

**PROCEEDINGS OF NEW JERSEY TURNPIKE AUTHORITY
WEDNESDAY, JULY 29, 2009**

Chairman Dilts called the Authority into session in the Executive Boardroom of the Authority's Administration Offices, Woodbridge, New Jersey, at 9:39 A.M.

PRESENT

Chairman Stephen Dilts; Commissioner/Treasurer Michael DuPont; Commissioner David Evans; Commissioner Raymond Pocino; Commissioner Clive Cummis; Commissioner Troy Singleton; and Commissioner Ulises Diaz.

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

Also present were: General Counsel Judy Verrone; General Consultant James Beattie; Governors' Authorities Unit Representative Sonia Frontera (joining via teleconference); NJDOT Policy and Authorities Coordination Representative Ben Neville; additional individuals consisting of other NJTA employees; interested organizations; the general public; and from the media: the Asbury Park Press and The Record.

NOTICE OF MEETING

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

APPROVAL OF MINUTES

The Secretary reported that ten days (excluding Saturdays, Sundays and holidays) have elapsed since Governor Jon S. Corzine received the proceedings of the regular meeting of June 30, 2009; he has not exercised his power to veto any items in those minutes.

Upon motion by Commissioner Cummis, seconded by Commissioner DuPont; the Minutes of the June 30, 2009 meeting were unanimously approved.

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RECUSALS

The Secretary reported that advisements of recusal had been submitted and asked for any further recusals or abstentions to be placed on record for this meeting. Those results are regarding items: 171-09, 174-09, 177-09, 183-09, 184-09 and 185-09 for Commissioner Pocino; 182-09 for Commissioner DuPont; and 172-09 and 173-09 for Commissioner Diaz.

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

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

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

When Executive Session was adjourned at 10:17 AM, the Chairman resumed the public portion of the meeting. The Members of the Authority then moved on the following agenda matters presented for consideration:

PERSONNEL

169-09

Human Resources Director Garrity submitted the **Personnel Agenda**, dated July 29, 2009, and requested confirmation of the personnel matters contained therein.

The Executive Director certified the recommendation for consideration.

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

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The following matters constitute the Public Session agenda:

ENGINEERING

Chief Engineer Raczynski requested approval of item numbers 170-09 through 183-09. Moved as a group, those Engineering items are as follows:

170-09

In a memorandum dated July 6, 2009, concerning a recommendation **Adopt a Policy for the Establishment of Pedestrian Bridges on Authority Rights-of-Way.**

The Authority has been contacted by third-party public and private entities requesting permission to construct pedestrian bridges within the Authority's Rights-of-Way. At the request of the Executive Director, the Engineering and Law Departments have prepared a "Policy for Establishment of Pedestrian Bridges over Authority Rights-of-Way" which is being recommended for

adoption. The Policy's legal framework and final agreement rely upon the Authority's existing License to Cross procedures. In addition, the policy includes formal guidelines for the design and construction of pedestrian bridges over Authority Rights-of-Way.

It is, therefore, recommended that the Commissioners adopt the "Policy for the Establishment of Pedestrian Bridges on Authority Rights-of-Way", in the final form submitted as Exhibit A, to formally guide and coordinate the process of planning, design, and construction of pedestrian bridges by third party entities.

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171-09

In a memorandum dated July 10, 2009, concerning a recommendation to **Issue a Type 3 Change Order to Contract No. T100.077 – Gardner M. Bishop Inc.** – New Jersey Turnpike, Bridge Deck Repairs and Resurfacing, Mile 83 to Mile 122 and the Newark Bay-Hudson County Extension, 2009 Capital Construction Program Project No. 31001010.

It is recommended that a Type 3 Change Order be issued to Contract No. T100.077 to perform high priority repairs at Structure Nos. E112.95A&B, which are currently beyond the scope of the contract. The repairs planned at these bridges include removal of granite curbing at the safety walk, partial reconstruction of the sidewalk, deck joint reconstruction, and adjacent asphalt resurfacing. The condition of the various features has deteriorated such that they are now a high priority and warranted. The construction of the proposed repairs will prevent further corrosion and section loss of the structural components, which will maintain the structural integrity and load carrying capacity of the bridge. The work will commence in late August 2009 and be completed prior to the winter season to prevent further exposure of the floorbeams and fracture critical girders to corrosive de-icing materials that are likely to be used on the roadway this winter.

Gardner M. Bishop, Inc., which was awarded Contract No. T100.077, provided a cost proposal in an amount of \$2,750,555.50, which may be compared to the revised Engineer's Estimate in an amount of \$2,927,959.71. Accordingly, the contractor's cost proposal is fair and reasonable for the work to be performed.

It is, therefore, recommended that this Type 3 Change Order to Contract No. T100.077 be authorized in the amount of \$2,750,555.50 to Gardner M. Bishop, Inc.

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172-09

In a memorandum dated July 13, 2009, concerning a recommendation to **Execute Utility Order No. 1224-T – Verizon-NJ Inc.** – New Jersey Turnpike, Contract No. T869.120.301, Interchange 6 - 9 Widening Program, Grading, Drainage, Paving and Utilities, Local Roadways, Milepost 57.1 to 58.4, Township of Hamilton, Mercer County, 2009 Capital Construction Program No. 31018001.

