

**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY
COMMISSION MEETING
TUESDAY, MAY 24, 2011**

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Chairman James S. Simpson 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 Chairman James S. Simpson, Vice Chairman Ronald Gravino, Treasurer Michael DuPont; Commissioner Harold Hodes (via telephone); Commissioner Raymond Pocino; Commissioner Troy Singleton (late arrival); and Commissioner Ulises Diaz (via telephone). The meeting commenced at 9:30 a.m.

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ALSO PRESENT

Executive Director Veronique Hakim; Deputy Executive Director John O'Hern; Chief Engineer Richard Raczynski; Acting Director of Law Linda Cavanaugh; Electronic Toll Collection Director Dennis Switaj; Chief Financial Officer Donna Manuelli; 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; Acting Director of Technology and Administrative Services Stephen Ehrmann; Tolls Director Robert Quirk; Chief of Staff Megan Mulcahy; NJ State Police Troop D Acting Major Pam Elliott, and Assistant Secretary to the Authority Sheri Ann Czajkowski.

Also present were: Governors' Authorities Unit Representative Brandon Minde; Ryan Feeney, Manager of Public Finance State Treasurer's Office, additional individuals consisting of other NJTA employees; interested organizations; the general public; and from the media: the Star Ledger and 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

The Executive Director reported that ten days, excluding Saturdays, Sundays and holidays, have elapsed since Governor Chris Christie received the proceedings of the regular meeting of April 27, 2011 and the Special Meeting April 29, 2011; he did not exercise his power to veto any items in those minutes.

Upon motion made by Treasurer DuPont seconded by Commissioner Hodes the minutes of the meeting was unanimously approved.

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RECUSALS

The 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:

Commissioner Pocino: 162-05-2011 through 176-03-2011

Commissioner Singleton: 165-05-2011, 166-05-2011 and 170-05-2011

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PUBLIC COMMENT

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

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No Public Comments

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EXECUTIVE SESSION

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

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

The motion was made by Commissioner Diaz and seconded by Vice Chairman Gravino, and, after the voice vote, the motion was duly adopted by the Board of Commissioners of the New Jersey Turnpike Authority.

Executive Session was adjourned at 9:43 a.m.; Chairman Simpson resumed the public portion of the meeting.

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EXECUTIVE DIRECTORS REMARKS

ED Hakim indicated that Captain Pam Elliott has been promoted to a new role -- Acting Troop D Commander. The Authority is pleased to have her in that role.

ED Hakim stated that the Authority is kicking off a campaign to encourage people to sign up for E-ZPass. The Authority appreciates the assistance of New Jersey Transit with this campaign.

ED Hakim stated that on May 17, 2011, two (2) Authority employees, Michele Nicolas and Stanley Beard, noticed a vehicle driving the wrong way on the Parkway. These employees immediately alerted Operations, which contacted State Police. Through the efforts of Troopers Russell Peterson and Patrick Colabras the vehicle was safely stopped. The keen observation of the employees, quick reaction of the State Police and the collaborated effort of communication amongst everyone resolved the matter without incident. The driver was an elderly woman with dementia.

ED Hakim asked Chief Engineer Raczynski to give an update on the status of the first phase of the Parkway widening from Milepost 63 to 80. Raczynski reported that as of last weekend the entire southbound side was open and Milepost 80 to 75 on the northbound side was open. On the northbound side between Milepost 63 and 75, some shoulder paving, signage, and striping needs to be completed in the next few days. But the entire northbound area from Milepost 63 to 80 will be open and ready for Memorial Day. Raczynski noted that this project will be completed three (3) months ahead of schedule and on budget. Raczynski acknowledged the efforts of the Engineering staff involved in the project. From the Design Section were Robert Fischer, John Withers and Lamis Malak. From the Construction Section were Larry Williams and Mike Garafalo. ED Hakim noted that everyone has been working diligently, and even with all of the rain in the past two (2) weeks, the team delivered to make the Memorial Day opening date. She thanked them for their efforts on this project and said they were greatly appreciated.

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HUMAN RESOURCES

Director of Human Resources Mary-Elizabeth Garrity requested approval of item 156-05-2011. Moved is the item as follows:

156-05-2011

Human Resources Director Garrity submitted the **Personnel Agenda**, dated May 24, 2011, and requested confirmation of the personnel matters contained therein. The Executive Director certified the recommendations for consideration.

On motion by Commissioner Pocino and seconded by Vice Chairman Gravino 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

Assistant Director of Law Linda Lordi Cavanaugh requested approval of items 157-05-2011 through 161-05-2011. Moved as a group those items are as follows:

157-05-2011

In a memorandum dated May 12, 2011, a **Recommendation was made for the Ratification of Action taken for the Acquisition of Property Interests Required for the New Jersey Turnpike Authority Interchange 6-9 Widening Program Acquisition of Six (6) Properties, Reimbursement for Damages and/or Anticipated Construction Costs in the amount of \$82,508.45**, 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 New Jersey Turnpike Authority have authorized the Executive Director to take all steps necessary to prepare for the acquisition of easements or other property rights needed to begin Phase 1 construction of the Widening Program with final action being brought to the Commissioners for ratification.

Since the last Commissioner's meeting, the Authority has taken final action with respect to the following properties.

I. New Acquisitions, Reimbursement for Damages and Relocation Benefits: The Authority has determined that the properties listed below are necessary for the Widening Program. To that end, the Authority had appraisals prepared by independent Appraisers and reviewed by Value Research Group, LLC, the Authority's Real Estate Manager/Consultant, which set a value for each. The Authority then entered into good faith negotiations with the owners and their respective counsel as appropriate for the purchase of same or the settlement of any claims related to said acquisitions based on this appraised value and in compliance with the laws governing its powers of eminent domain. Negotiations continued and settlement of all terms was agreed upon. The following is a description of each property for which the parties have finalized negotiated terms of sale or other terms of settlement:

1. Turnpike Design Section 2, Turnpike ROW Section 3E
Parcel No. E294, Block 203, Lot 6
221 Bordentown-Crosswicks Road, Chesterfield Township, Burlington County
Owner: Stephen Murza and Joann Frier-Murza
Amount: \$1,000.00
The subject property currently consists of 32.4 acres of farmland improved with a dwelling and outbuildings (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a slope easement consisting of the right to form and maintain slopes for grading and draining Bordentown-Crosswicks Road, impacting 0.126 acres (5,475 square feet) of the Property to be designated as Parcel E294.
2. Turnpike Design Section 8, Turnpike ROW Section 4L
Parcel No. C1232, Block 55, Lot 9.06
30 Abeel Road, Monroe Township, Middlesex County
Owners: 30 Abeel Road, LLC (former owner Mori Seiki USA, Inc.)

Amount: \$2,100.00

The subject property currently consists of 5.201 acres of land improved with a one-story, 25,845 square-foot warehouse building (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a temporary construction easement consisting of the right to access land and area with vehicles and equipment for use during the construction of final grading and replacement of ROW fencing, impacting 0.107 acres of the Property to be designated as Parcel C1232.

3. Turnpike Design Section 1, Turnpike ROW Section 3D
Parcel Series 177, Block 46, Lot 10 (**Partial Taking**)
Columbus Road, Mansfield Township, Burlington County
Owners: Wayne M. Lisehora and Kathleen Best Lisehora
Amount Damages: \$ 207,851.00 (**\$142,400.00 previously approved for condemnation; \$65,151.00 in additional funds required for settlement and an additional \$300.00 required for the extension of the temporary construction easement**)

The property currently consists of 29.972 acres of vacant land (the "Property"). The NJTA must acquire the following interest in the Property which will hereafter be referred to as the "Property Interest": (1) a fee simple interest in 0.369 acres of the Property to be designated as Parcel 177B; (2) a fee simple interest in 0.130 acres of the Property to be designated as Parcel 177C; (3) a fee simple interest in 4.556 acres of the Property to be designated as Parcel 177D; (4) a slope easement consisting of the right to form and maintain slopes for grading, drainage and support of Columbus Road, impacting 0.383 acres of the Property to be designated as Parcel E177B; (5) an aerial easement for aerial utility lines, impacting 0.065 acres of the Property to be designated as Parcel AE177B; (6) a utility easement consisting of the right to install and maintain a pipeline for Sunoco Incorporated, impacting 0.650 acres of the Property to be designated as Parcel UE177C; (7) a utility easement consisting of the right to install and maintain a pipeline for colonial Pipeline Company, impacting 1.042 acres of the Property to be designated as Parcel 2UE177C; (8) a temporary construction easement consisting of the right to perform construction related activity for use during the construction of proposed pipelines, impacting 1.237 acres of the Property to be designated as Parcel C177B; and (9) a temporary construction easement consisting of the right to perform construction related activities for use during the construction of a proposed drainage basin and to clear vegetation so as to provide access or owner to land north of the basin, impacting 0.220 acres of the Property to be designated as Parcel C177D.

