Director McGoldrick. On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously accepted the resume’ and received for file.

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158-07

New Jersey State Police Troops D and E - Reports of Activities for the months ending June and July of 2007, with 2006-2007 yearly comparisons, was submitted by Troop D Commander Walker. On motion by Commissioner Pocino, seconded by Commissioner Evans, the Authority unanimously accepted the reports and received for file.

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At this juncture, the Chairman opened the floor to public comment on other matters.

John Pagliarulo, President of AFSCME Local 3914, thanked the Board for their support of the Local 3914 contract settlement.

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The motion to adjourn was made by Commissioner DuPont, seconded by Commissioner Pocino and, after the voice vote, the motion was duly adopted. The Authority adjourned at 10:30 a.m., to meet on Tuesday, September 25, 2007, at 9:30 a.m.

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

REPORT OF PURCHASES – Period: July 1 through July 31, 2007; under Executive Directors Delegated Authority.

REPORT OF UTILITY ORDERS – Period ending August 10, 2007; under EDDA 117-05.

REPORT OF CHANGE ORDERS, TYPE 1 AND TYPE 2 – Period: July 7, 2007 through August 9, 2007.

AGREEMENTS/CONTRACTS:

Contract No. T200.016 – Crisdel Group Inc.; authorized 7/23/07.

Contract No. P200.057 – Stavola Contracting Co. Inc.; authorized 4/24/07

Contract No. IR500.068 – Thomas Company Inc.; authorized 4/24/07.

Rose Stanko
Assistant Secretary

APPROVED:

Kris Kolluri, Chairman and Department of Transportation Commissioner

Joseph P. Miele, Vice-Chairman

Michael R. DuPont, Treasurer

Harold L. Hodes, Commissioner

David G. Evans, Commissioner

Raymond M. Pocino, Commissioner