A Utility Order is required to perform utility relocations of existing Verizon facilities that will be directly impacted by the construction of Contract No. T869.120.301 of the New Jersey Turnpike

Interchange 6 to 9 Widening Program, Design Section No. 3. The Authority will reimburse Verizon for the relocation of approximately 5,000 feet of existing aerial and underground facilities with 7,400 feet of new underground and aerial facilities, cost of materials, engineering, inspection and associated activities. This work will be performed in the vicinity of South Broad Street (MP 57.10), Crosswicks-Hamilton Square Road (MP 57.55), and Uncle Pete's Road (MP 58.1 to 58.3) in Hamilton Township, Mercer County. A future utility order will be required for Verizon facilities impacted in Design Section No. 3 under Contract T869.120.302.

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

It is, therefore, recommended that the Executive Director be authorized to execute Utility Order No. 1224-T, in the amount of \$505,000.

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173-09

In a memorandum dated July 13, 2009, concerning a recommendation to **Execute Utility Order No. 1227-T – Verizon-NJ Inc; and Utility Order No. 1228-T – PSE&G Electric** – New Jersey Turnpike, Contract No. T869.120.401, Interchange 6 - 9 Widening Program, Interchange 7A - Local Roadways and Ramp TN over I-195, Grading, Drainage, Paving, Structures, Lighting, Pavement Markings, Traffic Signal and Signing, Milepost 59.7 to 60.9, Township of Robbinsville, Mercer County, 2009 Capital Construction Program No. 31018001 and Future Bond Issue.

Existing utility facilities belonging to the referenced utilities will be directly impacted by the construction of the referenced contract in Design Section No. 4. The Authority will reimburse these utility companies for the relocation of their existing facilities, including the cost of materials, inspection and associated activities. This utility work will be done in the vicinity of Edgebrook Road (MP 60.31) and Robbinsville-Allentown Road (60.91) in Robbinsville Township, Mercer County.

- UO 1227-T – Verizon-NJ, Inc., Amount: \$2,830,000 – Relocation of approximately 4,500 feet of existing aerial facilities to new underground facilities in the vicinity of Edgebrook Road and Robbinsville-Allentown Road. A future Utility Order will be required for Verizon facilities impacted in Design Section No. 4 under Contract No. T869.120.402.
- UO 1228-T – PSE&G Electric, Amount: \$810,000 – Removal of existing poles, relocation of approximately 3,500 feet of existing facilities to new facilities in the vicinity of Edgebrook Road and Robbinsville-Allentown Road. This is the only Utility Order anticipated to be required for PSE&G Electric in Design Section No. 4.

The cost of these Utility Orders was provided by each utility and are based on the final improvements and known conditions at the time. The cost proposals were reviewed by the Engineering Department, are considered reasonable and their approval is recommended.

Therefore, it is recommended that the Executive Director be authorized to execute Utility Order Nos. 1227-T and 1228-T in the amounts given above.

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174-09

In a memorandum dated July 8, 2009, concerning a recommendation to **Award Contract No. P200.128 – Intercounty Paving Associates, LLC** – Garden State Parkway, Central Pavement Restoration and Miscellaneous Improvements, Milepost 75 to 146, Maintenance Reserve Fund No. 03020005.

This contract will provide for the resurfacing of asphalt concrete surface course pavement along the Garden State Parkway Northbound and Southbound mainline roadways, ramps and toll plazas along with other incidental work at various locations between Milepost 75 and 146.

Five bid proposals were received on July 7, 2009 for the above publicly advertised contract. The low bid proposal, in the amount of \$7,798,000, may be compared to the Engineer's Estimate in the amount of \$7,965,325. The low bidder, Intercounty Paving Associates, LLC, has previously performed work for the Authority and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. P200.128 be awarded to the low bidder, Intercounty Paving Associates, LLC of Hackettstown, New Jersey, in the amount of \$7,798,000, allocated as follows: \$4,700,000 in 2009 and \$3,098,000 in 2010. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). The General Consultant, HNTB Corporation, concurs with this recommendation.

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175-09

In a memorandum dated July 2, 2009, concerning a recommendation to **Issue Order for Professional Services No. P3242 – Boswell Engineering** – Garden State Parkway, Supervision of Construction Services for Contract No. P200.128, Central Pavement Restoration and Miscellaneous Improvements, Milepost 75 to 146, Maintenance Reserve Fund No. 03020005.

This Order for Professional Services (OPS) will provide supervision of construction services for Contract No. P200.128. This contract will provide for the resurfacing of asphalt concrete surface course pavement along the Garden State Parkway Northbound and Southbound mainline roadways, ramps and toll plazas along with other incidental work at various locations between Milepost 75 and 146.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 57 engineering firms prequalified and eligible under Profile Code B-154: Roadway Resurfacing Inspection. Seven firms submitted EOIs by the closing date of June 12, 2009.

Subsequent to the scoring of the Expressions of Interest, Fee Proposals were requested from the top three firms. They are, in the order of technical ranking: 1) Boswell Engineering; 2) Buchart Horn, Inc.; and 3) Kupper LLC. The fee submitted by Boswell Engineering has been reviewed and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. P3242 be issued to the firm of Boswell Engineering of South Hackensack, New Jersey in the maximum amount of \$655,000, allocated as follows: \$355,000 in 2009 and \$300,000 in 2010. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.35, to cover the cost of fringe benefits, overhead and profit, plus authorized direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8, and Executive Order No. 37 (Corzine).

