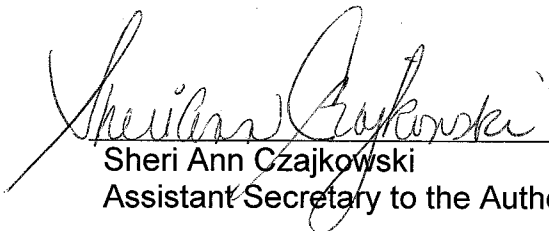


**CERTIFICATION
OF
NEW JERSEY TURNPIKE AUTHORITY**

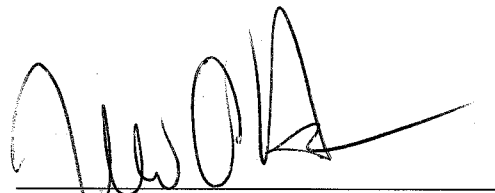
I, John O'Hern, hereby certify that I am the Deputy Executive Director of the New Jersey Turnpike Authority and as such Deputy Executive Director certify that the attached copy of PROCEEDINGS OF THE NEW JERSEY TURNPIKE AUTHORITY is a true and correct copy of the Minutes of the **August 14, 2012** Regular Meeting of the Authority.

IN WITNESS THEREOF, I have hereunto set my hand and affixed the official seal of the New Jersey Turnpike Authority **this 14th day of August, 2012.**

ATTEST:



Sheri Ann Czajkowski
Assistant Secretary to the Authority



John O'Hern, Deputy Executive
Director for Veronique Hakim,
Executive Director

Corporate Seal

Date: August 14, 2012

**Received in the Governor's Office on August 14, 2012
(hand delivered)**

Received by:

Lashana Kirk
Print Name



Signature

GAU STAMP:

Veto Period Ends:

August 28, 2012
(Write in the date the veto period ends)

PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY

BOARD MEETING

TUESDAY, August 14, 2012

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Vice Chairman Ronald Gravino called the Authority into session in the Executive Boardroom of the Authority's Administration Offices, Woodbridge, New Jersey, at 9:30 A.M.

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PRESENT

Present were Deputy Commissioner Joseph Mrozek, acting as the Chairman Simpson's designee pursuant to NJSA 27:23-3(G), Vice Chairman Ronald Gravino, Treasurer Michael DuPont; Commissioner Harold Hodes (via telephone); Commissioner Raymond Pocino; Commissioner Ulises Diaz and Commissioner Daniel Becht. The meeting commenced at 9:30 a.m.

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ALSO PRESENT

Deputy Executive Director John O'Hern; Chief Engineer Richard Raczynski; Acting Director of Law Phillip Espinosa; Electronic Toll Collection Director Dennis Switaj; Comptroller, Pamela Varga; Human Resources Director Mary-Elizabeth Garrity; Director of Internal Audit James Carone; Assistant Director of Maintenance Joseph Lentini; Director of Operations Sean Hill; Purchasing Director Andrea Ward; Chief Information Officer Barry Pelletteri; Assistant Director of Tolls James Roberts; Major Leonard Albine, State Police Troop D; and Assistant Secretary to the Authority Sheri Ann Czajkowski.

Also present were: Governors' Authorities Unit Representative John Cascarano; Ryan Feeney State Treasurer's Office; additional individuals consisting of other NJTA employees; interested organizations; the general public; and from the media: The Star Ledger and The Asbury Park Press.

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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.

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ACTION ON MINUTES

No action on the previous month's Minutes was taken at this Board Meeting.

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RECUSALS

The Deputy Executive Director reported that advisements of recusal had been submitted and asked for any further recusals or abstentions to be placed on record for this meeting. Those results are regarding the following items:

DED O'Hern indicated that agenda Item 314-08-2012 was withdrawn from the agenda.

Commissioner Pocino: 304-08-2012 through 313-08-2012, 315-08-2012 through 317-08-2012 and 319-08-2012 and 320-08-2012

Commissioner Hodes: 318-08-2012

Commissioner Diaz: 318-08-2012

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PUBLIC COMMENT

Vice Chairman Gravino opened the floor to public comment on matters relating to the current agenda and all other matters.

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Peter Langley, NEC

Mr. Langley represents NEC Corporation of America and spoke regarding agenda item 326-08-2012. NEC currently provides maintenance support for Authority communication services. NEC is concerned about the evaluation process for this agenda item and the solution selected for this project. NEC claimed that it offered the best and least expensive solution to the Authority. Mr. Langley further requested the Board to stay this award to give the Authority additional time to evaluate NEC's proposal and to ensure that the Authority has selected the best and most economical solution.

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COMMISSIONER'S COMMENTS

Vice Chairman Gravino thanked Authority staff and the State Police for their efforts related to the Agudath event at MetLife Stadium on August 1, 2012.

Treasurer DuPont thanked Acting Director of Law Phillip Espinosa for his service at the Authority and for his professionalism.

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EXECUTIVE SESSION

No Executive Session was held this month.

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DEPUTY EXECUTIVE DIRECTOR'S COMMENTS

DED O'Hern commended Authority staff for their efforts related to the Agudath event at MetLife Stadium on August 1, 2012. Staff worked in close concert with State Police on this complicated, high security event, to which more than 80,000 people attended. Everyone worked tirelessly to ensure that all attendees entered and exited the stadium safely. Chairman Simpson was on site for the event and Vice Chairman Gravino monitored the event late into the evening at the STMTC.

DED O'Hern reported that the Authority is in the midst of a \$7 billion capital program. DED O'Hern stated when spending \$7 billion it can be difficult to identify the most important projects. But today, there are several construction contracts on the agenda that combine to be considered one of the most important safety projects in the capital program -- the Parkway shoulder construction project from MP 80 to 100. This area of the Parkway has no shoulders, the lanes are not regulation width, and consequently the State Police reduced the speed limit on this stretch of roadway to 55 mph. This 80 to 100 shoulder construction project, which will also widen the travel lanes so they will meet current highway standards, improves roadway safety and traffic flow. And with full shoulders the State Police will have a better opportunity to enforce traffic laws in this area.

DED O'Hern added that combining the MP 80 to 100 shoulder construction project with the widening of the Parkway from MP 80 to the 30's, the Authority will have more than 60 miles of brand new roadway out of the 173 miles of the Parkway. DED O'Hern stated that the Authority's efforts are occurring at a time when the American Society of Civil Engineers has given a failing grade to the nation's infrastructure. DED O'Hern indicated that this is a positive commentary on the work the Authority's Engineering Department is doing and it is testament to how the Authority is prudently investing its toll dollars to improve roadway safety and keep the roadways in a state of good repair.

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HUMAN RESOURCES

Director of Human Resources Mary-Elizabeth Garrity requested approval of item number 300-08-2012. Moved is the item as follows:

300-08-2012

Human Resources Director Garrity submitted the **Personnel Agenda**, dated August 14, 2012, and requested confirmation of the personnel matters contained therein. The Executive Director certified the recommendations for consideration.

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

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LAW

Acting Director of Law Philip Espinosa requested approval of item numbers 301-08-2012 through 303-08-2012. Moved as a group those items are as follows:

301-08-2012

In a memorandum dated August 1, 2012, **a Ratification of Action Taken and Authorization for the Acquisition of Property Interests and Payment of Related Expenses Required for the New Jersey Turnpike Authority Interchange 6-9 Widening Program, Acquisition of Two (2) Properties and Payment of Damages, 2009 Capital Construction Program, requesting an additional amount of \$17,300.00**, was approved.

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 and construction is proceeding.

The acquisition of the necessary property interests is critical to the success of the Widening Program. In light of same, the Commissioners of the Authority authorized the Executive Director to take all steps necessary to prepare for the acquisition of property rights needed through final construction of the Widening Program with final action being brought to the Commissioners for ratification under Agenda Item No. 315-09-2011.

This Agenda Item seeks authorization to acquire certain property interests or pay for expenses or damages, as well as ratify final action taken with regard to same as follows:

I. Payment of Damages for Settled Eminent Domain Proceedings. The Authority previously determined that the properties listed below were necessary for the Widening Program. To that end, the Authority had an appraisal prepared by independent appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for the property. The Authority then entered into good faith negotiations with the owner and its respective counsel as appropriate for the purchase of same or the settlement of any claims related to the acquisition based on this appraised value and in compliance with the laws governing its powers of eminent domain. Eminent Domain proceedings were filed as the last resort. The following is a description of damages that were ascertained after the property acquisitions had been settled.

1. Turnpike Design Section 8, Turnpike ROW Section 4L
 - a. Parcel Series 1223, Block 2.01, Lot 3.02
5 Corporate Drive, Cranbury Township, Middlesex County
Owner: Kerzner Associates No. 5, LLC
Damage Amount: \$3,650.00
 - b. Parcel Series 1224, Block 2.01, Lot 2.01
7 Corporate Drive, Cranbury Township, Middlesex County
Owner: Kerzner Associates, No. 7, LLC
Damage Amount: \$1,100.00
 - c. Parcel Series 1218, Block 2, Lot 3.031
8 Corporate Drive, Cranbury Township, Middlesex County
Owner: Kerzner Associates, No. 8, LLC
Damage Amount: \$850.00
TOTAL DAMAGES: \$5,600.00

The acquisition of the underlying property interest relative to properties a) to c) above have been authorized by the Authority's Commissioners as follows: a) the acquisition of Parcel Series 1223 was approved by the Authority's Commissioners after the settlement of a condemnation for \$26,500.00 under agenda item no. 123-10; b) the acquisition of Parcel Series 1224 was approved by the Authority's Commissioners after settlement of a condemnation action for the purchase price of \$10,300.00 under agenda items 93-10 and 281-10; and c) the acquisition of Parcel Series 1218 was approved by the Authority's Commissioners after the settlement of a condemnation action for the purchase price of \$1,186,000.00 under agenda items 93-10 and 003-01-2011. This agenda item solely seeks approval from the Authority's Commissioners for the payment of damage to the irrigation system located on all of the three properties in the amount of \$5,600.00.