4. Turnpike Design Section 1, Turnpike ROW Section 3D
Parcel Series 177, Block 47.01, Lot 10.02 (**Partial Taking**)
1197 Florence Road, Mansfield Township, Burlington County
Owners: Wayne M. Lisehora and Kathleen Best Lisehora.
Amount: \$24,856.00 (**\$17,000.00 previously approved for condemnation; \$7,856.00 in additional funds required for settlement**)

The property currently consists of 17.01 acres of land improved with a vacant one-story office building, a vacant auto repair facility, a barn and a single one-story office building, a vacant auto repair facility, a barn and a single family dwelling (the "Property"). The NJTA must acquire the following interests in the Property: (1) a fee simple interest in 0.376 acres of the Property to be designated as Parcel 177A; (2) a slope easement impacting 0.375 acres of the Property to be designated as Parcel E177A; (3) a utility easement impacting 0.034 acres consisting of the right to install and maintain the Transcontinental Gas Pipeline to be designated as Parcel UE177A; (4) an aerial utility easement impacting 0.050 acres of the Property to be designated as Parcel AE177A; and (5) a temporary construction easement impacting 1.219 acres of the Property to be designated as Parcel C177A.

5. Turnpike Design Section 2, Turnpike ROW Section 3E
Parcel Series 271, Block 103, Lot 2
3 Bordentown-Chesterfield Road, Chesterfield Township, Burlington County
Owner: Angelo M. Nasti and Nancy M. Falconi- Nasti
Amount: \$1,381.50 (**additional amount for reimbursement of professional fees**)
This purchase was originally authorized by the Authority Commissioners under Agenda Item No. 267-09 at a purchase price of \$3,600.00. Subsequently additional fees were expended and subsequently approved by the Authority Commissioners under Agenda Item No. 170-10 in the amount of \$3,344.50 representing reimbursement of the owners' costs. Since that approval, an additional modification of the design was necessary. The

property owners incurred additional expense for engineering and legal fees in the amount of \$1,381.50 due to this redesign.

6. Turnpike Design Section 2, Turnpike ROW Section 3E
Parcel Series E266, Block 100, Lot 2 (**Partial Taking**)
4 Daniel Avenue, Chesterfield Township, Burlington County
Owner: Jeffrey D. Herron
Amount: \$5,219.95 (**\$500.00 previously approved for Partial Taking; \$4,719.95 in additional funds required for settlement**)
This purchase was originally authorized by the Authority Commissioners under Agenda Item No. 3-10 at a purchase price of \$500.00. Since that time an additional modification of the design was deemed necessary causing the property owners to incur additional expense for engineering and legal fees in the amount of \$4,719.95

The acquisitions as proposed 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.*

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 and approved by the Law Department and General Counsel.

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

158-05-2011

In a memorandum dated May 9, 2011, **Recommendation for Authorization for the Executive Director to execute Agreement Modification No. 1 to the Agreement between the Authority and the NJDOT with respect to either or both Interchanges 6 and 10, dated January 10th, 2001, to allow Federal funds to be reimbursed to the Authority thru the NJDOT for environmental design work, in the additional amount of \$3,237,980 to a total of \$7,035,855**, was approved.

By Resolution 2001-168, the Commissioners of the New Jersey Highway Authority (the "Highway Authority") authorized the Executive Director of the Highway Authority to enter into and execute an agreement with the New Jersey Department of Transportation ("NJDOT") for the design of improvements in Cape May County at either or both Garden State Parkway Interchanges 6 and 10, (the "Agreement") and providing for Federal Highway Administration ("FHWA") Transportation Equity Act for the 21st Century ("TEA 21") funding.

In 2003, the Highway Authority was merged into the Turnpike Authority (the "Authority") and the Authority assumed all the rights, liabilities and obligations of the Agreement. The Agreement provides that the Authority and the NJDOT along with FHWA, and pursuant to FHWA standards, work together cooperatively to: (1) determine an engineering scope for the project; (2) select a consulting engineer; and (3) select a project manager to coordinate and resolve any issues regarding this project. Since execution of this agreement by all parties in 2002, the parties have been working together diligently on their respective responsibilities, all within FHWA standards.

Initial study limits of the project's Feasibility Assessment and Preliminary Design effort were confined to Interchange 10 and excluded Interchange 6. On August 12, 2004 officials from the Authority, NJDOT, FHWA and Cape May County met and concluded that from an environmental review perspective, cumulative impacts associated with eliminating the three existing signalized intersections along the Parkway at Interchanges 9, 10 and 11 should be evaluated in the environmental documents. A traffic study completed in November 2004 encompassing the three signalized intersections concluded that because of extensive vehicular queues extending over ½ mile at the interchanges upstream and downstream of Interchange 10, additional improvements were warranted at Interchanges 9 and 11. In January 2005, the Authority's Consultant was directed by the Authority, in conjunction with the NJDOT and FHWA, to expand the Interchange 10 Feasibility Assessment and Preliminary Design effort to include improvements to the Shell Bay Avenue intersection at Interchange 9 and the Crest Haven Road intersection at Interchange 11.

Additional Federal funding has subsequently been earmarked for this project under SAFETEA-LU (Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) Legislation and an additional amount of \$3,237,980 has been authorized for the

completion of the Environmental Document. The original agreement provided for the reimbursement of the Federal funds to the Authority (thru the NJDOT) in the amount of \$3,797,875. In order to receive the additional funds currently authorized for this project, the agreement reimbursement ceiling needs to be amended to the current authorized ceiling, so we are increasing the existing authorized reimbursement ceiling by the amount of \$3,237,980, bringing the total amount of additional funding to be reimbursed to the Authority to \$7,035,855. The parties wish to memorialize this in Agreement Modification No. 1. The Authority continues to believe that this project is in the best interest of its patrons, and the users of the local roadways, in that it improves traffic safety and functional efficiency for the region. The Amendment has been reviewed and approved by the Engineering and Law Departments.

Therefore, it is recommended that the Commissioners of the Authority authorize the Executive Director to execute Agreement Modification No. 1 between the NJDOT and the Authority, as set forth above. It is further recommended that the Commissioners authorize the Executive Director to execute such other documents and take such other actions as are deemed necessary to effectuate the intent of this authorization.

159-05-2011

In a memorandum dated May 12, 2011, **Recommendation for Authorization to abolish the Cultural Center Fund ("CCF"), a fund of the Authority, kept for the benefit of the Garden State Arts Foundation, Inc., (the "Foundation") and transferring all funds contained therein to the Foundation**, was approved.

By Resolution dated 68-74, the Commissioners of the New Jersey Highway Authority ("Highway Authority"), at its June 20, 1968 meeting authorized the creation of a fund, the Cultural Center Fund ("CCF") to accept contributions of money, property or other things of value for the development of support the Garden State (Cultural) Arts Center. This account was originally held by the Trenton Trust Company, but deposits were later transferred to an internal New Jersey Highway Authority account.

This account continued to remain after the consolidation of the Highway Authority into the New Jersey Turnpike Authority (the "Authority"). Since its inception, the account has been used to make payments for various aspects of not-for-profit shows supported by the Foundation. The amount that remains in the CCF is negligible.

In order to streamline the process by which payments are made, as well as to better separate the function of the two entities – the Authority and the Foundation – at its April meeting, the Members of the Foundation voted to authorize payment of all applicable fees for not-for-profit shows supported by the Foundation.

Therefore, it is recommended that the Commissioners authorize the Executive Director to close the CCF fund, for the benefit of the Foundation, and transfer all funds contained therein to the Foundation. It is further recommended that the Executive Director be authorized to sign such documents and take such actions as are deemed necessary to effectuate the intent and purpose of the authorization.

160-05-2011

In a memorandum dated May 12, 2011, **Recommendation to Deem Certain Property Necessary for the Interchange 2 Improvements Project and Authorization to Take Steps Necessary to Acquire the Necessary Property, New Jersey Turnpike Section 1, Township of Woolwich, County of Gloucester**, was approved.

The New Jersey Turnpike Authority ("Authority") is proceeding with its plans for the construction of the Interchange 2 Improvements Project (the "Project") in the Township of Woolwich, Gloucester County. The Project is in the final design stage and the Engineering Department is preparing to advertise the construction contract this summer.