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176-09

In a memorandum dated July 15, 2009, concerning a recommendation to **Delegate Authority to Executive Director to Award Contract No. T869.120.401 – [Contractor to be Determined]** – New Jersey Turnpike, Interchange 6-9 Widening Program, Interchange 7A - Local Roadways and Ramp TN over I-195, Grading, Drainage, Paving, Structures, Lighting, Pavement Markings, Traffic Signal and Signing, Milepost 59.7 to 60.9, Township of Robbinsville, Mercer County, 2009 Capital Construction Program No. 31018001 and Future Bond Issue.

The design and right-of-way acquisition processes for this contract were fast-tracked in an effort to expedite the widening program's construction schedule. In order to maintain the overall accelerated construction schedule for the Turnpike's Interchange 6-9 Widening Program, it is requested that the Executive Director be authorized to award this contract, upon the recommendation of the Chief Engineer, after the July 29, 2009 Commission Meeting. The estimated cost of construction is \$30,000,000.

This contract involves the reconstruction of Edgebrook Road and Robbinsville-Allentown Road bridges over the Turnpike and future ramps, and the construction of a portion of Ramp TN including a bridge over Route I-195. Construction is anticipated to commence in September of 2009.

It is, therefore, recommended that the Executive Director be authorized to award Contract No. T869.120.401 to the low bidder, upon the recommendation of the Authority's Chief Engineer. The award will be ratified at the August 25, 2009 Commission Meeting. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids for this work were

procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). The General Consultant, HNTB Corporation, concurs with this recommendation.

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177-09

In a memorandum dated July 13, 2009, concerning a recommendation to **Award Contract No. T869.120.901 – R.C.C. Fabricators Inc.** – New Jersey Turnpike, Interchange 6 to Interchange 9 Widening Program, Advanced Fabrication of Overhead Span Sign Structures for VMS and VSLS, 2009 Capital Construction Program No. 31018001 and Future Bond Issue.

This contract will provide for the advanced fabrication and delivery of forty overhead span Variable Message Sign (VMS) and Variable Speed Limit Sign (VSLS) support structures which will be installed on various Turnpike Interchange 6 to 9 Widening Contracts.

Eleven bid proposals were received on July 8, 2009 for the above publicly advertised contract. The low bid proposal, in the amount of \$2,713,769, may be compared to the second low bid proposal in the amount of \$2,914,841. The low bidder, R.C.C. Fabricators, Inc., has previously performed work for other regional transportation agencies and is considered competent to complete this contract.

It is, therefore, recommended that Contract No. T869.120.901 be awarded to the low bidder, R.C.C. Fabricators, Inc. of Southampton, New Jersey, in the amount of \$2,713,769. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). The General Consultant, HNTB Corporation, concurs with this recommendation.

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178-09

In a memorandum dated July 13, 2009, concerning a recommendation to **Issue Order for Professional Services No. A3222 – Weidlinger Associates Inc.** – Garden State Parkway and New Jersey Turnpike, Engineering Services for the Fracture Critical Member (FCM) Phase I Risk Assessment Study of Turnpike and Parkway Major Bridges, 2008A Note Construction Fund No. 30000026.

This Order for Professional Services (OPS) will provide for a Fracture Critical Member (FCM) risk assessment study of the 17 Turnpike and Parkway major bridges. This first phase of a multi-phased study will identify the failure risk of all Turnpike and Parkway major bridges containing fracture critical and failure critical elements. The work will involve preliminary prioritization and risk assessment of each major bridge, including recommendations for future engineering tasks such as additional special inspections, refined structural analyses, and conceptual retrofit design.

This assignment is classified as a "Simple Project" based on the scope of work being clearly defined and not likely to change during the course of the project, and the cost not exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 57 engineering firms prequalified and eligible under Profile Codes A090 - Bridges: New, or A091 - Bridges: Widening and Modifications. Four firms submitted EOIs by the closing date of June 17, 2009.

Subsequent to the scoring of the EOIs, Fee Proposals were requested from the top three firms. They are, in the order of technical ranking: 1) Weidlinger Associates, Inc.; 2) WSP Sells; and 3) Hardesty & Hanover, LLP. The fee submitted by Weidlinger Associates, Inc. has been reviewed, negotiated, and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. A3222 be issued to the firm of Weidlinger Associates, Inc. of Mountain Lakes, New Jersey in the maximum amount of \$420,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.64, based on a 10% allowance for profit and an overhead rate of 139.9% or, the firm's overhead rate as determined by Federal Acquisition Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8, and Executive Order No. 37(Corzine).

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179-09

In a memorandum dated July 6, 2009, concerning a recommendation to **Issue Order for Professional Services No. T3249 – Dewberry-Goodkind Inc.** – New Jersey Turnpike, Design Services for Contract No. T100.137, Easterly Hackensack River Bridge Deck Reconstruction, Structure No. E109.83, 2009 Capital Construction Program No. 31011012 and Future Bond Issue.

This Order for Professional Services (OPS) will provide for the design services and preparation of contract documents for the bridge deck reconstruction, superstructure seismic retrofit, strengthening of structural steel members, fender repairs, and other miscellaneous improvements on the Easterly Hackensack River Bridge. The contract is anticipated to be awarded in March 2011.

This assignment is classified as a "Complex Project" since the scope of work is not clearly defined and likely to change during the course of the project, and the cost exceeding \$1,000,000. Solicitations for Expressions of Interest (EOIs) were sent to 47 engineering firms prequalified and eligible in Profile Codes A095 – Bridges: Deck Reconstruction and A097 – Bridges: Seismic Retrofits. Six firms submitted EOIs by the closing date of May 6, 2009.

