

Richard J. Codey
Acting Governor

Jack Lettiere
Board Chairman

George D. Warrington
Executive Director

NJ TRANSIT
One Penn Plaza East
Newark, New Jersey 07105-2246
973-491-7000

June 10, 2005

Dear Governor Codey:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the regularly scheduled meetings of the New Jersey Transit Corporation, NJ Transit Rail Operations, Inc., NJ Transit Bus Operations, Inc., and NJ Transit Mercer, Inc. Board of Directors held on Wednesday, June 8, 2005.

Sincerely,



Gwen A. Watson
Board Secretary

Enclosures

Honorable Richard J. Codey
Acting Governor, State of New Jersey
State House
Trenton, NJ 08625

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Minutes of the actions taken at the Open Session of the regularly scheduled Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, June 8, 2005.

Present:

Jack Lettiere, Chairman
Myron P. Shevell, Vice Chairman
Keith Barrack, Governor's Representative
Robert Smartt
Kenneth E. Pringle

George D. Warrington, Executive Director
Lynn Bowersox, Assistant Executive Director, Corporate Commun. & External Affairs
James Gigantino, Acting Vice President & General Manager, Bus Operations
William Duggan, Vice President & General Manager, Rail Operations
Kenneth Worton, Deputy Attorney General
Frank Hopper, Assistant Executive Director, Procurement & Support Services
James Redeker, Assistant Executive Director, Policy, Technology & Customer Services
Richard Sarles, Assistant Executive Director, Capital Planning and Programs
H. Charles Wedel, Chief Financial Officer & Controller
Alma Scott-Buczak, Assistant Executive Director, Human Resources
Gwen A. Watson, Board Secretary
Robert Guarnieri, Auditor General

Chairman Jack Lettiere convened the Open Session at 9:35 am in accordance with the Open Public Meetings Act and asked for a motion to enter Executive Session to discuss contract negotiations and litigation matters. A motion was made by Keith Barrack, seconded by Myron P. Shevell and unanimously adopted.

Chairman Jack Lettiere reconvened the Open Session at 10:10 am and asked for a motion to adopt the minutes of the May 11, 2005 meeting. A motion was made by Robert Smartt, seconded by Keith Barrack and unanimously adopted.

Executive Director George Warrington highlighted the following from his monthly business report.

Executive Director Warrington said that NJ TRANSIT is unveiling a new timetable design as part of a series of customer service initiatives. He said that considering that the customers have been utilizing the same timetable format since 1984, NJ TRANSIT began the process with extensive research to learn what customers wanted to see improved.

Executive Director Warrington said that Rail customers said they wanted a timetable that was chock full of schedule and fare information and clean and easy to read. He

said the new design incorporates those specific customer suggestions, including modern graphics, an accordion fold that makes more options visible at a glance, and a new layout that puts inbound and outbound service on one side of the timetable.

Executive Director Warrington said that responding to customer feedback improved the maps by showing available connecting services. He said that a lot of language was eliminated that recited regulations, in favor of highlighting answers to frequently asked questions about accessibility, the single 800 number customer service helpline, and airport transfers.

Executive Director Warrington said the new timetables also meet NJ TRANSIT's business objectives. He said by bringing the printing in-house, NJ TRANSIT would save about \$150,000 per year. He said that like the customers, NJ TRANSIT is also aware of the importance of being environmentally smart in publishing the timetable, and so it was printed on recycled paper, saving almost 1,000 trees a year, and using soy-based inks.

Executive Director Warrington said this redesign effort would ultimately extend to the light rail and bus schedules.

Executive Director Warrington said customers will start finding the new rail timetables next week in stations and aboard trains, and he encouraged passengers to email NJ TRANSIT with their feedback so that improvements can be continued on this new design.

Executive Director Warrington congratulated Steve Clark, who has been the force behind this project. He also recognized Lou Millan, Joe Lamonica, Rob Lilly, Tom Morgan and the Rail Service Planning team who worked with Steve. Executive Director Warrington said he knows that they went through many rounds of customer comments to come up with the best possible product and he appreciates their hard work.

Executive Director Warrington said that later this summer, New Jersey will host one of the biggest sporting events of the year, the 87th PGA Championship.

He said the event will take place during the second week of August at Baltusrol Golf Club in Springfield, and is expected to draw more than 200,000 attendees.

He said parking is going to be extremely limited during the event and visitors are encouraged to take the Morris & Essex Lines where trains will be added at Summit. Once in Summit, customers will board PGA-sponsored buses to shuttle to the event.

Executive Director Warrington said NJ TRANSIT has been designated the "preferred transportation provider" for the event and will play a critical part in making sure the week goes smoothly.

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He said the planning began several months ago and NJ TRANSIT has been working cooperatively with the PGA, Department of Transportation, State Police, and local officials to create a transportation plan that will provide visitors with a seamless experience. Executive Director Warrington said the special "PGA rail passes" are available through www.PGA2005.com that will enable customers to travel between any point-of-origin on the system to Summit Station during the event.

Executive Director Warrington said that NJ TRANSIT recently began installation of a new signal and switch control (TMAC) system at Hoboken Terminal that will result in more efficient operations and improved management of train operations and communication.

He said this work represents the final stage of a modernization project to consolidate all of the railroad functions at the state-of-the-art Rail Operations Center in Kearny, where NJ TRANSIT has centralized control over railroad signals, switches, power moveable bridges, train movements and communications.

Executive Director Warrington said the last independently operated portion of NJ TRANSIT rail territory is Hoboken Terminal where operators at Terminal Tower have directed train operations since 1907. He said the center controls 230 signals and switches and more than 300 daily train movements.

Executive Director Warrington said this project would produce substantial benefits, including improved train management and communications to customers through automated, real-time train status information, which will be centralized at the Rail Operations Center for the first time.

He said this enables the operations control center to view all train movements on NJ TRANSIT territory at once, facilitating faster decision-making.

Executive Director Warrington said this will give managers the ability to replay the history of any train movement in the Hoboken Terminal and Yard complex which provides an important learning and safety-training tool.

Executive Director Warrington said this is an extremely complex project which began more than two years ago, and will culminate this weekend with the cut-in of the north side of the Hoboken Terminal District. He said NJ TRANSIT has made several service modifications between Newark and Hoboken to accommodate the work. He said the south end of the Terminal was cut-in this past weekend without any complications or delays.

He said given the complexity of this project, the progress to date is quite an achievement. Executive Director Warrington commended Glenn Sullivan, Ed Jocelyn and Tom Lang on the work they are doing.

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Executive Director Warrington said that on the Bus side NJ TRANSIT has made some significant adjustments to the upcoming new schedule, which goes into effect on June 27th. He said by responding to customers, NJ TRANSIT either extended or adjusted the routes on 15 different bus lines, and added service to 12 routes to add capacity where it is needed. He said NJ TRANSIT would continue to monitor these changes and get customer feedback to ensure demand is met.

Executive Director Warrington said he was pleased to report that last night, Joe North, who oversees the light rail operations for both Hudson Bergen Light Rail and the River LINE, accepted an award from the Delaware Valley Regional Planning Commission, which named the River LINE the Transportation Project of the Year.

Executive Director Warrington said the line was chosen because of the economic development it has helped to spur in the communities along the corridor. Executive Director Warrington congratulated Rich Sarles, Joe North and their teams for running a solid operation and working in partnership with communities to ensure that this line is an engine for economic development.

Executive Director Warrington also thanked the marketing group, which has developed some terrific partnerships with the business community along the Trenton-Camden Corridor. He said thanks to a number of substantial co-promotions with attractions like the Tweeter Center, The Battleship, Riversharks, and the newly reopened Aquarium. The River LINE carried a record-setting number of customers just this past Saturday, nearly 11,400 passenger trips.

Executive Director Warrington said this seasonal trend is consistent with the ridership projections for the line and NJ TRANSIT is confident the trend will continue through the summer as work continues with a growing number of partners.

Executive Director Warrington said tomorrow he will be joined by Irvington Mayor Wayne Smith as NJ TRANSIT officially opens the new Irvington Bus Terminal. He said the original terminal was built in 1946, and with the ridership increases NJ TRANSIT experienced over the years, it became obsolete. He said today, the terminal serves more than 12,500 commuters daily. He also said the new facility is twice the size of the old building, has improved parking and pedestrian links, and has an enhanced bus circulation area that allows for safer bus arrivals and departures.

Executive Director Warrington also reminded rail, light rail and bus customers that the new fares go into effect on July 1, with monthly ticket sales beginning June 20th. He said the new fare plan offers customers maximum flexibility and better connectivity to all of NJ TRANSIT services, as the monthly rail pass will now be honored for light rail and bus connections with no additional feeder fare. Customers who want to get specific fare information can call or go online for details.

Executive Director Warrington said he would like to take an opportunity to honor a man who has helped to make NJ TRANSIT what it is today, John McGoldrick. Executive

Director Warrington said Mr. McGoldrick served on the NJ TRANSIT Board of Directors since its creation more than 25 years ago, making him the longest serving member. He said Mr. McGoldrick was around in what is referred to as the "bad old days" when the transit network in New Jersey was a balkanized collection of undercapitalized private and bankrupt operators. He also said that for over 25 years Mr. McGoldrick has guided the transformation of that system into a centerpiece of New Jersey's economic growth. Executive Director Warrington said he has been privileged to work with Mr. McGoldrick and said he has consistently been a voice of reason, common sense and good judgment. Executive Director Warrington said he deeply appreciates the depth of his understanding, intellect and leadership that Mr. McGoldrick brought to this Board.

Executive Director Warrington said that Mr. McGoldrick is by far, one of the smartest people he knows and he appreciated personally and professionally his wise counsel and generous support for the mission at NJ TRANSIT.

Executive Director Warrington said he has already told his good friend Susan Cole that NJ TRANSIT's loss is Montclair State University's gain and he knows that she is looking forward to having the benefit of Mr. McGoldrick's counsel on her Board. Executive Director Warrington said John McGoldrick would be missed personally and professionally.

Executive Director Warrington said to ensure Mr. McGoldrick's legacy as an effective advocate on behalf of commuters is long remembered, he was proud today, on behalf of the Board, to announce that NJ TRANSIT will soon be installing a plaque in the waiting room of Princeton Junction rail station honoring his 25 years of service to this agency. Executive Director Warrington presented a replica of that plaque to John McGoldrick with congratulations from the NJ TRANSIT family.

Chairman Lettiere thanked John McGoldrick for all of his contributions to the organization. Chairman Lettiere said the greatest compliment a man could receive is to be called a gentleman and he said Mr. McGoldrick is a gentleman. Chairman Lettiere congratulated him and wished him well.

John McGoldrick said he deeply appreciated all of the remarks. He said he had 26 years of joy in public service for the Corporation and hopes he added value along the way. Mr. McGoldrick said he has been thinking about NJ TRANSIT, where it was and where it is today. He said the Corporation has won national awards and staff should be proud of what has been accomplished.

Mr. McGoldrick contributed a few thoughts for the future. He said NJ TRANSIT needs a stable, dedicated funding source and this should remain a priority. He said there are a few major capital projects that are urgently needed such as the new Trans Hudson Tunnel which is key to transit's future. Mr. McGoldrick said the Board remains an excellent guide to form transportation policy and it needs to continue with an independent mind and bipartisan spirit. Mr. McGoldrick said NJ TRANSIT should continue its customer focus. He said the rider simply needs a seat, with on-time

performance, the right temperature and a reasonable fare. Mr. McGoldrick said thanked everyone for today, and all of the men and women of NJ TRANSIT for what they do each and every day and expressed good wishes to the Board.

Suzanne Mack presented the Advisory Committee report to the Board. Ms. Mack thanked Mr. McGoldrick for his service on the Board and agreed that a dedicated source of funding is needed for NJ TRANSIT. Ms. Mack said she thinks of all of the Board Members as public members because they all represent good public service. She said that is the strength of this Board. Ms. Mack said the Advisory Board exists because of the legislation but she said the Board has provided guidance and support through the years. Ms. Mack said she was pleased to see the item on the agenda "69th Street Grade Separation Project".

There were eight public comments on agenda items.

William Wright, New Jersey Association of Railroad Passengers commented that Monmouth Junction is the only viable route for Monmouth-Ocean-Middlesex (MOM). He said that the New Jersey Association of Railroad Passengers has supported Monmouth Junction from the beginning, realizing only Monmouth Junction provides a full service pattern, restoring rail passenger service that should never have been lost. Mr. Wright said he does not understand how the study came up with the ridership counts for Red Bank and Matawan since it is obvious all of the destinations were not included such as New Brunswick, Edison and Metropark. He said Monmouth Junction restores trains in an even more vital alignment and it will aid vital tourism. He said two million people live along the route and many more travel to the area and endorsed Monmouth Junction as the best route.

Patrick Torpey, "Say Yes to MOM" organization commented in support of the Monmouth Junction alignment. He said the expected growth projected for Middlesex and Monmouth counties makes Monmouth Junction the best route. Mr. Torpey said he was pleased that Executive Director Warrington met with the group and continues to have an open dialogue.

Rose Heck commented on the Northern Branch item. She said she was surprised to see this Resolution on the board agenda since she recently gave the Board a copy of a letter she sent to the Mayors of five Towns along with information for their review with regard to the benefits of light rail. Ms. Heck appealed to the Board to review the material that was sent regarding light rail and the work done over the years. Ms. Heck said she endorses light rail for the Northern Branch. Ms. Heck asked the Board to delay the vote on this Resolution again until a meeting is held with the towns and the people affected to discuss both modes of transportation. Ms. Heck said the material she provided is factual regarding the cost of the operation and the long-term advantages. Ms. Heck said she is not new to the process or this mode of transportation. She said everyone needs to work together for the people of New Jersey and reach a consensus. Ms. Heck said the New Jersey Association of Railroad Passengers is not "anti-DMU" because they actually helped co-sponsor the Colorado Rail Car's debut within Bergen

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County in 2003. She said the DMUs can work and the "cross county" DMU proposal has the support of the New Jersey Association of Railroad Passengers. However, she said for the Northern Branch, light rail offers far better performance and operating efficiencies, including fiscal superiority. Ms. Heck again appealed to the Board to delay the vote on this Resolution until further discussions are held.

Farouk Ahmad, on behalf of Bergen County Planning commented on the Northern Branch item. He said he is a planner and an engineer and he said he is convinced that the DMUs are the only answer. Mr. Ahmad said Ms. Heck is wrong with her endorsement of light rail. Mr. Ahmad said he has spent three years working on this project and he urged the Board to authorize the Draft Environmental Impact Statement DMU study because it is very important to Bergen County.

Ms. Heck asked to make a point of information and clarification. Ms. Heck said Assemblywoman Weinberg requested a meeting with Mr. Farouk regarding the DMUs and light rail and that meeting has not taken place.

Chairman Lettiere commented that he appreciated both sides of this issue and said a debate cannot be conducted at this meeting. Chairman Lettiere said there are many points and counter points and appreciates everyone's position on this matter.

Al Cafiero, on behalf of Senator Cardinale's Office commented on the Northern Branch item. Mr. Cafiero read a parable relating to the Northern Branch. Mr. Cafiero said NJ TRANSIT claims they would save money by using DMUs instead of light rail. Mr. Cafiero said more subsidy would be needed for DMUs than light rail and there would be low ridership on the DMUs.

Assemblyman Gordon M. Johnson commented on the Northern Branch item. Assemblyman Johnson said he and his colleague Assemblywoman Weinberg represent the 37th Legislative District which is comprised of 12 towns. He said he and Assemblywoman Weinberg want to ensure the residents that the Northern Branch will be available in the not too distant future to serve their constituency with the best passenger rail plan, at the best cost and least amount of disruption to the environment. Assemblyman Johnson said a common ground is shared and that is for the Northern Branch to be part of the Hudson-Bergen Light Rail system. Assemblyman Johnson said \$3 million in federal funding was secured for the DMU study but that money actually was allocated elsewhere. He said \$5 million from the Federal government plus \$300,000 for a Draft Environmental Impact Statement was allocated to link the Passaic-Bergen line to the Meadowlands and \$150 million was allocated to link the Pascack Valley Line to the Meadowlands which left zero money allocated to the Northern Branch. Assemblyman Johnson said at some point the funding was cut. Assemblyman Johnson said he is concerned that NJ TRANSIT does not have concrete, definitive plans for large parts of the implementation of the Northern Line. Assemblyman Johnson said he does not want to impede progress but requested clarifications. Assemblyman Johnson asked the Board to hold the action item regarding the Northern Branch and requested a meeting in Bergen County to assess the community's reaction and asked

for assurance that NJ TRANSIT and the Department of Transportation would adequately fund the Northern Branch.

Dennis McNerney, Bergen County Executive commented on the Northern Branch item. He endorsed the use of DMUs on the line. Mr. McNerney said people will use this line because they do not have any rail transportation. He said a further study on light rail will only delay the project and urged the Board to vote on this item today.

Senator Paul Sarlo, on behalf of District 36, Bergen County commented on the Northern Branch item. He said he was pleased to see that NJ TRANSIT is bringing rail to the northern part of the State and he endorsed item 0506-29. Senator Sarlo said the DMU service would get people out of their cars and help alleviate traffic congestion. Senator Sarlo said he spoke to Senator Coniglio, District 38 and Senator Baer, District 37 and they are also in support of this Resolution.

Executive Director Warrington presented the following Action Items for approval:

0506-29: NORTHERN BRANCH ENVIRONMENTAL IMPACT ANALYSIS CONTRACT AMENDMENT

NJ TRANSIT developed a Tri-County Rail plan to provide incremental rail improvements in Bergen, Passaic and Hudson Counties which will enable both intercounty service as well as position the system for a one-seat ride into mid-town Manhattan in connection with the Access to the Region's Core. Part of the plan involves providing Phase I Diesel Multiple Unit or DMU passenger rail service between the North Bergen Hudson Bergen Light Rail station that will open at the end of this year and Tenafly. An initial study focused on reactivation of passenger service on the Northern Branch by extending the Hudson Bergen Light Rail system at a much higher cost. Approval was sought to re-evaluate the environmental impacts using DMUs on that line, which are compliant with Federal Railroad Administration regulations, in a phased approach. Approval was also requested to increase funding of a contract with Edwards & Kelcey Inc. by \$1,617,686 plus five percent for professional services to complete this environmental analysis and for general planning and community outreach. The formal process will provide for a comprehensive public outreach and communications plan as well as a formal public hearing. Also included within the scope will be planning work relating to Meadowlands area public transportation improvements that are an outgrowth of the Tri-County rail plan.

Board Member Pringle said based on the comments at today's meeting, this item could be debated for the next 30 - 40 years. He said the DMUs provide an affordable approach. Board Member Pringle thanked Executive Director Warrington and Richard Sarles for the background information provided on this project. He also thanked Rose Heck for the information

she provided and said it was very helpful.

Kenneth E. Pringle moved the resolution, Myron P. Shevell seconded it and it was unanimously adopted.

0506-30: NEWARK DRAWBRIDGE REHABILITATION: CONTRACT AMENDMENT FOR ENGINEERING AND DESIGN

The two track Newark Drawbridge over the Passaic River was built in 1905 and recent in-depth inspections indicate that a rehabilitation now will extend the useful life of the structure for another 20 years. Approval was requested to amend the contract with Edwards & Kelcey for final design of a rehabilitated structure at a cost not to exceed \$1,350,000.

Myron P. Shevell moved the resolution, Keith Barrack seconded it and it was unanimously adopted.

0506-31: NEWARK PENN STATION TRACK 5 PLATFORM E REHABILITATION AND EXTENSION: CONTRACT AMENDMENT FOR FINAL DESIGN SERVICES

Platform inspections at Newark Penn Station have revealed a need for extensive repair and rehabilitation of all five rail platforms which include roof drainage systems, canopies, ductwork, walls, windows, doors, passenger waiting areas, signage, lighting and brickwork. We propose to begin the rehabilitation on Track 5, Platform E. This platform will also be extended to permit the double stacking of longer Raritan Valley Line trains in the evening peak period to accommodate ridership growth. To accomplish this, approval is sought to amend the contract with Clough Harbour & Associates to develop final design at a cost not to exceed \$2.5 million plus five percent for contingencies.

Myron P. Shevell moved the resolution, Robert Smartt seconded it and it was unanimously adopted.

0506-32: REPLACEMENT OF LITTLE BRIELLE TIMBER BRIDGE ON THE NORTH JERSEY COAST LINE, POINT PLEASANT, OCEAN COUNTY, NEW JERSEY

The Little Brielle Timber Bridge on the North Jersey Coast Line in Point Pleasant was built in the 1940's and has deteriorated to the point where speed restrictions are necessary. Approval was sought to contract with PFK Mark III, Inc. to replace that bridge with a new four span, pre-cast concrete bridge, at a cost not to exceed \$2,743,000 plus five percent for contingencies.

Keith Barrack moved the resolution, Kenneth E. Pringle seconded it and it was unanimously adopted.

0506-33: PURCHASE OF LOW-SIDE GONDOLA CARS FOR NON-REVENUE RAILCAR FLEET

NJ TRANSIT currently uses 42 year old non-revenue rail cars, known as gondola cars, to transport track materials in connection with ongoing maintenance of way track and structure programs. Most of the existing cars do not comply with specifications permitting interchange with other railroad territory and are, therefore, able to be used only on the Hoboken Division creating production delays and extra costs for transporting ties and track materials by truck. Approval was requested to contract for 13 new low-side gondola cars with Ebenezer Rail Car Services at a cost not to exceed \$1,139,775.

Kenneth E. Pringle moved the resolution, Myron P. Shevell seconded it and it was unanimously adopted.

0506-34: EXTENSION AND AMENDMENT OF CONTRACTS WITH ASCOM TRANSPORT SYSTEMS FOR THE MAINTENANCE AND SUPPORT OF CUSTOMER TICKETING AND FARE COLLECTION SYSTEMS AND NETWORKS.