This Project includes improvements to the ramps leading from the Interchange 2 toll plaza to the intersection of State Highway 322 as well as the installation of a traffic signal at the intersection of the ramps and State Highway 322. These improvements will help improve traffic operations and address safety issues at the intersection. The Project also includes the relocation of a commuter parking lot currently located on property owned by the New Jersey Department of Transportation ("NJDOT"). The commuter parking lot will be relocated onto a parcel currently owned by the Authority, and the subject parcel along with the responsibility to operate and maintain the commuter lot will ultimately be transferred to the Township of Woolwich ("Township"). This transfer to the Township will be for nominal consideration as the property is to be used specifically for this public purpose. If at any point in the future the property ceases to be used for this purpose, the property will revert back to the Authority. In addition to the transfer described above, the Project will require the acquisition of a temporary construction easement from a private property owner in order to reconfigure access into a gas station located on the

property, which is immediately adjacent to the intersection. The details of the above transfers are described in Exhibit 1 attached hereto. To that end, the Law Department will have to obtain both title work and an appraisal in order to begin the acquisition process.

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

Accordingly, it is requested that the Authority's Commissioners deem the property set forth above necessary for the construction of the Project. In addition, authorization by the Authority's Commissioners is requested to permit the Executive Director, with the assistance of the Law Department, Engineering Department, General Counsel and other Authority consultants, to take all steps necessary to prepare for the property transfers described above and to ratify all steps taken in furtherance of same. This includes but is not limited to entering into good faith negotiations to acquire the property interest and, if such negotiations reach an impasse, that the Executive Director be authorized to commence Eminent Domain proceedings, including but not limited to depositing the appraised value into court and filing a Declaration of Taking. The final purchase price will be submitted for approval to the Authority's Commissioners in a separate agenda item.

EXHIBIT 1

Parcel No.	Parcel Area	Title Owner of Property	Block	Lot
C260	0.418 acres	AJD & Associates	60	7.01
261AX and 261BX	1.106 acres	New Jersey Turnpike Authority	n/a	n/a

161-05-2011

In a memorandum dated May 12, 2011, Recommendation for Authorization to Convey an Easement to the Port Authority of New York and New Jersey for its Newark Liberty International Airport – Runway 11 EMAS Installation Project and to Negotiate Terms for the Acquisition of Additional Property Required for a Future Construction Project, Turnpike Section 6B, Parcel A881 (A Portion of Turnpike Right-of-Way), Area: 0.555 acres (24,164 sq. ft.), City of Newark, County of Essex, was approved.

In order to comply with Federal Aviation Administration (FAA) regulations, the Port Authority of New York and New Jersey (PANYNJ) is preparing to install and operate an Engineered Material Arresting System (EMAS) at the end of Runway 11 (the "Project") at the Newark Liberty International Airport ("Airport"). In furtherance of same, it has been determined that in order to construct the appropriate EMAS, the PANYNJ will need to acquire a permanent easement over a portion of the Authority's right-of-way adjacent to the Airport. The easement will allow for the relocation of Brewster Road by the PANYNJ such that they can install a blast fence and EMAS. The blast fence and EMAS will allow for a safer operation at the Airport in the immediate vicinity of the Turnpike in Newark in that it will significantly help slow or stop aircraft that may overrun the runway at this location. Given the close proximity of the airport to the Turnpike, the EMAS technology provides this safety benefit where land is not available to extend the end of the runway. The Port Authority will also construct a retaining wall, with a barrier shape, replacing existing guide rail adjacent to the Turnpike right shoulder. This will improve safety for vehicles traveling southbound on the Turnpike within the limits of this work. In return for providing the Authority's patrons who travel on the Turnpike in the vicinity of the Airport enhanced safety, the Authority has agreed to provide the required easement to the PANYNJ for nominal consideration. As further consideration for the granting of this easement, the PANYNJ has agreed in principal to assist the Authority in identifying and obtaining that portion of property utilized by the PANYNJ that is considered necessary for the construction of a State Police facility in the City of Newark.

Based on the foregoing, it is recommended that the Authority's Commissioners authorize the Executive Director, with the assistance of the Law and Engineering Departments and outside counsel, to execute any and all documents for the transfer of this property and to negotiate terms for the acquisition of properties to be identified as necessary for the construction of a State Police facility in the City of Newark.

On motion by Treasurer DuPont seconded by Commissioner Pocino, the Authority unanimously approved items 157-05-2011 through 161-05-2011; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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ENGINEERING

Chief Engineer Raczynski requested approval of item number 162-05-2011 through 175-05-2011 and acceptance of item 176-05-2011. Moved are the items are as follows:

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AWARD OF CONTRACTS

162-05-2011

In a document dated May 11, 2011, Recommendation to Award Contract No. T100.137 for the New Jersey Turnpike to Conti Enterprises, Inc. for Bridge Deck Reconstruction, Miscellaneous Structural and Roadway Improvements and Repainting of Structural Steel, Structure No. E109.83 in the amount of \$143,577,143.00, was approved.

This contract will provide for bridge deck reconstruction, seismic retrofit, bridge repainting and miscellaneous structural, roadway and lighting improvements on the Easterly Hackensack River Lewandowski Memorial Bridge.

Nine bid proposals were received on May 11, 2011 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$143,577,143.00, may be compared to the second low bid proposal in the amount of \$147,405,351.20. Conti Enterprises has previously performed similar work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T100.137 be awarded to the low bidder, Conti Enterprises of Edison, New Jersey, in the amount of \$143,577,143.00. 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.

163-05-2011

In a document dated May 12, 2011, Recommendation to Award Contract No. P100.194 for the Garden State Parkway to Phoenix Marine Co., Inc. for Miscellaneous Substructure and Superstructure Repairs at Milepost 28.0 to 123.0 in the amount of \$8,219,545.00, was approved.

The contract will primarily provide for slope, superstructure and substructure repairs and other incidental work on various structures along the Garden State Parkway from Milepost 28.0 to 123.0.

Six bid proposals were received on April 20, 2011 for the above publicly advertised contract, as shown on the attached bid summary sheet. J. Fletcher Creamer & Son, Inc. submitted the low bid of \$7,682,306.00. However, when the bids were reviewed by the Engineering Department, it was determined that the Creamer bid contained a patent mistake and was, therefore, considered to be an unbalanced bid. The bid was rejected for being non-compliant and was deemed non-responsive. As a result, it was further determined that the bid could not be considered the lowest responsible bid. Based on review of this matter by the Authority's Chief Engineer and Acting Director of Law, it is recommended that the Authority award Contract No. P100.194 to the lowest responsible bidder, Phoenix Marine Co., Inc., in the amount of \$8,219,545.00. This proposal may be compared to the Engineer's Estimate in the amount of \$8,049,212.00. Phoenix Marine Co., Inc. has previously performed similar work for other regional transportation agencies and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P100.194 be awarded to Phoenix Marine Co., Inc. of Sayreville, New Jersey, in the amount of \$8,219,545.00. 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. 19:9-2-2, promulgated pursuant thereto, and Executive Order No. 37 (Corzine 2006).

164-05-2011

In a document dated May 5, 2011, **Recommendation to Award Contract No. P300.165 for the Garden State Parkway to Green Construction, Inc. for Operational and Access Improvements at Interchanges 141 and 145 Paving, Lighting, Traffic Signal and Sign Structure in the amount of \$2,983,821.38**, was approved.

This contract will provide for the realignment and widening of the GSP Southbound Exit Ramp (Ramp SBX), signalization of the modified intersection at Vauxhall Road, removal of the existing median along Vauxhall Road and other incidental work. This contract will also provide for the widening of the I-280 to GSP Southbound Entrance Ramp (Ramp G) at Interchange 145; striping improvements on the Garden State Parkway northbound in the vicinity of the Central Avenue and the Erie Lackawanna overpasses; removal of the existing sign structure and construction of a new overhead sign structure between the toll plaza from the northbound Garden State Parkway and the I-280 Ramps; and other incidental work. All work is expected to be completed in April 2012.

Eight bid proposals were received on May 3, 2011 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$2,983,821.38, may be compared to the second low bid proposal in the amount of \$3,149,753.80. Green Construction, Inc. has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P300.165 be awarded to the low bidder, Green Construction, Inc. of South River, New Jersey, in the amount of \$2,983,821.38. 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.

165-05-2011

In a document dated May 11, 2011, **Recommendation to Award Contract P600.102E for the Garden State Parkway to J. Fletcher Creamer & Son, Inc. for Installation of Variable Message Signs at New and Existing Locations on the Parkway in the amount of \$11,150,908.70**, was approved.

The work to be performed under this contract involves the installation of state-of-the-art technology Variable Message Signs (VMS) at new and existing locations in replacement of the Parkway's existing VMS' from Milepost 104.55 to 171.9 in various Municipalities and Counties in New Jersey. Work includes construction of sign structure foundations, installation of sign support structures, installation of roadway safety features, installation of VMS' supplied by the Authority, electrical and ITS related work.