II. Eminent Domain and Settled Eminent Domain Proceedings. The Authority has determined that the properties listed below are necessary for the Widening Program. To that end, the Authority had appraisals prepared by an independent appraiser and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for the property. The Authority contacted the property owners and entered into good faith negotiations with said owners and their respective counsel for the purchase of same based on the appraised value and in compliance with the laws governing its powers of eminent domain. Eminent Domain proceedings were filed as the last resort. The following is a description of the acquisition of an additional property interest required on a property previously submitted to the Authority's Commissioners for approval along with a property acquisition that has been settled after the filing of a condemnation proceeding.

- 1) Turnpike Design Section 3, ROW Section 3F
Parcel Series 350, Block 2734, Lots 4 (Partial Taking)
60 Burke Road, Hamilton Township, Mercer County
Owner: Timothy and Teresa Bryan
Amount: \$48,430.00 (\$40,300.00 was previously approved, an additional \$8,130.00 is required for settlement of the condemnation)

The Authority's Commissioners previously approved the acquisition of the required property interests by condemnation under agenda item no. 3-10. After further

Commissioners Award and further negotiations, the parties were able to reach a settlement via consent order of this matter in the amount of \$48,430.00. The difference of \$8,130.00 represents the estimate taxes resulting from the loss of the property's farmland assessment for 15 years.

- 2) Turnpike Section 4, ROW Section 4G
 Parcel Series 979, Block 25, Lot 10.98 and Block 25.06, Lot 2.02 (Partial Taking)
 West Manor Way, Robbinsville Township, Mercer County
 Owner: Washington Green Homeowners Association, Inc.
 Amount: \$35,400.00 (\$32,000 was previously approved, and additional \$3,400.00 is required for an additional taking)

The Authority's Commissioners previously approved the acquisition of the required property interests by condemnation under agenda item no. 93-10. Since then, it was determined that an additional temporary construction easement was required (2C979), and this item seeks authorization to acquire through condemnation this property interest for the amount of \$3,400.00.

The acquisition in Section I and Section II, 2) above do not involve property 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 this property 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 property in Section II, 1) was designated as Preserved Farmland, and as a result, the Authority complied with applicable rules and regulations regarding the acquisition of same as set out in agenda item no. 70-10.

All actions taken by the Executive Director have been necessary for the purchase of the properties listed above including the satisfaction of certain other costs required by law to be paid at closing. All actions taken by the Executive Director have been reviewed by outside counsel and reviewed and approved by the Law Department.

Based on the foregoing, it is requested that the Authority's Commissioners ratify any and all actions taken by the Executive Director as outlined herein for the acquisition of the properties set forth above.

302-08-2012

In a memorandum dated August 1, 2012, **Authorization to Execute Design/Construction Coordination Agreement between the New Jersey Turnpike Authority and the New Jersey Department of Transportation for reconstruction of New Jersey Turnpike Interchange 10 and Improvements to U.S. Route I-287**, was approved.

Approval is requested for Agreement No. 51-12 between the New Jersey Turnpike

Authority (the "Authority") and the New Jersey Department of Transportation (the "NJDOT"). This agreement is required for the reconstruction of Interchange 10 of the New Jersey Turnpike in the Township of Edison, Middlesex County and for signing and striping modifications to U.S. Route I-287 in the vicinity of Interchange 10. The design of the improvements is being performed by the Authority under Order for Professional Services T3252, "Design and Environmental Permitting for Improvements at Interchange 10," which was approved by the Authority's Commissioners at the July 2009 Board Meeting. The construction of the improvements will be done under Contract No. T300.188, "Interchange 10 Improvements, Bridge Widening and Pavement Reconstruction, Milepost 88.10, Edison Township, Middlesex County," which is anticipated to be awarded in October 2012. Under Agreement 51-12, the Authority will pay for all costs associated with the project, including design costs, construction costs, utility relocation costs and construction management costs. The NJDOT will perform plan reviews; permit access to the project site; provide support in obtaining environmental permits and utility relocations; and monitor construction, including providing inspectors as needed and advice to the Authority's Construction Manager.

Accordingly, it is requested that the Authority's Commissioners delegate to the Executive Director the authority to execute Agreement No. 51-12 with the NJDOT pursuant to the terms outlined above. It is further recommended that the Commissioners authorize the Executive Director to execute any such other documents and take any such other actions as are deemed necessary to effectuate the intent of this authorization.

This Contract procurement is authorized under N.J.A.C. 19:9-2.2(d)(3), promulgated under N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine), which exempts contracts with the Federal or any state government or any agency or political subdivision thereof from public bid requirements.

303-08-2012

In a memorandum dated August 2, 2012, **Authorization to Settle Formal Workers' Compensation Matter of Patrick Giliberti v. New Jersey Turnpike Authority, Account: 10-870-405070, in an amount of \$49,300.00,** was approved.

Patrick Giliberti is a Turnpike Division Maintenance Roadway Manager hired in August 1981. This settlement will resolve a formal Claim Petition filed in 2007 resulting from work related injuries which occurred on or about May 16, 2007.

The petitioner is represented by Thomas Karpousis, Esq. located in Cherry Hill, NJ. The Authority is defended by Special Counsel Michael Greenwood, Esq. of McElroy, Deutsch, Mulvaney & Carpenter, LLP located in Newark, NJ. The matter is venued in the district office of New Brunswick before Judge Virginia Dietrich.

Permanency evaluation on behalf of the petitioner was performed by Dr. Theodora Maio

who opined 66 2/3% permanent partial total disability. Permanency evaluation on behalf of the respondent was performed by Dr. Kenneth Peacock who opined 12.5% permanent partial total orthopedic disability. Dr. Peacock also opined that 2.5% disability is related to the 2007 job injury and 10% is due to pre-existing conditions. After discussions with the Judge of Compensation and the Petitioner's Attorney, a settlement agreement was reached of 33 1/3% (\$66,400.00) minus 15% (\$17,100.00) for pre-existing conditions. This results in a total award of \$49,300.00.

The Law Department has reviewed this matter and agrees with the recommendation of the Special Counsel, the Authority's third party workers' compensation administrator and the Assistant Director, HR, Safety & Benefits. Authorization is, therefore, requested to allow Special Counsel to settle this matter for the sum of \$49,300.00.

This settlement will be payable under Account No. 10-870-405070.

On motion by Treasurer DuPont and seconded by Commissioner Becht, the Authority unanimously approved item numbers 301-08-2012 through 303-08-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ENGINEERING

Chief Engineer Richard Raczynski requested approval of item numbers 304-08-2012 through 313-08-2012, and 315-08-2012 through 320-08-2012. Agenda Item No. 314-08-2012 was withdrawn.

Raczynski stated that the four (4) contracts requested to be awarded today for the construction to be done on the Parkway between MP 80 and MP 100 is worth about \$330 million. Raczynski noted that that the original Parkway was constructed for about \$330 million.

Vice Chairman Gravino stated that he toured the Turnpike 6-9 Widening with Assistant Chief Engineer – Construction, Larry Williams. Vice Chairman Gravino lauded Mr. Williams' for providing a thorough and informative tour to the Turnpike widening project.

Treasurer DuPont noted that the Authority will be remitting to DEP about \$9 million to meet its No Net Loss obligation as a result of tree removal related to the Parkway 80-100 project.

Moved are the items as follows:

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PUBLIC BID SOLICITATIONS – AWARD OF CONTRACTS

304-08-2012

In a document dated July 20, 2012, a Recommendation to Award Contract P200.199 for the Garden State Parkway to George Harms Construction Co., Inc., for Shoulder Restoration and Improvements, Milepost 83.5 to 88.5, Ten Year Capital Program Fund No.

39022023, in an amount of \$84,262,835.93, was approved.

This contract will provide for the restoration of shoulders and other safety improvements by widening the Garden State Parkway mainline to provide for 12 foot wide left and right shoulders and 12 foot wide travel lanes and incorporating current NJTA standards for pavement super-elevation and transitions, roadside treatments, and roadside clear zones. The contract also includes the replacement of eight bridges, extension of two existing culverts, construction of 11 new permanent sign structures, drainage improvements, storm water management basins, signing and striping, delineators, lighting, maintenance and protection of traffic, and other miscellaneous work necessary and incidental to the completion of the project.

Seven bid proposals were received on July 12, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$84,262,835.93, may be compared to the second low bid proposal in the amount of \$86,121,645.21. George Harms Construction Co., Inc. has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.199 be awarded to the low bidder, George Harms Construction Co., Inc. of Howell, New Jersey, in the amount of \$84,262,835.93. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

The General Consultant, HNTB Corporation, concurs with this recommendation.

305-08-2012

In a document dated August 1, 2012, **a Recommendation to Award Contract P200.200 for the Garden State Parkway to Midlantic Construction for Shoulder Restoration and Improvements, Milepost 89.5 to 94.5, Ten Year Capital Program Fund No. 39022023, in an amount of \$74,955,981.77**, was approved.

This contract will provide for the restoration of shoulders and other safety improvements by widening the Garden State Parkway mainline to provide for 12 foot wide left and right shoulders and 12 foot wide travel lanes and incorporating current NJTA standards for pavement super-elevation and transitions, roadside treatments, and roadside clear zones. The contract also includes the replacement of seven bridges, the widening and redecking of two existing bridges, the extension of existing culverts, construction of seven new permanent sign structures, drainage improvements, 12 storm water management basins, signing, lighting, and other miscellaneous work necessary and incidental to the completion of the project.

Five bid proposals were received on July 26, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$74,955,981.77, may be compared to the second low bid proposal in the amount of \$75,742,396.35. Midlantic Construction, LLC has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.200 be awarded to the low bidder, Midlantic Construction, LLC of Barnegat, New Jersey, in the amount of \$74,955,981.77. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

The General Consultant, HNTB Corporation, concurs with this recommendation.

306-08-2012

In a document dated August 7, 2012, **a Recommendation to Award Contract P200.201 for the Garden State Parkway to Northeast Remsco Construction, Inc. for Shoulder Restoration and Improvements, Milepost 93.5 to 98.5, Ten Year Capital Program Fund No. 39022023, in an amount of \$100,971,697.05**, was approved.