Subsequent to the scoring of EOIs by the Review Committee, the top three firms were requested to submit Technical and sealed Fee Proposals. The firms are: 1) Dewberry-Goodkind, Inc.; 2) Gannett Fleming, Inc.; and 3) URS Corporation. The Review Committee reviewed and evaluated each firm's Technical Proposal and final scoring resulted in Dewberry-Goodkind, Inc.

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

It is, therefore, recommended that OPS No. T3249 be issued to the firm of Dewberry-Goodkind Inc. of Bloomfield, New Jersey in the maximum amount of \$5,780,000. This amount includes reimbursement of direct salaries times a maximum multiplier of 2.44, based on a 10% allowance for profit and an overhead rate of 121.8% or, the firm's overhead rate as determined by Federal Acquisition Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8, and Executive Order No. 37(Corzine).

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180-09

In a memorandum dated July 10, 2009, concerning a recommendation to **Issue Order for Professional Services No. T3252 – AECOM Technical Services Inc.** – New Jersey Turnpike, Design and Environmental Permitting, Interchange 10 Improvements, 2009 Capital Construction Program No. 31003035.

This Order for Professional Services (OPS) will provide for design and environmental permitting for the construction of interchange improvements considered necessary to accommodate existing and future traffic volumes at Interchange 10 in Edison Township, Middlesex County. Interchange 10 was identified in an earlier study as a priority interchange warranting operational and safety improvements.

This assignment is classified as a "Complex Project" because the fee exceeds \$1,000,000. Twenty-three engineering firms prequalified and eligible in Profile Codes A250 – Fully Controlled Access Highways; A252 – Complex Interchanges; C190 – Preparation of EIS and EA's; and D491 – Transportation Planning: Alternative Analyses were invited to submit Expressions of Interest (EOIs). Six EOIs were received by the closing date of May 22, 2009.

Subsequent to the scoring of EOIs by the Review Committee, the top three firms were requested to submit Technical and sealed Fee Proposals. The firms in ranking order are: 1) Stantec Consulting Services, Inc.; 2) AECOM Technical Services, Inc.; and 3) Medina Consultants. Based on the scoring of the Technical Proposals, AECOM and Stantec Consulting Services were requested to attend interviews. The final scoring after the completion of the interviews resulted in AECOM Technical Services, Inc. being the highest technically ranked firm. The fee submitted by AECOM Technical Services, Inc. has been reviewed, negotiated and is considered to be fair and reasonable for the services to be provided.

It is, therefore, recommended that OPS No. T3252 be issued to the firm of AECOM Technical Services, Inc. of Bloomfield, New Jersey in the maximum amount of \$1,648,000. This

amount includes reimbursement of direct salaries times a maximum multiplier of 2.6, based on a 10% allowance for profit and an overhead rate of 136.4% or, the firm's overhead rate as determined by Federal Acquisition Regulation (FAR) procedure, whichever is less, plus authorized, direct non-salary expenses. The award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. These professional services were procured, and the recommended firm was selected, in accordance with N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8, and Executive Order No. 37 (Corzine).

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181-09

In a memorandum dated July 9, 2009, concerning a recommendation to **Issue Supplement K to Order for Professional Services No. A3053 – HNTB Corporation** – New Jersey Turnpike, General Consulting Engineers for the New Jersey Turnpike Authority, Design Services for Interchange 16E to 18E Improvements, Reconstruction of Structure No. E112.58A, 2008A Note Construction Fund No. 30000018.

Order for Professional Services (OPS) No. A3053 was issued to HNTB Corporation at the August 2005 Commission Meeting to provide for professional engineering services as the General Consulting Engineer for the New Jersey Turnpike Authority over a five year term. Supplement H was authorized in December 2008 in the amount of \$1,016,000 to provide fast-track final design services for the reconstruction of Structure No. E112.58A.

Supplement K will provide for design services which were unanticipated in the original scope of work of Supplement H due to the fast track nature of the project which included: producing a separate Advanced Steel Fabrication Contract as requested by the Authority; additional construction stages as dictated by the Port Authority of New York and New Jersey to accommodate bus traffic in the XBL Ramp and due to DTM survey versus as-built information and resulting grade differences; revisions to the signing and striping plans to reflect the present two-lane configuration along Ramp ET as the final configuration versus a three lane configuration which will not be implemented until a future date; and electrical/roadway lighting work including XBL signal modification, addition of temporary roadway lighting, and PANYNJ meter cabinet relocation as a result of the limits of the I-495 approach widening.

HNTB Corporation submitted a proposal for these additional services in the total amount of \$100,000, which is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that Supplemental OPS No. A3053K be issued to HNTB Corporation in the amount of \$100,000, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee for this particular task from \$1,016,000 to \$1,116,000. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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182-09

In a memorandum dated July 13, 2009, concerning a recommendation to **Issue Supplement No. 7 to GSP Order for Professional Services No. 133-572D – T&M Associates** – Garden State Parkway, Design Services, Permit and Program Management, Parkway Widening Milepost 30 to 80, 2009 Capital Construction Fund No. 31028031 and Future Bond Issue.

This Order for Professional Services (OPS) was authorized at the February 1998 Highway Authority Commission Meeting in the amount of \$2,223,182 to provide preliminary/concept design and initial permit investigation. Supplement Nos. 1 through 6, in the total amount of \$5,997,194, provided for: addition of Mullica River and Bass River bridges in the preliminary EIS and permitting; increased Pinelands Commission requirements; design program manager for Milepost 63 to 80.8 segment; increased U.S. Coast Guard requirements; extensive soil test pit program to address storm water management as part of permit process; preparation of jurisdictional determination for USACOE; and additional duties which are due to extension beyond 2007, due to Permit requirements.