Six bid proposals were received on May 10, 2011 for the above publicly advertised contract, as shown on the attached bid summary sheet. The low bid proposal, in the amount of \$11,150,908.70, may be compared to the second low bid proposal in the amount of \$11,755,972.99. J. Fletcher Creamer & Son, Inc. has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P600.102E be awarded to the low bidder, J. Fletcher Creamer & Son, Inc. of Hackensack, New Jersey, in the amount of \$11,150,908.70. 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.

On motion by Treasurer DuPont seconded by Vice Chairman Gravino, the Authority unanimously approved items 162-05-2011 through 165-05-2011; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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FINAL ACCEPTANCES OF CONTRACTS

166-05-2011

In a document dated April 28, 2011, **Recommendation for Final Acceptance for the New Jersey Turnpike, Contract No. T200.018, to J. Fletcher Creamer & Son, Inc. and Joseph M. Sanzari, Inc., a Joint Venture for Route 3, Route 120 S.B. to Route 3 E.B. Ramp in the amount of \$25,000.00**, was approved.

This contract involved realignment of ramps, and includes placement and removal of soil surcharges, construction of retaining walls and bridges, construction of drainage, paving, signs, striping, and installation of lighting in East Rutherford Borough, New Jersey. The contract was advertised and there were 10 bidders. The contract was awarded on March 18, 2008 to the low bidder, J. Fletcher Creamer & Son, Inc. and Joseph M. Sanzari, Inc., A Joint Venture, 101 E. Broadway, Hackensack, NJ 07601 in the total amount of \$12,967,000.00.

During the course of the contract, there was four Change Orders for a total increase of \$1,020,110.50 adjusting the final total amount of this contract to \$13,987,110.50.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (30F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Law Department advises that there are no liens outstanding against the Contractor.

We concur and recommend that Contract T200.018 be accepted, and that final payment in the amount of \$25,000.00 be made to the Contractor.

167-05-2011

In a document dated May 11, 2011, **Recommendation for Final Acceptance for the Garden State Parkway, Contract P200.103, to Tilcon New York, Inc. for Northern Pavement Restoration and Miscellaneous Improvements at Milepost 127 to 172 in the amount of \$95,786.19**, was approved.

This contract specifically involved pavement restoration and miscellaneous improvements between Milepost 152 and 163 along the northbound and southbound roadways of the Garden State Parkway in Essex, Passaic and Bergen Counties, New Jersey. The contract was advertised and there were nine bidders. The contract was awarded on March 18, 2009 to the low bidder, Tilcon New York, Inc., 625 Mt. Hope Road, Wharton, NJ 07885 in the total amount of \$4,224,397.00.

During the course of the contract, there were two Change Orders for a total increase of \$565,015.12 adjusting the final total amount of this contract to \$4,789,412.12.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate 12 & F have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Law Department advises that there are no liens outstanding against the Contractor.

We concur and recommend that Contract P200.103 be accepted, and that final payment in the amount of \$95,786.19 be made to the Contractor.

168-05-2011

In a document dated May 5, 2011 **Recommendation for Final Acceptance for the Garden State Parkway, Contract P200.128, to Intercounty Paving Associates, LLC for Miscellaneous Substructure and Superstructure Repairs at Milepost 75 to 146 in the amount of \$5,000.00**, was approved.

This contract involved pavement restoration and miscellaneous improvements between Milepost 75 and 146 along the Northbound and Southbound Roadways of the Garden State Parkway in Ocean, Monmouth, Middlesex, Union and Essex Counties, New Jersey. The contract was advertised and there were 5 bidders. The contract was awarded on August 13, 2009 to the low bidder, Intercounty Paving Associates, LLC, 859 Willow Grove Street, Hackettstown NJ, 07840 in the total amount of \$7,798,000.00.

During the course of the contract there were four Change Orders for a total decrease of \$8,621.71, adjusting the final total amount of this contract to \$7,789,378.29.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (13 & F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Law Department advises that there are no liens outstanding against the Contractor.

We concur and recommend that Contract P200.128 be accepted, and that final payment in the amount of \$5,000.00 be made to the Contractor.

169-05-2011

In a document dated May 3, 2011, **Recommendation for Final Acceptance for the Garden State Parkway, Contract P200.146, to New Prince Concrete Construction Co., Inc. for Removal of Northbound Tolls at Pascack Valley Toll Plaza, in the amount of \$20,665.68**, was approved.

This contract involved the removal of the northbound tolls at the Pascack Valley Toll Plaza to provide one way tolls in the southbound direction from Milepost 165.7 to 166.4 in the Borough of Paramus and Township of Washington, Bergen County, New Jersey. The contract was advertised and there were 10 bidders. The contract was awarded on January 6, 2010 to the low bidder, New Prince Concrete Construction, 215 Eileen Terrace, Hackensack, NJ 07601 in the total amount of \$1,812,522.35.

During the course of the contract, there were two Change Orders for a total increase of \$254,045.73 adjusting the final total amount of this contract to \$2,066,568.08.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (10F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Law Department advises that there are no liens outstanding against the Contractor.

We concur and recommend that Contract P200.146 be accepted, and that final payment in the amount of \$20,665.68 be made to the Contractor.

170-05-2011

In a document dated May 11, 2011, **Recommendation for Final Acceptance for the New Jersey Turnpike, Contract T600.156, to Highway Safety Systems, Inc. for Sign Panel Replacement at Milepost 0.0 to 48.7 in the amount of \$8,420.00**, was approved.

This contract involved the replacement of sign panels from Milepost 0.0 to 48.7 in Salem, Gloucester, Camden and Burlington Counties, New Jersey. The contract was advertised and there were four bidders. The contract was awarded on April 23, 2010 to the low bidder, Highway Safety Systems, Inc., 716 White Horse Pike, Hammonton, NJ 08037 in the total amount of \$421,000.00.

During the course of the contract there were two Change Orders for a total decrease of \$15,695.00, adjusting the final total amount of this contract to \$405,305.00.

The Certification and Recommendation for Final Acceptance has been executed by the Engineers, the General Consultants and the Chief Engineer.

All required contract documents including the Engineer's Final Certification, Maintenance Bond, Affidavit of Prevailing Wage and the Final Payment Certificate (6 F) have been submitted to the Law Department and approved as to correctness of form. Furthermore, the Law Department advises that there are no liens outstanding against the Contractor.

We concur and recommend that Contract T600.156 be accepted, and that final payment in the amount of \$8,420.00 be made to the Contractor.

On motion by Treasurer DuPont and seconded by Vice Chairman Gravino, the Authority unanimously approved items 166-05-2011 through 170-05-2011; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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PROFESSIONAL SERVICES (OPSs)

171-05-2011

In a document dated May 3, 2011, **Recommendation to Issue Order for Professional Services No. P3355 for the Garden State Parkway to Dewberry-Goodkind, Inc. for Supervision of Construction Services for Contract No. P300.165, Operational and Access Improvements at Interchanges 141 and 145 Paving, Lighting, Traffic Signal and Sign Structure and Contract No. P300.202, Roadway Improvements at Interchanges 154/155P Grading, Paving, Lighting and Retaining Walls in the amount of \$1,762,500.00**, was approved.

This Order for Professional Services provides for the construction supervision of the referenced contracts. Contract P300.165 will provide for the realignment and widening of the GSP Southbound Exit Ramp (Ramp SBX) and signalization of the modified intersection at Vauxhall Road, removal of the existing median along Vauxhall Road, and other incidental work. This contract will also provide for the widening of the I-280 to GSP Southbound Entrance Ramp

(Ramp G) at Interchange 145; striping improvements on the Garden State Parkway northbound in the vicinity of the Central Avenue and the Erie Lackawanna overpasses; removal of the existing sign structure and construction of a new overhead sign structure between the toll plaza from the northbound Garden State Parkway and the I-280 Ramps. Contract P300.202 will provide for roadway improvements including grading, drainage work, paving, highway lighting and construction of retaining walls at Interchange 154/155P.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 56 engineering firms were prequalified and eligible under Profile Code B-153, Roadway Construction Inspection. Seven firms submitted EOIs by the closing date of April 1, 2011.

Subsequent to the scoring of EOIs by the Review Committee, Fee Proposals were requested from the top three firms. The firms in the order of ranking are: 1) Dewberry-Goodkind, Inc.; 2) Johnson, Mirmiran & Thompson, Inc.; and 3) KS Engineers, P.C. The fee submitted by Dewberry-Goodkind, Inc. 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. P3355 be issued to the firm of Dewberry-Goodkind, Inc. of Bloomfield, New Jersey, not to exceed the amount of \$1,762,500.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.20 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).

172-05-2011

In a document dated May 11, 2011, Recommendation to Issue Order for Professional Services No. P3386 for the Garden State Parkway to STV Incorporated for Supervision of Construction Services for Contract No. P100.194, Miscellaneous Substructure and Superstructure Repairs at Milepost 28.0 to 123.0 in the amount of \$1,284,000.00, was approved.