This contract will provide for the restoration of shoulders and other safety improvements by widening the Garden State Parkway mainline to provide for 12 foot wide left and right shoulders and 12 foot wide travel lanes and incorporating current NJTA standards for pavement super-elevation and transitions, roadside treatments, and roadside clear zones. The contract also includes the replacement of three bridges, the widening and redecking of seven existing bridges, the extension of existing culverts, construction of 13 new permanent sign structures, drainage improvements, 14 storm water management basins, signing, lighting, and other miscellaneous work necessary and incidental to the completion of the project.

Six bid proposals were received on August 7, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$100,971,697.05, may be compared to the second low bid proposal in the amount of \$101,197,000.00. Northeast Remsco Construction, Inc. has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.201 be awarded to the low bidder, Northeast Remsco Construction, Inc. of Farmingdale, New Jersey, in the amount of \$100,971,697.05. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public

Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

The General Consultant, HNTB Corporation, concurs with this recommendation.

307-08-2012

In a document dated July 10, 2012, **a Recommendation to Award Contract P300.198 for the Garden State Parkway to Earle Asphalt Company for Interchange 88 Improvements, Ten Year Capital Program Fund No. 39023029, in an amount of \$70,059,913.13**, was approved.

This contract includes the construction of service roads parallel to the Garden State Parkway connecting Interchanges 88 and 89 and new interchange ramps to and from NJ Route 70 and Cedar Bridge Avenue allowing both interchanges to have complete access to the Garden State Parkway to and from the north and south. This contract will also provide for the restoration of shoulders and other safety improvements by widening the Garden State Parkway mainline to provide for 12 foot wide left and right shoulders and 12 foot wide travel lanes, and incorporating current NJTA standards for: pavement super-elevation and transitions; roadside treatments; and roadside clear zones. The contract includes the construction of two new multi-span structures carrying service roads over NJ Route 70, replacement of two existing bridges over NJ Route 70, sign structures, culvert extensions, storm water management basins, traffic signals, utility relocations, improvements along NJ Route 70, maintenance and protection of traffic, and other miscellaneous work necessary and incidental to the completion of the project.

Eight bid proposals were received on June 28, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$70,059,913.13, may be compared to the second low bid proposal in the amount of \$72,212,330.34. Earle Asphalt Company has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P300.198 be awarded to the low bidder, Earle Asphalt Company of Farmingdale, New Jersey, in the amount of \$70,059,913.13. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

The General Consultant, HNTB Corporation, concurs with this recommendation.

308-08-2012

In a document dated July 31, 2012, a Recommendation to Award Contract No. T869.120.003 for the New Jersey Turnpike to C. Abbonizio Contractors, Inc. for Interchange 6 to 9 Widening Program, Brookland Mitigation Site, Township of Monroe, Middlesex County, Ten Year Capital Program Fund No. 39018001, in an amount of \$7,048,461.52, was approved.

As required by the terms of the NJDEP Interchange 6 to 9 Widening Program Permit, this contract includes the construction of one freshwater wetland and riparian zone mitigation site on an Authority owned parcel of land, 400 plus acres. This work includes earthwork, grading, seeding, herbaceous wetland planting, reforestation, and other incidental work. Construction is anticipated to begin the Fall of 2012 and be completed by the Summer of 2013, with a five-year planting guarantee. This contract will specifically provide 42.7 acre-credits of wetland mitigation, 48.4 acre-credits of riparian zone mitigation, 6.1 acres of vernal pool habitat mitigation and 4.7 acres of wood turtle habitat mitigation. Additionally, in accordance with the Delaware and Raritan Canal Commission certificate of approval, 204.9 acres of stream corridor mitigation will be provided.

Seven bid proposals were received on July 27, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$7,048,461.52, may be compared to the second low bid proposal in the amount of \$7,138,687.03. C. Abbonizio Contractors, Inc. is currently performing as a subcontractor for two Turnpike widening contracts and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T869.120.003 be awarded to the low bidder, C. Abbonizio Contractors, Inc. of Sewell, New Jersey, in the amount of \$7,048,461.52. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

The General Consultant, HNTB Corporation, concurs with this recommendation

309-08-2012

In a document dated July 31, 2012, a Recommendation to Award Contract No. P900.282 for the Garden State Parkway to PKF Mark III, Inc. for the ETC Phase II UPS Upgrade Project, Supplemental Capital Fund No. 08007041, in an amount of \$599,315.00, was approved.

This contract will provide for the replacement of uninterruptable power supplies (UPS) at 11 toll plazas on the Garden State Parkway. The existing UPS' have reached the end of their useful lives and therefore require replacement. Properly functioning UPS' are critical to the Authority's toll revenue stream because the UPS' provide backup battery power for the electronic toll collection equipment in the event of a power outage until such time as the emergency generator activates to supply the necessary auxiliary power.

Eight bid proposals were received on July 31, 2012 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$599,315.00, may be compared to the second low bid proposal in the amount of \$614,338.50. PKF Mark III, Inc. has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P900.282 be awarded to the low bidder, PKF Mark III, Inc. of Newtown, Pennsylvania, in the amount of \$599,315.00. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids were procured and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

The General Consultant, HNTB Corporation, concurs with this recommendation.

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ORDER FOR PROFESSIONAL SERVICES (OPS)

310-08-2012

In a document dated July 26, 2012, **a Recommendation to Issue Order for Professional Services No. A3428 for both the Garden State Parkway and New Jersey Turnpike to Hill International, Inc., Program Manager Facilities Improvement Program, Ten Year Capital Program Fund No. 39005013, in an amount of \$14,900,000.00**, was approved.

This Order for Professional Services will provide program management services to progress and coordinate the New Jersey Turnpike Authority's \$350 million Facilities Improvement Program through all phases of final design and during construction to coordinate design related issues. The Program Manager will assist the Authority in the management, oversight, coordination and reporting of activities for the duration of the Program. In addition, this OPS also includes the design of immediate repair contract(s) to address pressing deficiencies on Turnpike toll facilities. This OPS does not include construction supervision/construction inspection services.

This assignment is classified as a "Complex Project" since the scope of work is not clearly

defined and likely to change during the course of the project, and the cost exceeds \$2,000,000.00. In general, OPS' are solicited based on Profile Codes dependent on the specific scope of work. Since Profile Codes do not exist for the procurement of program manager services, a request for qualifications for these services was required. The Request for Letters of Qualifications (LOQ) was advertised on the Authority's website for all interested firms in November 2011. Eight firms submitted LOQs by the closing date of March 26, 2012 and all eight were requested to submit Expressions of Interest.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking: 1) Epic Management, Inc.; 2) HNTB Corporation; 3) Hill International, Inc.; and 4) TY Lin International. These four firms were requested to submit Technical and sealed Fee Proposals. The Committee reviewed and evaluated each firm's Technical Proposal and it was recommended that the top two firms, Hill International, Inc. and HNTB Corporation, give an oral presentation. Hill International's Fee Proposal has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. A3428 be issued to the firm of Hill International, Inc. of Marlton, New Jersey not to exceed the amount of \$14,900,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.80, based on a 10% allowance for profit and an overhead rate of 154.5% or, the firm's overhead rate as determined by Federal Audit Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), 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., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

311-08-2012

In a document dated July 30, 2012, a Recommendation to Issue Order for Professional Services No. P3447 for the Garden State Parkway to Jacobs Engineering Group, Inc. for Supervision of Construction Services of Contract No. P300.198, Interchange 88 Improvements, Milepost 88.5 to 90.5, and Contract No. P200.199, Shoulder Restoration and Improvements, Milepost 83.5 to 88.5, Ten Year Capital Program Fund No. 39022023 and 39023029, in an amount of \$14,545,000.00, was approved.

The work to be performed under the referenced Order for Professional Services will consist of providing supervision of construction services for the two individual contracts to ensure that they are constructed in accordance with the Contract Plans and Specifications. Work to be

performed under the two contracts will include providing full width travel lanes and right and left shoulders in each direction consisting of 12' lanes, 12' shoulders, clear zone improvements, roadway construction, drainage improvements, bridge construction, culvert extensions and sign structure fabrication and erection.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 38 engineering firms were prequalified and eligible under Profile Codes: B-151, Construction Management; B-152, Project Management (Scheduling); B-153, Roadway Construction Inspection; and B-155, Bridge Construction Inspection. Three firms submitted EOIs by the closing date of June 14, 2012.

The procurement policy stipulates that if only three or four EOIs are submitted and deemed complete, all firms shall receive a Request for Technical and Fee Proposals. These three firms are: AECOM Technical Services, Inc.; HAKS Engineers, P.C.; and Jacobs Engineering Group, Inc. The Committee reviewed and evaluated each firm's Technical Proposal and final scoring resulted in Jacobs Engineering Group, Inc. being the highest technically ranked firm. The fee submitted has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. P3447 be issued to the firm of Jacobs Engineering Group, Inc., of Morristown, New Jersey, not to exceed the amount of \$14,545,000.00, allocated as follows: \$8,135,965.00 - fund 39022023 and \$6,409,035.00 - fund 39023029. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.5 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 the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), 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., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

312-08-2012

In a document dated August 1, 2012, a Recommendation to Issue Order for Professional Services No. P3448 for the Garden State Parkway to Greenman-Pedersen, Inc. for Supervision of Construction Services for Contract No. P200.200 for Shoulder Restoration and Improvements, Milepost 90.5 to 93.5 and Contract No. P200.201, Shoulder Restoration and Improvements, Milepost 93.5 to 99.5, Ten Year Capital Program Fund No.

39022023, in an amount of \$14,940,000.00, was approved.

The work to be performed under the referenced Order for Professional Services will consist of providing supervision of construction services for two individual contracts to ensure that they are constructed in accordance with the Contract Plans and Specifications. Work to be performed under the two contracts will include providing full width travel lanes and right and left shoulders in each direction consisting of 12' lanes, 12' shoulders, clear zone improvements, roadway construction, drainage improvements, bridge construction, culvert extensions and sign structure fabrication and erection.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeds \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 38 engineering firms were prequalified and eligible under Profile Codes: B-151, Construction Management; B-152, Project Management (Scheduling); B-153, Roadway Construction Inspection; and B-155, Bridge Construction Inspection. Two firms submitted EOIs by the closing date of June 14, 2012.