Supplement No. 7 will compensate T&M Associates to perform unanticipated Program Management services related the review of the Phase C documents resubmission by the MP 63 to 80.8 Section Engineers needed to incorporate modifications to stormwater management facilities as required of the Pinelands Commission Permit. In addition, this supplement includes Permit management related services to complete the Public Access site requirements of the Parkway Widening for the Bass River and the Patcong Creek, preparation of Permit related construction plans from MP 30 to 48 and Permit compliance oversight for the Interchange 30 to 63 Widening Program.

T&M Associates submitted a proposal for these additional services in the total amount of \$2,420,000, which is considered fair and reasonable for the additional services to be provided.

It is, therefore, recommended that Supplemental GSP OPS No. 133-572D-7 be issued to T&M Associates in the amount of \$2,420,000, with compensation on the same basis as the original OPS. The addition of this amount increases the total authorized fee from \$8,220,376 to \$10,640,376. The original contract was procured pursuant to N.J.S.A. 52:34-9.1 et seq. and N.J.A.C. 19:9-2.8.

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183-09

A memorandum dated July 13, 2009, contains the following **Contract for Formal Acceptance and Final Payment:**

<u>CONTRACT NO.</u>	<u>CONTRACTOR</u>	<u>AMOUNT</u>
<u>Contract A500.029B</u>	Alna Construction Corp. Turnpike and Parkway Woodbridge Traffic Management Center Building Enclosure, Finishes and Systems Woodbridge, Middlesex County Construction Fund No. 06570002	\$61,000.00

The Authority accepted the certifications of the Engineers, General Consultants and Chief Engineer as to inspection and completion of the foregoing contract; the certification of the Authority's Law Department as to liens, claims, surety bonds and Final Payment Certificates, in the amount shown, due to the contractor for completion of the above contract.

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

On motion by Commissioner Singleton, seconded by Commissioner Evans, the Authority approved the fourteen (14) item engineering agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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MAINTENANCE

Chief Engineer Raczynski requested approval of item 184-09 and deferred item 185-09. The Maintenance item is as follows:

184-09

In a memorandum dated June 30, 2009, concerning a recommendation to **Award Contract No. A600.139 – Daidone Electric Inc.** – Turnpike and Parkway, Installation of E-ZPass Speed Limit Signs at Various Toll Plazas, Atlantic, Burlington, Ocean, Monmouth, Middlesex, Union, Hudson, Essex, and Bergen Counties, Special Project Reserve Fund No. 04018026.

This Contract provides for the furnishing and installation of radar activated speed signs at three (3) Turnpike and eleven (11) Parkway toll plazas between Milepost 5.9E and Milepost 112.3 on the New Jersey Turnpike and Milepost 28.8 and Milepost 165.0 on the Garden State Parkway and other incidental work associated with the installation of the above noted speed signs.

Proposals were received on June 18, 2009 for the above publicly advertised contract. The low bid of \$234,000.00 may be compared to the Engineer's Estimate of \$258,543.91. The low bid compares favorably to the Engineer's Estimate. The low bidder, Daidone Electric Inc., of Newark, New Jersey has previously worked for the Authority and considered competent to complete this contract.

It is therefore recommended that Contract No. A600.139 be awarded to the low bidder, Daidone Electric, Inc., in the amount of \$234,000. This award is contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardee, pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008), and having no objection to same. Bids for this work were procured, and the authorization being sought is to award this contract to the lowest responsible bidder, in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2, and Executive Order No. 37 (Corzine). The General Consultant, HNTB Corporation, concurs with this award.

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

On motion by Commissioner DuPont, seconded by Commissioner Singleton, the Authority unanimously approved the recommendation; authorized award of Contract No. A600.139 to Daidone Electric Inc., as presented; and received and filed the memorandum.

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185-09

ITEM DEFERRED

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PURCHASING

Purchasing Director Ward identified the purchasing agenda as routine and requested approval. Moved as a group, items 186A-09 through 186G-09 are as follows:

Results of Bidding: Items 186A-09 through 186E-09 are in response to public advertisement for the commodities requisitioned by various departments. Awards are contingent upon the Treasurer of the State of New Jersey completing the review of all documents submitted by the selected awardees pursuant to Public Law 2005, Chapter 51 (formerly Executive Order 134) and Executive Order 117 (Corzine 2008) and having no objection to same. Bids for these items were procured and authorization is sought to award contracts to the lowest responsible bidders, pursuant to N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2 and Executive Order 37. Furthermore, Authority designated Set-Aside Contracts for Small Business Enterprise (SBE) Contracts are as defined by the New Jersey Department of the Treasury in accordance with N.J.S.A. 52:32-17 et seq. and N.J.A.C. 17:14-1.1.

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

186A-09

<u>BIDDERS</u>	<u>BIDS</u>	<u>COMMODITY</u>	<u>VENDOR</u>	<u>AMOUNT</u>
<u>INVITED</u>	<u>REC'D</u>			
7	3	Catch Basin	Mid-Atlantic Truck Centre	\$545,856.00
		Sewer Cleaning Trucks	Linden, NJ	
		with Accessories		

Bids Received: July 8, 2009; Requisition (R) 59324

Requisitioned by Maintenance Department, this is for the purchase of two 9-yard Catch Basin Sewer Cleaning Trucks with Accessories. Bidders were required to quote a unit price per truck.