For many years, NJ TRANSIT has used ASCOM Transport Systems for support and maintenance of statewide point of sale and fare collection for customer ticketing through Ticket Vending Machines and Ticket Office Machines. In recent years, many upgrades have been implemented including faster ticket printing, easier-to-read screens and better cash/coin handling. These systems produce almost 30 million tickets each year with approximately \$361 million in passenger revenue. During the last year and a half, major improvements have been implemented to bring the uptime for ticketing equipment to 98.5 percent during peak purchasing hours. 495 high speed printers have been installed, new color screens and credit card readers are being used, 45 new TVM's have been installed along the River LINE, with 3 each at Montclair and Ramsey, 4 additional TVM's have been installed at New York Penn Station, 2 new machines at Port Authority and 8 more TVMs along the Hudson Bergen Light Rail Line. We've added a new ticket office machine at Hamilton Station, installed 53 new validators along the two light rail lines and made many software enhancements in preparation for the July fare change. This summer, an additional 35 new ticket office machines will be installed at major bus ticketing locations. The maintenance and support contract with ASCOM Transport Services has recently expired, along with a validator support contract for light rail services. NJ TRANSIT is currently negotiating a long term maintenance contract, which includes new customer enhancements

with features to assist customers with visual impairments, high speed credit and debit authorization and processing, touch screens, new bill note acceptors and improved instructions and graphics. At the same time, Ascom's parent company, ASCOM AG, is in the process of divesting itself of ASCOM Transport Systems. NJ TRANSIT is awaiting the outcome of these acquisition negotiations before proposing a new long-term contract proposal to the Board. Approval was sought for a six-month extension of the existing contract, with another six-month extension if required, each in the amount of \$6 million plus five percent for contingencies.

Robert Smartt left the meeting at this point. Myron P. Shevell moved the resolution, Keith Barrack seconded it and it was adopted.

0506-35: 69TH STREET GRADE SEPARATION PROJECT: PROPERTY ACQUISITION

The NJ Department of Transportation (NJDOT) is responsible for a new grade separation project at 69th Street in North Bergen which is an important element in road and rail congestion relief in this high density location. This new overpass will separate bus, truck and auto traffic from planned passenger rail service in Bergen County as well as from freight operations. NJDOT has asked NJ TRANSIT to manage this project because of its extensive experience with grade separations during the construction of the Hudson Bergen Light Rail project. The funding will be provided by NJDOT. Approval was sought to acquire all properties listed in Exhibit A in the agenda and to provide relocation assistance if necessary, at a cost not to exceed \$2,018,200, and to transfer these properties to NJDOT.

Robert Smartt returned to the deis. Keith Barrack moved the resolution, Robert Smartt seconded it and it was unanimously adopted.

0506-36: RAIL GEOGRAPHIC INFORMATION SYSTEM – PHASE 2

Several years ago, the first phase of a rail geographic information system was approved by the Board, which focused on surveying, videographing, mapping and programming the rail system for incident response and training applications. When completed, this GIS system will provide speedy access to digital maps, aerial photography, track charts and video for affected areas during emergencies as well as video simulation for cost effective operations training and job qualification. It will serve as a track maintenance resource as well. Approval was requested to advance to the next phase of this project which, in the training area alone will save more than \$250,000 annually. The next phase of funding with DMJM+Harris is proposed for \$1,878,000 plus five percent for contingencies.

Myron P. Shevell moved the resolution, Keith Barrack seconded it and it was unanimously adopted.

0506-37 PURCHASE OF MINIBUSES FOR CONTRACT SERVICES

NJ TRANSIT Bus has a fleet of forty-two 1994 and 1999 minibuses, which are used for contracted minibus services with 7 private carriers throughout the State on 14 routes. More than 383,000 riders are carried each year, generating \$430,000 annually in cash fares. Many of these minibuses have reached the end of their operational lives. Approval was requested to purchase up to 24 wheelchair-equipped minibuses from American Bus & Coach at a cost not to exceed \$1,374,168 plus five percent for contingencies.

Keith Barrack moved the resolution, Robert Smartt seconded it and it was unanimously adopted.

0506-38 BUS VIDEO SECURITY SYSTEMS PILOT PROJECT: CONTRACT AWARD

NJ TRANSIT has an opportunity to participate in a bus video security pilot project, funded by the US Department of Homeland Security, to install 50 video security systems on intercity buses which will enhance overall customer and employee security. The camera equipped buses will operate between Atlantic City and Camden and Philadelphia. The pilot, or demo, will be engineered to ultimately permit better real time or historical observation from monitors in use by our police, operations or customer service personnel. Authorization was requested to contract for purchase and installation of these cameras by Innovonics at a cost not to exceed \$1,305,142 plus five percent for contingencies.

Keith Barrack moved the resolution, Robert Smartt seconded it and it was unanimously adopted.

0506-39 MORRIS COUNTY LOCAL AND RURAL TRANSPORTATION (SECTION 5311 PROGRAM) BUS SERVICE

Approval was sought to contract with Pabco Transit Inc. to operate Morris County service on four local routes and three rural routes with a combined ridership of 450,000 for a 36-month period at a cost not to exceed \$8,357,754 plus five percent. Approval was also sought to exercise an option to extend this contract for an additional two-year period at a cost not to exceed \$6,301,352 plus five percent for contingencies. Morris County contributes \$150,000 annually toward the local service and funds 25 percent of the rural transportation service.

Keith Barrack moved the resolution, Robert Smartt seconded it and it was unanimously adopted.

0506-40 COMPUTER HARDWARE/SOFTWARE: SOLE SOURCE
MAINTENANCE AND LICENSING AGREEMENT RENEWAL

Approval was requested for sole source maintenance agreements and required upgrades with providers of installed hardware and software whose maintenance or upgrades cannot be competitively procured. Included in your package as Exhibit A are firms which are the Original Equipment Manufacturers and the only source of support for these systems. Requested contracts are for one year with a one-year renewal option, at a total cost not to exceed \$3,455,281.

Robert Smartt moved the resolution, Myron P. Shevell seconded it and it was unanimously adopted.

0506-41 MONMOUTH-OCEAN-MIDDLESEX RAIL DRAFT ENVIRONMENTAL
IMPACT STATEMENT: CONTRACT AMENDMENT

In 2001, an environmental study was authorized for two rail alignments in the ever-growing Monmouth-Ocean-Middlesex Corridor, utilizing either the Northeast Corridor or the Coast Line. To implement passenger service, the railroad infrastructure along existing freight lines would be rebuilt. A third potential alignment was subsequently added based on strong local interest in the target markets. Approval was requested to increase funding for a contract with Systra Consulting Inc. for \$1.9 million to complete the draft environmental impact statement and for general planning and public outreach for a rail project in Central New Jersey. This authorization will continue the very inclusive and complex public participation process and will continue to compile analytical information suggested by the Federal Transit Administration relative to historical data in order to ensure the project's eligibility for federal funding. Planners from Monmouth and Ocean counties have provided additional input and commentary on the plans. NJ TRANSIT will continue to work with local officials and residents with an eye toward conclusion by the end of the year.

Board Member Shevell asked if this item should be tabled with the possible closing of Fort Monmouth. Richard Sarles responded that if Fort Monmouth closed, there would be other redevelopment in that area.

Kenneth E. Pringle recused himself from voting on this item. Robert Smartt moved the resolution, Keith Barrack seconded it and it was adopted.

0506-42 RED BANK STATION - HIGH LEVEL PLATFORMS: CONSTRUCTION CONTRACT AWARD AND AMENDMENT TO CONSTRUCTION ASSISTANCE SERVICES CONTRACT

Red Bank Station, serving 1600 daily customers on the North Jersey Coast Line, was designated as a "Key" station in our Americans with Disabilities Act accessibility plan. Today I am seeking approval of a contract for high level platforms at the station to provide level boarding on rail cars improving overall customer safety and which will reduce the time needed for customer boarding. New canopies, shelters and other passenger amenities are also included. Although some customer impacts are expected, such as a temporary loss of parking, NJ Transit will make every effort to minimize those impacts and will provide interim parking nearby. Today's request is for a construction contract with George Harms Construction Company to construct these improvements at a cost not to exceed \$6,590,275 plus five percent for contingencies. At the same time I am seeking approval to fund the third phase of a construction assistance contract with Vollmer Associates related to this contract in an amount not to exceed \$111,715 plus five percent for contingencies.

Kenneth E. Pringle recused himself from voting on this item. Myron P. Shevell moved the resolution, Robert Smartt seconded it and it was adopted.

Before Executive Director Warrington asked for approval of the Consent Calendar, he pointed out an important item on the agenda. He said NJ TRANSIT requires specialized legal counsel to develop an informed and well-conceived approach to navigate the environmental and land use review processes of New York State and New York City. The design and configuration of THE Tunnel project are subject to New York City's Uniform Land Use Review Process (ULURP), the City's standardized public process to evaluate development applications. Executive Director Warrington said the formal ULURP process involves the consideration of the project by the City Council and numerous other city agencies as well as state agencies and public utilities. New York's State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR) also require state and local government agencies to consider the environmental impacts of the THE Tunnel project. He said the processes would happen concurrently with environmental and public review of the project pursuant to federal and State of New Jersey requirements. Executive Director Warrington said the need for specialized legal counsel would last for the duration of the project, especially as the project moves from planning to final design and construction. Executive Director Warrington said authorization is requested to retain the firm of Paul, Hastings, Janofsky & Walker LLP of New York, NY as special counsel for this work at an initial cost of \$400,000.

Executive Director Warrington presented the following Consent Items for approval:

0506-43: TRANS HUDSON EXPRESS TUNNEL – LEGAL SERVICES FOR ENVIRONMENTAL AND LAND USE REVIEW

Authorization to compensate the law firm of Paul, Hastings, Janofsky & Walker LLP of New York, NY as Special Counsel in accordance with the New Jersey Attorney General's designation for environmental and land use review for THE Tunnel project at a cost not to exceed \$400,000.

0506-44: SUBSTRUCTURE REHABILITATION OF THE RARITAN RIVER DRAWBRIDGE ON THE NORTH JERSEY COAST LINE: AMENDMENT TO CONSTRUCTION CONTRACT

Authorization to amend the contract (No. 05-030) with Trevcon Construction Company, Inc. of Liberty Corner, NJ for the substructure rehabilitation to the Raritan River Drawbridge, at an additional cost not to exceed \$420,000, plus five percent for contingencies, for a total contract authorization of \$2,088,450.

0506-45: REGULATIONS: ADOPTION OF REGULATIONS N.J.A.C. 16:88 CLAIM FORM

Authorization to take all actions necessary to adopt and promulgate the regulations N.J.A.C. 16:88 et seq. Claim Form, consistent with this Board item and exhibits.

0506-46: ANNUAL NOTICE OF MEETING

Adopt the Annual Notice of Meetings (Exhibit A) for all of the Board of Directors meetings during Fiscal Year 2006.

0506-47: ANNUAL DESIGNATIONS AND BOARD COMMITTEE MEMBERSHIP SELECTIONS

Approval of this item will designate Myron P. Shevell to serve as Vice Chairman of the Board of Directors and Gwen A. Watson as Secretary of the Board of Directors through June 2006 and appoint the members of all Board Committees as set forth in Exhibit A.

Keith Barrack moved the resolution, Robert Smartt seconded it and it was unanimously adopted.

Chairman Lettiere congratulated Board Member Shevell on his reappointment as Vice Chairman and asked the Board if they wished to say a few words.

(NJT BOARD - 06/08/05)

Vice Chairman Shevell said he was appointed to the Board 12 years ago and met Mr. McGoldrick. He wished Mr. McGoldrick the best of luck and said Mr. McGoldrick's counsel was a great help to him personally and professionally and hopes their paths cross again in the future.

Board Member Smartt said he was present at the creation of NJ TRANSIT and he has seen the expansion and growth of the organization. Board Member Smartt said there has been one constant and that is John McGoldrick. Board Member Smartt said he is honored and grateful to have had the privilege to work with Mr. McGoldrick.

Board Member Barrack said John McGoldrick is a legend. He said Mr. McGoldrick has been a sounding board and has provided good guidance. Board Member Barrack thanked Mr. McGoldrick for his assistance and wished him the best of luck in his endeavors.

Board Member Pringle said when he heard he was first appointed to the Board, he was glad to have an opportunity to work with John McGoldrick. He said he did not know he was replacing Mr. McGoldrick on the Board. Board Member Pringle said he was disappointed that he did not get the chance to work with Mr. McGoldrick. Board Member Pringle said it is an honor to be sitting in Mr. McGoldrick's seat and hopes he can hold a candle to the great job Mr. McGoldrick has done.

Chairman Lettiere said he has had the luxury of working with Mr. McGoldrick. He said the projects that are underway today are a tribute to Mr. McGoldrick, such as the Monmouth-Ocean-Middlesex and Northern Branch projects. Chairman Lettiere thanked Mr. McGoldrick for what he has done for NJ TRANSIT.

There were five public comments on non-agenda items.

Rose Heck asked if the Monmouth-Ocean-Middlesex Resolution included Monmouth Junction and the reply was yes. Ms. Heck thanked the Board for holding the Resolution on the Northern Branch item at last month's Board Meeting, but said she was disappointed in the lack of understanding in this matter. Ms. Heck said she hopes a meeting will be scheduled with her to discuss the material previously sent to the Board.

Gary Johnson commented about the East Coast Greenway. He said the East Coast Greenway would be a long distance, city-to-city, multi-modal transportation corridor for cyclists and not for cars. He said the Greenway would be a 2,600 mile path linking East Coast Cities from Maine to Florida attracting residents and visitors. Mr. Johnson said he would like to see the blue and white signs on the trail to direct Greenway to mass transit. He explained that NJ TRANSIT and the East Coast Greenway should compliment one another and asked for a contact person to further discuss this issue.

Chairman Lettiere asked Mr. Johnson to send his suggestion to Executive Director Warrington who will ensure it gets to the right person. Chairman Lettiere said the trail blazing signs are a very good suggestion

John Del Colle, United Spinal, apologized for arriving late and commented on the Northern Branch item and the DMUs. Mr. Del Colle said the DMUs are not accessible for a person with a disability. Mr. Del Colle said the issue is that it is an engine car with seating and it has to be accessible. Mr. Del Colle asked if the DMUs could be explored and discussed from an ADA perspective and asked if NJ TRANSIT would work with the disabled community to resolve this issue sooner rather than later.

Executive Director Warrington assured Mr. Del Colle that any fleet of cars acquired would be fully accessible.

Richard Sarles, Assistant Executive Director, Capital Planning and Programs said from the very beginning, the commitment has been to acquire fully ADA compliant cars.

Dan O'Connell, on behalf of the United Transportation Union, thanked and congratulated Mr. McGoldrick for his service. Mr. O'Connell said NJ TRANSIT operates the Port Jervis line under contract with Metro North. He said, to date, the contract has not been renewed. Mr. O'Connell said there have been rumors that the contract will not be renewed and the work will be taken away. Mr. O'Connell said some of the employees have worked there since pre-NJ TRANSIT. Mr. O'Connell asked if NJ TRANSIT could bring this matter to completion.

Executive Director Warrington said this is a routine negotiation and he fully expects it will be resolved with an agreement with Metro North.

David Peter Alan commented that he was glad the Board and Management are giving the people of Bergen County good rail service. Mr. Alan said with Mr. McGoldrick leaving, it is truly an end of an era. Mr. Alan said he respects NJ TRANSIT's management and understands there are differing opinions. Mr. Alan said there are different visions for the future but the TEA 21 reauthorization and a gas tax increase is necessary. Mr. Alan said he pays tribute to John McGoldrick and his colleagues that came before him such as Frank Herbert, Bill Wright and Sid Palius and thanked Board Member McGoldrick for his work in making NJ TRANSIT a transportation leader. Mr. Alan said he heard about how Mr. McGoldrick saved the Princeton Dinky in the 1970s to the delight of Princetonians. Mr. Alan urged everyone to look to the future and join in the effort to give the riders of the future the best transit system.

Since there were no further comments or business, the Chairman called for adjournment and a motion to adjourn was made by Keith Barrack, seconded by Robert Smartt and unanimously adopted.

The meeting was adjourned at approximately 11:55 am.

**NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS INC.
NJ TRANSIT RAIL OPERATIONS INC.
NJ TRANSIT MERCER INC.
REGULARLY SCHEDULED BOARD OF DIRECTORS MEETING**

JUNE 8, 2005

MINUTES

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ACTION ITEMS

0506-29: NORTHERN BRANCH ENVIRONMENTAL IMPACT ANALYSIS: CONTRACT AMENDMENT	36239
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Authorization to amend the contract (No. 95CRO62) with Edwards & Kelcey, Inc. of Morristown, NJ in the amount for \$1,617,686, plus five percent for contingencies, for professional services to complete the environmental impact analysis for the Northern Branch service and for general planning and public outreach for transit service in the tri-county area for a total contract authorization of \$6,318,281.

0506-30: NEWARK DRAWBRIDGE REHABILITATION: CONTRACT AMENDMENT FOR ENGINEERING AND DESIGN	36242
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Authorization to amend the contract (No. 04-037) with Edwards and Kelcey of Morristown, NJ for the preparation of final design for the rehabilitation of Newark Drawbridge and adjacent spans, at cost not to exceed \$1,350,000 plus five percent for contingencies, for a total contract authorization of \$2,677,500.

0506-31: NEWARK PENN STATION TRACK 5 PLATFORM E REHABILITATION AND EXTENSION: CONTRACT AMENDMENT FOR FINAL DESIGN SERVICES	36245
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Authorization to amend the contract (No. 04-101) with Clough Harbour & Associates LLP of Parsippany, NJ, for the development of final

design documents for rehabilitation of Newark Penn Station Track 5 Platform E and an extension of the platform at a cost not to exceed \$2,500,000 plus five percent for contingencies, for a total contract authorization of \$3,465,000.

- 0506-32: REPLACEMENT OF LITTLE BRIELLE TIMBER BRIDGE ON THE NORTH JERSEY COAST LINE, POINT PLEASANT, OCEAN COUNTY, NEW JERSEY 36248

Authorization to contract (No. 05-082) with PKF Mark III, Inc. of Newtown, PA for the replacement of the Little Brielle Timber Bridge over the Manasquan River on NJ TRANSIT's North Jersey Coast Line in Point Pleasant, Ocean County, New Jersey at a cost not to exceed \$2,743,000, plus five percent for contingencies.

- 0506-33: PURCHASE OF LOW-SIDE GONDOLA CARS FOR NON-REVENUE RAILCAR FLEET 36251

Authorization to contract (No. 05-068) with Ebenezer Rail Car Services of West Seneca, NY, for the purchase of 13 low-side gondola rail cars, at a cost not to exceed \$1,085,500, plus five percent for contingencies, for a total contract authorization of \$1,139,775.

- 0506-34: EXTENSION AND AMENDMENT OF CONTRACTS WITH ASCOM TRANSPORT SYSTEMS FOR THE MAINTENANCE AND SUPPORT OF CUSTOMER TICKETING AND FARE COLLECTION SYSTEMS AND NETWORKS 36254

Authorization to amend and extend the existing Maintenance and Support contract (No. 99-CT-028) with Ascom Transport Systems of Norcross, GA for six months, with an additional six months extension if required, each in the amount of \$6,000,000, plus five percent for contingencies, for a total contract authorization of \$70,926,495.

- 0506-35: 69TH STREET GRADE SEPARATION PROJECT: PROPERTY ACQUISITION 36257

Authorization to acquire (whether by fee or easement, through agreement or condemnation) all properties listed in Exhibit A, required for the 69th Street Grade Separation Project and to provide grade relocation assistance if required, at a cost not to exceed \$2,018,200. Authorization is also sought to transfer title to these properties to NJDOT as soon as practical after acquisition.

- 0506-36: RAIL GEOGRAPHIC INFORMATION SYSTEM – PHASE 2 36263
- Staff seeks authorization to amend the contract (No. 01-049) with DMJM+HARRIS of Iselin, NJ for professional services for Phase 2 at a cost not to exceed \$1,878,000, plus five percent for contingencies, for a total contract authorization of \$4,528,650.
- 0506-37: PURCHASE OF MINIBUSES FOR CONTRACT SERVICES 36266
- Authorization to contract (No. 05-026) with American Bus & Coach, LLC of Trenton, NJ for the purchase of up to 24 minibuses at a cost not to exceed \$1,374,168, plus five percent for contingencies.
- 0506-38: BUS VIDEO SECURITY SYSTEMS PILOT PROJECT: CONTRACT AWARD 36268
- Authorization to enter into a contract (No. 04-097R) with Innovonics of New York, NY, for the purchase and installation of 50 bus video security systems at a cost not to exceed \$1,305,142, plus five percent or contingencies.
- 0506-39: MORRIS COUNTY LOCAL AND RURAL TRANSPORTATION (SECTION 5311 PROGRAM) BUS SERVICE 36271
- Authorization to contract with Pabco Transit, Inc. for the operation of Morris County local bus service and rural transportation bus service for a 36-month period at a cost not to exceed \$8,357,754, plus five percent for contingencies. Staff also seeks authorization to exercise an option to extend this contract for an additional two-year period, in accordance with the Request for Proposals (RFP) and the carrier's proposal, at a cost not to exceed \$6,301,352, plus five percent for contingencies for a total contract authorization of \$14,659,106.
- 0506-40: COMPUTER HARDWARE/SOFTWARE: SOLE SOURCE MAINTENANCE AND LICENSING AGREEMENT RENEWAL 36275
- Authorization to initiate sole source maintenance and licensing agreements with companies listed in Exhibit A of the resolution for the hardware and software required to operate NJ TRANSIT's Information Systems at a total cost not to exceed \$1,657,820 for one-year contracts with one optional year renewal at a cost not to exceed \$1,797,461 for a total contract authorization of \$3,455,281.

36214

- 0506-41: MONMOUTH-OCEAN-MIDDLESEX RAIL DRAFT ENVIRONMENTAL IMPACT STATEMENT: CONTRACT AMENDMENT 36279

Authorization to increase funding for contract (No. 01-018) with Systra Consulting, Inc. of Bloomfield, NJ in the amount for \$1,900,000 plus five percent for contingencies for professional services to complete the draft environmental impact statement and general planning and public outreach for a rail project in central New Jersey for a total contract authorization of \$6,720,000.