In accordance with the current procurement regulations, if fewer than three EOIs are deemed complete, the EOI solicitation may be rewritten and/or resolicited, or the procurement may continue with fewer than three firms, as determined by the Executive Director, in consultation with the Chief Engineer. The Executive Director agreed that the EOIs from Greenman-Pedersen, Inc. and Parsons Brinckerhoff, Inc. should not be reviewed and both firms be requested to submit Technical and sealed Fee Proposals. The Committee reviewed and evaluated each firm's Technical Proposal and final scoring resulted in Greenman-Pedersen, Inc. being the highest technically ranked firm. The fee submitted has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. P3448 be issued to the firm of Greenman-Pedersen, Inc. of Lebanon, New Jersey not to exceed the amount of \$14,940,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.27 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 the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), 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., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

313-08-2012

In a document dated July 26, 2012, a Recommendation to Issue Supplement A to Order for Professional Services No. T3224 for the New Jersey Turnpike to Greenman-Pedersen, Inc. for Design Services for Contract No. T100.125, Bridge Deck Reconstruction and Miscellaneous Improvements, Newark Bay-Hudson County Extension, Milepost N6.00 to N8.20, Ten Year Capital Program Fund No. 39001010, in an amount requested of \$550,000.00, was approved.

This Order for Professional Services was issued at the October 2009 Commission Meeting in the amount of \$3,595,000.00 to provide for design services and preparation of contract documents for bridge deck reconstruction and miscellaneous improvements of six structures in Zone 3 of the New Jersey Turnpike's Newark Bay-Hudson County Extension (NB-HCE), between Interchange 14C and the eastern terminus approaching the Holland Tunnel in Jersey City, Hudson County, New Jersey. This is the first phase of the NB-HCE Zone 3 bridge deck reconstruction program, focusing on the westbound roadway, which will involve bridge deck reconstruction, parapet and median barrier replacement, deck joint replacement, structural steel repairs, drainage, lighting and other related work. The construction contract is anticipated to be awarded in September 2012.

Supplement A will provide for additional design services which were not anticipated and are outside the scope of the original OPS. The additional design services include: 1) Preparation of detailed precast bridge deck panel and roadway panel alternative studies; 2) Design of median barrier replacement in the westbound roadway, structural strengthening for temporary roadway crossover, and superstructure modifications to Structure No. N6.80W; 3) Coordination with Rutgers University for preparation of supplementary specifications and plans for a new High Early Strength-High Performance Concrete (HES-HPC) Mix; 4) Updates to project-specific standard details and live load ratings; 5) Planning, scheduling and coordination of the June 2011 lane closing demonstration in the westbound roadway; 6) Public Information Center and coordination with impacted outside agencies including but not limited to the City of Jersey City, Port Authority of New York & New Jersey, and New Jersey Department of Transportation; and 7) Unanticipated post-design services associated with increased project complexity.

Greenman-Pedersen, Inc. submitted a proposal to provide the required services. The proposal has been reviewed, negotiated, and is considered fair and reasonable for the services to be provided.

It is, therefore, recommended that Supplement A to Order for Professional Services No. T3224 be issued to Greenman-Pedersen, Inc., not to exceed the amount of \$550,000.00, with compensation on the same basis as the original Order for Professional Services. The addition of this amount increases the total authorized fee from \$3,595,000.00 to \$4,145,000.00. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

314-08-2012

ITEM WITHDRAWN

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NON-COMPETITIVE PROCUREMENTS

315-08-2012

In a document dated July 16, 2012, a Recommendation to Execute Utility Order No. 1408-P for the Garden State Parkway to Jersey Central Power & Light/a First Energy Company for Contract No. P200.200, Shoulder Restoration and Improvements Milepost 90.5 to 93.5, Ten Year Capital Program Fund No. 39022023, in an amount of \$1,740,000.00, was approved.

Existing facilities will be directly impacted by the construction of the referenced contract. The Utility Order will reimburse Jersey Central Power & Light/a First Energy Company for the cost of materials related to the relocation of electrical transmission and distribution facilities (exclusive of fabrication of required steel transmission poles) and inspection of work performed by the Authority's contractor. A separate Utility Order was issued for the advance fabrication of steel transmission poles. All work will be constructed by the Authority's contractor. The work will be done at Cedar Bridge Avenue (MP 90.2), Chambers Bridge Road, Route 88 (Ocean Avenue – MP 91.1), Burnt Tavern Road (MP 92.6) and Lakewood/Brick Toll Plaza in Lakewood and Brick Townships, Ocean County.

The cost of this Utility Order was provided by Jersey Central Power & Light/a First Energy Co. and is based on the final improvements and known conditions at this time. The cost proposal was reviewed by the Engineering Department, is considered reasonable and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order No. 1408-P, not to exceed the amount of \$1,740,000.00. The Authority is required by its enabling legislation, N.J.S.A. 27:23-6, to ascertain and pay the costs of relocation or removal of any public utility facilities that the Authority deems necessary to relocate or remove in furtherance of the Authority's highway projects.

316-08-2012

In a document dated July 16, 2012, a Recommendation to Execute Utility Order No. 1409-P for the Garden State Parkway to Jersey Central Power & Light/a First Energy Company for Contract No. P300.198, Interchange 88 Improvements, Milepost 88.5 to 90.5, Ten Year Capital Program Fund No. 39023029, in an amount of \$1,435,000.00, was approved.

Existing facilities will be directly impacted by the construction of the referenced contract.

The Utility Order will reimburse Jersey Central Power & Light/a First Energy Company for the relocation of electrical distribution facilities, cost of related materials and associated activities. Additionally, the Utility Order will reimburse Jersey Central Power & Light/a First Energy Company for the cost of materials related to the relocation of electrical transmission facilities exclusive of the fabrication of required steel transmission poles and inspection of work performed by the Authority's Contractor. A separate Utility Order was issued for the advance fabrication of steel transmission poles. The work will be done at Route 70 (MP 89.4), Interchange 88 NB (MP 89.4), Interchange 88 SB (MP 89.4) and its vicinity in Lakewood Township, Ocean County.

The cost of this Utility Order was provided by Jersey Central Power & Light/a First Energy Co. and is based on the final improvements and known conditions at this time. The cost proposal was reviewed by the Engineering Department, is considered reasonable and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order No. 1409-P, not to exceed the amount of \$1,435,000.00. The Authority is required by its enabling legislation, N.J.S.A. 27:23-6, to ascertain and pay the costs of relocation or removal of any public utility facilities that the Authority deems necessary to relocate or remove in furtherance of the Authority's highway projects.

317-08-2012

In a document dated July 18, 2012, **a Recommendation to Execute Utility Order No. 1410-P for the Garden State Parkway to Jersey Central Power & Light/a First Energy Company for Contract No. P200.201, Shoulder Restoration and Improvements, Milepost 93.5 to 98.5, Ten Year Capital Program Fund No. 39022023, in an amount of \$2,500,000.00,** was approved.

Existing facilities will be directly impacted by the construction of the referenced contract. The Utility Order will reimburse Jersey Central Power & Light/a First Energy Company for the cost of materials related to the relocation of electrical transmission and distribution facilities and inspection of work performed by the Authority's contractor. All work will be constructed by the Authority's contractor. The work will be done at Herbertsville Road (MP 94.9), Edgar Felix Bikeway (MP 96.5), Allaire Road (MP 96.8), Route 34 (MP 97.7), West Hurley Pond Road (MP 98.8) and at MP 99.3 in Wall Township, Monmouth County.

The cost of this Utility Order was provided by Jersey Central Power & Light/a First Energy Co. and is based on the final improvements and known conditions at this time. The cost proposal was reviewed by the Engineering Department, is considered reasonable and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order No. 1410-P, not to exceed the amount of \$2,500,000.00. The Authority is required by its

enabling legislation, N.J.S.A. 27:23-6, to ascertain and pay the costs of relocation or removal of any public utility facilities that the Authority deems necessary to relocate or remove in furtherance of the Authority's highway projects.

318-08-2012

In a document dated July 18, 2012, **a Recommendation to Execute Utility Order No. 1411-P for the Garden State Parkway to Verizon – NJ, Inc. for Contract No. P200.201 for Shoulder Restoration and Improvements, Milepost 93.5 to 98.5, Ten Year Capital Program Fund No. 39022023, in an amount of \$600,000.00**, was approved.

Existing facilities will be directly impacted by the construction of the referenced contract. The Utility Order will reimburse Verizon – NJ, Inc. for the removal of existing poles and aerial facilities, installation/relocation of overhead/underground communication lines and fiber optic aerial/ underground cables, cost of materials, engineering, inspection and associated activities. The work will be done at Herbertsville Road (MP 94.9), Squankum Allenwood Road (MP 95.4), Route 34 (MP 97.6), Route 138 (Route 98.3), Hurley Pond Road (MP 98.7) and MP 99.3 in Wall Township, Monmouth County.

The cost of this Utility Order was provided by Verizon-NJ, Inc. and is based on the final improvements and known conditions at this time. The cost proposal was reviewed by the Engineering Department, is considered reasonable and approval is recommended.

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order No. 1411-P, not to exceed the amount of \$600,000.00. The Authority is required by its enabling legislation, N.J.S.A. 27:23-6, to ascertain and pay the costs of relocation or removal of any public utility facilities that the Authority deems necessary to relocate or remove in furtherance of the Authority's highway projects.

On motion by Treasurer DuPont and seconded by Commissioner Pocino, the Authority unanimously approved item number 318-08-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

319-08-2012

In a document dated July 24, 2012, **Authorization to Pay New Jersey Turnpike Authority Obligations under the "No Net Loss Reforestation Act (N.J.S.A. 13:1L-14.2 et seq.) for Forest Impacts Associated with Garden State Parkway Shoulder Restoration and Improvement Program – Agreement #54-12, New Jersey Department of Environmental Protection for the Reforestation Plan – Garden State Parkway, Milepost 83 to 88.5, 90.5 to 92, 93 to 100, Ten Year Capital Program Fund No. 39022023, Mitigation Compensation: \$4,681,800.00 and the Reforestation Plan – Garden State Parkway, Interchange 88/89**

Improvements, Milepost 88.5 to 90.5, Ten Year Capital Program Fund No. 39023029 and 39022023, Mitigation Compensation: \$3,763,800.00 and for the Reforestation Plan – Garden State Parkway, Interchange 91 Improvements, Milepost 92 to 93, Ten Year Capital Program Fund No. 39023030, Mitigation Compensation: \$511,020.00, in an amount of \$8,956,620.00, was approved.