This Order for Professional Services provides for the construction supervision of the referenced contract. This contract will provide for slope, superstructure and substructure repairs and other incidental work on various structures along the Parkway from Milepost 28.0 to 123.0.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$2,000,000.00. The Solicitation for Expressions of Interest (EOIs) was posted on the Authority's website and 53 engineering firms were prequalified and eligible under Profile Code B156: Bridge Repair Inspection. Eight firms submitted EOIs by the closing date of April 18, 2011.

Subsequent to the scoring of EOIs by the Review Committee, Fee Proposals were requested from the top three firms. The firms in the order of ranking are: 1) STV Incorporated; 2) Jacobs Engineering Group, Inc.; and 3) Stantec Consulting Services, Inc. The fee submitted by STV Incorporated 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. P3386 be issued to the firm of STV Incorporated of Trenton, New Jersey, not to exceed the amount of \$1,284,000.00. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.25 to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by 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).

173-05-2011

In a document dated May 11, 2011, **Recommendation to Issue Order for Professional Services No. T3398 for the New Jersey Turnpike to Burlington Preservation Partners, LLC, for Design Services for Interchange 6-9 Widening Program, Wetland, Riparian Zone and Vernal Pool Habitat Mitigation, Delaware River Basin in the amount of \$6,966,148.00**, was approved.

This Order for Professional Services will provide professional services necessary to secure environmental mitigation credits required for the Turnpike's Interchange 6-9 Widening Program. Services will include the management, oversight, reporting, and other related work required to obtain, manage and create a wetlands, riparian zone, and vernal pool/habitat mitigation site.

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. Due to the unique scope of work there are no specific prequalification codes for this assignment. Accordingly, a Request for Letters of Qualification (LOQ) was posted on the Authority's website on December 23, 2010. By the closing date of January 27, 2011, LOQs were received from four firms.

Upon review of the LOQs, all four firms met the qualifications stipulated and were requested to submit Technical and Fee Proposals: 1) Burlington Preservation Partners, LLC; 2) Evergreen Environmental; 3) Green Vest, LLC; and 4) Matrix New World Engineering, Inc. The Review Committee evaluated each firm's Technical Proposal and final scoring resulted in Burlington Preservation Partners, LLC being the highest technically ranked firm. The fee submitted by Burlington Preservation Partners, LLC has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that Order for Professional Services No. T3398 be issued to the firm of Burlington Preservation Partners, LLC of Moorestown, New Jersey not to exceed the amount of \$6,966,148.00. 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. and N.J.A.C. 19:9-2.8, and Executive Order No. 37 (Corzine 2006).

174-05-2011

In a document dated May 12, 2011, **Recommendation to Issue Order for Professional Services No. T3403 for the New Jersey Turnpike to Jacobs Engineering Group, Inc., for Supervision of Construction Services for Contract No. T100.137 for Bridge Deck Reconstruction, Miscellaneous Structural and Roadway Improvements and Repainting of Structural Steel Structure No. E109.83 in the amount of \$17,390,000.00**, was approved.

This Order for Professional Services will provide supervision of construction services for the referenced contract to ensure that the referenced contract is constructed in accordance with the Contract Plans and Specifications. The contract will provide for bridge deck reconstruction, miscellaneous structural repairs, roadway improvements, structural steel painting and other related work for the Hackensack River-Lewandowski Memorial Bridge.

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 59 engineering firms were prequalified and eligible under Profile Code B155 – Bridges: Construction Inspection. Five firms submitted EOIs by the closing date of March 15, 2011.

The scoring of the EOIs by the Review Committee resulted in the following order of ranking: 1) Jacobs Engineering Group, Inc.; 2) HNTB Corporation; and 3) STV/GPI Joint Venture. These three firms were requested to submit Technical and sealed Fee Proposals. 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. T3403 be issued to the firm of Jacobs Engineering Group, Inc. of Morristown, New Jersey not to exceed the amount of \$17,390,000.00. 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).

On motion by Commissioner Hodes and seconded by Vice Chairman Gravino, the Authority unanimously approved items 171-05-2011 through 174-05-2011; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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NON-COMPETITIVE PROCUREMENT

UTILITY ORDERS

175-05-2011

In a document dated April 28, 2011, Recommendation to Execute Utility Order No. 1352-T for the New Jersey Turnpike to Jersey Central Power & Light Company/a First Energy Company, for Contract No. T869.120.702 for Interchange 6 - 9 Widening Program, East Windsor Township, Mercer County, Cranbury Township, Middlesex County at Milepost 68.3 to 70.6 in the amount of \$560,000.00, was approved.

A Utility Order is required to perform utility relocations of existing Jersey Central Power & Light Company/a First Energy Company (JCP&L) facilities that will be directly impacted by Contract No. T869.120.702 of the New Jersey Turnpike Interchange 6 to 9 Widening Program, as well as provide a new power service for two proposed Variable Message Signs included in Contract No. T869.120.702. The Authority will reimburse JCP&L for cost of materials and inspection required for this work. The Authority's contractor will be responsible for the installation of six manholes, 11 poles, new power service, approximately 13,000 linear feet of conduit, 7,000 linear feet of aerial facilities, and required removals. This work is in the vicinity of Wyckoffs Mill Road (Milepost 68.40) and Brick Yard Road (Milepost 69.27).

The cost of this Utility Order was provided by JCP&L 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. 1352-T, not to exceed the amount of \$560,000.00. This contract was procured under the sole source procurement authorization of N.J.A.C. 19:9-2.2(d)1, promulgated under N.J.S.A. 27:23-1 et seq., the Authority's enabling legislation.

On motion by Vice Chairman Gravino and seconded by Commissioner Hodes, the Authority unanimously approved item 175-05-2011; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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MISCELLANEOUS

ACKNOWLEDGE REPORTS OF ENGINEERING EXPENDITURES UNDER

DELEGATED AUTHORITY

176-05-2011

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 Vice Chairman Gravino, the Authority unanimously accepted the reports contained in item 176-05-2011 and received same for file.

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PURCHASING

Director of Purchasing Andrea Ward requested approval of item numbers 177-05-2011 through 191-05-2011. Moved as a group those items are as follows:

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PUBLIC BID SOLICITATIONS

177-05-2011

In a document dated May 12, 2011, a **Recommendation for Landscaping Spray Truck to Route 23 Auto Mall, LLC, R-82660, in the amount of \$79,470.00**, was approved.

Authorization is requested to award a contract for the purchase for one landscaping spray truck with accessories. Bidders were required to quote a total price in accordance with the specifications. Requests for bids were distributed to seven vendors. On May 10, 2011, two bids were received. Bid results are as follows:

	<u>Total Price</u>
Route 23 Auto Mall, L.L.C., Butler, NJ	\$ 79,470.00
Maurice Schwartz & Sons, Inc., Shrewsbury, NJ	\$ 87,538.00

Department Estimate: \$80,000.00

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 Route 23 Auto Mall, L.L.C. Butler, NJ in a total amount not to exceed \$79,470.00.

178-05-2011

In a document dated May 12, 2011, a **Recommendation for Diesel Fueled Crack Sealing Melter Cimline, Inc., R-82663, in the amount of \$234,747.00**, was approved.

Authorization is requested to award a contract for the purchase of six diesel-fueled crack sealing melters. The melters are used by the Maintenance Department for pavement and roadway repairs. Requests for bids were distributed to six vendors. Bidders were required to supply total prices for the melters as per the specifications. On May, 11, 2011, four bids were received as follows:

	<u>Total Price</u>
Cimline Inc., Minneapolis, MN	\$ 234,474.00
Crafco, Inc., Chandler, AZ	\$ 262,476.00
Thorworks Industries, Inc., Sandusky, OH	\$ 277,650.00
H.A. DeHart & Son, Inc., Thorofare, Inc.	\$ 317,910.00

Department Estimate: \$360,000.00

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 Cimline Inc. in a total amount not to exceed \$234,474.00.

179-05-2011

In a document dated May 12, 2011, a **Recommendation for Bird Repellant System to Bowco Laboratories, Inc., R-83947, in the amount of \$250,000 (Two years)**, was approved.