Review of all bids proposals found that the apparent low bidder listed numerous exceptions to the vehicle specifications published by the Maintenance Department. The Maintenance Department performed a comprehensive evaluation on the bidder's entire bid package and found that there are crucial areas of their proposed vehicle that do not meet departmental needs to effectively perform certain required functions. Therefore, the bidder does not meet Authority specifications and is rejected.

Recommend award be made to the lowest responsible bidder satisfactorily meeting the published specifications, Mid-Atlantic Truck Centre, in an amount not to exceed \$545,856.00. The Authority will have the sole discretion of extending the price agreement for two additional one-year terms at the same terms and conditions.

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186B-09

<u>BIDDERS</u>	<u>BIDS</u>		<u>VENDOR</u>	<u>AMOUNT</u>
<u>INVITED</u>	<u>REC'D</u>	<u>COMMODITY</u>		
9	2	Truck Mounted Attenuators	Atlas Flasher and Supply Co. Mickleton, NJ	\$ 57,645.00

Bids Received: May 5, 2009; R-60657

Requisitioned by the Maintenance Department, this is for the purchase of three (3) truck mounted attenuators for installation onto 5-cubic yard dump trucks.

Recommend award be made to the lowest responsible bidder, Atlas Flasher and Supply Co., in an amount not to exceed \$57,645.00. The Authority will have the sole discretion of extending the price agreement for two additional one-year terms at the same terms and conditions.

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186C-09

<u>BIDDERS</u>	<u>BIDS</u>		<u>VENDOR</u>	<u>AMOUNT</u>
<u>INVITED</u>	<u>REC'D</u>	<u>COMMODITY</u>		
6	2	Extended Powertrain Warranties for State Police Vehicles	Chas. S. Winner Inc. t/a Winner Ford of Cherry Hill Cherry Hill, NJ	\$ 62,590.00

Bids Received: July 7, 2009; R- 60950

Requisitioned by the State Police, this is for the purchase of 41 extended powertrain warranties for State Police 2008-2009 Ford vehicles. Bidders were required to quote a unit price per vehicle.

It is noted that the Winner Ford's bid also contained a manufacturer's surcharge of \$100 per vehicle for vehicles either over 12,000 miles or older than 12 months. According to State Police staff, 15 of the 41 vehicles on the list will exceed 12,000 miles or be older than 12 months by the time this purchase is effectuated.

Recommend award be made to the lowest responsible bidder, Winner Ford of Cherry Hill in an amount not to exceed \$62,590 (includes \$1,500 for the 15 vehicles which will require the surcharge). The Authority will have the sole discretion of extending the price agreement for two additional one-year terms at the same terms and conditions.

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186D-09

<u>BIDDERS</u>	<u>BIDS</u>		<u>VENDOR</u>	<u>AMOUNT</u>
<u>INVITED</u>	<u>REC'D</u>	<u>COMMODITY</u>		
14	3	Coarse Paper Products	Spruce Industries Garwood, NJ	\$136,738.80

Bids Received: July 7, 2009; Requisition Memorandum (RM) 739

Small Business Enterprise Set-Aside Contract

Requisitioned by the Inventory Section, this is a one-year price agreement for 23 items of various coarse paper products to be stocked in inventory (including paper towels, toilet tissue, utility wipes, and hand cleaners). Vendors were required to quote on all items

Review of all bid proposals found one of them as non-compliant and required rejection.

Recommend award be made to the lowest responsible bidder, Spruce Industries Inc., Garwood, NJ in an amount not to exceed \$136,738.80, subject to funding availability at the time of order. The Authority will have the sole discretion of extending the price agreement for two additional one-year terms at the same terms and conditions.

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186E-09

<u>BIDDERS</u>	<u>BIDS</u>		<u>VENDOR</u>	<u>AMOUNT</u>
<u>INVITED</u>	<u>REC'D</u>	<u>COMMODITY</u>		
9	3	Street Sweeper Services	Shauger Cleaning Services East Orange, NJ	\$45,000.00

Bids Received: July 2, 2009; RM 744

Requisitioned by Maintenance Department, this is a one-year price agreement for street sweeping services for the northern area of the Turnpike. Vendors were required to supply an hourly rate for routine services (approximately 500 hours) and an hourly rate for emergency services (approximately 8 hours).

Review of all bid proposals found one of them as non-compliant and required rejection.

Recommend award be made to the lowest responsible bidder, Shauger Cleaning Services in an amount not to exceed \$45,000, subject to availability of funding at time of services. The Authority will have the sole discretion of extending the price agreement for two additional one-year terms at the same terms and conditions.

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186F-09

In a memorandum dated July 22, 2009, concerning the recommendation to **Award a Professional Services Agreement – TrafficLand Inc.** – Closed Circuit Television Cameras and Media Streams on New Jersey Roadways

The Technology and Administrative Services (“TAS”) Department requisitioned the services of a private firm to participate in a public/private partnership with respect to the Authority’s closed circuit television (“CCTV”) program. Under the CCTV program, a private firm would receive non-exclusive access to video feeds from the New Jersey Turnpike Authority (“Authority”) and the New Jersey Department of Transportation (“NJDOT”) regarding traffic conditions on the State’s roadways. In return, the Authority would be provided hardware, software and streaming media hosting at no cost. This equipment and related installation constitutes a value of approximately \$120,000 to the Authority. The Authority would be the lead agency coordinating the distribution of the video feeds and the CCTV equipment would be located in the Authority’s Statewide Traffic Management Center (“STMC”).