The Garden State Parkway Shoulder Restoration and Improvement Program (the Program) requires unavoidable impacts to forested areas. In accordance with the New Jersey No Net Loss Reforestation Act (the Reforestation Act) which is administered by the NJDEP Division of Parks and Forestry, the Authority is required to mitigate for the required deforestation.

The Authority and NJDEP have determined that reforestation adjacent to the deforested areas is not feasible. Therefore, the NJDEP has requested that the Authority provide monetary compensation in lieu of planting to satisfy the mitigation requirements. After substantial review and analysis, the Engineering Department and NJDEP have agreed on total compensation in the amount of \$8,956,620, the details of which are outlined below. The value of each Reforestation Plan is based on an agreed upon formula which uses a value of \$61,200.00 per acre of deforestation, which is equal to the cost of reforesting an acre of land with 204 trees per acre, at a cost of \$300.00 per tree including a two year maintenance plan. The three agreed upon Reforestation Plans and the amounts of compensation are as follows:

- Reforestation Plan – Garden State Parkway
Milepost 83 to 88.5, 90.5 to 92, 93 to 100
Ten Year Capital Program Fund No. 39022023
Mitigation Compensation: \$4,681,800.00
- Reforestation Plan – Garden State Parkway
Interchange 88/89 Improvements, Milepost 88.5 to 90.5
Ten Year Capital Program Fund No. 39023029 and 39022023
Mitigation Compensation: \$3,763,800.00
(\$2,446,470.00-39023029 and \$1,317,330.00-39022023)
- Reforestation Plan – Garden State Parkway
Interchange 91 Improvements, Milepost 92 to 93
Ten Year Capital Program Fund No. 39023030
Mitigation Compensation: \$511,020.00

The total reforestation compensation amount to be paid to NJDEP for the Program would therefore be \$8,956,620.00. This amount shall fulfill the Authority's entire reforestation obligation associated with the Shoulder Restoration and Improvement Program.

It is, therefore, recommended, that the Executive Director be authorized to execute any and all documents necessary to effectuate the necessary documentation and issue payment to NJDEP in the amount of \$8,956,620.00 for the purposes set forth above.

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ACKNOWLEDGE REPORTS OF
ENGINEERING EXPENDITURES UNDER DELEGATED AUTHORITY

320-08-2012

The Board acknowledges the reports of Engineering Expenditures Under Delegated Authority as indicated below:

- Construction Progress Report
- Change Order Summary
- Utility Order Report

On motion by Treasurer DuPont and seconded by Commissioner Hodes, the Authority unanimously approved items numbers 304-08-2012 through 313-08-2012, items 315-08-2012 through 319-08-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda. The Authority unanimously accepted the reports contained in item number 320-08-2012 and received same for file.

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MAINTENANCE

Assistant Director of Maintenance Joseph Lentini requested approval of item number 321-08-2012. Moved is the items as follows:

321-08-2012

In a document dated July 31, 2012, **a Recommendation to Award Order for Professional Services No. A3440 to Taylor, Wiseman & Taylor for On-Call Subsurface Utility Engineering Services, Supplemental Capital Fund No. 08000010, in an amount of \$1,500,000.00,** was approved.

The Authority requires the professional services of an on-call subsurface utility engineering consultant to assist the Engineering and Maintenance Departments on a variety of tasks on an as-needed basis. The services will generally consist of surveying and mapping utilities and other assets for integration into the Authority's GIS management system and to identify potential utility conflicts on construction projects. The Order for Professional Services is for a two (2) year term commencing on or about September 1, 2012 with an option for the Executive Director to approve one (1), one (1) year extension, provided the fee ceiling is not exceeded in the prior two (2) years. The total authorized fee is \$1,500,000 and each individual task order assignment must be less than \$200,000. Each task will be authorized via the Work Request Authorization Form (WRAF) process.

The assignment is classified as a "Simple" project where the scope of work is clearly defined and the estimated fee is \$2,000,000 or less. The Solicitation for Expressions of Interest

(EOIs) was posted on the Authority's website and twenty-four (24) firms were prequalified and eligible under Profile Codes: D440-Geotechnical Studies & Subsurface Investigations; and D600-Geographic Information Systems (GIS). Six (6) prequalified and eligible firms submitted EOIs by the closing date of July 6, 2012.

Subsequent to the scoring of the EOIs by the Review Committee, rate sheets and multipliers were requested from the top three firms. The firms in order of ranking are: 1) Taylor Wiseman & Taylor; 2) InfraMap Corp.; and 3) KMA Consulting Engineers, Inc. The rate sheet and multiplier submitted by Taylor, Wiseman & Taylor has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. A3440 be issued to the firm Taylor Wiseman & Taylor of Mt. Laurel, New Jersey, not to exceed the amount of \$1,500,000. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), 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., N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.8, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

On motion by Commissioner Diaz and seconded by Commissioner Hodes, the Authority unanimously approved item number 321-08-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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PURCHASING

Director of Purchasing Andrea Ward requested approval of item numbers 322-08-2012 through 334-08-2012. Moved as a group those items are as follows:

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PUBLIC BIDS SOLICITATIONS

322-08-2012

In a document dated August 3, 2012, **a Recommendation for Tandem Dump Trucks (Rebid) to Ransome International LLC, RM-93129, Budget Code: Various, in an amount of \$549,189.00,** was approved.

Authorization is requested to award a contract for three (3) Tandem Dump Trucks. Bidders were required to quote unit and total prices for the equipment. These are replacement units and the older models will be sold at surplus if feasible. The bid was fully advertised and the six vendors listed in the Authority's database for the referenced commodity were notified of the

procurement. On June 20, 2012, bids were received as follows:

<u>Bidder</u>	<u>Unit Price</u>	<u>Total Price</u>
Ransome International, LLC Hammonton, NJ	\$183,063.00	\$549,189.00

Department Estimate: \$540,000.00

Non-Compliance:

Mid-Atlantic Truck Center, Inc. of Linden, NJ ("Mid-Atlantic") also submitted a bid for the Dump Trucks in the amount of \$546,351.00. The Maintenance Department staff reviewed the bids and found that Mid-Atlantic took numerous significant exceptions especially to the Body and Snow Plow Hitch sections of the Specifications. Mid-Atlantic listed 39 exceptions to the Snow Plow section alone. Some of the structural exceptions include but are not limited to: a) bid 3/8" thickness of the snow plow hitch versus the specified 3/4" (This discrepancy impacts the amount of stress on the components); b) bid 84"-wide inside body dimension versus the specified 86"; c) bid 12" deflector radius of snow plow compared to radius of 20" specified. (This discrepancy would allow the snow to be deflected in a more outward direction instead of curling up to the top of the snow plow); d) bid eight vertical ribs on the moldboard versus minimum 10 specified (needed to reinforce the snow plow); and e) bid 8-guage hot rolled milled steel versus a minimum of 7-guage paneled steel specified for additional strength. Maintenance staff concluded that Mid-Atlantic bid is unacceptable, while slightly cheaper, is less structurally sound than required for the Authority's operations. The next low bidder, Ransome International, LLC took only one minor exception to the paint specifications which deviation was deemed an approved equal to the specifications. Therefore, it is recommended that the bid submitted by Mid-Atlantic be rejected and the award be made to Ransome International, LLC.

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award a contract to Ransome International, LLC of Hammonton, NJ at a total cost not to exceed \$549,189.00.

323-08-2012

In a document dated August 2, 2012, a Recommendation for Inspection, Maintenance and Repair of Fire Protection and Suppression Systems to Allied Fire & Safety Equipment Company, Inc., RM-94596, Contract No. 1303-1 Modification, Budget Code: Various, in an amount of \$19,000.00, was approved.

At the February 2010 Authority Meeting (Agenda Item 61A-10) the Board of

Commissioners approved award of a two-year contract to Allied Fire and Safety Equipment Company, Inc. in the amount of \$52,584.00 (\$26,292.00 per year). This contract is for the inspection, maintenance and repair of fire protection and suppression systems at Authority facilities and is currently in its first extension. The Human Resources Department has requested an increase of \$19,000.00 due to unanticipated repairs to the foam system and fire pump in the Cifelli Statewide Traffic Management Center.

The underlying bid solicitation was procured in accordance with N.J.S.A. 27:23-6.1, of the Authority's enabling legislation, N.J.A.C. 19:9-2-2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine (2006)).

Accordingly, authorization is requested to increase the authorized amount of Contract No. 1303-1 by \$19,000.00 for a new authorized amount of \$97,876.00.

324-08-2012

In a document dated August 3, 2012, **a Recommendation for Machine Shop Services and Toll Equipment Parts to be Rejected and to Re-Bid the Contract, RM-93208**, was approved.

The Tolls Collection Department requisitioned a one-year contract for Machine Shop Services and Toll Equipment Parts. Bidder(s) were required to quote on 27 line items which included gear assemblies, face plates and rotor covers.

The bid was publicly advertised and procured in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). The bid was fully advertised and the three vendors listed in the Authority's database for the referenced services were notified of the procurement.

On July 24, 2012 one bid was received. However, the sole bidder failed to provide a bid bond which is a material requirement in the specifications. The bid documents will be revised and re-advertised. Because the Toll Department requires these parts to maintain the Toll Plazas as soon as possible, it is also recommended that the Executive Director be granted delegated authority to award the contract to the lowest responsible bidder upon receipt and review of the re-bid.

Accordingly, authorization is requested to reject the sole bid proposal received from MTJ Industries, Inc. and rebid the contract with revised bid documents.

325-08-2012

In a document dated August 2, 2012, **a Recommendation for Batteries for Authority Vehicles and Equipment to Electro Battery Systems, RM-93629 and RM-94936, Budget Code: Various, in an amount of \$91,728.04**, was approved.