- 0506-42: RED BANK STATION – HIGH LEVEL PLATFORMS: CONSTRUCTION CONTRACT AWARD AND AMENDMENT TO CONSTRUCTION ASSISTANCE SERVICES CONTRACT 36282

Authorization to contract (No. 05-075) with George Harms Construction Co. of Farmingdale, NJ for the construction of high-level platforms, canopies, shelters, and associated customer amenities at Red Bank Station on the North Jersey Coast Line at a cost not to exceed \$6,590,275, plus five percent for contingencies.

Also, authorization to fund Phase III (Construction Assistance) of a professional service contract (No. 92CM0063) with Vollmer Associates of New York City, NY for Construction Assistance services related to the construction contract in the amount of \$111,715, plus five percent for contingencies for a total contract authorization of \$6,870,169.

CONSENT CALENDAR

- 0506-43: TRANS HUDSON EXPRESS TUNNEL – LEGAL SERVICES FOR ENVIRONMENTAL AND LAND USE REVIEW 36286

Authorization to compensate the law firm of Paul, Hastings, Janofsky & Walker LLP of New York, NY as Special Counsel in accordance with the New Jersey Attorney General's designation for environmental and land use review for THE Tunnel project at a cost not to exceed \$400,000.

36215

- 0506-44: SUBSTRUCTURE REHABILITATION OF THE RARITAN RIVER DRAWBRIDGE ON THE NORTH JERSEY COAST LINE: AMENDMENT TO CONSTRUCTION CONTRACT 36289
- Authorization to amend the contract (No. 05-030) with Trevcon Construction Company, Inc. of Liberty Corner, NJ for the substructure rehabilitation to the Raritan River Drawbridge, at an additional cost not to exceed \$420,000, plus five percent for contingencies, for a total contract authorization of \$2,088,450.
- 0506-45: REGULATIONS: ADOPTION OF REGULATIONS N.J.A.C. 16:88 CLAIM FORM 36292
- Authorization to take all actions necessary to adopt and promulgate the regulations N.J.A.C. 16:88 et seq. Claim Form, consistent with this Board item and exhibits.
- 0506-46: ANNUAL NOTICE OF MEETING 36308
- Adopt the Annual Notice of Meetings (Exhibit A) for all of the Board of Directors meetings during Fiscal Year 2006.
- 0506-47: ANNUAL DESIGNATIONS AND BOARD COMMITTEE MEMBERSHIP SELECTIONS 36311
- Approval of this item will designate Myron P. Shevell to serve as Vice Chairman of the Board of Directors and Gwen A. Watson as Secretary of the Board of Directors through June 2006 and appoint the members of all Board Committees as set forth in Exhibit A.
- PUBLIC COMMENTS ON NON-AGENDA ITEMS 36209

EXECUTIVE SESSION AUTHORIZATION

BE IT HEREBY RESOLVED pursuant to N.J.S.A. 10:4-12 and N.J.S.A. 10:4-13 that the Board of Directors of the New Jersey Transit Corporation hold an executive session to discuss litigation matters and contract negotiations; and

BE IT FURTHER RESOLVED that it is expected that discussions undertaken at this executive session could be made public at the conclusion of these matters as appropriate.

APPROVAL OF MINUTES

WHEREAS, the By-Laws provide that the minutes of actions taken at meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, Inc. Board of Directors be approved by the Board; and

WHEREAS, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the May 11, 2005 Board meeting of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc. and NJ TRANSIT Mercer, Inc. were forwarded to the Governor on May 16, 2005;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the May 11, 2005 New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, Inc. Board of Directors' meetings are hereby approved.

(NJ TRANSIT BOARD – 6/8/05)
Richard J. Codey
Acting Governor

Jack Lettiere
Board Chairman

George D. Warrington
Executive Director

NJ TRANSIT
One Penn Plaza East
Newark, New Jersey 07105-2246
973-491-7000

0736218

TO: BOARD OF DIRECTORS
FROM: GEORGE D. WARRINGTON
DATE: JUNE 8, 2005
SUBJECT: EXECUTIVE DIRECTOR'S REPORT – JUNE 2005

This weekend, we will complete the final stage of a modernization project to consolidate railroad functions at the state-of-the-art Rail Operations Center (ROC) in Kearny, where we have centralized control over railroad signals, switches, power, moveable bridges and communications.

This extremely complex work will bring control of Hoboken Terminal, the last independently controlled portion of NJ TRANSIT rail territory, into the ROC. Since the Terminal opened in 1907, its territory has been controlled from Terminal Tower, which overlooks the facility from the west end of tracks 7 and 8. From that vantage point, operators have controlled Hoboken's 150 signals and switches and more than 300 daily train movements and 200 yard moves.

The time has finally come to bring Hoboken into the modern era of railroading, and under the control of our consolidated operations center.

Work began more than two years ago and has proceeded with minimal customer impact, culminating this weekend with the cut-in of the north side of Hoboken Terminal. Once complete, the project will produce an array of benefits, including improved train management and communication to customers through automated, real-time train status information, which will be centralized at the ROC for the first time. It will enable rail managers to view all train movements on NJ TRANSIT territory at once, facilitating faster decision-making. In addition, we will gain the ability to replay the history of any train movement at Hoboken Terminal, which provides an important learning and safety-training tool.

On the customer service front, next week we will unveil a new timetable design that represents the first major systemwide redesign in 25 years. We began this process with extensive research to learn what our customers wanted to see in a new design, and they told us they wanted a timetable that provided comprehensive schedule and fare information in a clean and easy-to-read format.

Borrowing from the best rail timetable designs from around the world, the new design incorporates specific customer suggestions, including simplified text, modern graphics, and an accordion-fold layout with inbound and outbound service on the same side of the timetable.

In addition to meeting our customer service objectives, the new timetables will meet our business objectives, saving approximately \$150,000 by bringing the printing in-house. In addition, our use of recycled paper will save about 1,000 trees per year.

Finally, I would like to take this opportunity to recognize John McGoldrick for his 25 years of service on the NJ TRANSIT Board of Directors. John was appointed to the Board by Governor Byrne in 1979—at a time when the Corporation was little more than the unreliable remains of our predecessor companies. Since then, John has served as a tireless advocate on behalf of our customers and has played a key role in making NJ TRANSIT the world-class transportation system we enjoy today.

John, on behalf of all NJ TRANSIT employees and customers, thank you for your 25 years of service, and best wishes in your future endeavors.

EXECUTIVE DIRECTOR'S MONTHLY REPORT MAY 2005

- 1. HIGHLIGHTS**

- 2. CUSTOMER AND COMMUNITY INITIATIVES**

- 3. EMPLOYEE RECOGNITION**

- 4. DBE/MBE PROGRAM**

- 5. PERFORMANCE MEASURES**

HIGHLIGHTS

Web improvements keep coming with new Fast Fares feature

Last summer, NJ TRANSIT launched its new and improved website, www.njtransit.com. Customer feedback drove a complete redesign including new navigation, a new homepage, and new features, such as "Quick Links" and the "NJ TRANSIT News" scroll. In March, a new station information section was added to the site where customers can find complete details with crisp graphics and maps to highlight all rail station and parking locations, as well as contact phone numbers and directions.

Last week, the Corporation launched a new Fast Fare section that will be an important tool in helping customers understand our new fares, which take effect on July 1. The new and improved Fast Fare function provides current and July 1 fares for the rail and light rail systems, as well as from major terminals, park/rides and town centers on the bus network.

The new Fast Fares section was scheduled launch in late 2005, but was moved to the front burner to help customers with the fare change. As a result of this work, the NJ TRANSIT website provides more comprehensive fare information than any other transit agency site in the nation.

NJ TRANSIT performs emergency preparedness exercise in Ramsey

In conjunction with emergency response agencies from the Borough of Ramsey and the Bergen County Office of Emergency Management, NJ TRANSIT conducted an emergency preparedness exercise involving a passenger train at the Ramsey Route 17 Station on May 22. The exercise, which featured more than 200 emergency responders, was part of NJ TRANSIT's ongoing commitment to coordinate efforts and communication between local emergency responders and the Corporation to prepare for possible emergency events at or near transit property.



Several frontline departments, including Police, Rail, Bus, and Customer Service, participated in the event.

NJ TRANSIT to complete new railroad signal modernization in Hoboken

Earlier this year, NJ TRANSIT began installation of a new signal system at Hoboken Terminal that will result in more efficient operations and improved performance. The work represents the final stage of a modernization project to consolidate all NJ TRANSIT railroad functions at the Corporation's state-of-the-art Rail Operations Center—"the ROC"—in Kearny, which has centralized control over railroad signals, switches, power and moveable bridges. Currently, switches and signals within the Hoboken Terminal District are controlled from Terminal Tower, located at the west end of tracks 7 and 8.

To accommodate this work, North Jersey Coast Line and Raritan Valley Line train service between Newark Penn Station and Hoboken will be suspended from 8 p.m. Friday, June 10 until 5 a.m. Monday, June 13. During this time, trains will originate and terminate at Newark Penn Station at their regularly scheduled times. Customers may use their NJ TRANSIT tickets and passes on the PATH system for travel between Hoboken and Newark at no additional charge.

NJ TRANSIT hosts Operation Lifesaver program for 300 students

In May, NJ TRANSIT and the New Jersey Operation Lifesaver Committee presented a rail safety education program to 300 students from Thomas Richards School in Atco and Waterford School in Waterford.

Students took a roundtrip train ride from Atco Station to Atlantic City on NJ TRANSIT's Atlantic City Line. Aboard the train, students participated in a safety education program by the NJ TRANSIT Rail Safety Department, Rail Operations (Atlantic City Line) and police personnel. Following the trip, NJ TRANSIT presented awards for winners of a rail safety poster contest at each school.

Operation Lifesaver is a national program dedicated to reducing accidents, injuries and fatalities at railroad grade crossings. Last year, the NJ TRANSIT Rail School Safety program reached more than 38,000 students.

CUSTOMER AND COMMUNITY INITIATIVES

NJ TRANSIT premieres 2005 summer services with a beach party

New York Penn Station's Seventh Avenue Concourse was transformed into a summertime oasis on June 1 for the premiere of NJ TRANSIT's 2005 Summer Services.

Travelers got a preview of the summertime deals available to them when they ride NJ TRANSIT, as well as details on express train and bus schedules to popular summer destinations. The Concourse was transformed to look more like the Jersey Shore than a commuter train station, as customers were treated to live music, beach games, and great prizes, including passes to Six Flags Great Adventure, Monmouth Park Raceway, and Atlantic City destinations.

Express rail service to the Jersey Shore

NJ TRANSIT provides frequent rail service to shore destinations from Hoboken, Newark, Secaucus and New York Penn Station, with more than 40 trains serving shore communities each day. As an added incentive to take the train, NJ TRANSIT will launch weekend express service on June 18 from New York and Newark, which will shave 27 minutes off the standard travel time. The outbound train will depart New York Penn Station at 9:01 a.m. on Saturdays, stop at Newark Penn Station at 9:17 a.m. and express to Long Branch, arriving at 10:08 a.m. Customers may connect at Long Branch for shuttle service to Bay Head. For the return trip, an express train will depart Long Branch on Sundays at 7:43 p.m., arrive in Newark at 8:29 p.m. and arrive New York at 8:50 p.m.

NJ TRANSIT has unveiled a fresh slate of 2005 beach packages, seeking to build on last year's strong weekend ridership on the North Jersey Coast Line. The line carried more than 22,000 passengers each weekend of the summer, seven percent higher than the previous summer and roughly 30 percent higher than the off-season. By purchasing a beach package, customers receive roundtrip rail tickets and beach admission for one low price— \$13 from Hoboken or Newark, and \$16.50 from New York, Secaucus, and New Jersey stations along the Main/Bergen and Pascack Valley lines.

Bus service to Six Flags Great Adventure and Wild Safari

Customers seeking more of a thrill are encouraged to check out Kingda Ka, the world's tallest and fastest rollercoaster, at Six Flags Great Adventure and Wild Safari. NJ TRANSIT customers can save up to \$25.87 off park admission when they purchase a package that

includes roundtrip express bus transportation and park admission. Buses depart daily from the Port Authority Bus Terminal at 9:30 a.m. and from Newark Penn Station at 10 a.m.

Pony Express rail service to Monmouth Park Racetrack

Monmouth Park Racetrack is the shore's greatest stretch, and NJ TRANSIT's Pony Express is the best way to get there. The popular train returns this year with an extra five weeks of service, operating Saturdays, Sundays and holidays from May 14 through September 25 to coincide with the horse racing season. The train arrives in plenty of time for the first race and daily double, and departs 15 minutes after the last race listed in the program. Best of all, Pony Express riders get free Grandstand Admission to the Park.

Quik-Tik Customers get chance to win PGA Championship Tournament tickets

New Jersey's hottest sporting event will take place this summer at Baltusrol Golf Club in Springfield, and one lucky NJ TRANSIT customer may be a few clicks away from being there in person just by signing up for NJ TRANSIT's Quik-Tik program.

Customers who enroll in Quik-Tik on or before June 9 will be automatically entered in a drawing for prizes that include two tickets to the 87th PGA Championship tickets and rail transportation to the event. No purchase is necessary, and current Quik-Tik customers are automatically entered.

The PGA has named NJ TRANSIT the "Preferred Transportation Partner," since the best way to access the championship tournament will be train.

In addition to the tournament tickets, customers also have the chance to win other prizes, including a free NJ TRANSIT Monthly Pass, admission for four to Six Flags Great Adventure, tickets to Hurricane Harbor, a World Yacht New York gift certificate, and Empire State Observatory tickets.

Customers who enroll in Quik-Tik enjoy the convenience of having their rail, bus or light rail passes delivered to their mailbox and having the transaction automatically billed to their credit or debit card each month. Convenient online account management enables customers to change their itinerary, update billing information or temporarily suspend receiving Quik-Tik passes, all without leaving home.

River LINE runs 2-car trains for the opening of Adventure Aquarium

NJ TRANSIT doubled capacity on the River LINE during midday hours from May 25 – 27 to accommodate customers attending the opening of the Adventure Aquarium in Camden. The light rail service operated two-car trains beginning with the 7:30 a.m. southbound departure from Trenton and continuing through the start of the evening rush hour at 4 p.m.

The River LINE offers direct service to Adventure Aquarium with a station stop located steps from its front door. The aquarium is open daily from 9:30 a.m. until 5 p.m.

Adventure Aquarium is just one of several cultural and entertainment venues served by the light rail system. Last week, NJ TRANSIT announced River LINE summer promotions that include a variety of discounts for customers visiting entertainment, recreation, and cultural attractions served by the light rail system.

Between Memorial Day and Labor Day, PATCO High Speed Line customers can ride the River LINE between the Walter Rand Transportation Center and the Waterfront Entertainment Center at no extra cost for the summer, thanks to a special partnership between NJ TRANSIT and the Delaware River Port Authority (DRPA). To take advantage of the offer, PATCO customers must present their tickets to River LINE Fare Inspectors as proof of payment upon request.

Delaware Valley residents are discovering the comfort and convenience of using the River LINE to access recreational and entertainment events, not only in Camden, but also attractions along its 34-mile route. Since its launch last year, the light rail line has provided trips to entertainment, cultural and sporting venues that include the historic Battleship New Jersey, Campbell Field – the home of the Camden Riversharks, the Tweeter Center and Sovereign Bank Arena, as well as dining and cultural venues. Customers can also make connections to NJ TRANSIT and Amtrak rail service in Trenton for travel to New York City and Philadelphia.

River LINE offers late night service from the Camden Waterfront Entertainment Center Station to the 36th Street Station park-and-ride in Pennsauken until midnight on weeknights and until 1:15 a.m. on Saturdays (early Sunday morning). Special late night service between Camden and Trenton is offered until midnight on Saturdays.

EMPLOYEE RECOGNITION

NJ TRANSIT employees bid farewell after outstanding careers

Thirteen NJ TRANSIT employees retired in May with careers ranging from 10 to 37 years of service

1. Harold A. Bailey (Morris Plains) General Office Building Manager Payroll Rail Systems – 37 years
2. Arthur L. Clark, Jr. (East Stroudsburg, PA) Hilton Garage Stock Clerk – 27 years
3. John L. Penland (Monroe Township) Howell Garage Bus Operator – 27 years
4. Raymond E. Lupkowski (Saddle Brook) Market Street Garage Mechanic "A" – 26 years
5. Joseph Horn, Jr. (Chatsworth) Hamilton Garage Store Clerk – 25 years
6. Eugene M. Timmons (Sussex) Wayne Garage Bus Operator – 23 years
7. Hector Carrillo (Paterson) Wayne Garage Bus Operator – 21 years
8. Reinaldo G. Cupere (Hackensack) Market Street Garage Bus Operator – 21 years
9. Gheorghe Vasile (Kearny) Central Maintenance Facility Mechanic "A" – 20 years
10. Kenneth H. Tonic, Sr. (East Orange) Penn Plaza Revenue Agent – 19 years
11. Kenneth Williams (Sicklerville) Washington Township Bus Operator – 15 years
12. Dudley S. Edwards (North Brunswick) Hilton Garage Bus Operator – 12 years
13. Angelo Angelakis (Toms River) Fairview Garage Bus Operator – 10 years

NJ TRANSIT Transit Arts Program honored

NJ TRANSIT's Transit Arts Program took home the Aljira Leadership in the Arts Award last week for its "commitment to promoting the development of art in public spaces by creating a framework for the arts."

Sheila McKoy, NJ TRANSIT Program Manager for Transit Arts, accepted the award on behalf of the Corporation.

Aljira is a not-for-profit contemporary visual art center founded in 1983. In the proclamation honoring NJ TRANSIT, Aljira said, "In the time-honored tradition of art in public places, the [NJ TRANSIT] Transit Arts Program is focused on creating not merely artwork for a place, but a place for art."

NJ TRANSIT Police Department awards top honors

NJ TRANSIT Police Department held its annual awards ceremony on May 20, where 27 awards were presented to police officers in various categories.

Unit Citation Award:

- Sergeant Edward Landoli (2)
- Sergeant Patrick Clark
- Detective Jaime Almario (2)
- Detective Laquan Hudson (2)
- Detective Miguel Valido
- Detective Tracy Brooks
- Officer Christopher LaMotta
- Officer Keith Hirschbein
- Officer Vladimir Vaval
- Officer Dean Kenny
- Officer Martin Rowe
- Officer Dean Kenny

Life Saving Award:

- Sergeant John Reichart
- Officer John Egger
- Officer Jose Martinez
- Officer Robert Scott

Excellent Police Service Award:

- Sergeant Andrew Crowe
- Officer Amy McKenna
- Officer John Feehan

Meritorious Duty Award:

- Officer Thomas Gillen
- Officer Robert Scott

Civilian Commendation Award:

- Theodore Reick, signal maintainer, NJ TRANSIT
- Linda Devries, assistant supervising fingerprint technician, N.J. State Police

DBE/MBE PROGRAM

NJ TRANSIT – Office of Business Diversity SBE/DBE/WBE Participation

Federally Funded Contracts

\$19,995,797 in federal funds was awarded during October thru May of FY 05*. Disadvantaged Business Enterprises (DBEs) were awarded \$3,293,632 or 16.5 percent, which includes both race conscious and race_neutral awards.

State Funded Contracts

\$50,775,865 in state-funded contract dollars was awarded during July through May FY 05**. Of that total, Small Business Enterprises (SBEs) received \$10,540,235 or 20.7 percent. Category 1 SBEs received \$6,155,366 or 12.1 percent. Category 2 SBEs received \$672,250 or 1.3 percent. Category 3 SBEs received \$113,354 or 0.2 percent. Category 4 SBEs received \$2,467,348 or 4.9 percent. Category 5 SBEs received \$1,131,917 or 2.2 percent***.

Federal & State Contracts Total

For this reporting period, NJ TRANSIT awarded \$70,771,662 in federal and state contract dollars. Of that total, \$13,833,867 or 19.5 percent of federal and state contract dollars was won by DBEs and SBEs.

Hudson-Bergen Light Rail System Project

Of \$1,449,298,695 in contract dollars awarded for the Hudson-Bergen Light Rail Transit System project****, \$180,460,061 or 12.5 percent has been received by DBEs. Of the \$180,460,061, 6 percent or \$86,735,609 has been won by Women Business Enterprises (WBEs) who are classified as DBEs.