Authorization is requested to award a two-year contract for the cleaning, sealing and installation of bird repellant systems at 15 locations on the Garden State Parkway and New Jersey Turnpike. The Toll Collection Department requested the bird repellant systems to effectively prevent roosting and nesting of bird pests (utilizing humane methods) at Toll plazas on both Authority roadways. Requests for bids were distributed to 15 vendors. Bidders were required to quote on 15 line items representing different toll plazas. The quotation sheets were divided into two Sections of Services: **Section A: Cleaning and Sealing**; and **Section B:**

Installation of the Bird Repellent Systems. In addition, bidders were asked to quote per line fees for both Sections A and B should additional lanes require cleaning and installation services, and fees for extended warranties if the Authority opts to extend the contract beyond the two year term. Bidders could quote on one or both Sections, provided they bid on all toll plazas in a Section. On April 26, 2011, three bids were received as follows:

	<u>Section A</u>	<u>Section B</u>	<u>Total Price</u>
Bowco, Laboratories, Inc., Woodbridge, NJ	\$94,300.00	\$ 112,800.00	\$ 207,100.00
J C Ehrlich Co., Inc., Reading, PA	\$83,720.00*	\$ 202,234.19	\$ 285,954.19
No Fly Zone, Inc., Tinton Falls, NJ *	\$279,523.01	\$ 113,456.02*	\$ 392,979.03

Department Estimate: \$250,000.00 (two years)

Non-Compliance:

J C Ehrlich Co., Inc. and No Fly Zones, Inc. submitted bid proposals for the above referenced contract, however, both bidders did not supply bid prices for all items in a Section as required in the specifications. J C Ehrlich Co., Inc. did not quote on Lines 12 and 13 of Section A and No Fly Zone, Inc. did not quote on Lines 12 and 13 of Section B. Page 14 of the bid specifications state that: "[t]he Contracts will be awarded to the Awarded Bidders who propose the lowest total cost for the Services as listed on each of the Request for Quotation pages. **Prices for each line item must be submitted. No lump sum, bids will be accepted**". These bidders submitted incomplete bid submissions therefore it is recommended that Section A of J C Ehrlich Co., Inc.'s bid proposal and for Section B of No Fly Zones, Inc.'s bid proposal be rejected for non-compliance with the specifications.

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 two-year contract (plus optional fees) to Bowco Laboratories Inc. in a total amount not to exceed \$250,000.00, subject to funding availability at the time of ordering.

180-05-2011

In a document dated May 12, 2011, a **Recommendation for Rehab/Repair of a Stormwater Management Pump at MP 92 on the Turnpike to Reject All Bids and Re-Advertise Contract, RM-975, in the amount of \$155,000.00**, was approved.

Authorization is requested to reject all bids submitted for the referenced contract. The Maintenance Department requisitioned a contract for the rehabilitation and repair of a stormwater management pump at MP 92 (in Woodbridge) on the New Jersey Turnpike. The contract 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). Bidders were required to supply a lump sum price for the contract, which includes but not limited to, all labor, materials, and equipment necessary for the removal, rebuilding and re-installation of the storm drain pump. In addition, bidders were invited to attend a site inspection of the pump. Requests for bids were distributed to 12 bidders and on April 21, 2011, four bid proposals were received. Bid results are as follows:

	<u>Total Price</u>
Longo Electrical-Mechanical, Inc., Wharton, NJ	\$ 98,000.00
Artcraft Fabricators, Inc., t/a Collins Machine Works Inc., Portsmouth, VA	\$154,987.00
GMH Associates of America, Inc., Trenton, NJ	\$169,995.00
Sulzer Pumps Inc., (US) Bridgeport, CT	\$231,096.00

The lowest bid proposal was submitted by Longo Electrical-Mechanical, Inc. ("Longo") in the amount of \$98,000.00. This amount was significantly below the second low bid amount of \$154,987.00 and the Departmental Estimate of \$155,000.00. Given the discrepancy, the Maintenance and Purchasing Staff conducted a "sanity" hearing to determine whether Longo could perform the services of the referenced contract at the bid price. At the hearing, Longo's representative admitted that they could not perform the contract at the bid price because neither the specifications nor the site inspection provided sufficient information with respect to essential parts. Longo's representatives explained that the bottom portion of the pump was submerged in water on the day of the site inspection, so they could not see the actual size of certain parts.

Specifically, during the site inspection, Longo's representatives observed the nomenclature part number of the suction bowl on the pump as 36". After the bid opening, Longo's representative revisited the pump site on a dry day and found that the actual size of the suction bowl was 42". Furthermore, Longo had attempted unsuccessfully to obtain better descriptions and prices of the main parts of the referenced pump from the current manufacturer, Sulzer Pumps Inc. ("Sulzer"). Sulzer, which was planning to submit a bid proposal for this contract, refused to sell parts to its competitors. Nevertheless, Longo was planning to fabricate the pump parts, if necessary, as long as the bidder had all the specifications. Consequently, Longo's price proposal was deficient due to incomplete essential parts information.

The Maintenance Department found that the other three bidders had all the necessary pump parts information, due to prior experiences inspecting and/or working on the said pump. Therefore, the Purchasing and Maintenance Department concluded that it was necessary to re-bid the contract to provide a more even playing field for all bidders, thus enhancing competition. There are currently two other working pumps in place at the Woodbridge pump station, thus affording the Authority additional time to re-bid the contract.

Accordingly, authorization is requested to reject all bid proposals submitted and to immediately re-bid the contract with revised specifications.

181-05-2011

In a document dated May 12, 2011, a Recommendation Traffic Cones to Traffic Safety Service LLC, RM-988, in the amount of \$123,795.00, was approved.

Authorization is requested to award a one-year contract for the supply of approximately 6,300, 36" traffic cones for use the Authority's roadways. The traffic cones are used by the Maintenance, Operations and Toll Collection Department to enhance roadway safety. Requests for bids were distributed to 14 bidders. On April 28, 2011, five bids were received. Bid results are as follows:

	<u>Unit Price</u>	<u>Total Price</u>
Traffic Safety Service L.L.C., South Plainfield, NJ	\$19.65	\$123,795.00
Garden State Highway Products, Inc., Vineland, NJ	\$20.26	\$127,638.00
Atlas Flasher and Supply Co., Inc., Mickleton, NJ	\$20.55	\$129,465.00
Kiely Equipment Co., LLC, Long Branch, NJ	\$22.14	\$139,482.00

Department Estimate: \$150,000.00

NON-COMPLIANT

A bid proposal was also submitted by A.H. Harris & Sons Inc., Newington, CT. This bidder, however, failed to submit a proposal bond which is a mandatory requirement of the specifications at the time of bid submission. No. 7 of the Bidder Guidelines/Checklist states that the proposal bond and/or letter of surety "must accompany the bid or the bid will be rejected." Thus, it is recommended that the bid proposal submitted by A.H. Harris & Sons Inc., Newington, CT be rejected.

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 Traffic Safety Service L.L.C., South Plainfield, NJ in a total amount not to exceed \$123,795.00, subject to funding availability at the time of ordering.

182-05-2011

In a document dated May 10, 2011, a Recommendation for Hopper Spreader Parts to A&K Equipment Co., Inc., RM-989 in the amount of \$50,000.00, was approved.

Authorization is requested to award a one year contract for spreader parts. Requests for bids were distributed to four vendors. Bidders were required to quote unit prices on 16 line items, including but not limited to, chutes, gearboxes, motors and bearings. In addition, bidders were required to quote a discount off the Manufacturers' List Price on Miscellaneous Parts. The award is based on the lowest total price quoted for the 17 line items including the discount off the Manufacturers' List Price. On April 19, 2011, three bids were received as follows:

	<u>Total</u> <u>Price</u>	<u>Unit</u>	<u>Discount</u>
A&K Equipment Co., Inc., Rahway, NJ	\$6,541.02		12%
H. A. Dehart & Son, Inc., Thorofare, NJ	\$6,741.53		12%
Trius Inc., Farmingdale, NJ	\$7,171.55		5%

Maintenance and Purchasing staff reviewed the bid proposals and found that the unit pricing was comparable to the prior contract for the same items.

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 A&K Equipment Co., Inc., Rahway, NJ in a total amount not to exceed \$50,000.00, subject to funding availability at the time of ordering.

183-05-2011

In a document dated May 10, 2011, a **Recommendation Thermal Receipt Paper to Paper Roll Products LLC, RM-991, in the amount of \$46,494.00**, was approved.

Authorization is requested to award a one-year contract for thermal paper used in toll lane receipt printers on the Garden State Parkway and New Jersey Turnpike. Requests for bids were distributed to 11 bidders. Bidders were required to quote unit and total prices for 12,600 roll of thermal receipt paper. Bidders were also required to supply sample rolls of the paper with their bids. On May 3, 2011, eight bid proposals were received. Bid results are as follows:

	<u>Unit Price</u>	<u>Total Price</u>
Paper Roll Products L.L.C., W St Paul, MN	\$3.69	\$46,494.00
Summit Paper Company, Linden, NJ	\$3.93	\$49,461.86
Pinnacle Document Solutions, Inc., East Taunton, MA	\$4.18	\$52,668.00
Paper Solutions Inc., d/b/a Partek Solutions, Inc., Indianapolis, IN	\$4.35	\$54,810.00
Control Inc., Cranford, NJ	\$4.36	\$54,936.00
Drew and Rogers, Inc., Fairfield, NJ	\$4.45	\$56,070.00
Supply Saver Corp., Neptune, NJ	\$4.66	\$58,716.00
Symbology Enterprises Inc., Somerville, NJ	\$4.75	\$59,938.20

Department Estimate: \$50,000.00

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 Paper Roll Products L.L.C., W St. Paul, MN in a total amount not to exceed \$46,494.00, subject to funding availability at the time of ordering.

