

**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY
TUESDAY, DECEMBER 9, 2008**

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

PRESENT

Chairman Stephen Dilts; Commissioner/Treasurer Michael DuPont; Commissioner Harold Hodes; Commissioner Evans; Commissioner Raymond Pocino; and Commissioner Clive Cummis.

Executive Director Diane Gutierrez-Scaccetti; Deputy Executive Director John O'Hern; Chief Engineer Richard Raczynski; Electronic Toll Collection Director Dennis Switaj; Finance Director Benjamin Hayllar; Human Resources Director Mary-Elizabeth Garrity; Internal Audit Director James Carone; Law Director George Caceres; Maintenance Director John Cifelli; Operations Director Sean Hill; Purchasing Director Andrea Ward; Strategic Planning & Policy Director Marilyn Lennon; Technology and Administrative Services Director Brian Gorman; Tolls Director Robert Quirk; Commander Matthew Walker, New Jersey State Police Troop D; Chief of Staff Joseph Orlando and Secretary Rose Stanko.

Also present were: General Counsel John Kelly; General Consultant James Beattie; Authority Financial Advisor Dennis Enright; Sonia Frontera, Governor's Authorities Unit; Patricia Snyder, NJDOT Policy and Authorities Coordination; Frank Forst – Consultant, Local 194 IFPTE; former NJTA Chairman Kris Kolluri; additional individuals consisting of other NJTA employees; interested organizations; general public; and from the media: the Asbury Park Press.

NOTICE OF MEETING

This is a regular meeting of the New Jersey Turnpike Authority. Adequate notice of this meeting has been provided in accordance with Chapter 231, P.L. 1975 in that notice has been given to 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 October 31st meeting; he has not exercised his power to veto any items in those minutes.

Upon motion made by Commissioner DuPont, seconded by Commissioner Evans, with the abstention of Chairman Dilts, the minutes of the meeting of October 31, 2008 were approved.

RECUSALS

The Secretary reported that advisements of recusal have been submitted regarding agenda items: 248-08 – for Chairman Dilts; 229-08, 231-08, 232-08, 234-08 and 241A-08 through 242B-08 – for Commissioner Pocino; and 228-08 – for Commissioner Hodes. 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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At this juncture, it was determined that a separate Executive Session was not required and Chairman Dilts opened the floor for comment pertaining to the public items being presented for Board approval. There was no response.

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

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Addendum Item

256-08

Chairman Dilts recognized former Chairman Kris Kolluri and welcomed him to this meeting. Expressing his admiration for the former NJTA Chairman, he referred to their work together in the NJ Department of Transportation further regarding him as a friend and a State asset.

Following his remarks was Executive Director Gutierrez-Scaccetti who extended to the former Chairman her own personal gratitude and added that she found him to be tireless in working for hard to find solutions. She emphasized the difficulty in balancing the needs of the Governor for the State of New Jersey and the demands of the New Jersey Turnpike Authority and commended Chairman Kolluri's accomplishment in achieving both goals.

On a humorous note, and as a token of the New Jersey Turnpike Authority's appreciation, she presented him with a framed article of published commentary identifying it as the "only known toll increase that ever received a positive newspaper editorial." Concluding the presentation was the Executive Director's formal recommendation to adopt the Resolution memorializing Mr. Kolluri's significant contributions.

Mr. Kolluri responded by claiming that everyone here is responsible for achieving the goals that were attained and getting the work done. He concluded by saying that he was grateful for the opportunity to serve.

On motion by Commissioner DuPont, seconded by Commissioner Hodes, the Authority adopted the following **Resolution 256-08**:

Resolution of the New Jersey Turnpike Authority
in Honor of Kris Kolluri
December 9, 2008

WHEREAS, Kris Kolluri was appointed Commissioner of the New Jersey Department of Transportation, becoming a member of New Jersey Turnpike Authority in January, 2006 and was named Chairman in March, 2007 by the Governor of the Great State of New Jersey; and

WHEREAS, Kris Kolluri worked to seamlessly integrate all transportation agencies in his roles as Chairman of the New Jersey Turnpike Authority, the South Jersey Transportation Authority, New Jersey Transit and as Commissioner of the Department of Transportation to better serve the commuters of New Jersey; and

WHEREAS, Kris Kolluri advocated for and implemented a \$7 billion capital construction plan to enable the widening of the New Jersey Turnpike and Garden State Parkway as well as creating thousands of jobs during difficult economic times; and

WHEREAS, Kris Kolluri has demonstrated extraordinary leadership and an innovative approach to unifying the transportation systems of New Jersey; and

WHEREAS, Kris Kolluri has left his role Chairman and Commissioner of the New Jersey Turnpike Authority in order to bring his skill set to another agency.

NOW THEREFORE BE IT RESOLVED THAT the Board of Commissioners of the New Jersey Turnpike Authority acknowledge the many achievements of Kris Kolluri in his tenure as Chairman of the Board from January, 2006 through December, 2008 thank him for his commitment and understanding and wish him continued success in his new role.

BE IT FURTHER RESOLVED that this Resolution be presented to Kris Kolluri at the meeting of December 9, 2008, and a copy be spread upon the minutes of that meeting.

PERSONNEL

217-08

Human Resources Director Garrity submitted the **Personnel Agenda**, dated December, 2008, and requested confirmation of the personnel matters contained therein.

The Executive Director certified the recommendation for consideration.

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

LAW

Law Director Caceres requested approval of agenda numbers 218-08 through 223-08; moved as a group, those items are as follows:

218-08

In the memorandum dated December 1, 2008, concerning the recommendation to **Authorize the Executive Director to Enter into an Agreement with Fairfield Properties, L.L.C.** – Transfer a portion of certain Authority property (.05 acres) Old Parcel 500F, Section 7, Interchange 125 to Fairfield Properties, LLC in exchange for a portion of Block 275.01, Lots 3 and 5 (.05 acres), Installation of a New Salt Building, Garden State Parkway Off Ramp, Sayreville Borough, Middlesex County.

The New Jersey Turnpike Authority (“the “Authority”) is proposing to construct a Salt Building on the Garden State Parkway off ramp on an irregular shaped portion of the Authority’s Right-of-Way, adjacent to Block 275.01, Lots 3 and 5, owned by Fairfield Properties, L.L.C. (“Fairfield”).

In order to accommodate the new structure and the resulting vehicles that will be entering and exiting the property, as well as evening out the shape of the parcel, the Authority has proposed and Fairfield has accepted, subject to Commissioners’ approval, the even transfer of .05 acre property owned by the Authority, Old Parcel 500F, Section 7, for a .05 acre property owned by Fairfield. Since the property will be identical in size, and acreage, and of no monetary value, it is requested that the transfer and exchange be completed as an even exchange

with no money exchanged between the Parties. The property exchange will also serve the purpose of making the shape of the Authority's right-of-way more even and regular.

The acquisition as proposed above does not involve properties designated as "Preserved Farmland" pursuant to and as regulated by the Agriculture Development and Retention Act, N.J.S.A. 4:1C-11 et seq; and State Agricultural Development Committee Rules N.J.A.C. 2:76-1.1, the Act's implementing regulations, nor has the above referenced property been designated or encumbered as Green Acres properties pursuant to N.J.S.A 12:1D-52 et seq. and N.J.A.C. 7:35-26.1 et seq.

Based on the foregoing, it is requested that the Commissioners authorize the Executive Director to take any and all steps necessary to execute the Agreement, as set forth above, and effectuate the terms thereof. It is further recommended that the Executive Director be authorized to take any other steps necessary for the transfer of a portion of certain Authority property (.05 acres) to Fairfield Properties, L.L.C. in exchange for a portion of Block 275.01, Lots 3 and 5 (.05) acres to accommodate the installation of a new salt building to be built on the Garden State Parkway off ramp located on Chevalier Avenue Connection in Sayreville Borough, Middlesex County.

219-08

In the memorandum dated December 1, 2008, concerning the recommendation to **Authorize the Executive Director to Enter into an Agreement with the County of Ocean, Ocean County Utilities Authority and the Borough of Beachwood (the "Parties")** – Transfer of Property among Parties to facilitate the New Jersey Turnpike Authority, Garden State Parkway Milepost 30 to Milepost 80 Widening Project.

The New Jersey Turnpike Authority (the "Authority") is currently engaged in the design and preparation of widening the Parkway, (the "Widening"). The first phase of the Widening is between Mileposts 63 and 80 and involves the realignment of Birch Street. In order to realign Birch Street, each of the Parties require certain property owned by the remaining Parties, located adjacent to the Parkway and Birch Street, for the purpose of facilitating construction and resolving outstanding title issues. The Parties have agreed to the terms of this Agreement in an attempt to facilitate the realignment of the Birch Street overpass, and to avoid significant delays and expenses in transferring property from one Party to another. All of the property to be transferred will be used for road, bridge and public purposes only. The following is a list of parcels that will be conveyed as part of the Birch Street realignment: Section 10, Parcels R4147A, 4147B, R4146A, 4146B, 4145, E4145, R3880, ER3880, 3881C, 3881B, 4148, 4148A, 4148B, R3968A, R3968B, 3983A2, 3983A3, 4000B, 4000C, 4137, E4137, 4139, E4139, E4140, R4142A, 4142B, 4143, 4144, 4149B1, R4149A, R4149B, R4141, 4138A, 4138B, 4138C, 4124B, and 4142C.

Pursuant to the terms of the Agreement, the Parties agree that the acquisition or sale, as the case may be, of the required properties, among the parties, including easement rights and the granting of rights of entry and permits, shall be made at no cost to any of the Parties. After

review and consideration by the Authority's Law Department and General Counsel, the proposed submitted agreement has been negotiated and agreed to by the Parties.

The acquisitions as proposed above do not involve properties designated as "Preserved Farmland" pursuant to and as regulated by the Agriculture Development and Retention Act, N.J.S.A. 4:1C-11 et seq; and State Agricultural Development Committee Rules N.J.A.C. 2:76-1.1, the Acts' implementing regulations, nor have the above referenced properties been designated or encumbered as Green Acres properties pursuant to N.J.S.A 12:1D-52 et seq. and N.J.A.C. 7:35-26.1 et seq. The total acreage of the parcels to be transferred is $\pm$ 2.0 acres.

Based on the foregoing, it is requested that the Commissioners authorize the Executive Director to take any and all steps necessary to execute the Agreement, substantially as set forth above, and effectuate the terms hereof. It is further recommended that the Executive Director be authorized to take any other steps necessary for the acquisition and sale of the properties between the Parties necessary for the realignment of the Birch Street overpass, upon review and approval of such action by the Law Department and General Counsel.

220-08

In the memorandum dated November 25, 2008, concerning the recommendation to **Approve the Negotiated Purchase of Four (4) Properties Necessary for New Jersey Turnpike Authority Interchange 6 to Interchange 9 Widening Program – for Mitigation Purposes**, Project No. 06510057.

The New Jersey Turnpike Authority (the "Authority") is proceeding with its plans to widen the Turnpike between Interchange 6 in Mansfield Township, Burlington County and Interchange 9 in East Brunswick Township, Middlesex County (the "Widening Program"). The roadway will be widened to 12 lanes with major modifications constructed at four interchanges. Final design is currently underway with construction scheduled to commence during 2009. The final design phase includes, among other things, environmental permitting. In order to complete the Widening Program, the Authority must acquire certain property located adjacent to or in the vicinity of the Turnpike for the purpose of facilitating construction as well as for potential environmental mitigation purposes. The Widening Program will impact freshwater wetlands located adjacent to the Turnpike and in the vicinity of certain Interchanges. As a result, the Authority will be required to obtain a freshwater wetlands permit from the New Jersey Department of Environmental Protection. Such permits normally require the permittee to undertake mitigation for impacts to wetlands and other environmentally sensitive areas.