Staff issued a request for proposal (“RFP”) to retain a firm which would provide streaming media of traffic surveillance cameras. The term of the agreement will be for three years, with the option to extend for an additional one-year term. The RFP was advertised in two newspapers, posted on the Authority’s and State’s websites and distributed to five firms on February 12, 2009. The professional services process was conducted in accordance with N.J.S.A. 23:26-6.1, N.J.A.C. 19:9-2.1 and Executive Order No. 37. On March 23, 2009, one firm responded to the RFP: TrafficLand, Inc., Fairfax VA.

The Executive Director appointed an Evaluation Committee consisting of the Telecommunications and Electronics Manager and Technical Support and Operations Manager of the Authority’s TAS Department and the Director of Traffic Operations of the NJDOT. The Evaluation Committee reviewed the proposal. The Committee found that TrafficLand’s proposal was fully responsive to the RFP, and scored the proposal 91.6/100.

The Evaluation Committee was satisfied with TrafficLand’s proposal, which offers a combination of services and meets the requirement for revenue generation. TrafficLand anticipates that revenue will be derived from, among other things, the resale of video to third party entities, such as county and/or municipal emergency operations centers. (Notwithstanding this proposal, the Authority will continue to provide free video feeds of traffic conditions to the New Jersey State Police for public safety reasons.)

Accordingly, authorization is requested to award a professional services agreement to TrafficLand, Inc., to serve as the Authority’s partner with the CCTV program outlined herein. There is no cost to the Authority as a result of this agreement.

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186G-09

In a memorandum dated July 22, 2009, concerning the recommendation to **Reject All Bids and Re-Bid Contract** – Data Domain ES20 Expansion Shelves, R-58814.

The Technology and Administrative Services (“TAS”) Department requisitioned a one-year price agreement for the purchase of Two Data Domain ES20 Expansion Shelves for disk storage space. Bids for these items were solicited in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.2 and Executive Order No. 37. The contract was publicly advertised and requests for bids were distributed to eight vendors. The bid opening took place on June 30, 2009. Two proposals were received from: NRI Data & Business Products, Morrisville, PA and Pitney Bowes, Inc., Ewing, NJ.

Upon review of the bid proposals, Purchasing Department staff found that both firms had failed to submit their New Jersey Business Registration Certificate with their bids. According to the specifications, “Failure to submit a valid copy of the Business Registration Certificate at the time of submission of the bid shall result in rejection of the Bidder’s Proposal.” (Emphasis added.) The NJBRC is a mandatory requirement, and accordingly, authorization is requested to reject the bid proposals from NRI Data & Business Products and Pitney Bowes, Inc. and to re-bid the contract as soon as possible.

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

On motion by Commissioner DuPont, seconded by Commissioner Singleton, the Authority unanimously approved the seven (7) item Purchasing agenda; and authorized, as presented, the recommendations contained therein; and received and filed the memoranda.

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GENERAL BUSINESS

187-09

Deputy Law Director Cavanaugh presented the recommendation contained in a memorandum dated July 21, 2009, concerning **Ratification of Award of Professional Services Agreements – Allied North America Insurance Brokerage of NJ; and Risk Strategies Company – Insurance Brokerage-Risk Management Services for the Implementation and Administration of the OCIP for Various Insurance Coverages**

At the February Commission Meeting, the Executive Director was delegated authority to negotiate and award professional services agreements for insurance brokerage and risk management services in connection with the implementation of two Owner Controlled Insurance Programs (“OCIP”s). The professional services selection process was conducted in accordance with N.J.S.A. 27:23-6.1, N.J.A.C. 19:9-2.1(b) and Executive Order No. 37 (Corzine).

Subsequently the Authority staff entered into negotiations with the two highest ranked firms, Allied North America and Risk Strategies Company. Agreements have been finalized with both companies. Allied North America has agreed to provide services in connection with the “Rolling

Wrap Up” at a cost of Three Million Four Hundred Ten Thousand Nine Hundred Eighty Five Dollars (\$3,410,985) for a term of five years. This amount reflects a reduction of Five Hundred Thousand Dollars (\$500,000) from their proposed price. Risk Strategies Company will be providing services in connection with the NJTA 6-9 Widening Program at a cost of Two Million Nine Hundred Thirty Four Thousand One Hundred Forty Six Dollars (\$2,934,146) for a term of five years. Again, this amount reflects a reduction of Five Hundred Thousand Dollars (\$500,000) from their proposed price.

Based on the foregoing, it is requested that the Authority Commissioners authorize, approve and ratify the actions taken by the Executive Director, upon the recommendation of the Chief Engineer and with the advice of the Director of Law and General Counsel, in connection with the award of professional services agreements to Allied North American Insurance Brokerage of NJ, LLC; and Risk Strategies Company in the amounts as set forth above.

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

On motion by Commissioner Evans, seconded by Commissioner Cummis, the Authority unanimously ratified the Professional Service Agreements, as presented; and received and filed the memorandum.

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188-09

Finance Director Hayllar presented the financial results of the New Jersey Turnpike Authority for the Six Months Ended June 30, 2009.

On motion by Commissioner Pocino, seconded by Commissioner DuPont, the Authority’s **Financial Summary** was unanimously accepted and received for file.

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189-09

Resume of All Fatal Accidents – Garden State Parkway and New Jersey Turnpike. Submitted by Operations Director Hill, they contain a descriptive summary for the Period 1/1/09 to 7/15/09, together with 2008 – 2009 Yearly Comparisons for the six months through June 2009.