* Fiscal year beginning October 1, 2004

** Fiscal year beginning July 1, 2004

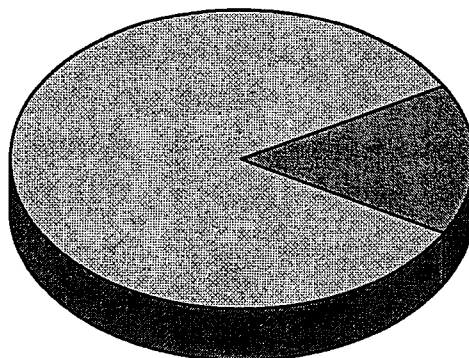
*** Cat 1-Less than \$500,000 gross revenues, Cat 2-Less than \$5 million, Cat 3-Less than \$12 million, Cat 4 (construction)-Less than \$1 million, Cat 5 (construction)-Less than \$17,420,000

**** This YTD figure reflects federal dollars expended on an annual basis; including change orders, for the period from December, 1996 through March 2005

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**DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FYTD (THRU MAY 2005)**

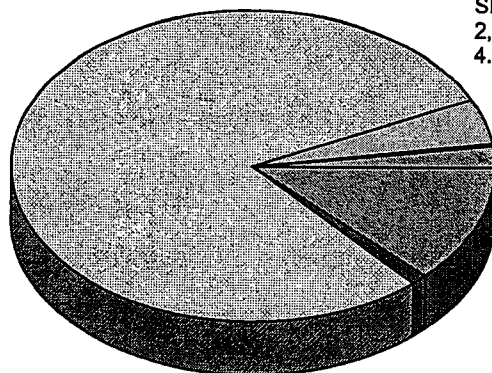
NON-DBE
FEDERAL
12,938,834
83.5%



DBE RACE
NEUTRAL &
RACE
CONSCIOUS
2,025,582
16.5%

**SBE PARTICIPATION
STATE CONTRACTS
STATE FYTD (THRU MAY 2005)**

NON-SBE STATE
40,235,630
79.2%



SBE-4
2,467,348
4.9%

SBE-3
113,354
0.2%

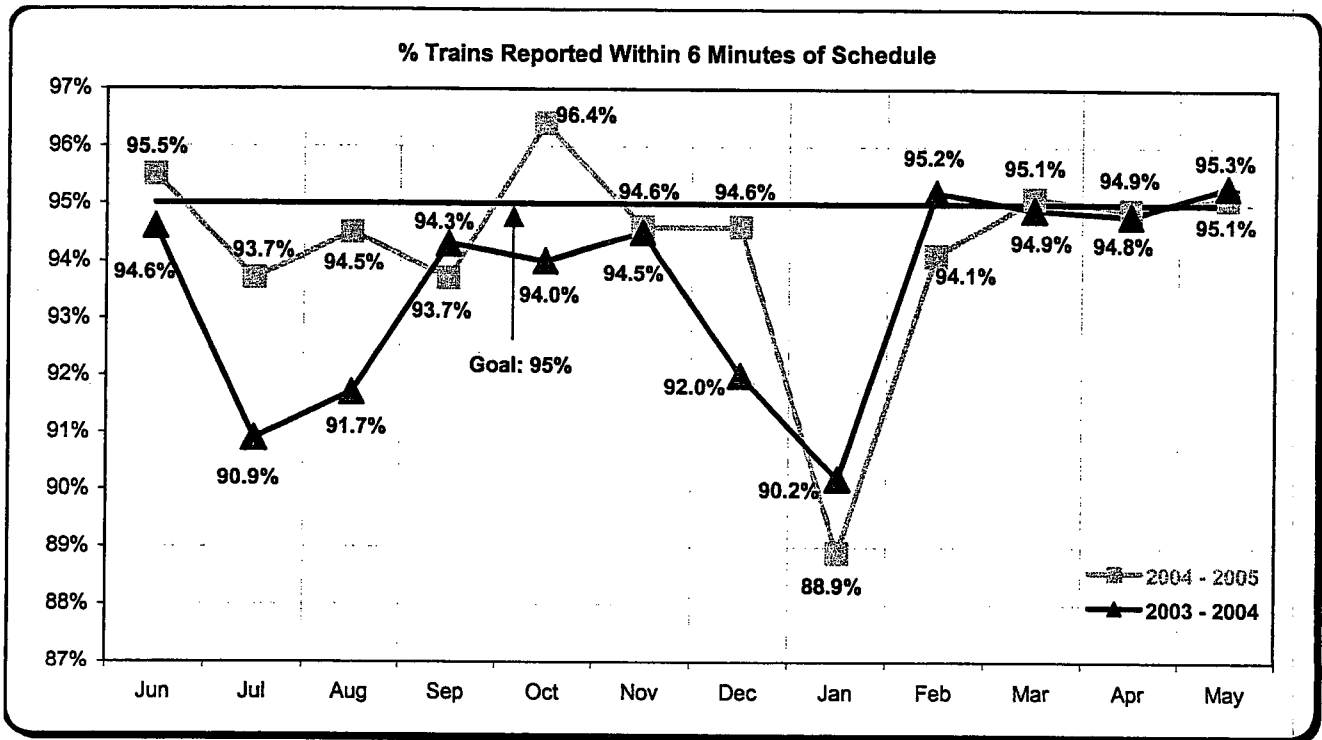
SBE-5
1,131,917
2.2%

SBE-1
6,155,366
12.1%

SBE-2
672,250
1.3%

PERFORMANCE MEASURES

NJ TRANSIT ON TIME PERFORMANCE RAIL JUNE 2003 - MAY 2005



	2004	2005	# Change
May Comparison	95.3%	95.1%	-0.2%

	2003 - 2004	2004 - 2005	# Change
12-Month Average June - May	93.5%	94.3%	0.8%

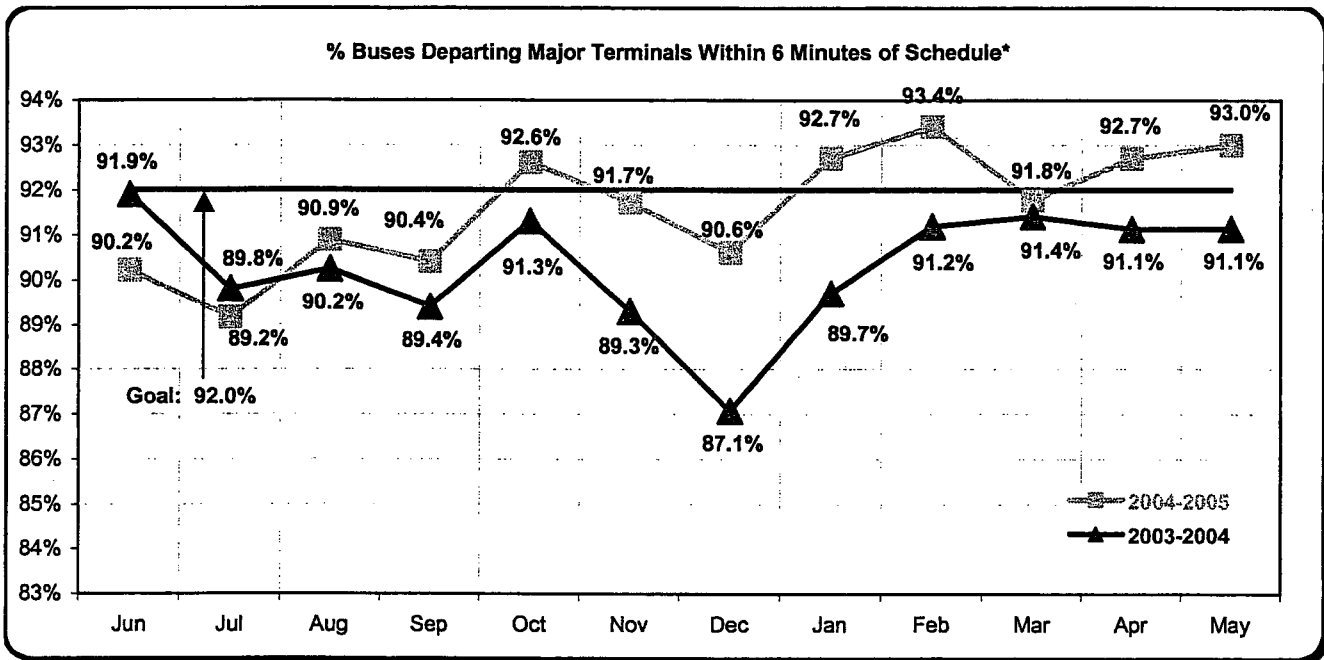
Analysis:

Systemwide, Rail On Time Performance for May 2005 was 95.1%, just slightly below the performance of May 2004. Of the 18,769 trains that were scheduled to operate, 17,847 were on time, while 922 trains (or 4.9%) were delayed.

The most significant event impacting performance during the month was the May 12 fire at Amtrak's Portal Bridge, which carries all NJ TRANSIT trains traveling to and from New York City. A total of 157 trains were affected by the service disruption, with 68 either cancelled or annulled. The following day, all MidTOWN DIRECT trains were diverted to Hoboken Terminal to reduce anticipated congestion due to operating speed restrictions on the bridge.

The 12-month average for Rail On Time Performance systemwide for June 2004 - May 2005 was 94.3%, 0.8 of a percentage point above the average for the previous 12-month period.

NJ TRANSIT ON TIME PERFORMANCE BUS JUNE 2003 - MAY 2005



	2004	2005	# Change
May Comparison	91.1%	93.0%	1.9%
12-Month Average June - May	90.3%	91.6%	1.3%

Analysis:

Bus On Time Performance for May 2005 was 93.0%, surpassing the goal of 92.0%. Of the 30,981 monitored departures, 2,170 (or 7.0%) experienced delays. Significant sources of delay included:

An accident at 6th and Vine Streets in Philadelphia resulting in delays near the Walter Rand Transportation Center on May 4th;

The closure of Highway 676 during the morning rush hour, resulting in delays for the Walter Rand Transportation Center on May 19th;

A breakdown in the center tube of the Lincoln Tunnel resulting in gridlock conditions near the Port Authority Bus Terminal on May 20th;

An accident at the intersection of the Atlantic City Expressway and the Garden State Parkway resulting in delays near the Atlantic City Bus Terminal on May 27th; and

Heavy traffic heading to the NJ shore during the Memorial Day weekend resulting in delays for the Atlantic City Bus Terminal on May 29th.

The 12-month average for Bus On Time Performance for June 2004 - May 2005 was 91.6%, 1.3% above the average for the previous 12-month period.

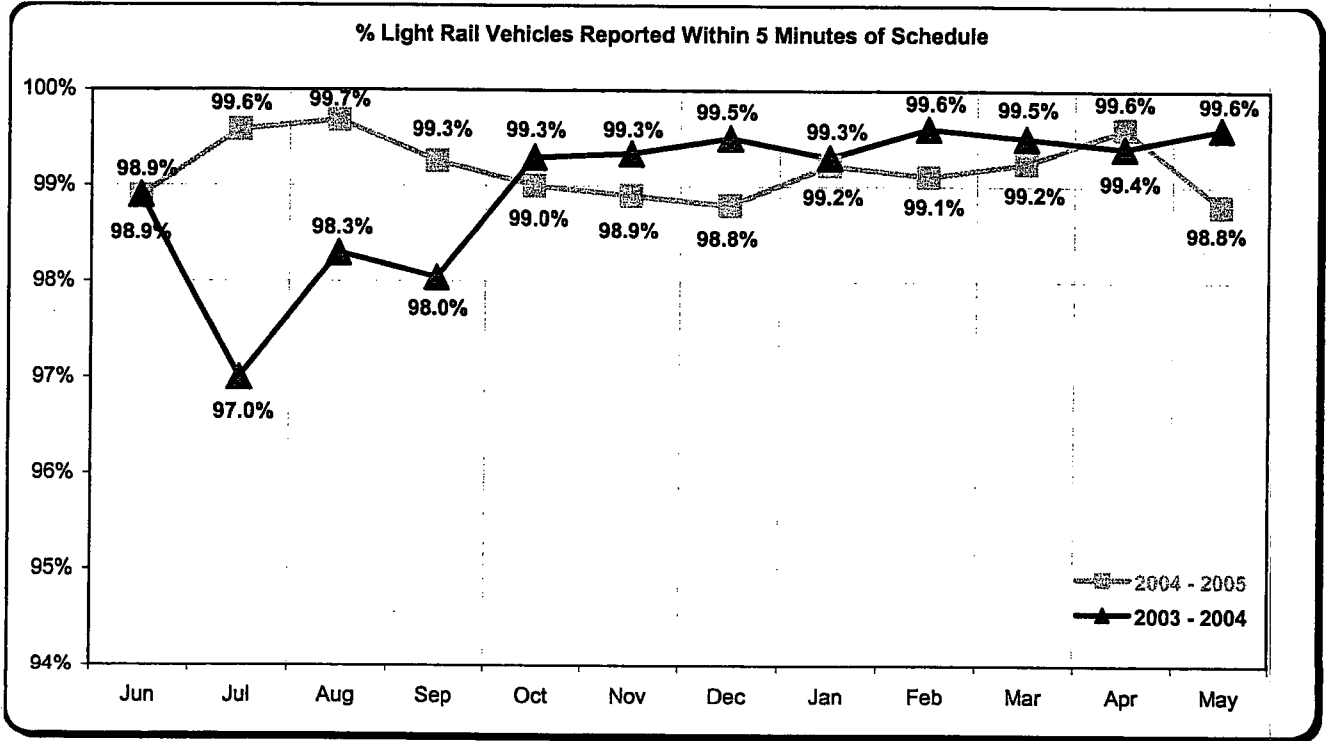
*Note: Includes the Walter Rand Transportation Center, Atlantic City Bus Terminal, Port Authority Bus Terminal and Newark Penn Station

NJ TRANSIT

ON TIME PERFORMANCE

HUDSON-BERGEN LIGHT RAIL

JUNE 2003 - MAY 2005



	2004	2005	# Change
May Comparison	99.6%	98.8%	-0.8%

	2003 - 2004	2004 - 2005	# Change
12-Month Average June - May	99.0%	99.2%	0.2%

Analysis:

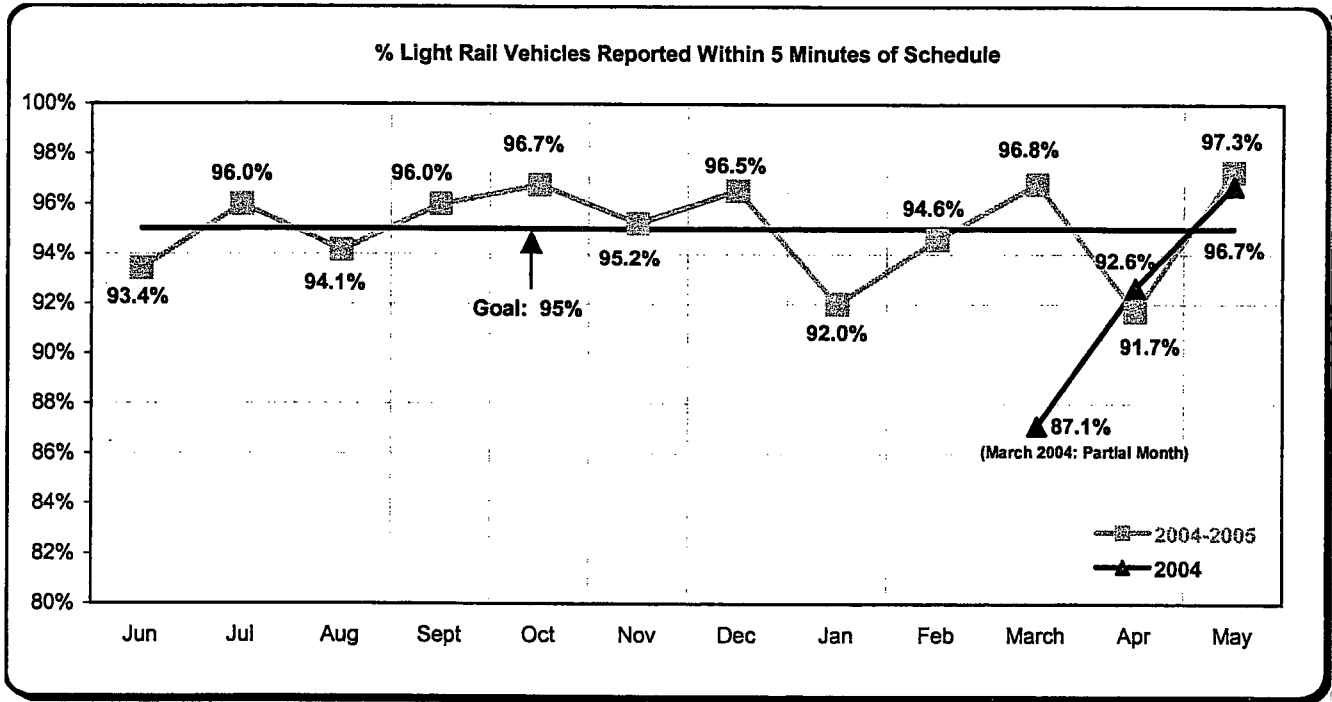
Hudson-Bergen Light Rail (HBLR) On Time Performance for May 2005 was 98.8%, 0.8 of a percentage point below the rate of May 2004. Of the 16,376 scheduled trips for the month, 192 (or 1.2%) were delayed. Major causes for delay included:

Programmed maintenance activities on May 21st; and

A stalled automobile on the tracks on May 24th.

The 12-month average for HBLR On Time Performance for June 2004 - May 2005 was 99.2%, 0.2 of a percentage point above the average for the previous 12-month period.

NJ TRANSIT ON TIME PERFORMANCE River LINE MARCH 2004 - MAY 2005



	2004	2005	# Change
May Comparison	96.7%	97.3%	0.6%

	2004	2004 - 2005	# Change
12-Month Average June - May	N/A	95.0%	N/A

Analysis:

River LINE On Time Performance for May 2005 was 97.3%, 0.6 of a percentage point above the 96.7% level for May 2004. Of the 3,000 trips scheduled for the month, 80 delays were reported. Major causes of delay included:

- A signal equipment malfunction on May 10th;
- A grade crossing incident on May 25th; and
- An equipment malfunction on May 27th.

The 12-month average for the River LINE On Time Performance for June 2004 - May 2005 was 95.0%, meeting the established goal for performance.

ACTION ITEMS

**ITEM 0506-29: NORTHERN BRANCH ENVIRONMENTAL IMPACT ANALYSIS:
CONTRACT AMENDMENT**

BENEFITS

The Northern Branch rail line, between Tenafly and North Bergen, is an element of NJ TRANSIT's Tri-County Rail Plan for Hudson, Bergen, and Passaic Counties. The Plan was unveiled at a recent Bergen County transportation summit in October 2004 and subsequently presented to the public at several other forums.

The Tri-County Rail Plan represents an integrated network of new and existing rail passenger service connecting northern New Jersey residents to a variety of entertainment and employment destinations, including, the Meadowlands Sports Complex, the Hudson River waterfront, and county capital complexes. Most notably, a one-seat ride to Midtown Manhattan from several NJ TRANSIT routes will be available with the implementation of the Trans-Hudson-Express Tunnel.

The proposed contract amendment will complete the environmental impact analysis and concept planning work for reactivation of passenger rail service on the Northern Branch in Eastern Bergen County. The proposed work also includes concept planning for passenger rail service on the West Shore rail line, which is also part of the Tri-County Rail Plan.

PURPOSE

The authorization will allow the development of an environmental impact analysis for the Northern Branch, between Tenafly and North Bergen, using Federal Railroad Administration compliant Diesel Multiple Unit (DMU) rail service, a type of rail service powered by self-propelled railcars. This work will also include delineation of infrastructure elements, operations analysis for DMU vehicles and public outreach in support of the rail expansion plan.

The authorization will also include planning work for future transit services contained in the Tri-County Rail Plan including the proposed West Shore rail line that would build on regional connectivity provided by Secaucus Junction and the Meadowlands Sports Complex rail station, now in final design. The environmental impact analysis will be performed under Federal Transit Administration guidelines.

ACTION (Capital Program Justification: New Start Expansion)

Staff seeks authorization to amend the contract (No. 95CRO62) with Edwards & Kelcey, Inc. of Morristown, NJ in the amount for \$1,617,686, plus five percent for contingencies, for professional services to complete the environmental impact analysis for the Northern Branch service and for general planning and public outreach for transit service in the tri-county area for a total contract authorization of \$6,318,281.

This item has been reviewed and recommended by the Board Administration and Capital Planning, Policy and Privatization Committees.

FISCAL IMPACTS

Requested Authorization:	\$1,617,686 + 5% contingency (Increase) \$6,318,281 (Total Contract)
Total Project Cost:	\$6,600,000
Projected Completion Date:	May 2006
Anticipated Source of Funds:	FTA FY2002 Sec. 5309 Bus Earmark (NJ-03-0152)
DBE Goal/Participation:	35% Goal for project
Related/Future Authorizations:	Authorization to initiate preliminary engineering, land acquisition, final design, construction, construction management, and construction assistance
Impacts on Subsequent Operating Budgets:	N/A

RESOLUTION

WHEREAS, NJ TRANSIT is working to improve the quality and expand the availability of the public transit system; and

WHEREAS, restoration of passenger rail service on the Northern Branch and transit access improvements in the greater Bergen, Passaic and Hudson tri-county area will support this goal; and

WHEREAS, completion of the environmental impact analysis will evaluate use of Federal Railroad Administration compliant diesel multiple unit rail cars on the Northern Branch and concept planning work will study transit service in the tri-county area to improve regional connectivity; and

WHEREAS, NJ TRANSIT previously contracted with Edwards & Kelcey, Inc. to begin the environmental impact analysis for the Northern Branch as part of the West Shore Region environmental studies;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to amend the contract with Edwards & Kelcey, Inc. of Morristown, NJ in the amount of \$1,617,686, plus five percent for contingencies for professional services to complete the environmental impact analysis for the Northern Branch service and for general planning and public outreach for transit service in the tri-county area for a total contract authorization of \$6,318,281, subject to the availability of funds.

ITEM 0506-30: NEWARK DRAWBRIDGE REHABILITATION: CONTRACT AMENDMENT FOR ENGINEERING AND DESIGN

BENEFITS

NJ TRANSIT periodically performs in-depth inspections of bridges that include a review of the structural, mechanical, electrical and underwater components. The inspection reports for the Newark Drawbridge and adjacent spans indicate that interim repairs should be implemented to extend the useful life of the existing structures that were constructed around 1905.

The rehabilitation of Newark Drawbridge and the adjacent spans will extend the useful life of the infrastructure and will mitigate the need for more costly repairs in the future.

PURPOSE

Authorization of this contract amendment will allow for the final design for rehabilitation of Newark Drawbridge and adjacent spans between Passaic Avenue, Harrison and Broad Street, Newark to extend the useful life of the structures for another 20 years.

Upon satisfactory completion of final design for the rehabilitation of Newark Drawbridge and adjacent bridge structures, staff intends to request additional authorization for construction and for construction assistance.

ACTION (Capital Program Justification: State of Good Repair)

Staff seeks authorization to amend the contract (No. 04-037) with Edwards and Kelcey of Morristown, NJ for the preparation of final design for the rehabilitation of Newark Drawbridge and adjacent spans, at cost not to exceed \$1,350,000 plus five percent for contingencies, for a total contract authorization of \$2,677,500.

This item has been reviewed and recommended by the Board Capital Planning, Policy and Privatization Committee.