In satisfaction of these requirements, the Authority's environmental consultant, Louis Berger, Inc., had identified the certain parcels that would be desirable for said mitigation purposes. After review and consideration, the Authority has determined that the four properties listed below are acceptable for this purpose and are therefore necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent Appraisers and

reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. The Authority then entered into good faith negotiations for the purchase of same, based on this appraised value. The following is a description of each property for which the parties have negotiated terms of sale.

1. Turnpike ROW Section 3D, Design Section 1
Parcels 185A and 185B; Lot 4.01, Block 51.01
Hedding Road, Mansfield Township, Burlington County
Owner: Monarch Investment Properties, LLC
Amount: \$ 825,000

The subject property is located along the easterly side of Hedding Road in Mansfield Township, Burlington County. It contains a reported lot area of 33 acres. The site is rectangular in shape and has a maximum depth of over approximately 1,000 feet. It contains roughly 300 feet of non-accessible frontage along the Turnpike, paralleled by a Transcontinental Pipeline easement. The land is undeveloped but is functionally adequate for its current use, farmland. The Authority requires approximately one acre for a basin and the remaining acreage for mitigation purposes.

2. Turnpike ROW Section 3D, Design Section 1
Parcel 184; Lot 3, Block 50.01
Jacksonville Road, Mansfield Township, Burlington County
Owner: Albert and Tammy George
Amount: \$ 630,000

The subject property is an irregularly shaped tract of vacant land containing 17.10 acres, roughly 744,876 square feet, located in the R-1 (FLP) Residential-Farmland Preservation Zone. The property is open and generally level with heavy underbrush and tree growth along the property boundaries.

3. Turnpike ROW Section 3D, Design Section 1
Parcel 175; Lot 3, Block 304
129 Cedar Lane Extension, Springfield Township, Burlington County
Owner: Bauma Limited Partnership, LLC
Amount: \$ 1,690,260

Property consists of a 43.34 acre parcel of vacant land located in the AR-Agricultural Residential Zone. It is irregularly shaped consisting of 1,887,890 square feet. Located on the north side of the Turnpike, the property is open and generally level with areas of heavy underbrush and tree growth along the property boundaries and in various locations. There is an unimproved road along the eastern border of the property. Transcontinental Gas Pipe Line Corporation has an easement located along the southern property border.

4. Turnpike ROW Section 4G, Design Section 4
Parcel 991; Lot 39, Block 30.03
Richardson Road, Robbinsville Township, Mercer County
Owner: Matrix Golf & Hospitality Investments, LLC
Amount: \$ 1,745,100

The subject property is a 49.86 acre vacant parcel of land. It is zoned RR-Rural Residential. The lot is irregularly shaped consisting of 2,171,902 square feet. The property is generally level with several areas of heavy underbrush and tree growth. The most recent use of the property is for agricultural purposes with portions leased to a third party farmer.

Please note that none of the owners listed above will be eligible for relocation benefits.

However, certain of the properties do lease the property for farming; as such the leases may be eligible to receive relocation benefits as defined by statute depending on the date of the transfer of title and the underlying lease agreement between the parties.

The acquisitions as proposed above do not involve properties designated as "Preserved Farmland" pursuant to and as regulated by the Agriculture Development and Retention Act, N.J.S.A. 4:1C-11 et seq., and State Agricultural Development Committee Rules N.J.A.C. 2:76-1.1, the Act's implementing regulations. Nor have the above referenced properties been designated or encumbered as Green Acres properties pursuant to N.J.S.A. 13:1D-52 et seq. and N.J.A.C. 7:35-26.1 et seq.

The Authority's Law Department and its Real Estate Manager/Consultant in consultation with General Counsel recommend that the Authority acquire the properties upon the terms and conditions as set forth above.

Based on the foregoing, it is requested that the Authority Commissioners authorize the Executive Director and Director of Law to take all steps necessary to purchase the properties outlined above for the amounts set forth herein, for the combined total of four-million eight-hundred-ninety thousand three-hundred-sixty (\$4,890,360); and to satisfy those other costs required to be paid at closing, said costs not to exceed Five Thousand (\$5,000.00) per transaction. It is further recommended that the Executive Director be authorized to take any other steps necessary for the acquisition of the property upon review and approval of such action by the Law Department and General Counsel.

221-08

In the memorandum dated November 25, 2008, concerning the recommendation to **Approve the Negotiated Purchase of Three (3) Properties Necessary for New Jersey Turnpike Authority Interchange 6 to Interchange 9 Widening Program – for Facilitation of Construction**, Project No. 06510057.

The New Jersey Turnpike Authority (the "Authority") is proceeding with its plans to widen the Turnpike between Interchange 6 in Mansfield Township, Burlington County and Interchange 9 in East Brunswick Township, Middlesex County (the "Widening Program"). The roadway will be widened to 12 lanes with major modifications constructed at four interchanges. Final design is currently underway with construction scheduled to commence during 2009.

In order to complete the Widening Program, the Authority must acquire certain property located adjacent to the Turnpike for the purpose of facilitating construction as well as for potential environmental purposes. The Authority has determined that the three properties listed herein are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. The Authority then entered into good faith negotiations for the purchase of same, based on this appraised value. The following is a description of each property for which the parties have negotiated terms of sale.

1. Turnpike ROW Section 4J, Design Section 6
Parcel No. 1094; Block 22, Lot 60
10 Richardson Lane, East Windsor Township, Mercer County
Owner: Blue Rock Holdings, LLC
Amount: \$ 1,150,000

The subject site is rectangular in shape approximately 33,249 square feet or 0.7633 acres. The site is improved with a two story 5,183 square foot office building which is owner occupied. The first floor has an entrance foyer, five offices and two restrooms, while the second floor has a utility room, three offices, a break room, one conference room and two restrooms. There is a newly paved parking lot striped for twenty five cars; newly landscaped grounds with shrubs and trees with fluorescent outdoor lighting.

2. Turnpike ROW Section 4J, Design Section 6
Parcel No. 1096; Block 17, Lot 12
354 Monmouth Street, East Windsor Township, Mercer County
Owner: Robert M. Shekiro
Amount: \$ 725,000

The property is an irregularly shaped parcel 1.55 acres in size, approximately 67,518 square feet, and is improved with two residential dwellings. There is a one story ranch-style dwelling located to the rear southerly portion of the subject property which is occupied by the owner. The house consists of an eat-in kitchen, a living room, dining room, family room, two bedrooms one full and one half bathroom and a heated enclosed porch. The basement is full but unfinished. There is a two car attached garage. The two-story colonial/farmhouse style, two-family dwelling is vacant in the first floor unit and leased on the second-floor unit. Each unit has two bedrooms, an eat-in kitchen, living and a full bathroom. The first floor unit includes a dining room. There is a partial unfinished basement but no garage.

3. Turnpike ROW Section 3E, Design Section 2
Parcel (to be assigned later); Block 103, Lot 27 (PARTIAL TAKING)
Shanahan Road, Chesterfield Township, Burlington County
Owner: Mr. and Mrs. William Golden, Jr.
Amount: \$ 18,000

The subject property is located along the westerly side of Shanahan Road adjacent to the New Jersey Turnpike. The property consists of 18.52 acres in total. The Authority requires and has negotiated a purchase of only 1.912 acres (the "Authority Parcel"). The Authority Parcel abuts the New Jersey Turnpike and will not affect the residential dwelling.

Please note that the purchase of the Blue Rock and Shekiro properties will require expenditure of relocation benefits as defined by statute.

The acquisitions as proposed above do not involve properties designed as "Preserved Farmland" pursuant to and as regulated by the Agriculture Development and Retention Act, N.J.S.A. 4:1C-11 et seq., and State Agricultural Development Committee Rules N.J.A.C. 2:76-1.1, the Act's implementing regulations. Nor have the above referenced properties been designated or encumbered as Green Acres properties pursuant to N.J.S.A. 13:1D-52 et seq. and N.J.A.C. 7:35-26.1 et seq.

The Authority's Law Department and its Real Estate Manager/Consultant in consultation with General Counsel recommend that the Authority acquire the properties upon the terms and conditions as set forth above.

Based on the foregoing, it is requested that the Authority Commissioners authorize the Executive Director and Director of Law to take all steps necessary to purchase the properties outlined above for the amounts set forth herein, for the combined total of one-million eight-hundred-ninety-three-thousand (\$1,893,000), and to satisfy those other costs required to be paid at closing, said costs not to exceed Five Thousand (\$5,000.00) per transaction. It is further recommended that the Executive Director be authorized to take any other steps necessary for the acquisition of the property upon review and approval of such action by the Law Department and General Counsel.

222-08

In the memorandum dated November 28, 2008, concerning the recommendation to **Acquire Four (4) Properties for the New Jersey Turnpike Authority Interchange 6 to Interchange 9 Widening Program**, Project No.: 06510057.

The New Jersey Turnpike Authority (the "Authority") is proceeding with its plans to widen the Turnpike between Interchange 6 in Mansfield Township, Burlington County and Interchange 9 in East Brunswick Township, Middlesex County (the "Widening Program"). The roadway will be widened to 12 lanes with major modifications constructed at four interchanges. Final design is currently underway with construction scheduled to commence during 2009.

In order to complete the Widening Program, the Authority must acquire certain property located adjacent to or in the vicinity of the New Jersey Turnpike for the purpose of facilitating construction as well as for potential environmental purposes. The Authority has determined that the four properties listed herein are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant which set a value for each. The Authority then entered into good faith negotiations with the owners and their respective counsel for the purchase of same, based on this appraised value and in compliance with the laws governing its powers of eminent domain. Despite such negotiations, the Authority has been unable to reach an agreed upon purchase price with the owner. The following is a description of each said property:

1. Turnpike ROW Section 4J, Design Section 6
Parcel Nos. 1101A, 1101B, 1101C and 1101D; Block 22, Lot 37
20 Milford Road, East Windsor, Mercer County
Owner: Marina Capozello
Amount: \$135,000

The subject property is a parcel of vacant land containing an area of 24.36 acres, or 1,061,122 square feet. It is zoned TC, Turnpike Commercial, which permits hotels and motels, and restaurants. The lot is irregularly shaped, generally level and at street grade.

2. Turnpike ROW Section 4G, Design Section 4
Parcel No. 955, Block 37, Lots 4 and 4Q
47 Circle Drive, Robbinsville, Mercer County
Owner: Ronald & Janice Wendling
Amount: \$ 1,000,000

The subject property consists of a horse training farm situated on 19.56 acres that is comprised of a half-mile track, seven paddock areas, a barn with thirty three stalls, and a one and a half story residence. The property is zoned RR-Rural Residential. It is an irregularly shaped lot which is adjacent to the New Jersey Turnpike.

3. Turnpike ROW Section 4G, Design Section 4
Parcel Nos. 971A and 971B, Block 40, Lot 1 (inclusive of Lot 6)
308 Robbinsville-Allentown Road, Robbinsville, Mercer County
Owner: Edward H. Stalcup
Amount: \$ 400,000

The subject property is a rectangular shaped parcel of Planned Commercial Development (PCD) zoned land containing an area of approximately 2.07 acres, or 90,000 square feet. The site is improved with a 4-bedroom, 1 ½ bathroom single-family residential dwelling constructed in 1920 and expanded in 1947 containing 2,400 feet with a detached garage.

4. Turnpike ROW Section 4L, Design Section 8
Parcel No. 1210; Block 4, Lot 6
325 Half Acre Road, Cranbury Township, Middlesex County
Owner: Betty Simon, Trustee U.D.T. Richard Simon
Amount: \$ 8,500

The subject is an undeveloped triangular shaped parcel of LI (Light Industrial) zoned land, measuring 1.45 acres, or 63,162 square feet. The western boundary of the site is along the New Jersey Turnpike, the southern boundary runs along Half Acre Road while the eastern boundary is along a parcel owned by New Jersey Turnpike.

The acquisitions as proposed above do not involve properties designated as "Preserved Farmland" pursuant to and as regulated by the Agriculture Development and Retention Act,

N.J.S.A. 4:1C-11 et seq., and State Agricultural Development Committee Rules N.J.A.C. 2:76-1.1, the Act's implementing regulations. Nor have the above referenced properties been designated or encumbered as Green Acres properties pursuant to N.J.S.A. 13:1D-52 et seq. and N.J.A.C. 7:35-26.1 et seq.