184-05-2011

In a document dated May 12, 2011, a **Recommendation Trailer Mounted Attenuators to Garden State Highway Products, R-82427, in the amount of \$151,500.00**, was approved.

Authorization is requested to award a contract for fifteen (15) trailer-mounted attenuator systems. The attenuator systems are designed as vehicle protective devices in the event an errant vehicle collides with the rear of the Authority's trucks. Bidders were required to supply unit and total prices for the attenuator systems in accordance with the specifications. Requests for bids were distributed to seven vendors. On May 4, 2011, four bids were received. Bid results are as follows:

	<u>Total Price</u>
Transpo Industries, Inc., New Rochelle, NY	\$ 151,500.00
Garden State Highway Products, Inc., Vineland, NJ	\$ 159,435.00
Atlas Flasher & Supply Company, Inc., Mickleton, NJ	\$ 229,500.00
Kiely Equipment Company L.L.C., Long Branch, NJ	\$ 233,280.00

Department Estimate: \$225,000.00

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 Transpo Industries, Inc., New Rochelle, NY in a total amount not to exceed \$151,500.00.

185-05-2011

In a document dated May 10, 2011, a **Recommendation for ¾ Ton Crew Cab Pick-up Trucks and Accessories to Beyer Brothers Inc., R-82740, in the amount of \$478,935.00 (15 Units at \$31,929.00 each)**, was approved.

At the August 31, 2010 Board of Commissioners Meeting (Agenda Item #214B-10), the Authority awarded a contract to Beyer Brothers Inc., Fairview, NJ for the purchase of 10 ¾-ton, crew cab, 2-wheel drive, pick-up trucks with accessories. The contract included a 3-year open-end option to purchase additional trucks at the same price, terms and conditions.

Authorization is requested to purchase an additional 15 ¾-ton, crew cab, 2-wheel drive, pick-up trucks with accessories under the open-end option provision. These are replacements for older model equipment, which will be sold at a public surplus sale.

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 contract is in compliance with Public Law 2005, Chapter 51 and Executive Order No. 117 (Corzine 2008).

Accordingly, authorization is requested to award a contract to Beyer Brothers, Inc., Fairview, NJ in a total amount not to exceed \$478,935.00.

186-05-2011

In a document dated May 11, 2011, a **Recommendation for a Modification for Ford OEM Replacement Parts to Freehold Ford Inc., Contract No. 1204-1, in the amount of \$75,000.00**, was approved.

In August 2009, the Authority awarded a contract to Freehold Ford, Inc., to supply Ford Authorized OEM Parts to Southeastern area of the State. This contract is utilized by the Maintenance, Motor Pool and Inventory Departments to repair Authority and State Police vehicles. Inventory currently stocks 159 Ford OEM items and funds for this contract have been depleted, therefore Staff has requested an increase of \$75,000.00 to continue the supply of the referenced parts until the expiration of the contract.

This contract was publicly bid in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2 and Executive Order 37 (Corzine 2006). The contract is due to expire August 24, 2011 and has an option to extend for an additional one year period under the same terms and conditions.

Accordingly, authorization is requested to increase Contract No. 1204-1 with Dick Greenfield Dodge Inc. by \$75,000.00. This would bring the total authorized amount of Contract No. 1204-1 to \$275,000.00, subject to funding availability at the time of ordering.

187-05-2011

In a document dated May 16, 2011, a **Recommendation for a Modification of the Uniform Rentals to American Wear Uniforms, Contract No. 567, in the amount of \$33,000.00**, was approved.

At the September 29, 2006 Commissioners Meeting (Agenda 206A-06), the Board of Commissioners awarded a contract to American Wear, Inc., East Orange, NJ for uniform rental and cleaning services ("Uniform Services") for the Maintenance Department. The contract was publicly bid in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2 and Executive Order 37 (Corzine 2006). The contract was a term of two (2) years with the option to extend for 2 additional one-year terms. The contract commenced on January 1, 2007 and the Authority utilized both contract extensions. In preparation for the expiration of Contract No. 567, the Authority publicly bid a new contract for the Uniform Services. A new contract was advertised. One of the bidders protested the bid specifications. In response, the first solicitation was suspended, the specifications were revised and the contract was re-advertised. At the January 25, 2011 meeting (Agenda 021-01) a new contract was issued to lowest responsible bidder, Clean Rental Services, Inc., Philadelphia, PA. Due to the fact that there would be a change of vendors, the Maintenance Department required additional time to implement the contract with Clean Rental Services, Inc. Thus Contract No. 567 was extended through May 31, 2011 to accommodate the changeover. No additional funds were required for this extension.

The contract with Clean Rental Services, Inc., commenced in February 1, 2011, and the parties had anticipated that full implementation with Clean Rental Services, Inc. would occur on June 1st. To date, however, this vendor has not delivered any uniforms to the Maintenance Department. Instead, Clean Rental Services, Inc. notified the Authority that it was having a payment dispute with a third-party (American Mills) supplier. Clean Rental Services, Inc. requested a delay in the full implementation of the contract. Due to the circumstances presented (especially with compliance with Executive Order No. 20 - McGreevey 2002- 'Made-In-the-USA' requirement,) and the limited options available to the Authority, staff recommends that Clean Rental Services, Inc. be granted the additional three months for full implementation. Furthermore, to comply with existing union contract obligations, the Authority has to obtain additional uniforms for Maintenance personnel during this interim period. Consequently, it is necessary to continue Contract No. 567 with American Wear, Inc. for an additional three months through August 31, 2011. The anticipated cost is an amount not to exceed \$11,000.00 per month. In the event, that the new vendor, Clean Rental Services, Inc. is unable to resolve its supplier dispute within the three months, staff will consider a recommendation to re-bid this contract, which may necessitate one further contract extension of Contract No. 567 with American Wear, Inc.

Accordingly, authorization is requested to delay implementation of the current contract with Clean Rental Services, Inc. for three months through August 31, 2011 and to simultaneously extend the term of Contract No. 567, the original contract with American Wear, Inc., through August 31, 2011 and increase this contract by \$33,000.00 bringing the total authorized amount of Contract No. 567 to \$339,000.00, subject to funding availability at the time of ordering.

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STATE CONTRACTS

188-05-2011

In a document dated May 12, 2011, a Recommendation for Tires and Tubes to Edwards Tire Co., Inc., RM-997, in the amount of \$500,000.00, was approved.

The Inventory Division requisitioned a contract for the supply of Goodyear Tires and Tubes for use on Authority and New Jersey State Police (Troop D) vehicles. Under this contract, Edwards Tire Company will provide over 100 different sizes and treads of Goodyear tires for inventory. These tires are required for routine vehicle maintenance and emergency replacement to Authority autos, light trucks, heavy duty trucks, and off road equipment such as loaders, tractors, and mowers. The Authority will utilize NJ State Contract No. 71688, which expires April 19, 2012.

This contract was procured 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). Accordingly, authorization is requested to award the referenced State Contract to Edwards Tire Company, Inc. in the amount of 500,000.00.

189-05-2011

In a document dated May 10, 2011, a Recommendation to Office Copier Rental to Ikon Office Solutions, RM-1011, in the amount of \$43,200.00 (Four Year Term), was approved.

The Technology and Administrative Services Department requisitioned a four (4)-year contract for the rental of one color multi-functional copier. This copier will be placed at the Holmdel Print Shop, and will replace a leased copier, which lease is scheduled to expire. The base rental rates for the copier will include 8,000 black and white copies per month, all repairs, parts, travel time, maintenance, and also toner, and staples. This unit will also include a feature package for brochure and booklet production. In addition, the contract allows for a per copy charge for color document reproduction.

This contract was procured 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). Accordingly, authorization is requested to award the referenced State Contract to Ikon Office Solutions in the amount of \$43,200.00.

190-05-2011

In a document dated May 11, 2011, a Recommendation Ford Escape 4-Wheel Drive SUV to Flemington Buick Chevrolet Pontiac GMC, R-82651, in the amount of \$86,352.00, was approved.