FISCAL IMPACTS

Requested Authorization:	\$1,350,000 + 5% contingency (Amendment) \$2,677,500 (Total Contract)
Total Project Cost:	\$37,000,000 (Rehabilitation Cost)
Projected Date of Completion:	December 2006 - Design for Bridge Rehabilitation
Anticipated Source of Funds:	FTA/TTF

DBE Goals:

5%

Related/Future Authorization:

Construction, Construction Assistance and Construction Management

Impact on Subsequent Operating Budgets:

Will reduce routine and emergency responses to structural concerns on the bridge and approach spans

RESOLUTION

WHEREAS, NJ TRANSIT seeks to maintain its infrastructure in a state of good repair, and

WHEREAS, periodic bridge inspections have indicated the need for rehabilitation of Newark Drawbridge and adjacent spans;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to amend the contract with Edwards and Kelcey of Morristown, NJ for the preparation of final design for the rehabilitation of Newark Drawbridge and adjacent spans at a cost not to exceed \$1,350,000 plus five percent for contingencies, for a total contract authorization of \$2,677,500, subject to the availability of funds.

ITEM 0506-31: NEWARK PENN STATION TRACK 5 PLATFORM E REHABILITATION AND EXTENSION: CONTRACT AMENDMENT FOR FINAL DESIGN SERVICES

BENEFITS

This contract amendment will authorize final design for rehabilitation and extension of Track 5 Platform E in Newark Penn Station. The rehabilitation of other Newark Penn Station platforms will follow at a later date.

The project will restore the deteriorated station platform, improve the appearance and functionality of passenger boarding areas, and extend the platform to provide greater capacity for longer Raritan Valley Line trains.

PURPOSE

Recent inspections have revealed a need for extensive repair and rehabilitation of the station's five rail platforms including replacement or rehabilitation of roof drainage systems, canopy structure, ductwork, walls, windows, doors, passenger waiting areas, signage, lighting, and brickwork.

In July 2004, the NJ TRANSIT Board of Directors authorized preliminary design for the platform rehabilitation project with Clough Harbour & Associates LLP. The proposed authorization will advance the final design for Track 5 Platform E only and add full design services for an extension of platform E.

ACTION (Capital Program Justification: State of Good Repair)

Staff seeks authorization to amend the contract (No. 04-101) with Clough Harbour & Associates LLP of Parsippany, NJ, for the development of final design documents for rehabilitation of Newark Penn Station Track 5 Platform E and an extension of the platform at a cost not to exceed \$2,500,000 plus five percent for contingencies, for a total contract authorization of \$3,465,000.

This item has been reviewed and recommended by the Capital Planning, Policy and Privatization Committee.

FISCAL IMPACTS

Requested Authorization: \$2,500,000 + 5% contingency (Amendment)
\$3,465,000 (Total Contract)

Total Project Cost: \$85,000,000 (Estimated construction cost for all platform rehabilitation)

Projected Date of Completion:	Completion of final design - July 2006
Anticipated Source of Funds:	FTA/TTF
DBE Goal:	20%
Related/Future Authorizations:	\$20,000,000 – Construction Contract and Construction Assistance
Impacts on Subsequent Operating Budgets:	Will minimize future facility repair costs

RESOLUTION

WHEREAS, NJ TRANSIT seeks to improve its transportation facilities and maintain them in a state of good repair; and

WHEREAS, the existing Newark Penn Station rail platforms, drainage systems, canopy, roof, ductwork, walls, windows, doors, passenger waiting areas, signage, lighting, and brickwork have deteriorated and require rehabilitation; and

WHEREAS, this contract will provide final design services for rehabilitation of Track 5 Platform E and an extension of the platform for additional capacity; and

WHEREAS, the Newark Penn Station Improvement Program will maintain the historic character of the station;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to amend the contract with Clough Harbour & Associates LLP of Parsippany, NJ, for the development of final design documents for rehabilitation of Newark Penn Station Track 5 Platform E and an extension of the platform at a cost not to exceed \$2,500,000, plus five percent for contingencies, for a total contract authorization of \$3,465,000, subject to the availability of funds.

ITEM 0506-32: REPLACEMENT OF LITTLE BRIELLE TIMBER BRIDGE ON THE NORTH JERSEY COAST LINE, POINT PLEASANT, OCEAN COUNTY, NEW JERSEY

BENEFITS

The new bridge will incorporate design features that will eliminate damage incurred from marine borers and improve the ride quality for rail passengers. Additionally, the new structure will also permit higher operating speeds, and its longer span lengths will improve water flow, as well as minimize maintenance of scour conditions.

PURPOSE

The project proposes replacement of the existing, severely deteriorated, circa 1947 timber bridge, with a new four-span, pre-cast concrete bridge that meets modern standards of safety and functionality. Authorization of this contract will facilitate the safe and uninterrupted operation of the railroad.

The current structural capacity of the existing bridge is insufficient to support the standard American Railway Engineering Association (AREA) Cooper E Loading and NJ TRANSIT operating equipment loads without engine speed restrictions. Consequently, it is recommended that the bridge be replaced in order to improve railroad operations and enhance safety.

ACTION (Capital Program Justification: State-of-Good-Repair)

Staff seeks authorization to contract (No. 05-082) with PKF Mark III, Inc. of Newtown, PA for the replacement of the Little Brielle Timber Bridge over the Manasquan River on NJ TRANSIT's North Jersey Coast Line in Point Pleasant, Ocean County, New Jersey at a cost not to exceed \$2,743,000, plus five percent for contingencies.

This item has been reviewed and recommended by the Board Capital Planning, Policy and Privatization Committee.

FISCAL IMPACTS

Requested Authorization: \$2,743,000 + 5% contingency

Total Project Cost: \$5,500,000 (Including Flagging Protection, Force Account Work – Signal Track, Electric Traction, Construction Management)

Projected Date of Completion: May 2006

(NJT BOARD – 6/8/05)

Anticipated Source of Funds: State Funds FY'05 and FY'06

SBE Goal: 20% (Category 5)

Related/Future Authorization: None

RESOLUTION

WHEREAS, NJ TRANSIT proposes to replace the Little Brielle Timber Bridge on the North Jersey Coast Line in Point Pleasant, Ocean County, New Jersey; and

WHEREAS, the replacement of the bridge is necessary to maintain the safe and continuous operation of commuter train traffic on the North Jersey Coast Line; and

WHEREAS, the new pre-cast concrete bridge meets modern standards of safety and functionality, eliminates marine borer damage and minimizes scour; and

WHEREAS, upon completion of a competitive procurement process, PKF Mark III, Inc. was determined to be the lowest responsive and responsible bidder;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to contract with PKF Mark III, Inc. of Newtown, PA for the replacement of the Little Brielle Timber Bridge, at a cost not to exceed \$2,743,000, plus five percent for contingencies, subject to the availability of funds.

ITEM 0506-33: PURCHASE OF LOW-SIDE GONDOLA CARS FOR NON-REVENUE RAILCAR FLEET

BENEFITS

Purchase of new low-side gondolas will renew the current, aging fleet and provide a fleet of gondola cars, which may travel on other railroads (AMTRAK, CSX, etc.) during the course of picking up and delivering infrastructure production and maintenance supplies. Efficient transfer and delivery of these supplies will ensure timely completion of projects. This will result in smoother operations and reduce the possibility of production delays or shutdowns.

PURPOSE

Authorization will provide for the purchase of 13 new low-side gondola cars to be used systemwide by maintenance of way forces. This purchase will replace old, aging gondolas. The old cars being replaced do not comply with AAR Rule 90, which allows interchange service (movement through another railroad's territory). Therefore, the aging cars cannot leave the Hoboken Division to service lines on the Newark Division. This creates production delays and added cost for delivering ties and other materials by truck. New gondola cars will carry a 50-year Rule 90 date.

NJ TRANSIT currently has 18 gondolas that are not Rule 90 compliant, and 10 cars that are compliant. This purchase will give NJ TRANSIT 23 cars that will be Rule 90 compliant. This number will satisfy the requirements of maintenance of way forces.

ACTION (Justification: State-of-Good Repair)

Staff seeks authorization to contract (No. 05-068) with Ebenezer Rail Car Services of West Seneca, NY, for the purchase of 13 low-side gondola rail cars, at a cost not to exceed \$1,085,500, plus five percent for contingencies, for a total contract authorization of \$1,139,775.

This item has been reviewed and recommended by the Board Capital Planning, Policy and Privatization Committee.

FISCAL IMPACT

Requested Authorization:	\$1,085,500 + 5% contingency
Total Project Cost:	\$1,139,775
Anticipated Contract Start:	June 2005

Projected Date of Completion: January 2006

Anticipated Source of Funds: TTF

DBE Goal: 0%

Related/Future Authorization: None

RESOLUTION

WHEREAS, NJ TRANSIT Rail Operations' staff utilizes various types of rail cars for ongoing track maintenance and right-of-way improvements; and

WHEREAS, new low-side gondolas will replace old gondolas no longer in compliance with AAR Rule 90 and, therefore, are not allowed to be used for interchange service; and

WHEREAS, the advantages of new gondolas include a 50-year compliance with Rule 90 and the availability to use the cars for all operations including off-site movements; and

WHEREAS, upon completion of a competitive procurement process, Ebenezer Rail Car Services was determined to be the lowest responsive and responsible bidder;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to contract with Ebenezer Rail Car Services of West Seneca, NY, for the purchase of 13 low-side gondola cars, at a cost not to exceed \$1,085,500, plus five percent for contingencies, for a total contract authorization of \$1,139,775, subject to the availability of funds.

ITEM 0506-34: EXTENSION AND AMENDMENT OF CONTRACTS WITH ASCOM TRANSPORT SYSTEMS FOR THE MAINTENANCE AND SUPPORT OF CUSTOMER TICKETING AND FARE COLLECTION SYSTEMS AND NETWORKS

BENEFITS

NJ TRANSIT utilizes Ascom Transport Systems of Norcross, GA to support and maintain Ticket Office Machines (TOMs), Ticket Vending Machines (TVMs), Faregates, Validators and Central Management Systems (CMS). This equipment and its associated networks and systems process the sale of customer tickets for NJ TRANSIT Rail, Bus and Light Rail Operations. In addition, NJ TRANSIT utilizes the same equipment to sell and process tickets for PATH, SEPTA, and Ferry Operators. Further, Ascom Transport Systems provides staffing support to assist customers at the Newark Liberty International Airport and Secaucus Junction Stations. In calendar year 2004, this equipment and its associated software networks and systems processed the sale of approximately 29,660,000 tickets, accounting for passenger sales of \$361,300,000. Additionally, Ascom Transport Systems employs 82 full and part-time employees to support and service NJ TRANSIT's Ticketing and Fare Collection Systems, along with maintaining a fleet of 34 service vehicles and a 15,000 square foot repair and service facility in Somerset, NJ.

PURPOSE

The existing one-year extension of the maintenance and support contract with Ascom Transport Systems expired on March 31, 2005. Also, the contract for support and maintenance of Validators on NJ TRANSIT's Light Rail Systems Proof-of-Payment fare collection system has also expired. These two contracts will be combined into one contract. Additionally, NJ TRANSIT and Ascom Transport Systems are currently negotiating a long term maintenance and support contract that includes new customer enhancements for the Ticket Vending Machines and are prepared to review the pending disposition of Ascom Transport Systems by its parent company Ascom AG of Bern, Switzerland, before presenting to the Board a long term maintenance and support contract with a TVM Customer Enhancement Program.

ACTION (Justification: Customer Service and State of Good Repair)

Staff seeks authorization to amend and extend the existing Maintenance and Support contract (No. 99-CT-028) with Ascom Transport Systems of Norcross, GA for six months, with an additional six months extension if required, each in the amount of \$6,000,000, plus five percent for contingencies, for a total contract authorization of \$70,926,495.

This item has been reviewed and recommended by the Board Administration and Capital Planning, Policy and Privatizations Committees.

FISCAL IMPACT

Requested Authorization:	\$12,000,000 + 5% contingency (Amendment Extension) \$70,926,495 (Total Contract)
Total Project Cost:	\$70,926,495
Project Date of Completion:	March 2006
Anticipate Source of Funds:	FY 2005 and 2006 Operating Budgets
DBE Goal:	10% (SBE)
Related/Future Authorizations:	Approximately one year
Impacts on Subsequent Operating Budgets:	Fiscal Years 2006 – 2011

RESOLUTION

WHEREAS, NJ TRANSIT contracts with Ascom Transport Systems of Norcross, GA to provide hardware, software, and staffing support for customer ticketing systems and networks; and

WHEREAS, contracts No. 99-CT-028 and No 98-CX-061 with Ascom Transport Systems expired March 31, 2005, and will be combined into contract (No. 99-CT-028); and

WHEREAS, NJ TRANSIT and Ascom Transport Systems have negotiated a short term extension to the existing contract and are currently negotiating a long term maintenance and support contract that includes new customer enhancements for the Ticket Vending Machines and are prepared to review the pending disposition of Ascom Transport Systems by its parent company Ascom AG of Bern, Switzerland, before presenting to the Board a long term maintenance and support contract for a TVM Customer Enhancement Program;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to amend and extend the contract with Ascom Transport Systems of Norcross, GA for six months, with a six month additional extension if required, each in the amount of \$6,000,000, plus five percent for contingencies for hardware, software, and staffing support of NJ TRANSIT's fare collection systems. This authorization will increase the total contract authorization to \$70,926,495, subject to the availability of funds.

ITEM 0506-35: 69TH STREET GRADE SEPARATION PROJECT: PROPERTY ACQUISITION

BENEFITS

A critical element to support the future development of passenger rail service in northern New Jersey is the design and construction of a grade separation project at 69th Street in the Township of North Bergen, Hudson County. This new overpass will separate bus, truck and automobile traffic from planned passenger rail service in east, central and western Bergen County as well as from existing freight operations in the North Bergen Yard as well as on the Northern Branch track. This project is a priority of the Township of North Bergen. The New Jersey Department of Transportation (NJDOT) is providing the necessary funding for the acquisition of the required properties as well as the design and construction of the project.

PURPOSE

NJ TRANSIT is finalizing an agreement with NJDOT in which NJDOT will provide the funds required for the design, construction, property acquisition, relocation and other related costs for the 69th Street Grade Separation Project. The project will dramatically facilitate the movement of vehicular traffic across the existing freight and future passenger service in the area.

ACTION (Capital Program Justification: System Expansion)

Staff seeks authorization to acquire (whether by fee or easement, through agreement or condemnation) all properties listed in Exhibit A, required for the 69th Street Grade Separation Project and to provide grade relocation assistance if required, at a cost not to exceed \$2,018,200. Authorization is also sought to transfer title to these properties to NJDOT as soon as practical after acquisition.

This item has been reviewed and recommended by the Board Capital Planning, Policy and Privatization Committee.

FISCAL IMPACTS

Requested Authorization:	\$2,018,200
Total Project Cost:	\$67,000,000
Projected Date of Completion:	2009

Anticipated Source of Funds:	TTF CMAQ
DBE Goal:	N/A
Related/Future Authorization:	Construction Management Services; Various Construction Contracts
Impacts on Subsequent Operating Budget:	None

RESOLUTION

WHEREAS, the New Jersey Public Transportation Act of 1979, P.L. 1979, c. 150, authorizes NJ TRANSIT to lease, purchase and sell or otherwise dispose of, on terms which NJ TRANSIT may prescribe, real and personal property; and

WHEREAS, NJ TRANSIT and the New Jersey Department of Transportation (NJDOT) are finalizing an agreement in which NJDOT will provide the funds required for the design, construction, property acquisitions, relocation and related costs for the 69th Street Grade Separation Project in North Bergen, Hudson County; and

WHEREAS, this grade separation project will be completed by NJ TRANSIT to facilitate traffic flow across the existing freight and future passenger service in the area;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is hereby authorized to take the actions necessary to purchase all properties required (whether by fee or easement, through agreement or condemnation) and to provide relocation assistance, if required, at a total cost not to exceed \$2,018,200, subject to the availability of funds, and to transfer title to these properties to the New Jersey Department of Transportation as soon as practical.

69th STREET GRADE SEPARATION PROJECT
Properties to be Acquired
(All Properties are located in North Bergen, Hudson County)

PARCEL	PROPERTY OWNER	ADDRESS	BLOCK/LOT	TYPE OF ACQUISITION	AREA (acres)
305AA	CSX Corporation	69 th Street	168, p/o 12A, and p/o 12B3	Fee Taking	0.120 _±
E305AB	CSX Corporation	69 th Street	168, p/o 12A, p/o 12B3, and 483, p/o 1	Drainage Easement	0.377 _±
E305AC	CSX Corporation	69 th Street	457, p/o 1, and 483, p/o 1	Aerial Easement	0.170 _±
E305AD	CSX Corporation	69 th Street	457, p/o 1	Drainage Easement	0.016 _±
E306A	CSX Corporation	69 th Street	482, p/o 1	Bridge Easement	0.123 _±
E306B	CSX Corporation	69 th Street	482, p/o 1	Drainage Easement	0.096 _±
E332A	NYS&WR	69 th Street	481, p/o 1	Slope Easement	0.076 _±
E332D	NYS&WR	69 th Street	481, p/o 1 and p/o 2	Drainage Easement	0.147 _±
E332H	NYW&WR	69 th Street	481, p/o 1	Drainage and Access Easement	0.172 _±
E332J	NYS&WR	69 th Street	481, p/o 1	Bridge Easement	0.142 _±
E341A	PSE&G Company	69 th Street and West Side Ave	443, p/o 22B	Drainage Easement	0.046 _±
E341B	PSE&G Company	69 th Street and West Side Ave	443, p/o 23B	Drainage Easement	0.005 _±
E341C	PSE&G Company	69 th Street and West Side Ave	443, p/o 22B and p/o 23B	Slope Easement	0.076 _±
E341D	PSE&G Company	69 th Street and West Side Ave	443, p/o 22B	Slope Easement	0.034 _±
348A	MACK Carlstadt Co./ MACK Associates	West Side Ave and 69 th Street	453G, p/o 22A, p/o 23A1, p/o 23A2, p/o 24A and p/o 24A5	Fee Taking	0.125 _±

69th STREET GRADE SEPARATION PROJECT
Properties to be Acquired
(All Properties are located in North Bergen, Hudson County)

PARCEL	PROPERTY OWNER	ADDRESS	BLOCK/LOT	TYPE OF ACQUISITION	AREA (acres)
348B	MACK Carlstadt Co./ MACK Associates	West Side Ave and 69 th Street	453G, p/o 22A, p/o 23A1, p/o 23A2, p/o 24A and p/o 24A5	Fee Taking	0.014 _±
E348C	MACK Carlstadt Co./ MACK Associates	West Side Ave and 69 th Street	453G, p/o 22A	Drainage Easement	0.018 _±
E348D	MACK Carlstadt Co./ MACK Associates	West Side Ave and 69 th Street	453G, p/o 22A	Drainage Easement	0.006 _±
E348E	MACK Carlstadt Co./ MACK Associates	West Side Ave and 69 th Street	453G, p/o 22A	Drainage Easement	0.065 _±
349A	NYS&WR	West Side Ave and 69 th Street	453A, p/o 5	Fee Taking	0.948 _±
349B	NYS&WR	West Side Ave and 69 th Street	453A, p/o 5	Fee Taking	0.003 _±
E349C	NYS&WR	West Side Ave and 69 th Street	453A, p/o 5	Slope Easement	0.105 _±
356A	Pelvil Realty, LLP	Roustein Ave and 69 th Street	457, p/o A2	Fee Taking	0.048 _±
E356B	Pelvil Realty, LLP	Roustein Ave and 69 th Street	457, p/o A2	Drainage Easement	0.093 _±
E356C	Pelvil Realty, LLP	Roustein Ave and 69 th Street	457, p/o A2	Drainage Easement	0.015 _±
E356D	Pelvil Realty, LLP	Roustein Ave and 69 th Street	457, p/o A2	Drainage Easement	0.003 _±
E357A	Bellemead Development Corporation	Tonnelle Ave and 69 th Street	168, p/o 12B2	Drainage Easement	0.026 _±
359A	69-70-03, LLC	69 th Street and Roustein Ave	455, p/o 23	Fee Taking	0.003 _±
E359B	69-70-03, LLC	69 th Street and Roustein Ave	455, p/o 23	Drainage Easement	0.005 _±

69th STREET GRADE SEPARATION PROJECT
Properties to be Acquired
(All Properties are located in North Bergen, Hudson County)

PARCEL	PROPERTY OWNER	ADDRESS	BLOCK/LOT	TYPE OF ACQUISITION	AREA (acres)
377A	Hartz Mountain Development Corp.	69 th Street and West Side Ave	453B, p/o 3.1	Fee Taking	0.585 _±
E377B	Hartz Mountain Development Corp.	69 th Street and West Side Ave	453B, p/o 3.1	Drainage Easement	0.004 _±
E377C	Hartz Mountain Development Corp.	69 th Street and West Side Ave	453B, p/o 3.1	Drainage Easement	0.010 _±
E377D	Hartz Mountain Development Corp.	69 th Street and West Side Ave	453B, p/o 3.1	Slope Easement	0.064 _±
378A	Cromakill Realty Corp Development Corp	69 th Street and West Side Ave	453B, p/o 3G-4	Fee Taking	0.073 _±

ITEM 0506-36: RAIL GEOGRAPHIC INFORMATION SYSTEM – PHASE 2

BENEFITS

Authorization is requested to fund Phase 2 of the Rail Geographic Information System (GIS) – an integrated computer system intended to enhance safety and improve efficiencies in railroad operations. This system is intended to support the Agency's target area of assuring that public resources are being managed as efficiently as possible. The Rail GIS system will provide quick access to digital maps, aerial photography, track charts and video for affected areas during emergencies. It includes video simulation for providing cost effective training and qualification on rail right-of-way aspects. The training simulation aspect of the system will save NJ TRANSIT approximately \$246,500 annually in training costs for rail operations employees. The system will also support efficient track maintenance resource allocation and asset management, as well as providing track information necessary to facilitate a mileage-based inspection system for rail rolling stock. Authorization will also fund a new project task: a track clearance survey via laser scan for high and wide freight authorization over NJ TRANSIT-owned rail lines, and a software application to determine and provide track clearances.