As such, the Authority's Law Department in consultation with General Counsel and its Real Estate Manager/Consultant recommend that the Authority commence eminent domain proceedings to acquire the properties as set forth above.

Based on the foregoing, it is requested that the Authority Commissioners authorize the Executive Director and Director of Law to take all steps necessary to commence eminent domain proceedings with respect to the properties as set forth above, including depositing with the Superior Court the following amounts which represent the appraised value of each property as indicated, in the combined total of one-million five-hundred-forty-three-thousand five-hundred (\$1,543,500):

Capozello property -	\$ 135,000.00
Wendling property -	\$1,000,000.00
Stalcup property -	\$ 400,000.00
Simon property -	\$ 8,500.00

It is further recommended that the Executive Director be authorized to take any other steps necessary for the acquisition of the property upon review and approval of such action by the Law Department and General Counsel.

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The following matters constitute the Public Session agenda:

223-08

In the memorandum dated November 26, 2008, concerning the **Ratification of Memorandum of Understanding (MOU) Between the New Jersey Turnpike Authority and New Jersey Transit Corporation** – in Connection with the Sharing of Costs Associated with Repairs to be Performed at the New Jersey Transit Bus Terminal and Parking Facility Overpass, Bridge Structure No. 144.7, Parkway Milepost 144.7

The New Jersey Turnpike Authority (the "Authority") and New Jersey Transit ("Transit") have identified certain deck repairs needed for the overpass at Milepost 144.7 on the Garden State Parkway. This overpass contains the Irvington Bus Terminal and is the subject of a prior jurisdictional agreement which sets forth the respective responsibilities of the parties. This Memorandum of Understanding sets forth the amounts which the parties agree will be due to the Authority from Transit for deck repairs which the Authority will cause to occur under Contract P100.007, (Northern Deck Repairs for Parkway) by its contractor, Joseph P. Sanzari, who is currently mobilized.

In the early 1950s, the former New Jersey Highway Authority entered into a jurisdictional agreement with the Township of Irvington, which required Irvington to make structural repairs on the bridge. Transit, who was reconstructing its bus terminal at the time, agreed to assume the

jurisdictional responsibility and structural repairs from Irvington. A License Agreement and Jurisdictional Agreement were executed in 2002 reflecting this change in responsibility.

This current Memorandum of Understanding was prepared as an accommodation to Transit for the reason that an Authority contractor was in place and could begin this work more expeditiously. This agreement allows the work to be completed with reimbursement from Transit for those repairs which are their responsibility. The total amount currently estimated to be reimbursed to the Authority from Transit is \$44,000.

Therefore, it is recommended that the Commissioners ratify, approve and confirm in all aspects, the execution of the Memorandum of Understanding by the Executive Director, substantially as set forth above.

Available funds certified by the Finance Director where applicable; the Executive Director certified the recommendations for consideration.

On motion by Commissioner Evans, seconded by Commissioner DuPont, the Authority unanimously approved the six (6) item Law agenda; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ENGINEERING

Chief Engineer Raczynski presented the recommendations in items 224-08 through 242B-08 as follows:

224-08

In the memorandum dated November 17, 2008, concerning the authorization to **Execute Maintenance and Jurisdictional Agreement with the New Jersey Department of Transportation (NJDOT), Borough of Tinton Falls and the Township of Neptune** – Maintenance of the Route 66 Overpass and Garden State Parkway Ramp “J”, Parkway Milepost 100, Borough of Tinton Falls and Township of Neptune, Monmouth County.

A local development project in the vicinity of Garden State Parkway Interchange 100 required that modifications be made to Parkway Ramp “J”. The improvements were accomplished under License to Cross No. P734.

Because of the fact that the ramp has been modified, the existing Maintenance and Jurisdictional Agreement (MJA) pertaining to the ramp requires updating. The updated MJA document has been agreed upon by Authority staff along with the NJDOT, the Borough of Tinton Falls and the Township of Neptune.

It is, therefore, recommended that the Executive Director be authorized to execute this Maintenance and Jurisdictional Agreement as described 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 Hodes, the Authority unanimously approved the recommendation; authorized entry into a Maintenance and Jurisdictional Agreement, as presented; and received and filed the memorandum.

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225-08

In the memorandum dated November 19, 2008, concerning the recommendation to **Ratify Approval of the 2009 Turnpike Main Bridge Inspection Program-Part A – HNTB Corporation** – General Consulting Engineers for the New Jersey Turnpike Authority; and 2006 to 2010 Main Bridge Inspection Program-Part A, Maintenance Reserve Fund No. 03010005.

Order for Professional Services (OPS) No. A3053 was issued to HNTB Corporation at the August 2005 Commission Meeting, to provide for professional engineering services in two distinct areas, namely, the services of the General Consulting Engineer (GCE) for the New Jersey Turnpike Authority over a five year term, and services associated with the 2006 – 2010 Turnpike Main Bridge Inspection Program – Part A. An amount of \$1,470,000 was authorized for the 2006 Turnpike Main Bridge Inspection Program – Part A services, with the years 2007 – 2010 bridge inspection services scope and fee to be negotiated annually, subject to approval by the Chief Engineer.

HNTB Corporation submitted the scope and fee for these services in the total amount of \$1,995,000 which is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that the approval of the 2009 Turnpike Main Bridge Inspection Program – Part A of OPS No. A3053 be ratified in the amount of \$1,995,000, allocated as follows: \$1,800,000 in 2009 and \$195,000 in 2010. Ratification of the Chief Engineer's approval of HNTB Corporation's proposed scope and fee will provide for reimbursement of all services associated with the 2009 Turnpike Main Bridge Inspection Program – Part A. 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 Evans, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; ratified approval of the fee for the 2009 Turnpike Main Bridge Inspection Program-Part A, under OPS A3053 with HNTB Corporation, as presented; and received and filed the memorandum.

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226-08

In the memorandum dated November 25, 2008, concerning the recommendation to **Ratify Supplements to Various Orders for Professional Service** – Design Services, Infrastructure Improvements, New Jersey Turnpike and Garden State Parkway, Various Capital Program Funds.

In an effort to construct necessary infrastructure and safety improvements to the Turnpike and Parkway as quickly as possible, the Engineering Department has identified 37 construction contracts which could be awarded within the next 12 months. Of those contracts, 7 will require a fast

track design effort in order to meet the schedule. Due to the accelerated schedule to complete this work, the Executive Director was authorized to issue supplements to active Orders for Professional Service (OPS) upon recommendation of the Chief Engineer after the October 31, 2008 Commission Meeting. Each of these OPS' were procured through a competitive process.

Supplement A to OPS No. P3045 – Chas. H. Sells, Inc – Rehabilitation of Concrete Median Barrier, Parkway Milepost 146 to Milepost 160, 2004 Bond Issue Fund No. 07800002,
Original OPS Amount: \$ 439,000
Supplemental Fee: \$ 100,000
Revised Amount of OPS: \$ 539,000

Revise contract documents to conform with changes in MPT and construction staging plans from previous contract documents submitted. Construction is estimated at \$25,000,000

Supplement H to OPS No. A3053 – HNTB Corporation – Turnpike Interchange 16E / 18E Improvements, Structure E112.58A, 2008A Note Construction Fund No. 30000018
Fee - \$1,016,000

Prepare contract documents and provide post-design services for the widening and deck reconstruction of Structure E112.58A at Turnpike Interchange 16E/18E. Construction estimated at \$10,000,000.

Supplement I to OPS No. A3053 – HNTB Corporation – Gusset Plate Retrofit, Turnpike Structure. P0.00, 2008A Note Construction Fund No. 30000019
Fee - \$391,000

Prepare contract documents and provide post-design services for the improvements to existing gusset plates on the Delaware River Bridge at P0.00. Construction estimated at \$7,000,000.

Supplement A to OPS No. P3054 – Boswell Engineering – Design Services, Parkway Interchange 88 and 89 Signing Improvements, Construction Fund No. 06560012
Original OPS Amount: \$ 300,000
Amount of Supplement: \$ 50,000
Revised Amount of OPS: \$ 350,000

Modify existing contract documents and provide post-design services to coordinate the Interchange 88/89 sign improvement contract with the proposed shoulder improvement project. Construction is estimated at \$4,000,000.

Supplement A to OPS No. P3151 – CMX (formerly Schoor DePalma) – Parkway Bridge Deck and Parapet Improvement, 2008A Note Construction Fund No. 30000020,
Original OPS Amount: \$ 553,000
Amount of Supplement: \$ 723,000
Revised Amount of OPS: \$1,276,000

Prepare contract documents and provide post-design services for the reconstruction of concrete parapets and partial deck replacement on various Parkway bridges. Construction is estimated at \$10,000,000.

Supplement A to OPS No.. T3152 – Dewberry-Goodkind, Inc. – Turnpike Northern Bridge Deck Reconstruction, 2008A Note Construction Fund No. 30000020
Original OPS Amount: \$ 535,000
Amount of Supplement: \$ 900,000
Revised Amount of OPS: \$1,435,000

Prepare contract documents and provide post-design services for partial or full bridge deck reconstruction on several Turnpike bridges. Construction is estimated at \$10–15,000,000.

Supplement No. 7 to GSP OPS No. 37-245D – Gannett Fleming, Inc. – Final Design, Parkway, Herbertsville Bus Inspection Facility, 2008A Note Construction Fund No. 30000021
Original OPS Amount: \$ 262,000.00
Amount of Supplement: \$ 975,000.00
Revised Amount of OPS: \$1,815,886.10

Prepare contract documents and provide post-design services to modify existing ten year old plans to conform with changed building codes and permit modifications for the Herbertsville Bus and Truck Inspection Facility. Construction is estimated at \$12,000,000.

It is, therefore, recommended that the supplements identified above be ratified. The original contracts were 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 Hodes, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; ratified Supplemental OPS Nos.: P3045A, A3053H:, A3053I, P3054A, P3151A, T3152A and Supplement 7 to GSP OPS 37-245D, as presented; and received and filed the memorandum.

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227-08

In the memorandum dated November 26, 2008, concerning the recommendation to **Execute Utility Order No. 1196-P – Adesta LLC** – Fiber Optic Ducts and Cables, Parkway Interchange 63 to Interchange 80 Widening, MP 63 to MP 80.8, 2005 Bond Issue Fund No. 20260001.

Under Contract Nos: P200.046 (Mileposts 63 to 70); P200.045 (Mileposts 70 to 75); P200.044 (Milepost 75 to 80.8): Townships of Stafford, Ocean, Barnegat, Lacey, Ocean, Berkeley and Boroughs of Beachwood and South Toms River, Ocean County.

This Utility Order is necessary to authorize Adesta, LLC to relocate fiber optic ducts and cables along the Garden State Parkway associated with the widening of the Garden State Parkway from Interchange 63 to 80, Milepost 63 to 80.8. The Authority will reimburse Adesta, LLC for the design and construction associated work.

A cost proposal for this Utility Order was provided by Adesta, LLC in the amount of \$4,000,000 based on the final improvements and known conditions at this time. The cost proposal is considered reasonable and its approval is recommended. It is, therefore, recommended that this Utility Order be authorized in the amount of \$4,000,000.

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

On motion by Commissioner Hodes, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; authorized execution of Utility Order No. 1196-P to Adesta LLC, as presented; and received and filed the memorandum.

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228-08

In the memorandum dated November 26, 2008, concerning the recommendation to **Execute Utility Order No. 1200-P – JCP&L Electric**; and **Utility Order No. 1201-P – Verizon Communications** – Widening of Garden State Parkway, Interchanges 63 to 80, Contract No. P200.044, Mileposts 75 to 80.8, Lacey and Berkeley Townships, Beachwood and South Toms River Boroughs, Ocean County, 2005 Bond Issue Fund No. 20260001.