The Maintenance Department requisitioned four Ford four wheel drive "Escape" utility vehicles. These vehicles will be replacing four similar high mileage vehicles that are used by

General Foreman of Roadway Maintenance. These high mileage vehicles have greater than average maintenance or repair costs, and therefore replacement becomes more cost effective. The vehicles being replaced will be salvaged and sold at Surplus Auction.

This contract was procured 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). Accordingly, authorization is requested to award the referenced State Contract to Ditschman/Flemington Ford, in the amount not to exceed \$86,352.00.

191-05-2011

In a document dated May 16, 2011, a **Recommendation for the Modification of Crushed Stone, Sand and Gravel to Scorer Trucking, Inc., Contract No. 951, in the amount of \$7,500.00**, was approved.

In June, 2008 the Authority awarded a contract to Scorer Trucking, Inc. to provide road and highway materials such as crushed stone, gravel, and sand. This contract is utilized primarily by the Southern Maintenance Division. The Maintenance Department has requested that Contract No. 951 be increased by \$7,500.00 as the authorized amount has been depleted due to the State Contract being extended two additional terms; first in March, 2011 and again in May, 2011. This final extension is scheduled to expire September 30, 2011. During this final extension a new contract will be procured competitively. The original amount authorized by the Authority was for an amount not to exceed \$35,000.00.

This contract was procured 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). Accordingly, approval is requested to increase the authorized amount of Contract No. 951 by \$7,500.00 for a new authorized amount of \$42,500.00.

On motion by Commissioner Pocino and seconded by Vice Chairman Gravino, the Authority unanimously approved items 177-05-2011 through 191-05-2011; 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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FINANCE

Chief Financial Officer Donna Manuelli requested approval of item number 192-05-2011 and 193-05-2011. Moved are the items as follows:

192-05-2011

In a memorandum dated May 12, 2011, a **Recommendation to formally accept the NJTA December 31, 2010 Audited Financial Statements**, was approved.

The Authority's external auditors, KPMG LLP, have completed their audit of the December 31, 2010 financial statements of the New Jersey Turnpike Authority. In accordance with Executive Orders 122 (McGreevy, 2004) and 37 (Corzine, 2006), the annual audit must be submitted to the Board of Commissioners for review and approval.

It is therefore recommended that the Board of Commissioners approve the December 31, 2010 audited financial statements.

On motion by Commissioner Pocino and seconded by Vice Chairman Gravino, the Authority unanimously approved item 192-05-2011; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

Chairman Simpson inquired about Turnpike truck traffic year-to-date. CFO Manuelli indicated that truck traffic was up for the year and for the month of April, 2011.

193-05-2011

Chief Financial Officer Donna Manuelli presented the **Financial Summary** for the four (4) months ended April 30, 2011.

On motion by Vice Chairman Gravino and seconded by Commissioner Pocino the Authority unanimously approved item 193-05-2011; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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OPERATIONS

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Director of Operations Sean Hill requested approval of item number 194-05-2011. Director Hill indicated that fatalities on both roadways are up compared to last year and advised that the Authority's initiatives to reduce this would be addressed in the Safety Presentation at the end of the meeting. Moved is the item as follows:

194-05-2011

Director of Operations Sean Hill requested acceptance of the **Resume of All Fatal Accidents** for the Garden State Parkway and New Jersey Turnpike: Period 1/1/11 through 5/4/11; both with 2010-2011 Yearly Comparisons through April 30, 2011.

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

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STATE POLICE

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Acting Major Pam Elliott requested approval of item number 195-05-2011. Moved is the item as follows:

195-05-2011

Major Hines requested acceptance of the **New Jersey State Police Troop D Activity Reports**. For April, 2011, with 2010 – 2011 Yearly Comparisons.

On motion by Vice Chairman Gravino, seconded by Commissioner Hodes, the Authority unanimously accepted the reports and received for file.

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ETC

Director of ETC Dennis Switaj requested approval of item number 196-05-2011. Chairman Simpson asked for clarification of the item. Director Switaj indicated that there will be no change for customers of the New Jersey E-ZPass system. E-ZPass users who are not customers of the New Jersey E-ZPass system, however, will not receive the off-peak E-ZPass discount on the Turnpike. Commissioner DuPont asked what the monetary value of this proposal is. ED Hakim indicated that the Authority estimates that this initiative will annually yield approximately \$16 million dollars. Moved is the item as follows:

196-05-2011

In a document dated May 23, 2011, a **Recommendation was made for the elimination of the off-peak toll rates on the Turnpike for Class 1 vehicles using E-ZPass and institute an approximate twenty-five percent (25%) off-peak discount for New Jersey E-ZPass customers**, was approved.

The Authority provides a discounted toll rate for any E-ZPass user who travels on the Turnpike in a Class 1 vehicle, which generally is a passenger vehicle, during off-peak hours. Off-peak hours are defined as all hours Monday through Friday except for 7 a.m. to 9 a.m. and 4:30 p.m. to 6:30 p.m. This discount is available: (1) to all E-ZPass customers, not only customers of the NJ E-ZPass system; and (2) only on the Turnpike. Peak vs. off-peak pricing is not offered for Class 1 vehicles on the Garden State Parkway.

At its meeting on March 29, 2011, the Board of Commissioners authorized staff to conduct public hearings regarding the elimination of the off-peak discount for E-ZPass users who are not customers of the NJ E-ZPass system. Hearings were held according to the following schedule:

DATE	LOCATION
May 3, 2011	Meadowlands Racetrack
May 5, 2011	NJ Turnpike Authority Administration Building
May 9, 2011	Camden County Community College

On May 20, 2011, a report on the hearings was provided to the Board of Commissioners and it was made available on the Authority's website. Staff now recommends that the Board of Commissioners authorize the elimination of the off-peak toll rates on the Turnpike for Class 1 vehicles which are provided to all E-ZPass users and institute an approximate 25% off-peak discount for only customers of the NJ E-ZPass system.

In order to implement this recommendation, we respectfully request that the following actions be authorized:

- eliminate from the Authority toll rate schedule the off-peak E-ZPass discount for Class 1 vehicles on the Turnpike;
- approve a toll rate schedule that charges E-ZPass and cash customers the same toll rate for all hours; and
- approve a new discount plan, with discounts at the same rates as the current off-peak discount plan, which will be given to only customers of the New Jersey E-ZPass system. This will be called the E-ZPass Off-Peak Discount for Class 1 vehicles.

The effect of the three (3) above actions will be to eliminate a discount for E-ZPass users who are not customers of the NJ E-ZPass system. Consequently, E-ZPass users who are not customers of the NJ E-ZPass system will have an approximate 34% toll increase during off-peak travel. The NJ E-ZPass customer, however, will be unaffected by this change.

Therefore, authorization is respectfully requested to eliminate the off-peak discount for non-NJ E-ZPass customers as detailed above.

On motion by Vice Chairman Gravino and seconded by Commissioner Pocino the Authority unanimously approved item 193-05-2011; and authorized or ratified, as presented, the recommendations contained therein; and received and filed the memoranda.

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OTHER BUSINESS

The Safety Presentation was presented.

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PUBLIC COMMENT

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

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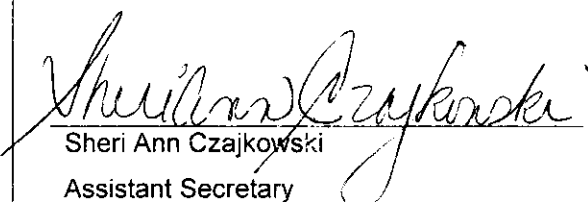
STEVE LANSIK, NJ SIERRA CLUB

Mr. Lansik is the Volunteer Transportation Coordinator for the NJ Sierra Club. Mr. Lansik indicated that the widenings on both the Parkway and Turnpike are harmful to our ecosystem, including the Pinelands, and will have a negative impact on NJ's livability and public health. Mr. Lansik reiterated the Sierra Club's opposition to these efforts. The Sierra Club believes that the widenings will cause more congestion, air pollution and the removal of natural areas for public enjoyment. It is important to keep in mind that the increase in widening the roads increases our dependency on foreign oil and thus countries unfriendly to the U.S. have leverage over us by threatening to cut off their oil to the U.S. Mr. Lansik stated that there are other solutions for the traffic congestion such as greater priority for buses, reversible lanes, and staggering of turnover days for shore rentals. These are immediate practical measures that can be taken to improve the traffic congestion and it is time to think ahead and protect our future.

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The motion to adjourn was made by Chairman Simpson, Commissioner Pocino and seconded by Commissioner Hodes and, after the voice vote, the motion was duly adopted. The Authority adjourned at 10:17 a.m., to meet on Tuesday, June 28, 2011, at 9:30 A.M.

ATTEST:


Sheri Ann Czajkowski
Assistant Secretary


Veronique Hakim,
Executive Director

Corporate Seal

Date: May 25, 2011