PURPOSE

Staff is requesting authorization to advance the Rail GIS program to its next phase. The program is being conducted in phases, concurrent with funding availability. This phase will provide for the completion of software applications for training simulation, incident area mapping, and traditional GIS mapping and viewing tools. This phase will also provide for an update of the aerial laser scan survey and ground-level video survey to cover areas that have changed since the original 2003 survey, such as the new Bergen County Line connector at Secaucus. In addition, a track clearance survey using ground level laser scanning will be conducted along the rail network. An application for managing track clearance data will also be developed.

Phase 1 of this project was approved by the NJ TRANSIT Board of Directors in February 2003 (\$2,550,000), and focused primarily on surveying, video collection, map development, and programming for incident response and training applications.

ACTION (Justification: Business Efficiencies and Safety)

Staff seeks authorization to amend the contract (No. 01-049) with DMJM+HARRIS of Iselin, NJ for professional services for Phase 2 at a cost not to exceed \$1,878,000, plus five percent for contingencies, for a total contract authorization of \$4,528,650.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorization: \$1,878,000 + 5% contingency (Amendment)
\$4,258,650 (Total Contract)

Total Authorization:	\$4,528,650 (Total, Phases 1 & 2)
Total Project Cost:	\$10,760,000
Projected Date of Completion:	March 2007 (Phase 2)
Anticipated Source of Funds:	TTF
DBE Goal:	10% (SBE)
Related/Future Authorizations:	The Rail GIS system will be used in conjunction with the Rail Focus Maintenance system, a project also currently in Procurement
Impacts on Subsequent Operating Budgets:	Approximately \$59,000 annual software maintenance anticipated beyond FY07 Approximately \$246,500 in annual savings in training costs for rail operations

RESOLUTION

WHEREAS, the Executive Director has identified as a target area the assurance that public resources be managed as efficiently as possible; and

WHEREAS, a computer system that integrates aerial surveys and video of rail rights-of-way with digital maps and track charts is required to provide capabilities for managing rail assets; and

WHEREAS, an integrated system will enhance the management and utilization of rail assets, while bringing improvements and efficiencies in safety, training, and maintenance; and

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to amend the contract with DMJM+HARRIS of Iselin, NJ and to take all actions necessary to procure the products and services for the purpose of implementing Phase 2 of the Rail Geographic Information System at a cost not to exceed \$1,878,000, plus five percent for contingencies, for a total contract authorization of \$4,528,650, subject to the availability of funds.

ITEM 0506-37: PURCHASE OF MINIBUSES FOR CONTRACT SERVICES

BENEFITS

The proposed purchase of up to 24 minibuses will improve service reliability and reduce operating costs by replacing the current aging minibus fleet. The new minibuses will be equipped with wheelchair lifts and will be compliant with Americans with Disabilities Act (ADA) mandates.

PURPOSE

Authorization will allow for the purchase of up to 24 new ADA compliant minibuses. The authorization includes 16 vehicles included in the base bid plus an additional eight vehicles included in the option bid. The buses will be used to replace vehicles currently utilized on NJ TRANSIT contracted minibus routes operating throughout the State of New Jersey. The existing fleet consists of a combination of 1994 and 1999 minibuses that have a five-year operational life and are eligible for replacement. The estimated useful life of the new minibuses is also five years

ACTION (Capital Program Justification: Efficiencies)

Staff seeks authorization to contract (No. 05-026) with American Bus & Coach, LLC of Trenton, NJ for the purchase of up to 24 minibuses at a cost not to exceed \$1,374,168, plus five percent for contingencies.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorizations:	\$1,374,168 + 5% contingency
Total Project Cost:	\$1,374,168 + 5% contingency
Projected Date of Completion:	December 31, 2005
Anticipated Source of Funds:	Transportation Trust Fund - \$1,087,883 CMAQ Funds - \$229,028 JASC Funds - \$57,257
DBE Goal:	0%
Future Related Authorizations:	None
Impacts of Subsequent Operating Budgets:	None

RESOLUTION

WHEREAS, NJ TRANSIT has the need to replace a portion of the existing fleet of minibuses utilized in contracted bus service that are overage and eligible for replacement; and

WHEREAS, upon completion of a competitive procurement process, American Bus & Coach, LLC was determined to be the lowest responsive and responsible bidder; and

WHEREAS, funding is available from the Transportation Trust Fund and CMAQ funds for the purchase of minibuses;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to contract with American Bus & Coach, LLC of Trenton, NJ for the purchase of up to 24 ADA compliant minibuses at a cost not to exceed \$1,374,168, plus five percent for contingencies, subject to the availability of funds.

ITEM 0506-38: BUS VIDEO SECURITY SYSTEMS PILOT PROJECT: CONTRACT AWARD

BENEFITS

The bus video security system will provide for installation of video security systems onboard NJ TRANSIT buses serving intercity bus routes. The security system will also include computer server upgrades to archive video footage for post incident review. The technology is expected to enhance overall customer and employee security and allow NJ TRANSIT to verify injury claims.

The Transportation Security Administration of the U.S. Department of Homeland Security is providing 80 percent of the project funding to evaluate the technology and make recommendations for future installations nationwide. NJ TRANSIT will use this pilot program to evaluate video surveillance technology for buses.

PURPOSE

Authorization of the contract will allow for the purchase and installation of 50 video security systems on NJ TRANSIT buses serving intercity routes. The camera-equipped buses will primarily operate between southern New Jersey towns, and Camden, NJ and Philadelphia, PA.

ACTION (Capital Program Justification: Efficiencies)

Staff seeks authorization to enter into a contract (No. 04-097R) with Innovonics of New York, NY, for the purchase and installation of 50 bus video security systems at a cost not to exceed \$1,305,142, plus five percent for contingencies.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorizations:	\$1,305,142 + 5% contingency
Total Project Cost:	\$1,692,223
Projected Date of Completion:	June 2006
Anticipated Source of Funds:	Federal - Homeland Security – Transportation Security Administration Local Match – NJT

DBE Goal: None

Future Related Authorizations: None

**Impacts of Subsequent
Operating Budgets**

Operating budgets will be impacted by increased maintenance costs. For 50 buses, the estimated maintenance and repair costs will be \$20,000/year. This amount may be offset by a reduction in false injury claims.

RESOLUTION

WHEREAS, NJ TRANSIT seeks to enhance security for its customers and employees by installation of a bus video security system; and

WHEREAS, the Transportation Security Administration has provided 80 percent of the project funding to evaluate the technology; and

WHEREAS, upon completion of a competitive procurement process, Innovonics was determined to be the lowest responsive and responsible bidder;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to contract with Innovonics of New York, NY, for the purchase and installation of bus video security systems for 50 buses at a cost not to exceed \$1,305,142, plus five percent for contingencies, subject to the availability of funds.

**ITEM 0506-39: MORRIS COUNTY LOCAL AND RURAL TRANSPORTATION
(SECTION 5311 PROGRAM) BUS SERVICE**

BENEFITS

This contract will provide for the operation of bus service in the Morris County area (Exhibit A) for a base contract period from August 21, 2005 through August 30, 2008 and for an additional two-year option period. The service includes four local routes and three rural (Section 5311 Program) routes with a combined annual ridership of 450,000 passengers and annual cash fares of \$540,000. Morris County contributes \$150,000 each year towards the cost of operating the local service and funds 25 percent of the cost of the rural transportation service.

PURPOSE

Authorization will continue local bus service in Morris County which staff has identified as appropriate service to be operated more economically by seeking competitive proposals for its performance. This authorization will also continue the existing rural bus service under the Section 5311 Program in the Morris County area. Section 5311 of the Federal Transit Act provides capital, administrative and operating assistance for public transportation services in small urban and rural areas of New Jersey. The carrier will comply with New Jersey's Conscientious Employee Protection Act.

ACTION (Justification: Efficiencies)

Staff seeks authorization to contract with Pabco Transit, Inc. for the operation of Morris County local bus service and rural transportation bus service for a 36-month period at a cost not to exceed \$8,357,754, plus five percent for contingencies. Staff also seeks authorization to exercise an option to extend this contract for an additional two-year period, in accordance with the Request for Proposals (RFP) and the carrier's proposal, at a cost not to exceed \$6,301,352, plus five percent for contingencies for a total contract authorization of \$14,659,106.

A RFP requested proposals from private motorbus carriers to provide local and rural bus service in Morris County for an initial contract period of 36 months and an additional two-year option period, which may be exercised solely at the discretion of NJ TRANSIT.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorization:	\$8,357,754 + 5% contingency (36 months) \$6,301,352 + 5% contingency (Two-year option)
Total Project Cost:	\$14,659,106 (Total Contract) N/A
Projected Date of Completion:	August 28, 2010 for the base contract period plus the first option period of two years
Anticipated Source of Funds:	Fiscal Year 2006 - 2011 Operating Budgets
DBE Goals:	Carrier is required to make a good faith effort to expend five percent of the value of the contract (excluding wages) on goods/services provided by Disadvantaged Business Enterprises
Related/Future Authorizations:	None
Impact on Subsequent Operating Budgets:	Provides passenger revenue

RESOLUTION

WHEREAS, at its April 1986 meeting the Board of Directors adopted a Contracting Out Policy to govern how the bus services provided by NJ TRANSIT might be contracted in an effort to reduce the cost of providing such services; and

WHEREAS, staff has determined that it is appropriate to provide local and rural bus service in Morris County and a Request for Proposals (RFP) was issued to seek competitive proposals from private motorbus carriers to provide this service; and

WHEREAS, NJ TRANSIT's Selection Committee has reviewed the private carrier proposals, as well as the NJ TRANSIT Bus Operations benchmark cost, and has determined the proposal from Pabco Transit, Inc. to be the highest ranked proposer;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to contract with Pabco Transit, Inc. for the operation of the Morris County local and rural bus service, as set forth in Exhibit A, for 36 months, at a cost not to exceed \$8,357,754, plus five percent for contingencies, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the carrier shall comply, as a condition of the present or future contracts, and continued receipt of funds and subsidies, with New Jersey's Conscientious Employee Protection Act; and

BE IT FURTHER RESOLVED that the Chairman or Executive Director is authorized to exercise the option for an additional two-year contract period under the agreement with Pabco Transit, Inc. for the operation of the Morris County local and rural bus service, as set forth in Exhibit A, at a cost not to exceed \$6,301,352, plus five percent for contingencies, for a total contract authorization of \$14,659,106, subject to the availability of funds.

EXHIBIT A

**MORRIS COUNTY LOCAL AND RURAL TRANSPORTATION
(SECTION 5311 PROGRAM) BUS SERVICE**

LIST OF ROUTES

<u>Route No.</u>	<u>Description</u>	<u>Days Operated</u>
<u>Local Routes</u>		
871(MCM 1)	Morristown – Willowbrook Mall	Monday – Saturday
872 (MCM 2)	Morristown – Morris County College	Monday – Friday
873 (MCM 3)	Greystone Park – Livingston Mall	Monday – Saturday
880 (MCM10)	Morristown – Rockaway Mall	Monday - Saturday
<u>Rural Routes (Section 5311 Program)</u>		
MCM 4	Dover – Honeywell	Monday - Friday
MCM 5	Morristown – Rockaway Mall	Monday and Wednesday
MCM 7	Milton –K-Mart Plaza	Tuesday and Friday

ITEM 0506-40: COMPUTER HARDWARE/SOFTWARE: SOLE SOURCE MAINTENANCE AND LICENSING AGREEMENT RENEWAL

BENEFITS

In support of NJ TRANSIT's objective to maintain a state-of-good-repair, staff is recommending sole source maintenance agreements and required upgrades with providers of installed hardware and software whose maintenance or upgrades can not be competitively procured. These firms are the Original Equipment Manufacturers (OEMs) or the only source of support for these systems.

PURPOSE

NJ TRANSIT utilizes a variety of computing equipment and software to process information for the Corporation. This equipment and software are necessary for the continued operation of services. The manufacturers of the hardware and software under proposal are the only firms capable of providing licensing and maintenance services for their products. In each case, the firm is the OEM for the software/hardware or has acquired the rights to act as such. Hardware having multiple suppliers of maintenance has been excluded from this proposal and will be competitively procured as existing contracts expire.

Historically, hardware and software maintenance and licensing fees increase in price anywhere from three to 10 percent each year. For planning purposes, unless otherwise noted, five percent escalation for second year pricing of each product is utilized. Staff normally seeks authorization for these services every three years (Board last authorized technology sole source procurements in June 2004), however, a number of new products have been introduced and some vendor changes made, which require seeking additional authorization.

Software Maintenance will provide for:

- Program maintenance for all software modules including support for solving any software logic errors;
- Software enhancements periodically released by the vendor to provide for additional features;
- Telephone assistance for immediate correction of program problems with minimum interruption of end user service; and
- Services including consultation and educational credits associated with the vendors' software.

Hardware Maintenance will provide for:

- Correction of hardware failures either on-site or through remote services;
- Guaranteed response time to minimize end user downtime;

- High volume spare parts stored locally for quick access and error correction; and
- Hardware upgrades where necessary to accommodate technology upgrades.

ACTION (Justification: Business Efficiencies

Staff seeks authorization to initiate sole source maintenance and licensing agreements with companies listed in Exhibit A of the resolution for the hardware and software required to operate NJ TRANSIT's Information Systems at a total cost not to exceed \$1,657,820 for one-year contracts with one optional year renewal at a cost not to exceed \$1,797,461 for a total contract authorization of \$3,455,281.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorization:	\$3,455,281(One year contract with one additional option year renewal)
Projected Date of Completion:	June 2007
Anticipated Source of Funds:	FY06-07 Operating Budgets
DBE Goal:	10% (SBE)
Future/Related Authorization:	N/A
Impacts of Subsequent Operating Budgets:	FY06 - \$1,657,820 FY07 - \$1,797,461

RESOLUTION

WHEREAS, various new software maintenance contracts and licensing agreements are required; and

WHEREAS, these contracts insure the continued operation of both the computers and software which support NJ TRANSIT's system applications; and

WHEREAS, these products are being fully utilized throughout this corporation and demand for customer services and software upgrades continues; and

WHEREAS, NJ TRANSIT has attempted to identify other sources to provide these services and has found that the software or hardware is protected; and

WHEREAS, the proposed vendors are the only vendors capable of providing these services;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to initiate and renew contracts and exercise an additional one year option with the firms listed in Exhibit A at a cost not to exceed \$1,657,820 for one-year contracts with one optional year renewal at a cost not to exceed \$1,797,461, for a total contract authorizations of \$3,455,281, subject to the availability of funds and the approval of subsequent operating budgets.

EXHIBIT A

A one year sole source agreement with a one year option with Alliant Technologies at a total cost not to exceed \$135,300 for the support and maintenance of system software products; beginning July 1, 2005 through June 30, 2007;

A one year sole source agreement with a one year option with K. Albright Consulting at a total cost not to exceed \$168,000 for the maintenance of the payroll system; beginning July 1, 2005 through June 30, 2007;

A one year sole source agreement with a one year option with Penta at a total cost not to exceed \$140,000 for the software maintenance of the passenger communication system, beginning July 1, 2005 through June 30, 2007;

A one year sole source agreement with a one year option with Mainline Inc. at a total cost not to exceed \$240,000 for software maintenance for the mainframe computer beginning July 1, 2005 through June 30, 2007;

A one year sole source agreement with a one year option with Concord Communications Inc. at a total cost not to exceed \$45,100 for the software maintenance of the network monitoring system, beginning July 1, 2005 through June 30, 2007.

A one year sole source agreement with a one year option with Orbital Sciences Inc. at a total cost not to exceed \$250,265 for the software maintenance of the automatic passenger counting system, beginning July 1, 2005 through June 30, 2007.

A one year sole source agreement with a one year option with Salesforce.com at a total cost not to exceed \$410,000 for the software licensing and support, beginning Aug 1, 2005 through June 30, 2007.

A one year sole source agreement with a one year option with Comsys at a total cost not to exceed \$1,786,616 for project support, beginning July 1, 2005 through June 30, 2007.

A one year sole source agreement with a one year option with PD Systems at a total cost not to exceed \$280,000 for the data services, beginning July 15, 2005 through June 30, 2007.

**ITEM 0506-41: MONMOUTH-OCEAN-MIDDLESEX RAIL DRAFT
ENVIRONMENTAL IMPACT STATEMENT: CONTRACT
AMENDMENT**

BENEFITS

The proposed contract amendment will permit completion of the Draft Environmental Impact Statement (DEIS) and concept planning work for the restoration of passenger rail service in central New Jersey. Three alignments are under consideration to provide rail service from Lakehurst to Newark Penn Station.

The additional work will support an expanded review and analysis of potential project impacts identified during the initial environmental review and public outreach. This work includes but is not limited to the inclusion of additional historic resources, alternate station and rail yard sites, detailed traffic studies for selected communities, and bridge inspections to support the historic alternatives analysis.

PURPOSE

The original environmental study was authorized in 2001 for two rail alignments and a third alignment was subsequently added to the scope of work based on strong local interest in the target markets. The work schedule was also extended to complete a more expansive historic review process and public outreach activities regarding station and parking locations. The DEIS will include the additional historic review and feedback from public outreach in conformance with Federal Transit Administration requirements to make the project eligible for federal funding.

ACTION (Capital Program Justification-New Start Expansion)

Staff seeks authorization to increase funding for contract (No. 01-018) with Systra Consulting, Inc. of Bloomfield, NJ in the amount for \$1,900,000 plus five percent for contingencies for professional services to complete the draft environmental impact statement and general planning and public outreach for a rail project in central New Jersey for a total contract authorization of \$6,720,000.

This item has been reviewed and recommended by the Board Administration and Capital Planning, Policy and Privatization Committees.

FISCAL IMPACTS

Requested Authorization: \$1,900,000 + 5% contingency (Increase)
\$6,720,000 (Total Authorization)

Total Project Cost:	Presently estimated between \$600,000,000 and \$860,000,000
Projected Completion Date:	December 2005 for DEIS
Anticipated Source of Funds:	State
DBE Goal/Participation:	No Goal. This procurement was under the Race Neutral Goal Program. To date 25% of the contract WBE or DBE firms have expended funds
Related/Future Authorizations:	Authorization to initiate preliminary engineering, land acquisition, final design, construction, construction management, and construction assistance once an alignment has been selected
Impacts on Subsequent Operating Budgets:	Between \$25,000,000 and \$33,000,000 per year (2004 dollars) of additional net rail subsidy would be required to sustain operations

RESOLUTION

WHEREAS, NJ TRANSIT is working to improve the quality and expand the availability of the public transit system; and

WHEREAS, restoration of passenger rail service in central New Jersey would alleviate traffic congestion and expand regional mobility; and

WHEREAS, completion of the Draft Environmental Impact Statement will enable the Federal Transit Administration to rank the project nationally; and

WHEREAS, NJ TRANSIT previously contracted with Systra Consulting, Inc. to begin the draft environmental impact statement for central New Jersey;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to increase the contract with Systra Consulting, Inc. of Bloomfield, NJ in the amount for \$1,900,000, plus five percent for contingencies for professional services to complete the Draft Environmental Impact Statement and general planning and public outreach for a rail project in central New Jersey for a total contract authorization of \$6,720,000, subject to the availability of funds.

(NJT BOARD – 6/8/05)

**ITEM 0506-42: RED BANK STATION – HIGH-LEVEL PLATFORMS:
CONSTRUCTION CONTRACT AWARD AND AMENDMENT TO
CONSTRUCTION ASSISTANCE SERVICES CONTRACT**

BENEFITS

The installation of high-level platforms at Red Bank Station will enhance rail service accessibility for all customers in compliance with the Americans with Disabilities Act (ADA). Red Bank Station serves approximately 1,600 customers per day and has been designated as a "key" station by NJ TRANSIT's Commuter Rail Accessibility Plan. This plan requires selected passenger facilities to be made accessible to persons with disabilities and sets timelines for implementation.

The proposed high-level platforms will provide level boarding from rail cars improving overall customer safety and convenience and will reduce the time needed for customer boarding.

PURPOSE

Authorization of this contract will allow for the construction of high-level platforms, canopies, shelters and passenger amenities at Red Bank Station.

Some customer impacts are anticipated during construction including temporary loss of parking and occasional off-peak track outages. NJ TRANSIT will lease property to provide interim parking and minimize impacts to train service.

The original procurement process for the consultant services contract was designed to select a firm for three tasks: Phase I, Preliminary Engineering; Phase II – Final Design and Phase III – Construction Assistance. Phases I and II were completed for this location. Phase III will provide construction assistance services as necessary to complete the project. Construction assistance includes preparation of responses to bidder questions during the bid process, shop drawing and material submittal review and approval, response to design related questions and evaluation of requests for approval of alternative products and methods.

ACTION (Capital Program Justification: ADA Mandate)

Staff seeks authorization to contract (No. 05-075) with George Harms Construction Co. of Farmingdale, NJ for the construction of high-level platforms, canopies, shelters, and associated customer amenities at Red Bank Station on the North Jersey Coast Line at a cost not to exceed \$6,590,275, plus five percent for contingencies.

Staff also seeks authorization to fund Phase III (Construction Assistance) of a professional service contract (No. 92CM0063) with Vollmer Associates of New York City, NY for Construction Assistance services related to the construction contract in the amount of \$111,715, plus five percent for contingencies for a total contract authorization of \$6,870,169.

This item has been reviewed and recommended by the Board Capital Planning, Policy and Privatization Committee.