The construction of Contract No. P200.044, will require the removal and relocation of various utilities crossing the Parkway and serving the Forked River Service Area.

In this regard, the Authority will prepare the following Utility Orders in order to reimburse the utility companies for the work described. The cost of these Utility Orders was provided by the

utility companies and is based on the final improvements and known conditions at the time, is reasonable, and approval is recommended.

Utility Order No. 1200-P– JCP&L Electric

Cost: \$500,000

This Utility Order is necessary to authorize JCP&L Electric Company to undertake the relocation of electrical distribution facilities, spanning under and attached to the Authority's bridge structure over Pinewald Keswick Road. These facilities will be relocated underground to avoid impacts with the proposed Parkway widening.

Utility Order No. 1201-P – Verizon Communications

Cost: \$500,000

This Utility Order is necessary to authorize Verizon Communications to undertake the relocation of the underground communication facilities currently carried on the Birch Street structure within the existing sidewalk, and the relocation of underground communication facilities currently servicing the Forked River Service Area.

It is, therefore, recommended that these Utility Orders be authorized in the amount identified 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 Evans, the Authority unanimously approved the recommendation; authorized execution of Utility Order No. 1200-P to JCP&L Electric; and Utility Order No. 1201-P to Verizon Communications, as presented; and received and filed the memorandum.

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229-08

In the memorandum dated November 20, 2008, concerning the recommendation to **Award Contract No. P100.052 – Joseph M. Sanzari Inc.** – Northern Bridge Deck Repairs and Resurfacing, Parkway Milepost 126 to Milepost 172, Maintenance Reserve Fund No. 03020001.

This is the first of two Parkway bridge deck repair contracts to be awarded for the 2009 construction season, concentrated in the northern sector of the Parkway. The work generally involves selective replacement of complete deck panels, concrete spall repairs, joint repairs, and replacement of existing asphalt wearing surface and related incidental items.

Six proposals were received on November 18, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$3,371,695.50, may be compared to the second low bid proposal in the amount of \$3,603,114.00. The low bidder, Joseph M. Sanzari, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P100.052 be awarded to the low bidder, Joseph M. Sanzari, Inc. of Hackensack, New Jersey, in the amount of \$3,371,695.50, allocated as follows: \$3,200,000 in 2009 and \$171,695.50 in 2010. 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, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). 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 Contract No. P100.052 to Joseph M. Sanzari Inc., as presented; and received and filed the memoranda.

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230-08

In the memorandum dated November 21, 2008, concerning the recommendation to **Issue Order for Professional Services No. P3196 – Greenman-Pedersen Inc.** – Supervision of Construction Services for: Contract No. P100.052 - Northern Bridge Deck Repairs, Parkway Mile 126 to Mile 172, Maintenance Reserve Fund No. 03020001; and Contract No. P100.090 - Miscellaneous Structural Repairs, Parkway Mile 0 to Mile172, Maintenance Reserve Fund No. 03020008.

This Order for Professional Services (OPS) provides construction supervision for the referenced contracts. Contract No. P100.052 is the first of two Parkway bridge deck repair contracts to be awarded for the 2009 construction season, concentrated in the northern sector of the Parkway. The work generally involves selective replacement of complete deck panels, concrete spall repairs, joint repairs, and replacement of existing asphalt wearing surface and related incidental items. Contract No. P100.090 generally involves substructure concrete spall repairs, replacement of defective bearings, repairs to structural steel and prestressed concrete beams and related incidental items.

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 49 engineering firms prequalified and eligible under Profile Code B157 – Bridge Deck Repair/Replacement Inspection. Seven firms submitted EOIs by the closing date of October 23, 2008.

Subsequent to the scoring of the EOIs, a Fee Proposal was requested from the top three firms. They are, in the order of technical ranking: 1) Greenman-Pedersen, Inc.; 2) Jacobs Engineering Group, Inc.; and 3) Buchart Horn, Inc. The fee submitted by Greenman-Pedersen, Inc. 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. P3196 be issued to the firm of Greenman-Pedersen, Inc. of Lebanon, New Jersey in the maximum amount of \$995,000, allocated as follows: Fund 03020001 - \$445,000 in 2009 and \$75,000 in 2010; and Fund 03020008 - \$400,000 in 2009 and \$75,000 in 2010. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.25, 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, and Executive Order No. 37 (Corzine).

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

On motion by Commissioner Hodes, seconded by Commissioner Cummis, the Authority unanimously approved the recommendation; authorized issue of OPS No. P3196 to Greenman-Pedersen Inc., as presented; and received and filed the memoranda.

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231-08

In the memorandum dated November 26, 2008, concerning the recommendation to **Award Contract No. T100.077 – Gardner M. Bishop, Inc.** – Bridge Deck Repairs and Resurfacing, Turnpike Milepost 83 to Milepost 122 and the Newark Bay Hudson County Extension (NB-HCE), Maintenance Reserve Fund No. 03010001.

This is first of two Turnpike bridge deck repair contracts to be awarded for the 2009 construction season, concentrated in the northern sector of the Turnpike. The work generally involves selective replacement of complete deck panels, concrete spall repairs, joint repairs, replacement of existing asphalt wearing surface and related incidental items.

Six proposals were received on November 25, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$8,225,110, may be compared to the second low bid proposal in the amount of \$8,396,490. The low bidder, Gardner M. Bishop, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T100.077 be awarded to the low bidder, Gardner M. Bishop, Inc. of White Plains, New York, in the amount of \$8,225,110, allocated as follows: \$8,100,000 in 2009 and \$125,110 in 2010. 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, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). 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 Hodes, seconded by Commissioner DuPont, the Authority approved the recommendation; authorized award of Contract No. T100.077 to Gardner M. Bishop, Inc., as presented; and received and filed the memoranda.

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232-08

In the memorandum dated November 20, 2008, concerning the recommendation to **Award Contract No. T100.089 – Joseph M. Sanzari, Inc.** – Miscellaneous Structural Repairs, Turnpike Milepost 0 to Milepost 122, Pearl Harbor Memorial Turnpike Extension (PHMTE) and Newark Bay Hudson County Extension (NB-HCE), Maintenance Reserve Fund No. 03010003.

This contract will provide for substructure and barrier parapet concrete spall repairs, bearing replacements, miscellaneous structural steel repairs, slope protection repairs and substructure waterproofing on bridges on the Turnpike.

Seven bid proposals were received on November 13, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$1,378,307, may be compared to the second low bid proposal in the amount of \$2,277,700. The low bid is about 39% below the second low bid. A post-bid meeting was conducted with the apparent low bidder, Joseph M. Sanzari, Inc. (JMS) based on the difference in total price and select unit prices between JMS and the remaining bidders, to ensure that they understand the scope of the contract and are comfortable with their total price bid. JMS confirmed their understanding of the contract scope and schedule, and the adequacy of their total price bid. JMS has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T100.089 be awarded to the low bidder, Joseph M. Sanzari, Inc. of Hackensack, New Jersey, in the amount of \$1,378,307, allocated as follows: \$1,200,000 in 2009 and \$178,307 in 2010. 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, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). 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 Evans, seconded by Commissioner Hodes, the Authority approved the recommendation; authorized award of Contract No. T100.089 to Joseph M. Sanzari Inc., as presented; and received and filed the memorandum.

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233-08

In the memorandum dated November 21, 2008, concerning the recommendation to **Issue Order for Professional Services No.T3192 – Stone & Webster, Inc.** – Supervision of Construction Services for: Contract No. T100.077 - Bridge Deck Repairs and Resurfacing, Turnpike Mile 83 to Mile 122 and the Newark Bay-Hudson County Extension, Maintenance Reserve Fund No. 03010001; and Contract No. T100.089 - Miscellaneous Structural Repairs, Turnpike Mile 0 to Mile 122, the Pearl Harbor Memorial Turnpike Extension and the Newark Bay-Hudson County Extension (NBHCE), Maintenance Reserve Fund No. 03010003; and Contract

No. T100.112 –Turnpike Interchange 16E-18E Improvements, Widening and Redecking of Structure No. E112.58A, 2009 Capital Construction Program.

This Order for Professional Services (OPS) will provide supervision of construction services for the three contracts noted above. Contract No. T100.077 is the first of two Turnpike bridge deck repair contracts to be awarded for the 2009 construction season and will concentrate in the northern sector of the Turnpike. The work generally involves selective replacement of complete deck panels, concrete spall repairs, joint repairs, replacement of existing asphalt wearing surface and related incidental items. Contract No. T100.089 includes substructure spall repairs, pedestal and footing repairs, repair and replacement of deficient bearings, miscellaneous structural steel repairs and substructure waterproofing on 12 bridges and one sign structure, located Turnpike wide. Contract No. T100.112 provides for Interchange 16E-18E Improvements related to the reconstruction and widening of Structure No. E112.58A, Ramp 'V'.

This assignment is classified as a "Complex Project" because the fee exceeds \$1,000,000. Forty-seven engineering consulting firms prequalified and eligible in Profile Code B157: Bridge Deck Repair/Replacement Inspection were invited to submit Expressions of Interest (EOIs). Two EOIs were received by the closing date of October 14, 2008. In accordance with the policy for the procurement of professional services under Executive Order No. 26, when less than three EOIs are submitted, the selection process may proceed as determined by the Executive Director, in consultation with the Chief Engineer.

Subsequent to the approval of the Executive Director, both firms were requested to submit Technical and sealed Fee Proposals. The firms are: 1) Stone & Webster, Inc. and 2) HAKS Engineers, P.C. The Review Committee reviewed and evaluated each firm's Technical Proposal and the final scoring resulted in Stone & Webster, Inc. being the highest technically ranked firm. The fee submitted has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. T3192 be issued to the firm of Stone & Webster, Inc. of Trenton, New Jersey in the maximum amount of \$2,740,000 allocated as follows: Fund 03010001 - \$900,000 in 2009 and \$335,000 in 2010; Fund 03010003 - \$450,000 in 2009 and \$100,000 in 2010; and 2009 Capital Construction Program - \$350,000 in 2009 and \$605,000 in 2010.

This amount includes reimbursement of direct salaries times a maximum multiplier of 2.30, 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 and Executive Order No. 37 (Corzine).

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

On motion by Commissioner Hodes, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; authorized issue of OPS No.T3192 to Stone & Webster, Inc., as presented; and received and filed the memorandum.

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234-08

In the memorandum dated November 14, 2008, concerning the recommendation to **Award Contract No. T200.099 – Gardner M. Bishop, Inc.** – Route I-95 Drainage Improvements, Turnpike Milepost 121 to Milepost 122, 2008A Note Construction Fund No. 30000016.

The work to be performed under this contract includes the removal and replacement of collapsed existing corrugated metal storm pipes between the NS95X and SN95X roadways. Approximately 500 linear feet of new reinforced concrete pipe will be constructed to replace the collapsed pipe and approximately 2,300 linear feet of the existing pipes will be relined. To access the existing pipe, the median barrier will require removal and will be replaced upon completion of the pipe work. This construction contract is scheduled to be completed by April 2009.

Seven bid proposals were received on November 13, 2008 for the above publicly advertised contract. The low bid proposal, in the amount of \$1,458,118.00, may be compared to the second low bid proposal in the amount of \$1,472,565.50. The low bidder, Gardner M. Bishop, Inc., has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T200.099 be awarded to the low bidder, Gardner M. Bishop, Inc. of White Plains, New York, in the amount of \$1,458,118.00. 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, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). 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 Hodes, the Authority approved the recommendation; authorized award of Contract No. T200.099 to Gardner M. Bishop Inc., as presented; and received and filed the memorandum.

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235-08

In the memorandum dated November 24, 2008, concerning the recommendation to **Issue Order for Professional Services No. P3183 – TranSystems Corporation** – for Parkway - North, MP 123 to MP 149; and **Order for Professional Services No. P3184 – KS Engineers, P.C.** – for

Parkway - South, MP 0 to MP 96, Engineering Services, 2009 New Jersey Turnpike Authority Bridge Inspection Program, Maintenance Reserve Fund No. 03020007.