On motion by Commissioner Singleton, seconded by Commissioner Pocino, the Authority unanimously accepted the résumé’s and received for file.

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190-09

New Jersey State Police Troops D and E - Reports of Activities for the six months through June, 2009, including 2008 – 2009 Yearly Comparisons, were submitted by Captain Burke, New Jersey State Police Troop E Commander.

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

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Upon conclusion of the agenda, Chairman Dilts opened the floor to public comment on and other matters. There was no response.

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The motion to adjourn was made by Commissioner Singleton, seconded by Commissioner Diaz and, after the voice vote, the motion was duly adopted. The Authority adjourned at 10:34 A.M., to meet on Tuesday, August 25, 2009, at 9:30 A.M.

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The Secretary acknowledges receipt of the following documents for file:

ADDITIONAL REPORTS:

REPORT OF PURCHASES – under Executive Directors Delegated Authority (EDDA) Resolution 40-95, for the one-month period: June 1 through June 30, 2009.

REPORT OF UTILITY ORDERS – (two) under EDDA 117-05; Dated July 29, 2009.

REPORT SUMMARY OF CONTRACT CHANGE ORDERS; only for Type 1 and Type 2 – Period June 12, 2009 through July 9, 2009, Dated July 29, 2009.

REPORT OF CONSTRUCTION PROGRESS – Period Ending July 10, 2009; Dated July 29, 2009.

AGREEMENTS/CONTRACTS:

Property Transfer Agreement: Ocean County, Borough of Beachwood and the Ocean County Utilities Authority (OCUA), dated April 22, 2009, Term: 10 years. Parkway Milepost 30 to Milepost 80 Widening Project, Parkway Section 10 Properties; authorized 12/9/08.

Property Grant of Easements, dated July 24, 2008 to: the New Jersey Turnpike Authority; Affidavit of Title, dated May 26, 2009 from: Consolidated Rail Corporation (Conrail); and Agreement to Indemnify and Defend, dated May 26, 2009: from Consolidated Rail Corporation (Conrail); Turnpike Interchange 12 Final Improvements Project and Tremley Point Connector Road, Turnpike Section 5, Parcel Series 1031; Portions of Tax Block 800, Lots 1 and 2 and Tax Block 900, Lot 2, Borough of Carteret, Middlesex County; authorized 2/22/06.

Certificate of Approval: Turnpike Interchange 6 to Interchange 9 Widening Project, dated April 23, 2009 – Delaware and Raritan Canal Commission (DRCC), Reimburse New Jersey Department of Environmental Protection (NJDEP) for Costs Incurred; authorized 6/30/09.

Permit: Cafeteria Services for New Jersey Turnpike Authority State Traffic Management Center (STMC), dated June 1, 2009 – New Jersey Commission for the Blind and Visually Impaired (CBVI); authorized 3/31/09.

Contract No. P100.117 – Railroad Construction Co.; authorized 6/30/09.

Contract No. A200.122 – Joseph M. Sanzari; authorized 5/27/09.

Contract No. T869.120.501 – IEW Construction Group Inc.; authorized 5/27/09.

ORDER FOR PROFESSIONAL SERVICES and/or PROFESSIONAL SERVICES AGREEMENTS

OPS No. P3170 – Stantec Consulting Services – Design Services; authorized 4/82/09.

OPS No. A3203 – ATC Associates – On-Call Construction Material Testing and Inspection; authorized 3/31/09.

OPS No. A3215 – Gannett Fleming Inc. – Design Services; authorized 4/28/09.

OPS No. T3217 – Gannett Fleming Inc. – Preliminary Engineering and Environmental Services; authorized 4/28/09.

OPS No. A3236 – Stantec Consulting Services – On-Call Professional Transportation and Facility Planning Services; authorized 5/27/09.

OPS No. A3227 – Paulus, Sokolowski & Sartor – On-Call Professional Transportation and Facility Planning Services; authorized 5/27/09.

OPS No. P3241 – Hardesty & Hanover LLP – Design Services; authorized 6/30/09.

OPS No. P3243 – PBS&J – Program Manager, Parkway Interchange 30 to 63 Widening; authorized 5/27/09.

OPS No. P3245 – T&M Associates – Design Services; authorized 6/30/09.

OPS No. A3250 – URS Corporation – Engineering Department Supplemental Staffing; authorized 5/27/09.

Supplemental OPS No. T3136A – Hatch Mott MacDonald LLC – Remediation Systems Monitoring; authorized 5/27/09.

Supplemental OPS No. T3145A – C&B Architects/Engineers Inc. (authorized as Jacobs Engineering) – Construction Supervision; authorized 1/28/09.

Professional Services Agreement: Preventive Medicine of NJ Inc., George Mellendick MD, dated June 22, 2009 – Occupational Healthcare Physician Services; authorized 5/27/09.

Professional Services Agreement: Hawkins Delafield & Wood LLP, dated July 2009 – Arbitrage Rebate and Yield Restriction Compliance Services; authorized 5/27/09.

Rose Stanko
Secretary

APPROVED:

Stephen Dilts, Chairman and NJ Department of Transportation Commissioner

Michael R. DuPont, Treasurer

Harold L. Hodes, Commissioner (ABSENT)

David G. Evans, Commissioner

Raymond M. Pocino, Commissioner

Clive S. Cummis, Commissioner

Troy Singleton, Commissioner

Ulises E. Diaz, Commissioner