FISCAL IMPACTS:

Requested Authorization:	\$6,590, 275 + 5% contingency (Construction)
	\$111,715 + 5% contingency (Construction Assistance)
	\$6,870,169 (Total Contract)
Total Project Cost:	\$9,992,000
Projected Date of Completion:	Summer 2006
Anticipated Source of Funds:	Transportation Trust Fund Casino Revenue
DBE Goal:	25% (SBE)
Related/Future Authorizations:	None
Impacts on Subsequent Operating Budgets:	None

RESOLUTION

WHEREAS, NJ TRANSIT seeks to improve the accessibility of its transportation facilities and expand operational capacity of its rail lines; and,

WHEREAS, the proposed accessibility improvements will provide customers with barrier-free access at Red Bank Station; and,

WHEREAS, upon completion of a competitive procurement process, George Harms Construction Co. was determined to be the lowest responsive and responsible bidder;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to contract with George Harms Construction Co. of Farmingdale, NJ for the construction of high-level platforms, canopies, shelters and customer amenities at Red Bank Station on the North Jersey Coast Line at a cost not to exceed \$6,590,275, plus five percent for contingencies, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chairman or Executive Director is authorized to fund Phase III of the professional services contract with Vollmer Associates of New York City, NY for Construction Assistance in support of high-level platforms at Red Bank Station at a cost not to exceed \$111,715, plus five percent for contingencies, for a total contract authorization of \$6,870,169, subject to the availability of funds.

CONSENT CALENDAR

ITEM 0506-43: TRANS HUDSON EXPRESS TUNNEL – LEGAL SERVICES FOR ENVIRONMENTAL AND LAND USE REVIEW

BENEFITS

The Trans Hudson Express (THE Tunnel) project will double commuter rail capacity to New York City by construction of two new tunnels under the Hudson River, a new station in New York City and rail yard, signal, and track improvements in New Jersey and New York. The designation of the law firm of Paul, Hastings, Janofsky & Walker LLP will provide NJ TRANSIT with additional resources and expertise to complete the required regulatory steps to prepare the project for design and construction.

PURPOSE

NJ TRANSIT requires specialized legal counsel to develop an informed and well-conceived approach to navigate the environmental and land use review processes of New York State and New York City.

NJ TRANSIT has no governmental jurisdiction in New York State. As a result, the review and consideration of the public approvals for THE Tunnel project may be subject to the same rules that apply to private development applications. NJ TRANSIT's ability to conform to the substantive and procedural legal requirements of New York's environmental and land use review processes is further complicated by the absence of precedent under current law for an application by an agency of the State of New Jersey for approval to build a major public infrastructure project in New York City.

New York's State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR) require state and local government agencies to consider the environmental impacts of the THE Tunnel project with respect to land use, zoning, public policy, socioeconomic conditions, shadows, historic resources, urban design, visual resources, neighborhood character, natural resources, waterfront revitalization, infrastructure, solid waste, energy, traffic, parking, pedestrian circulation, air quality, noise, construction impacts, and public health. The process requires the active participation of government agencies and project sponsors in the preparation of an environmental impact statement and of the general public in the consideration of the environmental consequences of the project.

The design and configuration of THE Tunnel project, including the new station under 34th Street, are also subject to New York City's Uniform Land Use Review Process (ULURP), the City's standardized public process to evaluate development applications. The formal ULURP process involves the consideration of the project by the City Council, the City Planning Commission, the Manhattan Borough President, and no fewer than two Manhattan Community Boards. Numerous other city agencies, including the New York City Departments of Environmental Protection, City Planning, Transportation, Buildings and Law, the New York City Landmarks Preservation Commission, and the

New York City Art Commission will also be involved, as will New York State agencies such as the Metropolitan Transportation Authority and public utilities such as Con Edison and Verizon. In addition, we expect there to be active participation by civic and neighborhood groups at one or more of the three public hearings mandated by the ULURP process.

The processes outlined above will happen concurrently with environmental and public review of the project pursuant to federal and State of New Jersey requirements. The need for specialized legal counsel will last for the duration of the project, especially as the project moves from planning to final design and construction and more targeted work permits are required from the different New York City agencies with jurisdiction over THE Tunnel project.

ACTION

Staff seeks authorization to compensate the law firm of Paul, Hastings, Janofsky & Walker LLP of New York, NY as Special Counsel in accordance with the New Jersey Attorney General's designation for environmental and land use review for THE Tunnel project at a cost not to exceed \$400,000.

The item has been reviewed and recommended by the Board Administration and Capital Planning, Policy and Privatization Committees.

FISCAL IMPACTS

Requested Authorization:	\$400,000
Total Project Cost:	TBD
Projected Completion Date:	The need for legal services will continue through the engineering and construction phases of the project and require periodic authorizations for expenditures
Anticipated Source of Funds:	FTA
DBE Goal/Participation:	N/A
Related/Future Authorizations:	TBD
Impacts on Subsequent Operating Budgets:	TBD

RESOLUTION

WHEREAS, NJ TRANSIT seeks to expand the capacity and reliability of commuter rail service to midtown Manhattan by construction of THE Tunnel project which includes a new tunnel under the Hudson River and new station, rail yards, signal and track improvements in New York and New Jersey; and

WHEREAS, THE Tunnel project will be designed and constructed in one of the most challenging regulatory environments with continuous involvement of many engaged and informed stakeholders; and

WHEREAS, NJ TRANSIT will require legal services to navigate the environmental review and land use review processes in New York City; and

WHEREAS, the law firm of Paul, Hastings, Janofsky & Walker LLP has been selected as special counsel by the New Jersey Attorney General to represent NJ TRANSIT in this matter;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is hereby authorized to compensate Paul, Hastings, Janofsky & Walker LLP of New York, NY as Special Counsel in accordance with the New Jersey Attorney General's designation for environmental and land use review for THE Tunnel project at a cost not to exceed \$400,000, subject to the availability of funds.

**ITEM 0506-44: SUBSTRUCTURE REHABILITATION OF THE RARITAN RIVER
DRAWBRIDGE ON THE NORTH JERSEY COAST LINE:
AMENDMENT TO CONSTRUCTION CONTRACT**

BENEFITS

NJ TRANSIT owns and maintains the moveable railroad bridge on the North Jersey Coast Line over the Raritan River in Middlesex County. Rehabilitation of the substructure of the Raritan River Drawbridge will restore it to a state of good repair, ensure continued public safety, and maintain reliable commuter services.

PURPOSE

On February 9, 2005, NJ TRANSIT's Board of Directors authorized a contract with Trevcon Construction Company, Inc. of Liberty Corner, NJ for rehabilitation of Raritan River Drawbridge substructure. A majority of this contract involves pointing mortar joints, and correction to scour conditions around the piers. During preconstruction inspection, these types of repair were noted in excess of the original bid quantities. The costs for the increased quantities will exceed the current Board authorization. The extent of mortar joint and scour repairs were estimated from detailed inspections performed throughout design development. However, since the last underwater inspection, performed in October 2004 during the Invitation for Bid phase, the mortar joints and scour conditions at several piers, have further deteriorated, necessitating the increased repair quantities. These additional repairs are necessary to ensure the continued safe passage of trains, and restore the structural integrity of the bridge for years to come. Utilization of the current contractor will also result in a significant savings in mobilization and administrative costs to NJ TRANSIT.

ACTION

Staff seeks authorization to amend the contract (No. 05-030) with Trevcon Construction Company, Inc. of Liberty Corner, NJ for the substructure rehabilitation to the Raritan River Drawbridge, at an additional cost not to exceed \$420,000, plus five percent for contingencies, for a total contract authorization of \$2,088,450.

This item has reviewed and recommended by the Board Capital Planning, Policy and Privatization Committee.

FISCAL IMPACTS

Requested Authorization:	\$420,000 + 5% contingency (Amendment) \$2,088,450 (Total Contract Authorization)
Total Project Cost:	\$3,000,000

Projected Date of Completion:	December 15, 2005
Anticipated Source of Funds:	State Funds FY05
DBE Goal:	10%
Related/Future Authorizations:	February 2005 – Raritan Drawbridge Substructure Repairs

RESOLUTION

WHEREAS, on February 9, 2005, NJ TRANSIT's Board of Directors authorized the award of a contract to Trevcon Construction Company, Inc. of Liberty Corner, NJ for Rehabilitation of Raritan River Drawbridge Substructure Repairs; and

WHEREAS, subsequent preconstruction inspections disclosed that quantities of mortar joint and scour repairs around concrete piers were in excess of original bid quantities, and had increased significantly since the last inspection; and

WHEREAS, the additional repairs to the piers are necessary to ensure safe operation across this bridge and restore its integrity for years to come;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director is authorized to amend the contract with Trevcon Construction Company, Inc. of Liberty Corner, NJ at a cost not to exceed \$420,000, plus five percent for contingencies, for a total contract authorization of \$2,088,450, subject to the availability of funds.

**ITEM 0506-45: REGULATIONS: ADOPTION OF REGULATIONS N.J.A.C. 16:88
CLAIM FORM**

BENEFITS

NJ TRANSIT and its subsidiaries are responsible for the provision of rail and bus services in the State of New Jersey. This regulation will modify the tort claims form that has been in existence since the 1980's (Exhibit A).

The regulations were published in the New Jersey Register on January 18, 2005 (Exhibit B). The proposed amendments are listed in Exhibit C. The comment period expired on March 19, 2005 and no comments were received.

Staff is recommending that the Board authorize the adoption of the regulations "Claim Form".

PURPOSE

In accordance with N.J.S.A. 59:8-6, a public entity may by rule or regulation adopt a form specifying the information that must be contained in any claim filed against it or its employees for damages. The purpose of this regulation is to adopt such a form.

ACTION (Justification: Business Efficiencies)

Staff seeks authorization to take all actions necessary to adopt and promulgate the regulations N.J.A.C. 16:88 et seq. Claim Form, consistent with this Board item and exhibits.

This item has been reviewed and recommended by the Board Administration Committee.

FISCAL IMPACTS

Requested Authorization:	Adoption of regulation "Claim Form"
Total Project Cost:	N/A
Projected Date of Completion:	September 2005
Anticipated Source of Funds:	N/A
DBE Goal:	No goods or services to be procured
Related/Future Authorizations:	N/A
Impacts on Subsequent Operating Budgets:	N/A

RESOLUTION

WHEREAS, NJ TRANSIT and its subsidiaries are responsible for the provision of rail and bus services in the State of New Jersey; and

WHEREAS, in accordance with N.J.S.A. 59:8-6 a public entity may by rule or regulation adopt a form specifying the information that must be contained in any claim filed against it or its employees for damages (Exhibit A); and

WHEREAS, the regulations were published in the New Jersey Register on January 18, 2005 (Exhibit B). The proposed amendments are listed in Exhibit C. The comment period expired March 19, 2005 and no comments were received;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director or his designee is hereby authorized to take all actions necessary to adopt and promulgate regulations N.J.A.C. 16:88 et seq., Claim Form consistent with this board item and exhibits.

CLAIMS

CHAPTER 88

CLAIMS

Authority

N.J.S.A. 27:25-5(e) and 59:8-4 and 59:8-6.

Source and Effective Date

R.2000 d.112, effective March 20, 2000.
See: 31 N.J.R. 4227(a), 32 N.J.R. 1040(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 88, Claims, expires on September 16, 2005. See: 37 N.J.R. 217(a).

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SUBCHAPTER 1. DEFINITIONS

16:88-1.1 Definitions

The following words and terms, as used in this chapter shall have the following meanings:

"Executive Director" means the Executive Director of NJ TRANSIT or his or her designee.

"NJ TRANSIT" means the New Jersey Transit Corporation and its operating divisions, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc. and NJ TRANSIT Mercer, Inc.

SUBCHAPTER 2. GENERAL PROVISIONS

16:88-2.1 Purpose

(a) These rules are adopted by NJ TRANSIT in accordance with the requirements of N.J.S.A. 59:8-1 et seq.

(b) The purpose of these rules is to establish the procedure for filing, and the form specifying the information that must be contained in, any claim filed against NJ TRANSIT or its employees under N.J.S.A. 59:8-1 et seq.

SUBCHAPTER 3. CLAIM FOR DAMAGES AGAINST NJ TRANSIT

16:88-3.1 Complaint contents

(a) A complaint submitted pursuant to this subchapter and N.J.S.A. 59:8-1 et seq. shall be submitted in or on the form set forth at N.J.A.C. 16:88-3.2, or a form containing the information contained at N.J.A.C. 16:88-3.2.

(b) Failure to submit the information requested in N.J.A.C. 16:88 Appendix A, to the address set forth at N.J.A.C. 16:88-3.2(b), shall subject a claim to bar under N.J.S.A. 59:8-8.

16:88-3.2 Claim form for damages against NJ TRANSIT

(a) Appendix A to this chapter, incorporated herein by reference, contains the form that must be utilized for the submission of claims for damages against NJ TRANSIT.

(b) Upon completion, the claim form should be sent to:

Claims Department
New Jersey Transit Corporation
One Penn Plaza East
Newark, NJ 07105

3(1)2570

APPENDIX A

CLAIM FOR DAMAGES AGAINST NJ TRANSIT

Claim No. _____ Unit _____

Forward to: Claims Department
NJ TRANSIT Corp.
One Penn Plaza East
Newark, New Jersey 07105-2246

1. Claimant:

Last Name, First Middle

Date of Birth

Married [] Single []

Spouse's Name

Street Address

Mailing address if other than street address

City State Zip

Social Security Number

If notices and correspondence in connection with this claim are to be sent to a person other than claimant, complete question #2.

2. _____ Mailing Address
Names

Relationship to claimant: _____
City State Zip

The occurrence or accident which gave rise to this claim occurred on:

3a. _____
Date Time

Bus # /Train # Bus Line /Rail Line Bus Direction /Train Direction

b. Describe the location or place of the accident or occurrence:
_____ Exact location of the occurrence
City State

c. Describe how the accident or occurrence happened. If a diagram will assist your explanation, please use the reverse side of this form.

d. State the name(s) of NJ TRANSIT employee(s) whom you claim were at fault, including any information that will assist in identifying and locating them.

e. State the negligence or wrongful acts of the NJ TRANSIT employee(s) which caused your damages.

f. State the name and address of all witnesses to the accident or occurrence.

g. State the names of all police officers and police departments who investigated the accident and provide a copy of the police report.

4a. Claim for Damages (check appropriate box)

- Personal Injury Property Damage
- Other—Explain in detail _____

b. If you claim personal injury:

(1) Describe your injuries resulting from the accident or occurrence

(2) Do you claim disability resulting from this injury:

[] Yes [] No

If yes, describe the injuries believed to be permanent.

(3) For each hospital, doctor or other practitioner rendering treatment, examination or diagnostic services, state:

Name of Hospital, doctors or other facility	Address	Dates of treatment or service	Amount of charges to date	Amount paid or payable by other sources such as insurance

(4) If you claim loss of wages or income as a result of the injury, state:

Name of employer	Address of employer
Your occupation	Date you became employed
Rate of pay	Date of absence from work
Total lost wages to date	If still out, expected date of return

NOTE: If your claimed loss of income arises from self-employment or other than wages, attach a calculation showing the basis of your calculation of lost income. If self-employed, a copy of your previous years income tax records must be submitted.

(5) Set forth any and all other losses or damages claimed by you.

c. If you claim property damage:

(1) Describe the property damage

(2) The present location and time when the property may be inspected.

(3) Date property acquired _____

(4) Cost of property \$ _____

(5) Value of property at time of the accident \$ _____

(6) Description of damage _____

(7) Has the damage been repaired? _____

If so, by whom, when and costs of repairs _____

(8) Attach estimate of repair costs to this form. Two estimates required if damage exceeds \$750.00

(9) Attach photographs of damaged property.

(10) Set forth in detail the monetary loss claimed by you for property damage.

d. Set forth in detail all other items of loss or damages claimed by you and the method by which you made calculation.

5. The total amount of your claim. _____
6. Have you made a claim against anyone else for the losses or expenses claimed in this notice?

If yes, set forth the name and address of all persons and insurance companies against whom you have made such claims.

Do you collect benefits from any Municipal, State or Federal Agency? YES NO
If so, state what agency? _____

7. Are any of the losses or expenses claimed herein covered by any policy of insurance? _____
For each such policy, state the name and address of the insurance company, policy number and benefits paid or payable.

8. Have you received or agreed to receive any money from anyone for the damages claimed herein?

If so, set forth the details of such agreement. _____

9. The following items must be submitted with this notice:
(1) Copies of itemized bills for each medical expense and other losses and expenses claim.
(2) Full copies of all appraisals and estimates of property damages claimed by you.
(3) Copies of all written reports of all expert witnesses and treating physicians.
(4) A letter from your employer verifying your lost wages. If self-employed, a statement showing the calculation of your claimed lost income.

10. Prior Claims:

Have you ever made a claim before against NJ TRANSIT or anyone else?
 YES NO

If so, list date of accident, location, parties involved, insurance carrier and claim number. _____

I hereby certify that the foregoing statements made by me are true; that the attached statements, bills, reports and documents are the only ones known to be in existence at this time. I am aware that if any statement made herein is willfully false or fraudulent, that I am subject to punishment provided by the law.

Date: _____

Claimant or persons filing
claim on behalf of claimant

TO WHOM IT MAY CONCERN:

I hereby authorize any and all doctors, hospitals, medical facilities and employers to release to NJ TRANSIT any and all records, reports and other information concerning the treatment and employment of the claimant named herein. This authorization shall remain in effect until my claim against NJ TRANSIT has been resolved.

Date: _____ (Signature)

(This must be signed by claimant or the parents of claimants who are minors)

PROPOSALS

13:37-9.4 Pediatric sexual assault forensic examinations
No [SANE] FN-CSA shall perform a sexual assault forensic examination on a child.

13:37-9.5 [SANE] FN-CSA education programs
(a) An individual, agency or institution seeking approval for a course in clinical forensics for the purpose of providing education for [sexual assault nurse examiners] forensic nurses-certified sexual assault shall submit to the Board an application which shall include:

- 1.-3. (No change.)
- 4. An affidavit which indicates that the curriculum is included in the [SANE] FN-CSA education course;
- 5.-7. (No change.)
- (b) (No change.)
- (c) A course in [SANE] FN-CSA education shall be completed within a six-month period. A course shall contain a minimum of 40 hours of didactic instruction in the following:
 - 1. Historical perspectives of sexual assault and [sexual assault nurse examiners] forensic nurses-certified sexual assault, for a minimum of one-half hour;
 - 2. (No change.)
 - 3. Role and responsibility of the [sexual assault nurse examiner] forensic nurse-certified sexual assault, for a minimum of one and one-half hours;
 - 4.-17. (No change.)
 - 18. Review of the Nurse Practice Act, N.J.S.A. 45:11-24 et seq., and its application to [SANE] FN-CSA practice, for a minimum of one-half hour;
 - 19.-30. (No change.)

(d) The didactic instruction required in (c) above shall be taught by an instructor who either has a masters degree in nursing from a school accredited by the New Jersey Department of Education, or another state's department of education, or who is a [SANE] FN-CSA. Didactic instruction in topics required by (c) 15, 23, 24, 25 and 26 above may be taught by an attorney. Didactic instruction in topics required by (c) 16 above may be taught by an attorney or by an investigator or detective who is part of a New Jersey law enforcement agency. Didactic instruction in topics required by (c) 1, 5, 6, 7 and 21 above may be taught by an individual who is recognized as a rape care advocate pursuant to N.J.S.A. 52:4B-52.

(e)-(g) (No change.)

13:37-9.6 Clinical education
(a) Applicants for certification as a [SANE] FN-CSA shall complete classroom education, pursuant to N.J.A.C. 13:37-9.5, before beginning their clinical education.

(b)-(c) (No change.)

(d) An individual who attended to five victims of sexual assault as part of a county [SANE] FN-CSA program prior to July 13, 2004 shall be deemed to have met the requirements of (b)2 above and need not complete the five simulated sexual assault examinations required by (b)2 above in order to obtain certification.

13:37-9.7 Clinical education facilities
(a) A Board accredited school of nursing may apply to the Board for approval as a clinical education facility. An applicant for approval shall submit to the Board:

1.-4. (No change.)

5. After July 13, 2005, evidence that the training facility has an instructor who is a [SANE] FN-CSA.

(b)-(c) (No change.)

(d) An approved clinical education facility shall, upon completion of the clinical education required by N.J.A.C. 13:37-9.6(b)2, provide an examination which tests the ability of a [sexual assault nurse examiner] forensic nurse-certified sexual assault applicant to perform sexual assault forensic examinations. The facility shall forward the results of this examination to the Board.

13:37-9.8 Renewal of certification

(a) Certification as a [SANE] FN-CSA shall be valid for two years.

(b) Certified [SANEs] FN-CSAs shall renew certification biennially by submitting to the Board:
1.-2. (No change.)

13:37-9.9 Revocation or suspension of certification
(a) The Board and the Director of the Division of Criminal Justice may revoke or suspend a certification, after affording an opportunity to be heard, if they find that a [SANE] FN-CSA has:
1.-5. (No change.)

13:37-9.10 Endorsement

(a) A registered professional nurse, licensed in New Jersey, who is working as a [SANE] FN-CSA in another state may apply for certification as a [SANE] FN-CSA in New Jersey if the applicant is certified by another state as a [SANE] FN-CSA, or its equivalent, and the applicant:

1.-3. (No change.)

(b) An applicant for certification by endorsement shall submit to the Board:

1.-2. (No change.)

3. Evidence that the applicant is certified in another state and has worked in the past year as a [SANE] FN-CSA, or its equivalent;

4.-8. (No change.)

(c) The Board shall review the endorsement application and forward it to the Director of Criminal Justice for review and approval. Once both the Board and the Director have approved the applicant, the Board shall issue the applicant a certification as a [SANE] FN-CSA in New Jersey.

TRANSPORTATION

(a)

NEW JERSEY TRANSIT CORPORATION
Claims

Proposed Readoption with Amendments: N.J.A.C.
16:88

Authorized By: New Jersey Transit Corporation, George D. Warrington,
Executive Director.

Authority: N.J.S.A. 27:25-5(e), 59:8-4 and 59:8-6.

Calendar Reference: See Summary below for explanation of
exception to calendar requirement.

Proposal Number: PRN 2005-19.

Submit comments by March 19, 2005 to:

Joyce J. Zuczek
New Jersey Transit Corporation
One Penn Plaza East
Newark, NJ 07105-2246

The agency proposal follows:

Summary

In accordance with the sunset provisions of Executive Order No. 66(1978), NJ TRANSIT has evaluated the rules at N.J.A.C. 16:88, Claims, scheduled to expire September 16, 2005, pursuant to N.J.S.A. 52:14B-5.1c, to determine their continuing usefulness. NJ TRANSIT has reviewed N.J.A.C. 16:88 and determined that these rules are necessary, reasonable, adequate, efficient, understandable and responsive to the purpose for which they were originally promulgated, with the exception of a few minor amendments.