Through this single Order for Professional Services (OPS) procurement process the Authority will select two consultants to furnish engineering services for annual bridge inspections on the Garden State Parkway. The engineering services associated with OPS No. P3183 will include inspection of 125 bridges in the northern portion of the Garden State Parkway and OPS No. P3184 will include inspection of 121 bridges in the southern portion of the Garden State Parkway. Both OPS' include FHWA Structure Inventory and Appraisal (SI&A) form updates and New Jersey Turnpike Authority's Bridge Management System inspections and data collection.

These assignments are classified as "Simple Projects" based on the scope of work being clearly defined and not likely to change during the course of the projects, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 25 engineering firms prequalified and eligible under Profile Code D280C – Bridges, NBIS Program, Complex. Nine firms submitted EOIs by the closing date of October 20, 2008. In accordance with the solicitation, these OPS' will be awarded to the top two technically ranked firms with assignment preference to the highest technically ranked firm.

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

It is, therefore, recommended that OPS No. P3183 be issued to the firm of TranSystems Corporation of Paramus, New Jersey, in the maximum amount of \$482,000 allocated as follows: \$400,000 in 2009 and \$82,000 in 2010. 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.

It is also recommended that OPS No. P3184 be issued to the firm of KS Engineers, P.C. of Newark, New Jersey, in the maximum amount of \$457,000 allocated as follows: \$420,000 in 2009 and \$37,000 in 2010. 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.

These awards are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by these awardees pursuant to Public Law 2005, Chapter 51 and having no objection to same, and Executive Order No. 37 (Corzine).

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

On motion by Commissioner Hodes, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; authorized issue of OPS No. P3183 to TranSystems Corporation; and OPS No. P3184 to KS Engineers P.C., as presented; and received and filed the memorandum.

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236-08

In the memorandum dated November 20, 2008, concerning the recommendation to **Issue Order for Professional Services No. T3185 – Greenman-Pedersen Inc.** – Design Services for Contract No. T100.106, Bridge Deck Repairs and Resurfacing, Turnpike Mileposts 83 to 122 and the Newark Bay-Hudson County Extension (NBHCE); and **Order for Professional Services No. T3186 – Michael Baker Jr. Inc.** – Design Services for Contract No. T100.107, Bridge Deck Repairs and Resurfacing, Turnpike Milepost 0 to 83, and the Pearl Harbor Memorial Turnpike Extension (PHMTE) and Miscellaneous Structural Repairs, Turnpike MP 0 to MP 122, for NBHCE and the PHMTE, Maintenance Reserve Fund No. 03010001.

Through this single Order for Professional Services (OPS) procurement process the Authority will select two consultants to furnish design services, inspection, condition evaluation, and preparation of construction contract documents for annual bridge deck and miscellaneous structural repair contracts for 2010, and will address the northern and southern sectors of the Turnpike.

These assignments are classified as "Simple Projects" based on the scope of work being clearly defined and not likely to change during the course of the projects, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 48 engineering firms prequalified and eligible under Profile Code A092 – Bridges: Miscellaneous Repairs and 49 engineering firms prequalified and eligible under Profile Code A093 – Bridges: Deck Replacements and Rehabilitations. Six firms submitted EOIs by the closing date of October 16, 2008. In accordance with the solicitation, these OPS' will be awarded to the top two technically ranked firms with assignment preference to the highest technically ranked firm.

Subsequent to the scoring of EOIs, Fee Proposals were requested from the top three firms. The firms are: 1) Greenman-Pedersen, Inc.; 2) Michael Baker Jr., Inc.; and 3) Dewberry-Goodkind, Inc. The fees submitted by Greenman-Pedersen, Inc. and Michael Baker Jr., Inc. have been reviewed, negotiated and are considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that **OPS No. T3185** be issued to the firm of Greenman-Pedersen, Inc. of Lebanon, New Jersey, in the maximum amount of \$910,000 allocated as follows: \$780,000 in 2009 and \$130,000 in 2010. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.6, based on a 136.4% allowance for profit and an overhead rate of 10% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses.

It is also recommended that OPS No. T3186 be issued to the firm of Michael Baker Jr., Inc. of Hamilton, New Jersey, in the maximum amount of \$816,000 allocated as follows: \$700,000 in 2009 and \$116,000 in 2010. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.6, based on a 136.4% allowance for profit and an overhead rate of 10% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses.

These awards are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by these awardees pursuant to Public Law 2005, Chapter 51 and having no objection to same. These professional services were procured, and the recommended 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 and Executive Order No. 37 (Corzine).

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

On motion by Commissioner Hodes, seconded by Commissioner Evans, the Authority unanimously approved the recommendation; authorized Issue of OPS No.T3185 to Greenman-Pedersen Inc.; and OPS No. T3186 to Michael Baker Jr. Inc., as presented; and received and filed the memorandum.

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237-08

In the memorandum dated November 25, 2008, concerning the recommendation to **Issue Supplement A to Order for Professional Services No. P3026 – PB Americas Inc.** – Design Services for Contract No. P100.024, Mullica River Bridge and Northbound Widening, Parkway MP 48.5 to MP 49.7; and Contract No. P100.025, Rehabilitation of Existing Mullica River Bridge, Parkway Milepost 49.0, 2004 Bond Issue Fund No. 07860004.

This Order for Professional Services (OPS) was originally issued in May 2006 to provide design services and the preparation of two contracts for: 1) the new parallel structure east of the existing bridge to carry three lanes of northbound traffic; and 2) the rehabilitation of the existing structure to carry three lanes of southbound traffic. The rehabilitation of the existing structure will include seismic retrofit, fender improvements, strengthening or replacement of structural members, deck joint reconstruction and deck reconstruction.

This Supplement will provide for unanticipated design services and escalation of direct salaries related to the delay in the award of the construction contracts due to environmental permitting issues. The additional unanticipated design services also include: additional design services for spliced precast concrete post-tensioned girders; design of a permanent steel sheeting retaining wall; additional utility coordination; design for additional MPT stages related to drainage issues; design and incorporation of pavement traffic sensors requested by Operations; and other miscellaneous items. This supplement also provides for additional construction

consultation and shop drawing review services associated with spliced precast concrete, post-tensioned girders and various geotechnical items which were not originally anticipated.

The fee of \$1,132,000 submitted by PB Americas Inc. for these additional services has been reviewed, negotiated and is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that Supplemental OPS No. P3026A be issued to PB Americas, Inc. in the amount of \$1,132,000 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$4,841,000 to \$5,973,000. 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 Hodes, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; authorized issue of Supplemental OPS No. P3026A to PB Americas Inc., as presented; and received and filed the memorandum.

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238-08

In the memorandum dated November 3, 2008, concerning the recommendation to **Issue Supplement A to Order for Professional Services No. T3102 – HNTB Corporation** – Program Manager, Turnpike Interchange 6 to Interchange 9 Widening Program, Construction Fund No. 06510057.

This Order for Professional Services (OPS) was originally issued in December 2006 to provide program management services including the coordination, oversight and reporting activities required to facilitate the Final Design phase of the Interchange 6-9 Widening Program. Extensive coordination is required due to the involvement of a large number of consulting engineers, numerous local, county and state officials, utility owners, numerous permits and extensive right-of-way acquisitions.

Supplement A will compensate HNTB Corporation for additional services primarily attributed to two major areas of work, namely the subsurface investigation program and utility relocation engineering. First, in order for the Authority to address New Jersey Department of Environmental (NJDEP) mandates to minimize environmental impacts and adhere to stormwater quality regulations it was necessary for the Authority to direct HNTB Corporation to significantly enlarge the subsurface program over and above that which was provided for in the OPS by adding borings and soil tests for numerous unanticipated retaining walls, sign structure supports and detention basins along the 35 mile Widening Program corridor. These services enable the Program's eight Design Section Engineering firms to continue with Final Design without delay. Second, during the early stages of final design the Authority adopted a utility relocation concept that would permit miles of longitudinal utility company facilities to remain within the Authority's

proposed right-of-way. This relocation concept, which will ultimately cut utility relocation costs in half (\$50 million savings), required considerable additional up-front engineering services, which the Authority directed HNTB Corporation to perform.

The fee of \$5,550,000 submitted by HNTB Corporation for these additional services has been reviewed, negotiated and is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that Supplemental OPS No. T3102A be issued to HNTB Corporation in the amount of \$5,550,000 with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$17,650,000 to \$23,200,000. 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 Evans, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation; authorized issue of Supplemental OPS No. T3102A to HNTB Corporation, as presented; and received and filed the memorandum.

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239-08

In the memorandum dated December 1, 2008, concerning the recommendation to **Issue Supplement A to Order for Professional Services No. A3142 – CMX (formerly Schoor DePalma)** – Operation and Maintenance of Water and Wastewater Facilities, New Jersey Turnpike and Garden State Parkway, Special Project Reserve Fund Nos. 04010019 and 04028022.

This Order for Professional Services (OPS) was issued in July 2007 in the amount of \$999,600 for a two-year term to provide operational and maintenance activities for Authority-owned water supply facilities and sewage treatment facilities on both the Turnpike and Parkway.

Supplement A, in the amount of \$120,000, is required at this time due to the need to perform a number of unanticipated repairs on the water and wastewater infrastructure. Of the original OPS budget of \$999,600, \$200,000 was allocated for such repairs. Approximately \$146,000 has been spent during the first 13 months of the OPS term as required to ensure the continued operation of these facilities. Based upon additional work known to be necessary at this point in time, and to und future needs, a supplement amount of \$120,000 is considered to be required.

It is, therefore, recommended that Supplemental OPS No. A3142A be issued to CMX in the amount of \$120,000, allocated as follows: \$80,000 in Project 04010019 and \$40,000 in Project 04028022, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$999,600 to \$1,119,600. 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 DuPont, seconded by Commissioner Evans, the Authority unanimously approved the recommendation; authorized issue of Supplemental OPS No. A3142A to CMX (formerly Schoor DePalma), as presented; and received and filed the memorandum.

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240-08

In the memorandum dated November 21, 2008, concerning the recommendation to **Issue Supplement A to Order for Professional Services No. A3150 – Hatch Mott MacDonald (HMM)** – Underground Storage Tank System Inspections, Maintenance and Testing, Various Facilities along the Garden State Parkway and New Jersey Turnpike, Special Project Reserve Fund Nos. 04010019 and 04028022.

This Order for Professional Services (OPS) was originally issued in December 2007 in the amount of \$372,000. The OPS was for the monitoring, maintenance and repair of the Authority's underground storage tank systems for a one-year period, commencing February 1, 2008, with an option for two one-year extensions.

During the course of the original one-year term it became necessary for HMM to perform work that was not anticipated or accounted for in the original OPS budget. The additional work involved annual underground storage tank testing at all service areas on the Turnpike, as well as more significant underground storage tank system repairs than had been budgeted. These unanticipated efforts necessitate the need for a supplement in the amount of \$49,000 to reimburse HMM for all efforts during the initial one year term.

In addition to the above, based on HMM's exceptional performance during the initial one-year period and the continued need for these services to be provided to the Authority, it is being recommended that HMM be retained to provide these services for an additional year as authorized in the original OPS. Exercising this first one-year extension will give the Authority the option of exercising a second one-year extension in the future, if deemed appropriate.

The original OPS did not authorize funding for the two one-year extension options. Therefore, a fee of \$316,000 was negotiated with HMM to provide the necessary services for the period of February 1, 2009 to January 31, 2010. The recommended fee of \$316,000 is less than the \$372,000 fee for the first year of the requisite services as a result of efficiencies that have been incorporated into HMM's efforts.

In summary, Supplement A is being recommended in the amount of \$365,000 which includes the amount of \$49,000 for unanticipated efforts during the first year term of the subject services and the amount of \$316,000 for HMM to continue providing the required services for an additional one-year period.