Authorization is requested to award a contract for various types of batteries for Authority

equipment and vehicles to be stored and maintained in the Authority's inventory. Bidders were asked to quote unit and total prices on 27 line items. Bidders were also asked to quote a percentage discount off manufacturers list price for miscellaneous items not included in the bid. The bid was fully advertised and eight vendors listed in the Authority's database for the referenced commodity were notified of the procurement. On July 24, 2012, three (3) bids were received and the results of the bid analysis are as follows:

<u>Bidder</u>	<u>Total Prices</u>
Electro Battery Systems, Pompton Plains, NJ	\$ 91,728.04*
Lee Battery Services, Manasquan, NJ	\$ 92,992.35
Barbato Nursery Corp., Holbrook NY	\$ 130,313.63

Department Estimate: \$ 85,000.00

*Electro Battery Systems proposed several equivalent batteries. The Maintenance Department thoroughly reviewed the proposed alternates and found that they met the "approved equivalent" standards in the specifications. In addition, the warranties for each equivalent battery met or exceeded the specified models.

Bids were procured, and authorization is being sought to award this contract in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006). This award is also contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008), and having no objection to same.

Accordingly, authorization is requested to award a contract to Electro Battery Systems of Pompton Plains, NJ, in an amount not to exceed \$ 91,728.04.

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STATE CONTRACTS AND MULTI-STATE CONTRACTS

326-08-2012

In a document dated August 2, 2012, a Recommendation for CISCO Network and Equipment Services to ePlus Technology Inc. for R-94348, R-94351, \$-94389 and \$-94279, Budget Codes: 00 080 834 653010 08000013, 00 040 834 653010 04008099 and 00 080 834 156555 08007036, State Contract No. 73979 expiring 8/31/2012, in an amount of \$1,347,969.37, was approved.

The Authority's Technology and Administrative Services Department currently manages a communications network ("Network") which spans the entire length of both Roadways. The Network is present at every Authority facility, including, Administration buildings, Service Areas,

Maintenance Districts, Toll Plazas, microwave towers and State Police facilities. Every Authority facility is connected to the Network as it was designed to carry a wide variety of time-sensitive information such as voice, security video, sign control, highway advisory radio, roadway weather information, office automation, vehicle detection, camera surveillance, Enterprise Resource Planning and electronic toll collection transactions.

Since inception of the Network in 2003, the Authority utilizes Cisco as the preferred manufacturer to transport Network products for the following reasons:

- 1) Cisco provides an extensive suite of enterprise class products and maintains a world-wide leader position in the secure transport of a variety of information;
- 2) Cisco's performance at the Authority has been outstanding consistently moving large volumes of information across the Network in an expeditious and reliable manner;
- 3) Cisco develops all their products using recognized industry standards that allows ease of interoperability between the Authority, other State entities and business partners;
- 4) Cisco's simplified architecture spans its entire product line allowing products (such as routers, firewalls, telephones) to integrate seamlessly which in turn significantly reduces support costs; and
- 5) Cisco's 24/7/365 support provides time sensitive troubleshooting without intermediaries.

Cisco Network products are offered via New Jersey Contract System (Western State Cooperative Alliance) through several authorized distributors. Through this Item, authorization is requested to award contracts to one of those authorized distributors, ePlus Technology, Inc. of Robbinsville, NJ ("ePlus") for four distinct Cisco products and Services, as detailed below. These contracts are currently needed to enhance the Authority's Network with respect to telephones, security and connectivity. The combined cost for the four contracts is \$1,347,963.37. Staff reviewed the terms and conditions of the referenced State Contract and found them acceptable. The State Contract includes, but is not limited to, licenses, hardware, installation, integration and a one-year warranty. In addition, pursuant to the terms of the State Contract, the Authority obtained three competitive quotes (based on identical products) from among the authorized distributors. Staff recommends award of the contracts to ePlus, which quoted the lowest prices for each product and service. The Authority has utilized ePlus many times in the past and this vendor has performed in an outstanding manner each time.

The four contracts will be procured under State Contract No. 73979 in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant thereto N.J.S.A. 27:23:6-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

State Contract No. 73979 has been extended through August 31, 2012 and is anticipated

to be extended further. Thus, authorization is requested to award each of the four contracts to ePlus provided that the applicable State Contract has been extended and remains in effect upon the expiration of the Governor's veto period for the minutes of the Authority's August 14, 2012 Meeting.

Below are the descriptions of the individual contracts:

I. **"Cisco Unity Connection" Telephone System:**

R-94348

Budget Code: 00 080 834 653010 08000013

Cost: \$430,722.76

Under this contract, ePlus Technology Inc. will supply the Authority with a new telephone system, named "Cisco Unity Connection." This telephone system will be available to all Authority users and allows advanced voice features such as integration with email, text to speech recognition, auto attendant (main line phone assistant to forward calls to personnel) and call transfers. This will also upgrade the existing stand-alone, single point-of-failure to a redundant and centralized architecture. The contract includes the hardware, installation, integration, licenses and a one-year warranty.

Competitive quotes were solicited from the following three authorized State Contract Cisco Distributors:

<u>Vendor</u>	<u>Total Amount</u>
ePlus Technology, Inc.,	\$ 430,722.76
Trans Tec LLC, Parsippany, NJ	\$ 514,069.49
Cisco Systems, Inc., San Jose, CA – Manufacturer	\$ 536,408.51

Accordingly, authorization is requested to award a contract to ePlus Technology, Inc. for the Cisco Unity Connection Telephone System in the amount of \$430,722.76.

I. **Automated Call Distribution (ACD) Telephone System**

R-94351

Budget Code: 00 080 834 653010 08000013

Cost: \$367,983.39

Under this contract, ePlus will supply the Authority with a new Automated Call Distribution (ACD) System for the Cifelli Statewide Traffic Management Center. The ACD System will route and manage telephone calls received by the operational dispatch floor. The enhancement will enable the operators to answer calls in the order they are received. The system will also prioritize calls of an emergency nature. The benefits of the ACD System are emphasized during snow storms and other emergencies when accurate and expeditious telephone call routing is critical. The contract includes the hardware, installation, integration, licenses and a one-year warranty.

Competitive quotes were solicited from the following three authorized State Contract Cisco Distributors:

<u>Vendor</u>	<u>Total Amount</u>
ePlus Technology, Inc., Hamilton, NJ	\$ 367,983.39
Trans Tec LLC, Parsippany, NJ	\$ 439,164.71
Cisco Systems, Inc., San Jose, CA	\$ 451,150.53

Accordingly, authorization is requested to award a contract to ePlus Technology, Inc. for the ACD System in the amount of \$367,983.39.

II. Cisco Network Security Equipment

R-94389
Budget Code: 00 040 834 156555 04008099
Cost: 244,361.18

Under this contract, ePlus will provide Cisco equipment and services to install, monitor, and defend against harmful Network attacks globally. Last year, the Authority implemented various external services such as webmail, PeopleSoft Strategic Sourcing, and PeopleSoft E-Settlements which expose certain aspects of the Authority’s IT infrastructure to the outside world. In order to properly monitor and defend against harmful attacks, worms, and viruses, this equipment will suitably mitigate external threats. The contract includes the hardware, installation, integration, licenses, a one-year warranty and monitoring for three years.

Competitive quotes were solicited from the following three authorized State Contract Cisco Distributors:

<u>Vendor</u>	<u>Total Amount</u>
ePlus Technology, Inc., Hamilton, NJ	\$244,361.18
Blue Water, New York, NY	\$350,292.80
Aspire Technology Partners, Hazlet, NJ	\$224,249.16*

*The quote submitted by Aspire Technology Partners is lower than ePlus’, however Aspire only quoted the price of the equipment/materials and not the required services..

Accordingly, authorization is requested to award a contract to ePlus Technology, Inc. for the Cisco Network Security Equipment and services in the amount of \$244,361.18.

II. Cisco Hardware Routers and Switches

R-94279
Budget Code: 00 080 834 156555 08007036
Cost: \$304,902.04

Under this contract, ePlus will supply Cisco hardware for the Network connectivity to the new intelligent traffic systems (“ITS”) data points on the Authority’s Roadways. The hardware includes routers, switches, fiber optic modules and wireless access points. This equipment will add capacity to the core routers and connect redundant power supplies to existing ITS equipment

in the field. The contract includes the hardware, installation, integration, licenses and a one-year warranty.

Competitive quotes were solicited from the following three authorized State Contract Cisco Distributors:

<u>Vendor</u>	<u>Total Amount</u>
ePlus Technology, Inc., Hamilton, NJ	\$ 304,902.04
Aspire Technology Partners, Hazlet, NJ	\$ 313,026.60
Cisco Systems, Inc., San Jose, CA	\$ 326,746.20

Accordingly, authorization is requested to award a contract to ePlus Technology, Inc. for the Cisco Hardware – Routers and Switches in the amount of \$304,902.04.

327-08-2012

In a document dated August 3, 2012, a Recommendation for Cabling Equipment to Argent Associates, Inc., R-94314, Budget Code: 00 080 833 156555 08007043, State Contract No. 71697, expiring 12/31/12, in an amount of \$79,612.84, was approved.

Authorization is requested to award a contract to Argent Associates Inc. to supply cable materials to upgrade the Authority's Toll interchanges. Due to changed environmental and structural circumstances, the existing cabling equipment has become worn and rigid resulting in poor connections as well as difficulty in trouble shooting. This contract will provide new cabling and equipment that will be compatible with industry standards; provide reliable connectivity; and facilitate future equipment relocation and troubleshooting.

The contract will be procured under State Contract No. 71697 in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant thereto N.J.S.A. 27:23:6-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. This contract expired 12/31/12.

Accordingly, authorization is requested to award a contract to Argent Associates, Inc. for Cabling Equipment in an amount not to exceed \$79,612.84.

328-08-2012

In a document dated August 1, 2012, a Recommendation for Recording Servers to Micro Strategies, Inc., R-94395, Budget Code: 00 040 834 653010 04008097, State Contract No. 69832 expiring 1/31/2013, in an amount of \$63,668.00, was approved.

Under this contract, Micro Strategies Inc. will supply three servers which will enable the recording of audio transmission on the Cifelli Statewide Traffic Management Center Operations' floor. These services have to connect the Authority's telephones, network and personal computer systems. The contract includes hardware (servers), installation, integration, and 3-year

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onsite warranty with 24/7 response time.