A summative review of each of the subchapters follows:

Subchapter 1, Definitions, includes the definitions section of the chapter.

Subchapter 2 describes the purpose of the rules.

Subchapter 3 describes the procedure for submitting a claim form for damages against NJ TRANSIT.

Appendix A provides a sample claim form.

The rules proposed for readoption at N.J.A.C. 16:88 are proposed for amendment as follows:

The definition of "NJ TRANSIT" in N.J.A.C. 16:88-1.1 has been amended to reflect NJ TRANSIT's organizational structure, by changing the word "divisions" to "subsidiaries."

TRANSPORTATION

N.J.A.C. 16:88-2.1 has been amended to clarify the purpose of the rules by changing the phrase "any claim filed against NJ TRANSIT" to "any tort claim against NJ TRANSIT."

N.J.A.C. 16:88-3.1 has been amended so that the subchapter's language is consistent, to reflect grammatical corrections and to provide that failure to submit the information required by this chapter, rather than only the information required by the chapter Appendix, shall subject a claim to bar under N.J.S.A. 59:8-8.

N.J.A.C. 16:88-3.2 has been amended to provide the different addresses for each claims division, thus allowing the claimant to submit the claim form directly to the appropriate division and expediting the receipt by the appropriate division.

N.J.A.C. 16:88 Appendix A has been amended to reflect changes to the claims form that allows NJ TRANSIT to gather information to expedite the investigation. The amendments include the listing of the address for the relevant claims division (as available on the claims form), grammatical changes for clarification purposes, and to reflect the HIPAA Authorization Form process.

As NJ TRANSIT has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirements, pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The rules establish a procedure for the submission of claims against NJ TRANSIT and a form for the filing thereof. Claimants will be required to provide the required information in their claim for damages against NJ TRANSIT. The rules have been amended to provide the claimant with the addresses for each claims division so that the claimant may submit the form directly to the appropriate division in order to expedite the receipt of the claim by the appropriate division. Pursuant to Healthcare Insurance Portability and Accountability Act of 1996 (HIPAA), the proposed amendments require the claimant to submit an authorization form for each hospital, doctor or medical provider specified in item 3(b)(3) of the claims form (Appendix A). The authorization is required so that the claimant's medical information concerning the claimant's treatment and employment may be released to NJ TRANSIT.

Economic Impact

The economic impact of the rules proposed for re-adoption with amendments has not changed since the rules were first adopted in 2000.

Claimants against NJ TRANSIT are expected to incur administrative expenses in connection with the provision and transmittal of the requested information. It is not necessary for claimants to retain the services of professionals in order to comply with the rules proposed for re-adoption with amendments. Pursuant to N.J.S.A. 59:8-8, claimants who fail to complete the required form may be barred in whole or in part from recovering damages against NJ TRANSIT.

Federal Standards Statement

The rules are not subject to any Federal standards and, therefore, a Federal standards analysis is not required for this proposed re-adoption with amendments.

Jobs Impact

The rules proposed for re-adoption with amendments have no effect in either increasing or decreasing jobs in the State.

Agriculture Industry Impact

The rules proposed for re-adoption with amendments have no impact on the agriculture industry.

Regulatory Flexibility Analysis

The rules impose reporting, recordkeeping and compliance requirements on persons perfecting claims against NJ TRANSIT under the New Jersey Tort Claims Act, N.J.S.A. 59:8-1 et seq. Some of these claimants may be small businesses within the meaning of the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. Therefore, a regulatory flexibility analysis is required.

The rules proposed for re-adoption with amendments requires claimants to provide the information requested in Appendix A of the rules proposed for re-adoption, and to submit that information to the address specified in N.J.A.C. 16:88-3.1. In addition, claimants are required to submit the records specified in item 9 on the form and authorization forms for the release of medical information, as explained in the Social Impact statement above. Failure to submit the required information shall subject claims to bar under N.J.S.A. 59:8-8.

Claimants against NJ TRANSIT who are small businesses are expected to incur administrative expenses in connection with the provision and transmittal of the requested information. It is not necessary for claimants to retain the services of professionals in order to comply with the rules proposed for re-adoption with amendments. However, claimants may choose to retain the services of attorneys to assist them in the submission of the required information.

Pursuant to its authority to adopt rules requiring additional data to be submitted with a notice of claim, N.J.S.A. 59:8-6, NJ TRANSIT has determined that the requested information is the minimum necessary for it to make an adequate investigation and prepare a proper defense of claims and to permit a period of administrative review and possible settlement of meritorious claims. NJ TRANSIT does not consider the submission of the required information to be unduly burdensome because it is the same information that a claimant would normally be required to produce in any civil case through the discovery process. Therefore, NJ TRANSIT has provided no lesser or differing standards for small businesses.

Smart Growth Impact

The rules proposed for re-adoption with amendments have no impact on the achievement of smart growth and implementation of the State Development and Redevelopment Plan.

Full text of the proposed re-adoption may be found in the New Jersey Administrative Code at N.J.A.C. 16:88.

Full text of the proposed amendments follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

16:88-1.1 Definitions

The following words and terms, as used in this chapter, shall have the following meanings:

"NJ TRANSIT" means the New Jersey Transit Corporation and its operating [divisions] subsidiaries, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc. and NJ TRANSIT Mercer, Inc.

16:88-2.1 Purpose

- (a) (No change.)
- (b) The purpose of these rules is to establish the procedure for filing, and the form specifying the information that must be contained in, any tort claim [filed] against NJ TRANSIT or its employees under N.J.S.A. 59:8-1 et seq.

16:88-3.1 [Complaint] Claim contents

(a) A [complaint] claim submitted pursuant to this [subchapter] chapter and N.J.S.A. 59:8-1 et seq. shall be submitted [in or] on the form set forth at N.J.A.C. 16:88-3.2, or a similar form containing the information contained at N.J.A.C. 16:88-3.2.

(b) Failure to submit the information [requested in N.J.A.C. 16:88 Appendix A] required by this chapter, to the address set forth at N.J.A.C. 16:88-3.2(b), shall subject a claim to bar under N.J.S.A. 59:8-8.

16:88-3.2 Claim form for damages against NJ TRANSIT

- (a) (No change.)
- (b) Upon completion, the claim form should be sent to either:

Claims Department
 Rail Division
 New Jersey Transit Corporation
 One Penn Plaza East
 Newark, NJ 07105

or
 Claims Department
 Bus & Light Rail Division
 New Jersey Transit Corporation
 180 Boyden Avenue
 Maplewood, NJ 07040

or
 Claims Department
 Southern Division
 NJ TRANSIT Corp.
 350 Newton Avenue
 Camden, NJ 08103

PROPOSALS

TRANSPORTATION

APPENDIX A CLAIM FOR DAMAGES AGAINST NJ TRANSIT

Claim No. _____ Unit _____

Forward to: Claims Department

Rail Division
NJ TRANSIT Corp.
One Penn Plaza East
[Newark, New Jersey 07105-2246]
Newark, NJ 07105

**Bus & Light Rail
Division**
NJ TRANSIT Corp.
180 Boyden Avenue
Maplewood, NJ 07040

Southern Division
NJ TRANSIT Corp.
350 Newton Ave.
Camden, NJ 08103

1. Claimant:

Last Name, _____		First _____	Middle _____	Date of Birth _____
Married []	Single []		Spouse's Name _____	
Street Address _____			Mailing Address if other than street address _____	
City _____	State _____	Zip Code _____		Social Security Number _____

If notices and correspondence in connection with this claim are to be sent to a person other than claimant, complete question #2.

2. _____ Mailing Address _____

Name[s] _____

Relationship to claimant: _____

City _____ State _____ Zip Code _____

The occurrence or accident which gave rise to this claim occurred on:

3a. _____

Date _____ Time _____ Weather _____

Bus #/Train #/Station _____ [Bus Line/Rail Line] _____

Bus [Direction]/Train Direction _____

b. Describe the location or place of the accident or occurrence:

City _____ State _____ Exact location of the occurrence _____

c. Describe how the accident or occurrence happened. If a diagram will assist your explanation, please use the reverse side of this form.

d. State the name(s) of NJ TRANSIT employee(s) whom you claim were at fault, including any information that will assist in identifying and locating them.

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e. State the negligence or wrongful acts of the NJ TRANSIT employee(s) [which] that caused your damages.

f. State the name, [and] address, and phone number of all witnesses to the accident or occurrence.

Name	Address	Phone Number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

g. State the names of all police officers and police departments who investigated the accident and provide a copy of the police report.

4a. Claim for Damages (check appropriate box)

- Personal Injury
- Property Damage
- Other—Explain in detail _____

b. If you claim personal injury:

(1) Describe your injuries resulting from the accident or occurrence:

(2) Do you claim disability resulting from this injury:

- Yes
- No

If yes, describe the injuries believed to be permanent.

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(3) For each hospital, doctor or other practitioner rendering treatment, examination or diagnostic services, state:

Name of Hospital, doctors or other facility	Address	Dates of treatment or service	Amount of charges to date	Amount paid or payable by other sources such as insurance

** You must sign the attached HIPAA Authorization Form for each hospital, doctor or medical provider listed above. (Make copies of the Authorization Form where necessary.)

(4) If you claim loss of wages or income as a result of the injury, state:

Name of employer	Address of employer
Your occupation	Date you became employed
Rate of pay	Date of absence from work
Total lost wages to date	If still out, expected date of return

NOTE: If your claimed loss of income arises from self-employment or other than wages, attach [a calculation] an explanation showing the basis of your calculations of lost income. If self-employed, a copy of your previous [years] income tax records for years prior and after the occurrence must be submitted.

(5) Set forth any and all other losses or damages claimed by you.

c. If you claim property damage:

(1) Describe the property damage

(2) The present location and time when the property may be inspected.

(3) Date property acquired _____

(4) Cost of property \$ _____

(5) Value of property at time of the accident \$ _____

(6) Description of damage _____

(7) Has the damage been repaired? [_____]
[] Yes [] No

If so, by whom, when and the costs of repairs _____

TRANSPORTATION

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- (8) Attach an estimate of repair costs to this form. Two estimates required if damage exceeds \$750.00.
- (9) Attach photographs of the damaged property.
- (10) Set forth in detail the monetary loss claimed by you for your property damage.

d. Set forth in detail all other items of loss or damages claimed by you and the method by which you made calculation.

5. The total amount of your claim. _____

6. Have you made a claim against anyone else for the losses or expenses claimed in this notice?

If yes, set forth the name and address of all person(s) and insurance companies against whom you have made such claims.

Do you collect benefits from any Municipal, State or Federal Agency? Yes No
 If so, what agency? _____

7. Are any of the losses or expenses claimed herein covered by any policy of insurance? [_____]
 Yes No

For each such policy, state the name and address of the insurance company, policy number and benefits paid or payable.

8. Have you received or agreed to receive any money from anyone for the [damages] losses and expenses claimed herein?

If so, set forth the details of such agreement. _____

9. The following items must be submitted with this notice:

- (1) Copies of itemized bills for each medical expense and other losses and expenses claim.
- (2) Full copies of all appraisals and estimates of property damage[s] claimed by you.
- (3) Copies of all written reports of all expert witnesses and treating physicians.
- (4) A letter from your employer verifying your lost wages. If self-employed, a statement showing the calculation of your claimed lost income.

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10. Prior Claims:

Have you ever made a claim before against NJ TRANSIT or anyone else?

[] Yes [] No

If so, list the date of accident, location, parties involved, insurance carrier and claim number. _____

I hereby certify that the foregoing statements made by me are true; that the attached statements, bills, reports and documents are the only ones known to be in existence at this time. I am aware that if any statements made herein is willfully false or fraudulent, that I am subject to punishment provided by the law.

Date: _____ Claimant or person[s] filing claim on behalf of claimant

(Claimant or the parents of claimants who are minors must sign this)
*** If there is a claim for lost wages, you must sign the following:

TO WHOM IT MAY CONCERN:

I hereby authorize any and all doctors, hospitals, medical facilities and employers to release to NJ TRANSIT any and all records, reports and other information concerning the treatment and employment of the claimant named herein. This authorization shall remain in effect until my claim against NJ TRANSIT has been resolved.

Date: _____ (Signature)

[(This must be signed by claimant or the parents of claimants who are minors)]

AUTHORIZATION

Release of Medical Information
Pursuant to the Health Care Insurance Portability and
Accountability Act of 1996 (HIPAA)

PATIENT'S NAME: _____

ADDRESS: _____

DATE OF BIRTH: _____ SOCIAL SECURITY NO.: _____

I authorize _____ to use and/or disclose a copy of the above named individual's health information as described below.

Information to be provided/released to: NJ TRANSIT or the Attorney General's Office of New Jersey.

Information to be released: Entire medical file and related information to include, but not limited to, all notes, reports, diagnostic test results, X-ray films, CT Scan films, MRI films, etc. I understand that the information in my health record may include information relating to sexually transmitted disease, acquired immunodeficiency syndrome (AIDS), or human immunodeficiency virus (HIV). It may also include information about behavior or mental health services, and treatment for alcohol and drug abuse.

Purpose: This information that I am authorizing release and disclosure will be used for a personal injury claim or litigation against NJ TRANSIT or a NJ TRANSIT employee.

Revocation: I understand that I may revoke this authorization in writing to the medical provider listed above, at any time, provided that I do so in writing, except to the extent that action has been taken in reliance upon this authorization. Unless revoked earlier, this authorization will expire at the end of three (3) years, or at the close of my claim or litigation against NJ TRANSIT or a NJ TRANSIT employee.

Disclosure is voluntary: I understand authorizing the use or disclosure of this information identified above is voluntary. I need not sign this form to ensure healthcare treatment. I also understand that once the above information is disclosed, it may be re-disclosed by the recipient during the defense of the pending claim or litigation, and the information may not be protected by the Federal privacy laws or regulations.

Signature of patient, or legal representative

Date: _____

If signed by Legal Representative, relationship to patient

Date: _____

Signature of witness

Date: _____

EXHIBIT C

**REGULATIONS: ADOPTION OF REGULATIONS N.J.A.C. 16:88 CLAIM FORM
PROPOSED AMENDMENTS**

The rules proposed for readoption at N.J.A.C. 16:88 are proposed for amendment as follows:

The definition of "NJ TRANSIT" in N.J.A.C. 16:88-1.1 has been amended to reflect NJ TRANSIT's organizational structure, by changing the word "divisions" to "subsidiaries."

N.J.A.C. 16:88-2.1 has been amended to clarify the purpose of the rules by changing the phrase "any claim filed against NJ TRANSIT" to "any tort claim against NJ TRANSIT."

N.J.A.C. 16:88-3.1 has been amended so that the subchapter's language is consistent, to reflect grammatical corrections and to provide that failure to submit the information required by this chapter, rather than only the information required by the chapter Appendix, shall subject a claim to bar under N.J.S.A. 59:8-8.

N.J.A.C. 16:88-3.2 has been amended to provide the different addresses for each claims division, thus allowing the claimant to submit the claim form directly to the appropriate division and expediting the receipt by the appropriate division.

N.J.A.C. 16:88 Appendix A has been amended to reflect changes to the claims form that allows NJ TRANSIT to gather information to expedite the investigation. The amendments include the listing of the address for the relevant claims division (as available on the claims form), grammatical changes for clarification purposes, and to reflect the HIPAA Authorization Form process.

ITEM 0506-46: ANNUAL NOTICE OF MEETINGS

BENEFITS

The By-Laws, as amended, for the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc. and NJ TRANSIT Mercer, Inc. state that the regular meetings of the Board of Directors be held on the second Wednesday of each month. A list of the meetings schedule is approved at the June meeting each year. The Annual Notice of Meetings is then transmitted to newspapers, filed with the Secretary of State, posted at NJ TRANSIT headquarters and mailed to any person who requests it.

Unless otherwise noted in the annual notice (Exhibit A), or as otherwise modified by the Board during the year in accordance with the Open Public Meetings Law, meetings will be held on the second Wednesday of each month at NJ TRANSIT headquarters in Newark, New Jersey, with the exception of at least two of the meetings during Fiscal Year 2006 that may be held at different locations within the State.

PURPOSE

The Open Public Meetings Law, P.L. 1975, c.231 requires that the public be given adequate notice of meetings of public bodies. Section 13 specifically provides that at least once each year, within seven days following the annual organization or reorganization meeting, a public body must provide adequate notice of the schedule of regular meetings to be held during the succeeding year. The schedule must contain the location, to the extent known, the time and the date of each meeting.

ACTION

Adopt the Annual Notice of Meetings (Exhibit A) for all of the Board of Directors meetings during Fiscal Year 2006.

This item has been reviewed and recommended by the Board Administration and Capital Planning, Policy and Privatization Committees.

FISCAL IMPACTS

Requested Authorization:	Adopt Annual Notice of Meetings
Anticipated Source of Funds:	N/A
Projected Date of Completion:	June 30, 2005
DBE Goals:	N/A

RESOLUTION

WHEREAS, pursuant to the Open Public Meetings Law, P.L. 1975, c.231, an annual notice of regular meetings of the Board of Directors must be disseminated; and

WHEREAS, the Annual Notice of Meetings must be prominently posted in one public place reserved for announcements of this type, transmitted to newspapers, filed with the Secretary of State, and mailed to any person who requests it; and

WHEREAS, the By-Laws, as amended, for the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc., and NJ TRANSIT Mercer, Inc. provide that regular meetings shall be held on the second Wednesday of each month except as otherwise noted in the Annual Notice of Meetings; and

WHEREAS, the June meeting serves as the annual meeting;

NOW, THEREFORE, BE IT RESOLVED that the Annual Notice of Meetings, Exhibit A, is adopted; and

BE IT FURTHER RESOLVED that the Annual Notice of Meetings shall be disseminated in accordance with the provisions of the Open Public Meetings Law, P.L. 1975, c.231.

EXHIBIT A

ANNUAL NOTICE OF MEETINGS: FISCAL YEAR 2006

**NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.**

In accordance with the "Open Public Meetings Law," P.L. 1975, c.231, the above organizations will hold regular meetings, open to the public, at 9:00 a.m. on the second Wednesday of each month for the period July 1, 2005 through June 30, 2006, except as noted below.

The June meeting will serve as the annual meeting.

Unless otherwise indicated, meetings will be held at NJ TRANSIT's corporate headquarters in Newark, New Jersey. The meetings will convene at 9:00 a.m. in the Board Room at NJ TRANSIT's Headquarters, One Penn Plaza East, Ninth Floor, Newark, NJ.

The specific dates are as follows:

July 27, 2005, Fourth Wednesday
August 10, 2005
September 22, 2005, Thursday
October 12, 2005
November 9, 2005
December 14, 2005
January 18, 2006, Third Wednesday
February 8, 2006
March 8, 2006
April 12, 2006
May 10, 2006
June 14, 2006

ITEM 0506-47: ANNUAL DESIGNATIONS AND BOARD COMMITTEE MEMBERSHIP SELECTION

BENEFITS

NJ TRANSIT and its subsidiaries are governed by its statute, regulations and By-Laws. The New Jersey Public Transportation Act of 1979, P.L. 1979, c. 150 provides that the Commissioner of Transportation serve ex officio as Chairman of the New Jersey Transit Corporation Board of Directors, and the Vice Chairman and Board Secretary shall be selected annually, as stated in Article III, Section 2 of the NJ TRANSIT By-Laws.

Article II, Section 11 of the NJ TRANSIT By-Laws establish and structure the membership of the Board Committees so that they shall be composed of a Chairman of the Committee, who shall be appointed by the Chairman of the Board, and up to two additional members who shall be selected by and serve at the pleasure of the Chairman of the Board. Each committee consists of no more than three Board members with, in some cases, an alternate, and meets on a monthly, or as-needed basis. The committees membership is outlined in Exhibit A.

PURPOSE

The effect of this item is to fulfill the statutory and By-Law requirements of the annual designation of the Vice Chairman of the Board and the Secretary to the Board. Appointments are also being made to all Board Committees.

ACTION

Approval of this item will designate Myron P. Shevell to serve as Vice Chairman of the Board of Directors and Gwen A. Watson as Secretary of the Board of Directors through June 2006 and appoint the members of all Board Committees as set forth in Exhibit A.

FISCAL IMPACTS

Requested Authorization:	Designations of officers, committee membership authorization
Anticipated Source of Funds:	N/A
Projected Date of Completion:	June 30, 2006
DBE Goals:	N/A

RESOLUTION

WHEREAS, the New Jersey Public Transportation Act of 1979, P.L. 1979, c.150 requires the annual designation by the NJ TRANSIT Board of Directors of a Vice Chairman of the Board and a Secretary to the Board; and

WHEREAS, Article III, Section 2 of the NJ TRANSIT By-Laws also provides that the Board Vice Chairman and Secretary be designated annually, and that the Commissioner of Transportation serve as Chairman; and

WHEREAS, the Chairman of the Board is charged with the selection of Board Committee members and recommendations to the committee membership are proposed in Exhibit A;

NOW, THEREFORE, BE IT RESOLVED that Myron P. Shevell is designated as Vice Chairman of the New Jersey Transit Corporation Board of Directors to serve a term through June 30, 2006 and Gwen A. Watson is designated as Secretary of the Board of Directors to serve a term through June 30, 2006; and

BE IT FURTHER RESOLVED that the membership of the Board Committees is adopted as set forth in Exhibit A.

EXHIBIT A

FY2006 BOARD COMMITTEES

Administration Committee

Flora Castillo, Chair
Patrick Parkinson
Governor's Representative

Audit Committee

Patrick Parkinson, Chair
Myron P. Shevell
Treasurer's Representative

Capital Planning, Policy and Privatization Committee

Myron P. Shevell, Chair
Kenneth E. Pringle
Treasurer's Representative

Customer Service Committee

Flora Castillo, Chair
Kenneth E. Pringle
Governor's Representative