Therefore, it is recommended that Supplemental OPS No. A3150A be issued to Hatch Mott MacDonald in the amount of \$365,000, allocated as follows: Fund 04010019 - \$134,000 in

2009 and \$12,000 in 2010; Fund 04028022 - \$200,000 in 2009 and \$19,000 in 2010, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$372,000 to \$737,000. 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 Hodes, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; authorized issue of Supplemental OPS No. A3150A to Hatch Mott MacDonald (HMM), as presented; and received and filed the memorandum.

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241A-08 and 241B-08

Respectively, contained in memorandums dated October 6, 2008 and November 3, 2008, the following are ratifications of **Contracts for Formal Acceptance and Final Payment:**

<u>CONTRACT NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
<u>Contract T200.072</u>	Joseph M. Sanzari, Inc. Toll Tunnel Drainage System Cleaning and Miscellaneous Repairs Turnpike Interchanges 6, 7A, 8A, 9, 10, 11, 13 and 14 Middlesex, Union, Essex, Hudson and Bergen Counties Special Reserve Fund No. 04018029	\$3,504.00
<u>Contract P200.075</u>	Della Pello Paving, Inc. Pavement Repairs Parkway Milepost 108 to Milepost 138 Monmouth, Middlesex and Union Counties Maintenance Reserve Fund No. 03020005	\$5,000.00

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

On motion by Commissioner Evans, seconded by Commissioner DuPont 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 ratified 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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242A-08 and 242B-08

Respectively, contained in memorandums dated November 21, 2008 and November 6, 2008, the following are recommendations of **Contracts for Formal Acceptance and Final**

Payment:

<u>CONTRACT NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
<u>TPK Contract R-1319C</u>	J. Fletcher Creamer & Son Inc. Guardrail Terminal Replacement Turnpike Mile 0 to Mile 61.3 and the PHMTE Salem, Gloucester, Camden and Burlington Counties Special Project Reserve Fund No. 04020032 Supplemental Capital Fund No. 08010000	\$60,095.75

Contract A500.029A-1

Joseph M. Sanzari, Inc.
Woodbridge Traffic Management Center
Site Utility, Foundation and Structural Steel
Woodbridge Township, Middlesex County
Supplemental Capital Fund No. 08000003

\$579,403.46

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 Hodes, 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.

At this time, Chairman Dilts announced that today's preceding awards and those of the special meeting last week total \$68.5 million and have effectively launched the Governor's mandate to accelerate the Parkway and Turnpike improvement programs' construction schedule.

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PURCHASING

Purchasing Director Ward identified the purchasing agenda as routine and requested approval. Moved as a group, items 243A-08 through 243H-08 are as follows:

Results of Bidding: Items 243A-08 through 243D-08 are 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, N.J.A.C. 19:9-2.2 and Executive Order 37. Furthermore, Authority designated Small Business Set-Aside Contract (SBE) is defined by the New Jersey Commerce and Economic Growth Commission and the Department of the Treasury in accordance with N.J.S.A. 52:32-17 et seq. and N.J.A.C. 17:14-1.1.

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

243A-08

BIDDERS BIDS		COMMODITY	VENDOR		AWARD
INVITED	REC'D				
8	3	Body Repair Work on Authority Vehicles	FSJS Inc. Marmora, NJ	(Area B4)	\$80,000
			Valtek Inc. Paterson, NJ	(Area A3)	(Four Areas Combined Total)

Service Agreement; RM-607-Rebid; Bids Received: November 13, 2008
Requisitioned by the Maintenance Department, this one-year Service Agreement for body repair work on Authority vehicles with A) gross vehicle weight of greater than 18,000 pounds or B) gross vehicle weight of less than 18,000 pounds. Quotations were requested for five Areas of the

Garden State Parkway: A1) Mileposts 0 to 30; A2) Mileposts 30.1 to 61.5; A3) Mileposts 153.4 to 172.2; B4) Mileposts 0 to 30; and B5) Mileposts 30.1 to 61.5 of the Parkway, respectively. Bidders were required to quote an hourly rate for services and repairs to be performed (including all costs, mileage, travel time, and tools) and a discount off Manufacturer's List Price on parts to be applied to any component. In addition, the bidder's facility was required to be within 15 miles east or west of a Parkway mile marker.

A third bidder submitted a proposal for Area A2 and Area B5, respectively. However, review of the bid proposals found them as non-compliant which required mandatory rejection.

Therefore, recommendation is made to award to the lowest responsible bidders, Valtek Inc. (Area 3) and FSJS, Inc (Area 4). No bids were received for Area A1 and no responsive bids were received for Area A2 and Area B5. The Maintenance Department has requested that Area A1 not be re-bid or negotiated.

Given that this is a re-bid and the Authority's enabling legislation permits negotiation of a contract after two attempts, authorization is also requested to permit Staff to negotiate contracts for Areas A2 and A5 and to delegate authority to the Executive Director to approve the awards of the said contracts. The total combined anticipated annual expenditure for all four areas (A2, A3, B4 and B5), will not exceed \$80,000, subject to funding availability at the time of service.

Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority.

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243B-08

BIDDERS BIDS		COMMODITY	VENDOR	AWARD
INVITED	REC'D			
12	6	Bird Repellant System	Avian Flyaway Inc. Rockwall, TX	\$100,000

Price Agreement; RM-609; Bids Received: October 28, 2008

Requisitioned by the Tolls Collection Department, this is a two-year Price Agreement for Bird Repellant Systems to be installed at the Garden State Parkway and New Jersey Turnpike tolls plazas and ramps. The Systems will be used to repel and prevent roosting and nesting of bird pests at Authority tolls facilities utilizing humane methods. As a basis for award, bidders were required to quote the costs for servicing 10 lanes on the Parkway and 44 lanes on the Turnpike, respectively.

Review of all bid proposals found that two of them were not in compliance with the specifications and required rejection.

Therefore, recommendation is for award be made to the lowest responsible bidder Avian Flyaway Inc., in an anticipated annual expenditure not to exceed \$100,000, subject to funding availability at the time of ordering.

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.

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243C-08

BIDDERS BIDS		COMMODITY	VENDOR	AWARD
INVITED	REC'D			
9	1	Polyethylene Trash Liners	Spruce Industries Garwood, NJ	\$40,000

RM-621; Bids Received: October 17, 2008 (SBE Set-aside)

2008 Agreement for approximately 500 cases of orange colored polyethylene trash bags requisitioned by the Inventory Division for the Maintenance Department.

Recommend award be made to sole bidder Spruce Industries Inc., in an anticipated annual expenditure amount not to exceed \$40,000, subject to funding availability at the time of ordering.

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.

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243D-08

BIDDERS BIDS		COMMODITY	VENDOR	AWARD
INVITED	REC'D			
7	1	Snow Spreader Parts	Seely Equipment & Supply Co Farmingdale, NJ	\$60,000

Price Agreement; RM 637; Bids Received: November 18, 2008

Requisitioned by the Inventory Division, this one-year Price Agreement is for the supply of Swenson and Monroe or Equivalent Snow Spreader Parts. Bidders were required to propose unit prices for 12 items listed, plus a discount off the Manufacture's List Price based on \$5,000 of miscellaneous items.

Recommend award be made to sole bidder Seely Equipment Supply Co., in an anticipated annual expenditure amount not to exceed \$60,000, subject to funding availability at the time of ordering.

Original contract term may be extended for two additional one-year terms each under the same terms and conditions, in the sole discretion of the Authority.

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243E-08

In the memorandum dated November 19, 2008 concerning a recommendation to **Increase Amount of Contract No. 594 – New Norris Chevrolet** – Major Repairs, Service and Parts for State Police Vehicles.

On December 14, 2006 the Authority awarded a one-year Price Agreement to New Norris Chevrolet for service, repairs and parts for State Police Chevrolet vehicles in an amount not to exceed \$15,500. The contract was procured via informal competitive process in accordance with Executive Order No. 37. The contract commenced on January 1, 2007 and provided for two one-year extensions at the Authority's sole discretion. Contract No. 594 was extended for 2008, however, due to extensive usage on State Police vehicles the authorized amount was increased to \$34,999. This amount has already been expended. Thus, the Maintenance Department has requested that Contract No. 594 be increased by \$10,000 for the remained of 2008. Furthermore, in light of the usage and payment history, this contract will be publicly bid with a higher anticipated annual expenditure for the next year.

Accordingly, authorization is requested to increase Contract No. 594 with New Norris Chevrolet, Westfield, NJ, by \$10,000 to cover the period through December 31, 2008. This will bring the authorized amount to \$44,999, subject to funding availability at the time of ordering.

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243F-08

In the memorandum dated November 28, 2008 concerning a recommendation to **Increase Amount of Contract No. 871 – Allstate Power Vac Inc.** – Removal and Disposal of Hazardous Waste and Non-Hazardous Waste Material and Emergency Spill Response.

At the February 26, 2008 Commission Meeting, authorization was granted to award a contract to Allstate Power Vac, Inc. ("Allstate") for the removal and disposal of hazardous and non-hazardous waste material and emergency spill response on the Turnpike and Parkway in amount not to exceed \$128,284. The term of the contract was from April 22, 2008 through April 21, 2009. This contract was publicly advertised in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2 and Executive Order No.37.

The Engineering Department has requested that the authorized amount of Contract No. 871 be increased by \$30,000. The increase is due to the completion of additional Multi Phase Extraction events (i.e. removal of groundwater, product and vapors) at multiple Service Areas on both roadways which are being performed in order to enhance the overall remedial technology at these locations with an emphasis towards site closure.

Accordingly, authorization is requested to increase Contract No. 871 with All State Power Vac Inc., Rahway, NJ. by \$30,000 for the Services outlined herein, for the period through April 21, 2009. This would bring the authorized amount to \$158,284. All monies are subject to funding availability at the time of ordering.

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243G-08

In the memorandum dated November 18, 2008, concerning a recommendation to **Increase Amount of Contract No. 917 – Traffic Safety Service LLC** – Traffic Cones.

At the April 16, 2008 Commission Meeting, authorization was granted to award a contract to Traffic Safety Service, LLC for the supply of 36” traffic cones in an amount not to exceed \$113,650. The term of the contract was from April 24, 2008 through April 23, 2009. This contract was publicly advertised in accordance with N.J.S.A. 27:23-6.1 N.J.A.C. 19:9-2.2 and Executive Order No.37.

Contract No. 917 was established by the Inventory Division for use by the Turnpike Maintenance Division. Due to increased roadway activities, the funds allotted for this contract have been expended. Thus, the Inventory Division requested that Contract No. 917 be increased by \$35,000 to meet the needs for the remaining term.

Accordingly, authorization is requested to increase Contract No. 917 with Traffic Safety Service LLC, South Plainfield, NJ, by \$35,000 for the supply of 36” traffic cones for the period through April 23, 2009. This would bring the authorized amount to \$148,650. All monies are subject to funding availability at the time of ordering.

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243H-08

In the memorandum dated November 26, 2008, concerning the recommendation to **Award Professional Services Contract – Energy Solve** – Energy Management and Accounting Services (Requisition Memorandum RM 633).

Since 2005, the Authority has contracted with a professional firm to provide utility bill energy management and accounting services (“Services”) for the facilities on both Turnpike and Parkway roadways through December 31, 2008. In preparation for the expiration, the Authority advertised and distributed a request for proposal (“RFP”) for a firm (“Firm”) to perform the Services for a two-year term, with the option to extend for one additional year at the Authority’s discretion. The RFP was advertised in three newspapers: The Star Ledger, The Trenton Times, The Home News Tribune and the Authority’s website and mailed to 11 firms. Five firms submitted proposals: Bithgroup Technologies, Baltimore, MD; Energy Solve, Somerset, NJ; Extend Accounting and Business Solutions, a Division of Dynaxys, LLC, Silver Spring, MD; LPB Energy Management, Dallas, TX and Synergy Energy Holdings, LLC, Buffalo, NY. The professional services process was conducted in accordance with N.J.S.A. 23:23-6.1, N.J.A.C. 19:9-2.1(b) and Executive Order No. 37.