The contract will be procured under State Contract No. 69832 in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant thereto N.J.S.A. 27:23:6-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award a contract to Mirco Strategies, Inc. for three Recording Servers in a total amount not to exceed \$63,668.00.

329-08-2012

In a document dated August 1, 2012, **a Recommendation for State Police Vehicle Accessories to Municipal Equipment Enterprises LLC, R-94356 and R-94358, Budget Code: 00 040 720 650020 04010002, State Contract No. 81332 expiring 4/30/2015, in an amount of \$96,521.15,** was approved.

Under this contract Municipal Equipment Enterprises LLC will supply 55 console setups and trunk boxes for New Jersey State Police vehicles. This equipment will be used to install all radios, computers and camera equipment into the 2012 Chevy Tahoes for Troop D vehicle fleet.

This contract will be procured under State Contract No. 81332 in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant to N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey.

Accordingly, authorization is requested to award a contract to Municipal Equipment Enterprises LLC for the State Police Vehicle Accessories in a total amount not to exceed \$96,521.15.

330-08-2012

In a document dated August 1, 2012, **a Recommendation for HVAC Maintenance and Repair to Peterson Service Company, RM-94116, Budget Code: Various, State Contract No. 81014 expiring 2/28/2014, in an amount of \$60,000.00,** was approved.

Under this contract Peterson Service Company will provide maintenance and repair for an interim 3-month period on all Authority HVAC equipment. (The Authority has an existing contract for these services with another vendor however this vendor did not perform the services adequately during the essential summer months. Staff is considering publicly bidding a new contract.) In the meantime, the recommendation is to award a contract to Peterson Service Company for the interim period pending award of new contract. In the event that services are needed, the Authority will seek to recover all costs incurred from the non-performing vendor in

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accordance with the terms of their contract.

This contract will be procured under State Contract No. 81014 in accordance with N.J.A.C. 19:9-2.5(a), promulgated pursuant to N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation, and Executive Order No. 37 (Corzine 2006) which permits the Authority, without advertising, to purchase goods and services directly from vendors who hold contracts with the State of New Jersey. This contract expires 2/28/2014.

Accordingly, authorization is requested to award a contract to Peterson Service Company for the Maintenance and Repair of all Authority's HVAC equipment not to exceed \$60,000.00.

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SOLE SOURCE

331-08-2012

In a document dated August 2, 2012, **a Recommendation for Upgrades to CapEx Manager Software and Modifications to CapitalSoft, Inc., R-94793, Budget Codes: 040 00 850 156555 040008019, in an amount of \$300,000.00**, was approved.

Authorization is requested to award a "sole source" contract to CapitalSoft, Inc., Richardson, TX for required upgrades and further customizations to the CapEx Manager Software.

In an effort to simplify doing business with the Authority and to make the bidding process easier for the Engineering Department and construction contractors, the Authority procured the software to facilitate a web-based electronic bidding process, entitled CapEx Manager Software ("CapEx Software"). This Software is used primarily by the Authority's Engineering Department in the management of construction contracts. CapEx Manager Software is a complete project management tool that allows for the efficient management of a project through its lifecycle, from planning to design to construction. Since the inception, the Authority has obtained upgrades and customizations to phase needed components of the CapEx Software.

Under this supplement, CapitalSoft, Inc. will be retained to further upgrade the CapEx Software including, but not limited to: 1) upgrade to Version 6.1 Software release; 2) provide programming for a 64-bit environment for increased performance; 3) assist with the integration of Bid Express electronic bidding and PeopleSoft Financial which will allow for electronic payment of Construction and OPS invoices; and 4) complete other programming requirements for construction, professional services agreements, and capital program planning. These further customizations are required in order to complete the enhancements that were started last year for capital program tracking, management of OPS' as well as further enhancements to the construction contract management module. The cost for this year's upgrade and customizations will be in an amount not to exceed \$300,000.00. To optimize cost efficiencies, each individual

project request will follow the Authority's WRAF process.

CapEx Software is proprietary to CapitalSoft, Inc., which is the publisher and holder of all copyrights. CapitalSoft, Inc. is the only vendor which has access to the source code needed to debug, improve, maintain and solve CapEx Software problems. Thus, no other vendor is capable of providing the services required under the upgrades and customizations. In addition, this is an exceptional circumstance, as the services are necessary for operating the Authority's CapEx Manager Software.

Thus, it is recommended that the upgrades and customizations to the CapEx Manager Software be procured without public advertisement as a sole source exception to the public bidding laws and consistent with Executive Order No. 37. The combined cost for the upgrades and customizations as well as the outstanding payment will be in an amount not to exceed \$300,000.00.

Accordingly, authorization is requested to award a sole source contract to CapitalSoft, Inc. for the requested upgrade and customizations in an amount not to exceed \$300,000.00 for the period August 1, 2012 through December 31, 2012 with the option to extend the contract for an additional one-year period. The awards will be made under the sole source procurement authorization of N.J.A.C. 19:9-2.2(d)1 as promulgated under N.J.S.A. 27:23-6.1. A resolution as required by N.J.A.C. 19:9-2.2(d)1 is attached hereto. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the awardee(s) pursuant to Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008) and having no objection to same.

RESOLUTION FOR SOLE SOURCE PROCUREMENT

CAPEX MANAGER UPGRADES AND MODIFICATION

WHEREAS, in an effort to more efficiently manage the Authority's Capital Program, the Engineering Department utilizes CapEx Manager (the "Software") and;

WHEREAS, the Engineering Department has requisitioned the upgrades and modifications to the software to: 1) upgrade to version 6.1 software; 2) provide programming for a 64-bit environment for increased performance; 3) assist with the integration of Bid Express electronic bidding and PeopleSoft Financials which will facilitate electronic payments for Construction and OPS invoices; and 4) complete other programming requirements for construction, professional services agreements and capital program planning.

WHEREAS, CapitalSoft, Inc. is the publisher, holder of all copyrights and exclusive distributor of the Software and therefore, the Software is of a unique and confidential nature that will not admit a generic or standard specification for procurement through competitive solicitation by public advertisement; and

WHEREAS, the necessary upgrades and modifications can only be procured from CapitalSoft, Inc. at a cost not to exceed \$300,000; and

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

NOW, THEREFORE, BE IT RESOLVED THAT the Authority's Commissioners hereby authorize and approve the award of a contract to CapitalSoft, Inc. for the requested upgrades and modifications to CapEx Manager in an amount not to exceed \$300,000.00, as a sole source exception to procurement by public advertisement permitted by N.J.A.C. 19:9-2.2(d)1 promulgated under the Authority's enabling legislation, N.J.S.A. 27:23-6.1.

332-08-2012

In a document dated August 3, 2012, **a Recommendation for CapEx Manager License Renewal and Maintenance to CapitalSoft, Inc., R-94154, Budget Codes: 00 010 833 121020, in an amount of \$100,000.00**, was approved.

Authorization is requested to award a "sole source" contract to CapitalSoft, Inc., Richardson, TX for the annual renewal of the CapEx Manager Software and Maintenance.

In an effort to simplify doing business with the Authority and to make the bidding process easier for the Engineering Department and construction contractors, the Authority procured the software to facilitate a web-based electronic bidding process, entitled CapEx Manager Software ("CapEx Software"). This Software is used primarily by the Authority's Engineering Department in the management of construction contracts. CapEx Software is a complete program management tool that allows for the efficient management of day-to-day operations through the entire Authority's Capital Program lifecycles.

CapEx Software is proprietary to CapitalSoft, Inc., which is the publisher and holder of all copyrights. CapitalSoft, Inc. is the only vendor which has access to the source code needed to debug, improve, maintain and solve CapEx Software problems. Thus, no other vendor is capable of providing the services required under the annual maintenance agreement. In addition, this is an exceptional circumstance, as the client support and maintenance services are necessary for operating the Authority's CapEx Manager software.

The Authority has authorized annual awards of "sole source" contracts to CapitalSoft, Inc. for the license renewal and annual maintenance fees, which have remained unchanged since 2007 at an annual cost of \$100,000. The most recent annual renewal was authorized by

the Board at the July 26, 2011 Commission Meeting (Agenda Item 260-07-2011). The Technology and Administrative Services Department has requisitioned the annual software license renewal and maintenance for the period August 1, 2012 through July 31, 2013.

Thus, it is recommended that the license renewal and software maintenance for CapEx Manager be procured without public advertisement as a sole source exception to the public bidding laws and consistent with Executive Order No. 37. The cost for the license renewal and maintenance services remains unchanged and will be in an amount not to exceed \$100,000.00.

Accordingly, authorization is requested to award a sole source contract to CapitalSoft, Inc. for the annual license renewal and maintenance services in an amount not to exceed \$100,000.00 for the period August 1, 2012 through July 31, 2013. The award will be made under the sole source procurement authorization of N.J.A.C. 19:9-2.2(d)1 as promulgated under N.J.S.A. 27:23-6.1. A resolution as required by N.J.A.C. 19:9-2.2(d)1 is attached hereto. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the awardee(s) pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and having no objection to same.

RESOLUTION FOR SOLE SOURCE PROCUREMENT

CAPEX MANAGER ANNUAL SOFTWARE MAINTENANCE AND LICENSE RENEWAL

WHEREAS, in an effort to more efficiently manage the Authority's Capital Program, the Engineering Department utilizes CapEx Manager (the "Software") and;

WHEREAS, the Technology and Administrative Services Department has requisitioned the annual license renewal and maintenance services to continue utilizing the Software for the period August 1, 2012 through July 31, 2013; and

WHEREAS, CapitalSoft, Inc. is the publisher, holder of all copyrights and exclusive distributor of the Software and therefore, the Software is of a unique and confidential nature that will not admit a generic or standard specification for procurement through competitive solicitation by public advertisement; and

WHEREAS, the annual renewal of the Software and maintenance can only be procured from CapitalSoft, Inc. at a cost not to exceed \$100,000; and

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

NOW, THEREFORE, BE IT RESOLVED THAT the Authority's Commissioners hereby authorize and approve the award of a contract to CapitalSoft, Inc. for the annual software maintenance and license renewal to CapEx Manager in an amount not to exceed \$100,000.00, as a sole source exception to procurement by public advertisement permitted by N.J.A.C. 19:9-2.2(d)1 promulgated under the Authority's enabling legislation, N.J.S.A. 27:23-6.1.