The Executive Director appointed the Evaluation Committee consisting of personnel from the Finance, Maintenance and Technology and Administrative Services Departments. The Committee reviewed and evaluated each proposal in light of the evaluation criteria stated in the RFP. Energy Solve received the highest evaluation score, with a proposed annual fee of \$68,895 which represents a 15% reduction from the current annual fees. According to the Committee, Energy Solve demonstrated the best understanding of the Authority's needs with respect to payment of its utility bills having performed similar Services for the Authority and another State entity in the past in a satisfactory manner. In addition, Energy Solve's user friendly website and AD HOC customizable reports were considered a plus.

Currently, fees for the Services are based on approximately 825 utility accounts. Over the next two years, the Authority anticipates installation of additional VMS sign and camera installations on both roadways, which may constitute an additional 20 accounts. In light of the proposed annual fees, Energy Solve's fee for the additional accounts is estimated at \$1,680.

Accordingly, authorization is requested to award a contract to Energy Solve for energy management and accounting services, plus the cost for an additional 20 accounts for the two-year period for a total amount not to exceed \$141,150, subject to availability of funding at time of Services.

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

On motion by Commissioner Evans, seconded by Commissioner Pocino, the Authority unanimously approved the eight (8) item Purchasing agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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STRATEGIC POLICY AND PLANNING

244-08

Strategic Planning and Policy Director Lennon presented the recommendation contained in her memorandum dated November 17, 2008, concerning the **2009 Strategic Plan Update and 10-Year Capital Investment Plan**.

Pursuant to N.J.S.A. 27:23-3.2, the New Jersey Turnpike Authority's 2009 Strategic Plan Update and 10-year Capital Investment Plan are presented for consideration.

Implemented in 2005, the Strategic Plan reflects the Authority's commitment to its mission and strategic direction in sustaining a high-quality service to the motoring public by attaining a coordinated and integrated transportation system, and considers the impact of an improved transportation system on the State's economy. The 2009 Strategic Plan Update highlights a handful of key transportation projects to be advanced in the coming years.

The 10-year Capital Investment Plan identifies proposed transportation projects that will further the strategic goals and objectives of the organization, and the associated funding levels for Fiscal Years 2009 through 2018. The Authority's proposed capital program is financed

through its Construction, Maintenance Reserve, Special Project Reserve and General Reserve Funds, and is subject to available funding. The items listed in the 10-year capital program are fiscally unconstrained. These plans are submitted for adoption by the Authority, subject to available funding.

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

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; adopted the 2009 Strategic Plan Update and 10-Year Capital Investment Plan, in substantially the same form provided; and received and filed the memoranda.

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TECHNOLOGY AND ADMINISTRATIVE SERVICES

245-08

Technology and Administrative Services Director Gorman presented the recommendation contained in his memorandum dated October 20, 2008, concerning **Issue of Utility Order NJFON-Adesta-16 – Adesta LLC** – Connection of Fiber Optic Strands Granted to the State of New Jersey Office of Information Technology (OIT) by Indefeasible Right of Use (IRU), Budget Codes: 04008024 and 04008024R.

Authorization is sought to issue a utility order to Adesta LLC. The utility order will provide an inter-connect between NJOIT network assets to the NJTA fiber optic backbone located on the mainline of the Garden State Parkway at eleven locations. The inter-connect will be used to transmit data between New Jersey Turnpike Authority (NJTA), New Jersey Department of Transportation (NJDOT), New Jersey State Police (NJSP) and NJOIT assets.

The utility order also provides for engineering, permits, new duct construction, fiber optic cable installation, splicing and testing. Adesta LLC maintains the fiber optic cable and termination electronics on the NJTA fiber optic ring under an existing maintenance contract.

The total amount of the utility order will not exceed \$52,900.

Therefore, it is recommended that the NJTA authorize the issuance of Utility Order NJFON-Adesta-16 to Adesta LLC.

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 Utility Order NJFON-Adesta-16 to Adesta LLC, as presented; and received and filed the memorandum.

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GENERAL BUSINESS

246-08

Secretary Stanko presented the recommendation contained in her memorandum dated December 5, 2008, concerning **Authorization to Publish Notice of 2009 Schedule of Commission Meetings** for the New Jersey Turnpike Authority.

Authorization is requested to publish public notice of the 2009 New Jersey Turnpike Authority Commission Meetings in accordance with Chapter 231, P.L. 1975 and as set forth in the schedule submitted herewith. The location of all Commission Meetings will be the New Jersey Turnpike Authority Administration Offices located at 581 Main Street, Woodbridge, New Jersey, unless otherwise notified.

PROPOSED 2009 COMMISSION MEETING SCHEDULE
Meetings Will Commence At 9:30 A.M. Unless Otherwise Notified

JANUARY 28, Wednesday	JULY 29, Wednesday
FEBRUARY 24, Tuesday	AUGUST 25, Tuesday
MARCH 31, Tuesday	SEPTEMBER 29, Tuesday
APRIL 28, Tuesday	OCTOBER 27, Tuesday
MAY 27, Wednesday	DECEMBER 16, Wednesday
JUNE 30, Tuesday	

The Executive Director certified the recommendation for consideration.

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; authorized Publishing Notice of the 2009 Schedule of Commission Meetings for the New Jersey Turnpike Authority, as presented; and received and filed the memorandum.

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247-08

Deputy Executive Director O'Hern presented the Executive Director's recommendation contained in the memorandum dated December 2, 2008 concerning authorization to **Enter into Successor Collective Bargaining Agreement with IFPTE Local 196 Senior Citizen Toll Collectors** – for the period of July 1, 2007 through June 30, 2011.

A successor collective bargaining agreement between IFPTE Local 196 Senior Citizen Toll Collectors ("Local 196 SCTC") and the New Jersey Turnpike Authority ("Authority") was submitted for consideration.

The Local 196 SCTC successor collective bargaining agreement is a four (4) year contract with a term of July 1, 2007 through June 30, 2011.

There were no substantive changes to the existing Collective Bargaining Agreement. It should be noted that Local 196 SCTC will receive the same wage increases as those agreed to by the Authority's nine (9) other bargaining units.

The terms of the agreements are fair and reasonable to both the employees represented by the Local 196 SCTC and the Authority. On November 13, 2008, Local 196 SCTC informed the Authority that its members ratified the terms of the new agreement.

Special Labor Counsel joins in recommending that the Authority approve this agreement.

Therefore, authorization is requested to approve the successor collective bargaining agreement between Local 196 SCTC and the Authority for the four (4) year period of July 1, 2007 through June 30, 2011.

On motion by Commissioner Hodes, seconded by Commissioner Pocino, the Authority unanimously approved the recommendation; authorized Entry into the Successor Collective Bargaining Agreement with IFPTE Local 196 Senior Citizen Toll Collectors, as presented; and received and filed the memoranda.

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248-08

Commissioner DuPont presented the recommendation contained in the memorandum dated December 3, 2008 concerning **Ratification of Agreement with GSAC Partners for the Purpose of Producing the “Holiday Light Spectacular” at the PNC Bank Arts Center**

Since 2000, GSAC Partners d/b/a/ the PNC Bank Arts Center and the New Jersey Turnpike Authority, have entered into agreements for the purpose of producing an event featuring a holiday light display at the PNC Bank Arts Center. The parties have reached an agreement for the 2008 season which is being presented to the Commissioners for ratification.

GSAC will oversee the management and operation of the event. The event shall consist of at least one hundred (100) light display arrangements depicting various holiday related scenes.

GSAC shall pay to the New Jersey Turnpike Authority the greater of: i) Thirty Thousand Dollars (\$30,000) or ii) ten and one-half percent (10.5%) of the Gross Revenues, whichever amount is greater (the “Guarantee”). GSAC shall make payment to the New Jersey Turnpike Authority as follows: Fifteen Thousand (\$15,000) within thirty (30) days of commencement of the Event and the balance within thirty (30) days thereafter. If this Agreement is renewed in 2009 pursuant to Paragraph 1 of the Agreement, the parties agree that the Guarantee shall increase by two percent (2%) per Renewal Term and one-half of the total amounts shall be due within thirty (30) days of the commencement of the Event, with the balance due within thirty (30) days thereafter.

Accordingly, it is recommended that authorization be granted to the Executive Director to enter into the agreement between the New Jersey Turnpike Authority and GSAC Partners in substantially the form submitted.

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

On motion by Commissioner Hodes, seconded by Commissioner Pocino, the Authority approved the recommendation; ratified entry into agreement with GSAC Partners for the purpose of producing the “Holiday Light Spectacular” at the PNC Bank Arts Center, as presented; and received and filed the memoranda.

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Executive Director Gutierrez-Scaccetti, began her presentation by advising that Items 249-08 and 250-08 are linked in that they are in “sum and substance necessary to stabilize the Authority’s debt service.” Further, she added, a pre-approval letter from the Governor would be forthcoming for these recommendations and that these actions will not commence until the Authority is in receipt of the Governor’s letter. Those items are as follows:

249-08

In her memorandum dated December 5, 2008, concerning the recommendation to **Adopt the Series 2008 Turnpike Revenue Bond Resolution in Connection with the Refunding of Series 2003D FSA Insured Bonds.**

At its Meeting of March 11, 2008, the Board adopted a Short-Term Plan of Finance (“Plan”) to address the volatility in the financial market and its affect on the Authority’s auction rate securities and variable rate demand bonds. Presented today, as a part of that Plan, is the proposed Series 2008 Turnpike Revenue Bond Resolution (“Resolution”), the purpose of which is to refund a portion of the Series 2003D Bonds that are insured by FSA.

FSA is facing serious financial issues which have affected the interest rates on the bonds it insures. After careful consideration with the advice of the Authority’s Financial Advisor and Bond Counsel, it is recommended that the existing 2003D Turnpike Revenue Bonds insured by FSA be refunded and replaced with the Series 2008 Turnpike Revenue Bonds. The affect of this action is to change the mode and period of the instruments from 35 day auction rate securities to 7 day variable rate demand bonds. Three banks have offered letters of credit to guarantee payment of the bonds, namely Bank of Nova Scotia, PNC Bank and JP Morgan. The amount of the transaction will not exceed \$230,000,000.

Submitted for Commissioners review is a draft of the proposed Resolution. It is anticipated that the terms of this draft may change as staff continues to negotiate with the banks offering letters of credit. Thus, in addition to the recommendation to adopt the Resolution, it is recommended that the authority be delegated to the Executive Director to continue to negotiate and finalize the terms of the Resolution, with the advice and counsel of Bond Counsel.

On motion by Commissioner Hodes, seconded by Commissioner DuPont, the Authority unanimously approved the recommendation; adopted the draft of **Resolution 249-08: Series 2008 Turnpike Revenue Bond Resolution**, in Connection with the Refunding of Series 2003D FSA Insured Bonds; and further, authorized the Executive Director to negotiate and finalize the terms of the Resolution, with the advice and counsel of Bond Counsel, as presented; and received and filed the memoranda.

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250-08

In her memorandum dated December 5, 2008, concerning the recommendation to **Adopt the Series 2009 Subordinated Turnpike Revenue Bond Anticipation Note Resolution.**

At its Meeting of April 8, 2008, the Board authorized the issuance of a short-term note ("Note") to refund and redeem the Authority's outstanding \$175,000,000 Series 2003 D-3, D-4, D-7, and D-8 auction rate bonds. As the result of a competitive solicitation, Goldman Sachs was the successful bidder on the note and subsequently sold the Note to Bank of America. Since that time, the Authority has been bidding on the auction rate securities listed above and currently holds approximately \$70 million of these securities.

The Internal Revenue Service has extended the period during which issuers may continue to bid on their own securities until December 31, 2009; as such, the Authority and Bank of America have reached agreement on an extension of the Note until January 1, 2010. In addition, Bank of America has offered an additional \$100,000,000 which the Authority can use to buy back additional securities or fund immediate capital needs. Given the continued instability in the market and the fact that the original placement was conducted through a competitive process, it is recommended that the Authority authorize the extension of the original Note to January 1, 2010. Inasmuch as the expiration date of the original Note was February 1, 2009, the existing interest rate of 3.0% will remain in effect until that time. On or before that date, the parties will agree upon a current market rate and a new Note will be issued in the amount of \$275 million.

Provided for Commissioners review is a draft of the proposed Series 2009 Subordinated Turnpike Revenue Bond Anticipation Note Resolution. It is anticipated that the terms of this draft will not substantially change. Thus, in addition to the recommendation to adopt the Resolution, it is recommended that the authority be delegated to the Executive Director to execute any and all documents necessary to close the transaction under substantially the same terms of the Resolution provided for review, with the advice and counsel of Bond Counsel.

On motion by Commissioner Hodes, seconded by Commissioner DuPont, the Authority unanimously approved the recommendations; adopted the draft of **Resolution 250-08: Series 2009 Subordinated Turnpike Revenue Bond Anticipation Note Resolution;** and further, authorized the Executive Director to execute any and all documents necessary to close the transaction under substantially the same terms of the Resolution submitted, with the advice and counsel of Bond Counsel, as presented; and received and filed the memoranda.

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251-08

Executive Director Gutierrez-Scaccetti presented the recommendation in the memorandum dated December 1, 2008, concerning **Financial Certification for Years 2008 and 2009.**

Under the provisions of Section 713 of the Turnpike Revenue Bond Resolution adopted by the Authority on August 20, 1991 as amended and supplemented (the "Resolution") on or

before December 1 in each year, the Authority shall complete a review of its financial condition for the purpose of estimating whether the Net Revenues (as such term is defined in the Resolution) for such year and for the next succeeding year will be sufficient to comply with subsection (b) of Section 713 of the Resolution and shall by resolution make a determination with respect thereto. A copy of such resolution, certified by an Authorized Officer of the Authority, together with a certificate of such Authorized Officer setting forth a reasonably detailed statement of the actual and estimated receipts and the payments to be made there from for such year, upon which such determination was made, shall be filed with the Trustees on or before December 20.

Failing to meet the requirements of Section 713 of the Resolution, the Authority is required to have the Traffic Engineers make a study for the purpose of recommending a schedule of tolls which will provide the necessary revenues to meet the requirements.

Review of the financial condition of the Authority for the years 2008 and 2009 has been completed and the Authority is now in a position to make the determination showing that the requirements of Section 713 (b) of the Resolution will be met in the years 2008 and 2009.

The detailed schedules submitted for Commissioner review provide information relative to the years of 2008 and 2009 under review, and there contents are summarized here:

Schedule A

This schedule contains a Resolution which states that a review has been made of the Authority's financial condition for the purpose of estimating whether the tolls, revenues, fees, charges, rents and other income and receipts from the operation of the New Jersey Turnpike and the Garden State Parkway during 2008 and 2009, including investment income treated as revenues for each year, will be sufficient to provide all of the payments and meet all other requirements as specified in subsection (b) of Section 713 of the Resolution.

Schedules B and C

These schedules set forth calculations relative to 2008's revenue requirements, what has been provided through October 31, 2008 and estimated revenue provisions for the balance of the year (November-December, 2008).

Schedules D and G

These schedules set forth figures to support the certification under Section 713(c) of the "Resolution" demonstrating that in each calendar year "Net Revenues shall at least equal the Net Revenue Requirement for such year" as required by Section 713(b) of the Resolution. Under Section 101 of said Resolution, Net Revenues are defined as "... for any calendar year or other period of time, the Pledged Revenues during such year or period less the amounts of the Operating Expenses for such year or period." The Net Revenue Requirement means with respect to any period of time, "an amount equal to the greater of

- (i) The Sum of the Aggregate Debt Service, Maintenance Reserve Payments, Required State Payments, Special Project Reserve Payments, and payments, if any to the Charges Fund for such period
OR
- (ii) 1.20 Times the Aggregate Debt Service for such period (excluding, for purposes of clause (ii) only, any payment due and payable by the Authority under a Qualified Swap upon an early termination thereof)."

Schedules E and F

These schedules set forth calculations relative to 2009's financial projections and estimated revenue provisions.

On motion by Commissioner Pocino, seconded by Commissioner Hodes, the Authority unanimously accepted the certification schedules by Revenue Comptroller Manuelli that certain requirements of Section 713(b) of the Turnpike Revenue Bond Resolution will be met in the years 2008 and 2009; received and filed the memoranda; and hereby adopted the following Resolution (as identified in Schedule A):

RESOLUTION 251-08

WHEREAS, the Authority, in accordance with subsection (c) of Section 713 of its Turnpike Revenue Bond Resolution adopted August 20, 1991 as amended and supplemented (the "Resolution"), has completed a review of its financial condition for the purpose of estimating whether the tolls, revenues, fees, charges, rents and other income and receipts from the operation of the New Jersey Turnpike and the Garden State Parkway during 2008 and 2009, including investment income treated as revenues for such year, will be sufficient to provide all of the payments and meet all other requirements as specified in subsection (b) of Section 713 of said Resolution.

NOW, THEREFORE, BE IT RESOLVED by the New Jersey Turnpike Authority as follows:

1. That it is determined based upon the review of the financial condition of the Authority as described in the recital hereof, the tolls, revenues, fees, charges, rents and other income and receipts from the operation of the New Jersey Turnpike and the Garden State Parkway during 2008 and 2009, including investment income treated as revenues for such year will be sufficient to comply with subsection (b) of Section 713 of the Resolution.

2. That a copy of this resolution certified by the Comptroller of the Authority, together with a certificate of said Comptroller setting forth a reasonably detailed statement of the actual and estimated receipts and payments to be made there from for 2008 and 2009 as shown in schedules which were utilized in said review shall be filed in their entirety with The Bank of New York and U.S. Bank as Co-Trustees, under the Resolution, all in accordance with said Section 713 of said Resolution.

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252-08

Finance Director Hayllar presented the financial results of the New Jersey Turnpike Authority for the Ten Months ended October 31, 2008. On motion by Commissioner Hodes, seconded by Commissioner Pocino, the Authority's **Financial Summary** was unanimously accepted and received for file.

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253-08

Operations Director Hill presented the recommendation contained in his memorandum dated November 24, 2008 concerning a **Standard Schedule of Contributions to Ambulance Squads and Fire Departments Providing Services on the New Jersey Turnpike and Garden State Parkway**, Operating Budget Account No. 10-710-442000.

The New Jersey Turnpike Authority utilizes the service of 99 volunteer first aid squads and 87 volunteer fire departments to respond to emergencies on the New Jersey Turnpike and on the Garden State Parkway. These organizations are further supported by other volunteer organizations in a mutual aid capacity. During 2007, these organizations responded to 1,819 first aid calls and the fire departments responded with 1,008 pieces of apparatus on the New Jersey Turnpike and Garden State Parkway.

These volunteer organizations have been providing emergency response service for a cost of \$50 per call plus \$500 semi-annual standby contribution for first aids squads and \$100 per piece of apparatus plus \$300 semi-annual standby contribution for fire departments on the New Jersey Turnpike. On the Garden State Parkway, the volunteer first aid squads provide service for a cost of \$50 per call and the volunteer fire departments for a cost of \$50 per apparatus.

The Authority depends heavily upon these volunteer organizations for emergency response to attend to injured motorists and to extinguish fires in order to clear the roadway and

return conditions to normal. Furthermore, the organizations providing services on the Garden State Parkway have experienced substantial increases in the cost of their operation since the last increase provided in 1981. Because of the aforementioned and to permit a standard schedule of contributions on both roadways, it is recommended that the contributions for organizations providing services to the Garden State Parkway be increased to mirror those of the New Jersey Turnpike.

It is further recommended that the Authority be authorized to make contributions for services rendered in 2009 on the New Jersey Turnpike and Garden State Parkway in an amount not to exceed \$620,000.

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 Hodes, the Authority unanimously approved the recommendation; authorized a Standard Schedule of Contributions to Ambulance Squads and Fire Departments Providing Services on the Turnpike and Parkway, as presented; and received and filed the memorandum.

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254-08

Résumé's of All Fatal Accidents – Garden State Parkway and New Jersey Turnpike. Submitted by Operations Director Hill, they contain a descriptive account for the Period 1/1/08 to 11/29/08 and also include 2007 – 2008 Yearly Comparisons for the ten months through October 2008.

On motion by Commissioner Hodes, seconded by Commissioner Pocino, the Authority unanimously accepted the Résumé's and received for file.

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255-08

New Jersey State Police Troops D and E - Reports of Activities for the ten months through October, 2008, including 2007 – 2008 Yearly Comparisons, were submitted by Major Walker, New Jersey State Police Troop D Commander.

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

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Addendum Item

256-08

THIS ITEM WAS PRESENTED IN THE INITIAL SECTION OF THESE PROCEEDINGS.

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Upon conclusion of the Authority's business agenda, Chairman Dilts opened the floor to public comment on other matters.

Frank Forst, Consultant for Local 194 I.F.P.T.E, spoke to congratulate Mr. Dilts on his appointment as Chairman, welcome him back to the Authority and thank him for his past attentiveness to matters of employee safety. He said that this is another great day for the Authority and wished Happy Holidays to all.

There were no further comments from the floor.

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At this juncture, Executive Director Gutierrez-Scaccetti began an address to the room by saying she wished to acknowledge how special the people of the Authority are and was pleased to report on the accomplishments of the Thanksgiving Food Drive.

She thanked everyone for their participation, including in the extended Authority family State Police Troop D and Troop E, and the extensive efforts put forth in the Food Drive culminating on November 21. A digital presentation of snapshots summarized the amount of food items and the extent of New Jersey communities that the Authority's Food Drive collectively affected. In all, the donation of 118 food baskets totaling over 3000 lbs. of food was distributed to 23 charities.

Present at the meeting were a representative number of people who coordinated the collection activity for their particular locations. The Executive Director requested that those "point-people", who were able to attend the meeting, to please stand and accept recognition as the success of the Food Drive was applauded.

At the close of the presentation Chairman Dilts said that "the Governor made a call for a Food Drive and you have answered that call in a special way". He continued by saying he was honored to be affiliated with the people of the Authority and to be appointed Chairman.

The Executive Director, Chairman and Commissioners wished all happy holidays.

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The motion to adjourn was made by Commissioner DuPont, seconded by Commissioner Hodes and, after the voice vote, the motion was duly adopted. The Authority adjourned at 10:20 A.M., to meet on Wednesday, January 28, 2009, at 9:30 A.M.

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The Secretary acknowledges receipt of the following documents for file:

COMMUNICATIONS

Letter – dated December 4, 2008, from New Jersey Governor Jon Corzine – in accordance with the provisions of the New Jersey Turnpike Authority Act (N.J.S.A. 27:23-1 et seq.), as amended, including specifically N.J.S.A. 27:23-3(F), and all other applicable law; approving the minutes of the Special December 4 NJTA Commission Meeting authorizing the award of a Contract to Agate Construction and an Order for Professional Services to PB Americas – as being immediately in full force and effect.

ADDITIONAL REPORTS:

Purchases – under Executive Directors Delegated Authority (EDDA) Resolution 40-95, for the Period: October 1, 2008 through October 31 2008.

Utility Orders – under EDDA 117-05 (none); Dated December 9, 2008.

Contract Change Order Summary, Type 1 and Type 2 – Period October 10, 2008 through November 20, 2008, Dated December 9, 2008.

Construction Progress – Period Ending November 21, 2008; Dated December 9, 2008.

Rose Stanko
Secretary

APPROVED:

Stephen Dilts, Chairman and NJ Department of Transportation Commissioner

Michael R. DuPont, Treasurer

Harold L. Hodes, Commissioner

David G. Evans, Commissioner

Raymond M. Pocino, Commissioner

Clive S. Cummis, Commissioner