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PROFESSIONAL SERVICES

333-08-2012

In a document dated August 2, 2012, **a Recommendation for Security Review/Assessment of PeopleSoft Financial and Human Capital Management Module to CherryRoad Technologies, Inc., RM-92899, Budget Code: Various, in an amount of \$199,280.00,** was approved.

The New Jersey Turnpike Authority (the "Authority") issued a request for proposal ("RFP") for a firm to provide consulting services to perform a security review and assessment of the PeopleSoft Financials and Human Capital modules. The consultant will perform a current state review of the existing roles, both delivered and customized and the related processes utilized in each PeopleSoft application. After such review, the Consultant will identify roles which are a security issue and recommend modifications to more efficiently leverage the system functionality. The consultant will also develop a plan for the migration and implementation of these changes and thoroughly test to validate expected results.

The RFP was advertised on June 5, 2012 in The Times and posted on the State's and the Authority's website. It was also advertised in the Star Ledger and The Times on June 18, 2012 and distributed to 10 firms. On July 2, 2012, the Authority received proposals from the following two (2) firms:

1. **CherryRoad Technologies, Inc., Morris Plains, NJ**
2. **ERP Analysts, Inc., Dublin, Ohio**

The process for this professional services contract was conducted in accordance with N.J.S.A. 27:23-6.1 of the Authority's enabling legislation, N.J.A.C. 19:9-2.1(b) promulgated pursuant thereto, and the Executive Order No. 37(Corzine 2006). An Evaluation Committee (the "Committee"), which was approved by the Executive Director, consisted of personnel from the Authority's Finance, Technology and Administrative Services (TAS) and Procurement and Materials Management ("PMM") Departments. There was also a non-voting representative from the PMM Department.

The Committee reviewed the proposals based upon the criteria set forth in the RFP. The Committee invited both firms to make oral presentations on July 23, 2012 and requested a Best

and final Offer (BAFO) from each firm. The Committee then prepared a report which detailed the evaluation process and set forth its findings and recommendations. The Report recommends, after a thorough review of the proposals, presentations and BAFO, that CherryRoad be awarded the contract for consulting services to perform a security review and assessment of the PeopleSoft Financials and Human Capital modules. The Committee was favorably impressed with CherryRoad's written and oral presentations and proposed approach to the scope of services. The firm demonstrated a clear understanding of the Authority's needs and have a detailed understanding of the Authority's PeopleSoft modules. In addition, CherryRoad's experience with public entities on similar projects as well as their proposed project team made them the superior candidate. CherryRoad proposed a fixed fee of \$199,280.00 (composed of a blended hourly rate of \$175.00 per hour) for these services in their BAFO, which was a 10% reduction from their original proposed fee. These services will be completed by year end.

The second proposer, ERP Analysts, Inc. of Dublin Ohio submitted a proposal which was lacking an experienced project team and did not clearly demonstrate a thorough understanding of the Authority's needs and scope of services. The firm was invited but did not attend their scheduled oral presentation. Their proposed fee was lower than CherryRoad; however it was for significantly lesser services than required.

Accordingly, authorization is requested to award a contract for consultant services to CherryRoad Technologies, Inc., Morris Plains, and NJ in an amount not to exceed \$199,280.00. CherryRoad is in compliance with Public Law 2005, Chapter 51, and Executive Order No. 117(Corzine 2008).

334-08-2012

In a document dated August 1, 2012, a Recommendation for Weather Forecasting Services to Telvent DTN Inc., Contact No. 1025, RM-94088, Budget Code: Various, in an amount of \$4,507.50, was approved.

At the October 3, 2008 Board of Commissioners Meeting (Agenda Item #186-08), the Authority awarded a contract to DTN Meteorlogix Inc. (name changed to Telvent DTN, Inc.) to provide weather forecasting services on the Authority's Roadways. This contract expires on September 23, 2012. Weather forecasting services are crucial to the operations of the Authority's roadways especially during the winter season and inclement weather conditions. The New Jersey Department of Transportation also utilizes weather forecasting services for its roadways. The current DOT contract has been extended through December 31, 2012. Staffs from the two agencies have determined that given the similar scope of services it would be more efficient to conduct a joint procurement for a new contract. The state's procurement process is underway and a new contract is anticipated that it will be awarded by year end. Thus, the Operations Department recommends extending the Authority's contract with Telvent DTN, Inc. for

an additional three months at the same terms and conditions to allow time for the new contract to be awarded. Telvent DTN, Inc. is agreeable to the extension. The cost will remain at \$1,502.50 per month.

Accordingly, authorization is requested to extend the term of Contract No. 1025 with Telvent DTN, Inc. through December 31, 2012 and increase the authorized amount by \$4,507.50. This will bring the total authorized amount to an amount not to exceed \$73,562.00, subject to funding availability at the time of service.

On motion by Treasurer DuPont and seconded by Commissioner Pocino, the Authority unanimously approved item numbers 322-08-2012 through 334-08-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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GENERAL BUSINESS

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ETC

Director of ETC Dennis Switaj requested approval of item number 335-08-2012. Moved is the item as follows:

335-08-2012

In a memorandum dated July 30, 2012, a Recommendation for the E-ZPass On-The-Go Program, was approved.

E-ZPass is the name of a highly successful regionally interoperable electronic toll collection system that is operated by twenty-four (24) agencies across fourteen (14) states that enables a customer with an E ZPass tag issued by any member agency to be used at all E-ZPass member facilities. Currently, the E-ZPass system has over twenty-two (22) million E-ZPass tags in circulation. In addition to the E-ZPass electronic toll collection system there is an E-ZPass Plus system that allows E-ZPass account holders to pay for parking fees with their E-ZPass tag at JFK, LaGuardia, Newark Liberty, Albany and the Atlantic City Airports, and at the South Jersey Transportation Authority Parking Garages on New York Avenue and Atlantic Avenue in Atlantic City. New Jersey E-ZPass Program represents over 4.2 million tags within the overall E-ZPass system.

The Authority wishes to increase the distribution of New Jersey E-ZPass tags and has been evaluating opportunities to do so. In an effort to allow for the immediate use of the E-ZPass tag and to make the locations at which a tag can be obtained more convenient, the Authority along with other members of the E-ZPass organization developed the E-ZPass On-the-Go product. E-ZPass On-the-Go is an E-ZPass tag that is packaged so it can be hung on a

merchandise display or placed on a countertop for retail sale. Once purchased and opened by the customer the E-ZPass tag is available for immediate use in their passenger vehicle.

Specific details about the New Jersey E-ZPass On-The-Go tag program are:

- The tag is for use in passenger vehicles only.
- The tag is active and ready for use.
- The tag should not be used for the current trip on the New Jersey Turnpike as the entry point would not be able to be identified thereby resulting in the improper toll being assessed to the customer.
- The tag must be registered within 48 hours of first use. If the tag is not registered within 48 hours the tag will be rendered invalid until the registration is complete, which may result in violation notices being issued to the customer.
- In addition to the \$25 payment for the E-ZPass On-the-Go product, the Authority allows for a service fee of not more than \$6.00 to cover expenses associated with the sale of the product for a maximum charge to the customer of \$31. No other fees or additional markups are allowed to be charged to the customer beyond this service fee.
- When purchased, \$25 is applied to the customer's E-ZPass account. However, only \$15 of the \$25 is available until the tag is registered. The remaining \$10 is held as a deposit.

Since early 2008, the Authority has been working with the operators of the service areas on the Turnpike and Parkway to make the E-ZPass On-The-Go tags available for purchase by our patrons. This program has been so successful that the Authority now desires to expand this program to other venues, and been evaluating opportunities to do so.

Authority staff approached staff of the New Jersey Motor Vehicle Commission (MVC) to sell E-ZPass On-The-Go tags at certain MVC locations. As this will increase the availability of the E-ZPass program to the motoring public, staff recommends that the Authority enter into a Memorandum of Understanding (MOU) with MVC to create a one-year pilot program pursuant to which MVC will be permitted to sell E-Z Pass On-the-Go tags at the MVC Rio Grande, Manahawkin, and Hazlet locations at a cost of \$25.00 per tag, plus a \$6.00 service fee. Upon mutual agreement of the parties, this pilot program can be expanded to other MVC locations.

Accordingly, it is requested that the Board of Commissioners delegate to the Executive Director the authority to execute an MOU with MVC for the sale of E-ZPass On-The-Go tags at MVC locations pursuant to the terms set forth above. To continue expansion of the E-ZPass program and to further benefit motorists, it is requested that the Commissioners authorize the Executive Director to execute such MOUs with any other interested governmental agencies to sell E-ZPass On-The-Go tags on terms similar to those set forth above. It is further requested that the Commissioners authorize the Executive Director to execute any such other documents

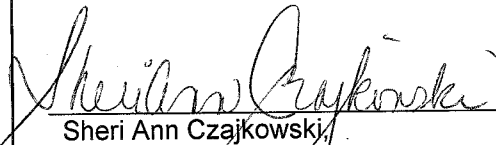
and take any such other actions as are deemed necessary to effectuate the intent of this authorization.

On motion by Commission Diaz and seconded by Commissioner Pocino the Authority unanimously approved item number 335-08-2012; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

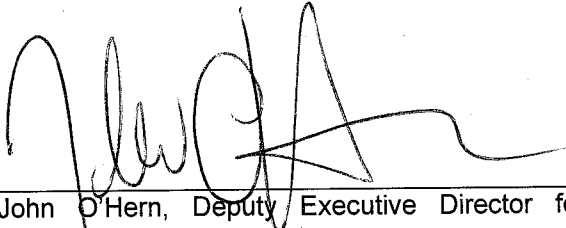
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The motion to adjourn was made by Vice Chairman Ronald Gravino, Treasurer DuPont and seconded by Commissioner Hodes and, after the voice vote, the motion was duly adopted. The Authority adjourned at 9:46 a.m., to meet on Tuesday, September 25, 2012, at 9:30 A.M.

ATTEST:



Sheri Ann Czajkowski,
Assistant Secretary to the Authority



John O'Hern, Deputy Executive Director for
Veronique Hakim, Executive Director

Corporate Seal

Date: August 14, 2012
