

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Gutierrez-Scaccetti, Commissioner
Kevin S. Corbett, President & CEO

NJ TRANSIT
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October 28, 2021

Dear Governor Murphy:

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., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc., Board of Directors held on Wednesday, October 20, 2021.

Sincerely,

Joyce J. Zuczek

Joyce J. Zuczek
Board Secretary

Enclosures

Honorable Philip D. Murphy
Governor, State of New Jersey
State House
Trenton, NJ 08625

Open Session Minutes of the actions taken at the regularly scheduled Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. conducted virtually by telephone on Wednesday, October 20, 2021. The meetings occurred concurrently.

Board Members

Diane Gutierrez-Scaccetti, Chair
Cedrick T. Fulton, Vice Chair
Noreen M. Giblin, Governor's Representative
Andrea Spalla, Treasurer's Representative
James D. Adams, Board Member
Sangeeta P. Doshi, Board Member
Bob Gordon, Board Member
Richard A. Maroko, Board Member
Shanti Narra, Board Member

Staff

Kevin S. Corbett, President & Chief Executive Officer (CEO)
Joyce J. Zuczek, Board Secretary
Eric R. Daleo, Senior Vice President, Capital Programs
Michael P. Kilcoyne, Senior Vice President, Surface Transit & General Manager, Bus Operations
James A. Sincaglia, Acting Senior Vice President & General Manager, Rail Operations
William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer
Joseph E. Snow, Assistant Attorney General, Office of the Attorney General

Chair Gutierrez-Scaccetti convened the Open Session at 6:01 p.m. in accordance with the Open Public Meetings Act. She welcomed to the Board Noreen Giblin, the Governor's Representative and Andrea Spalla, the State Treasurer's designee.

Chair Gutierrez-Scaccetti noted Board Item 2110-74, Weehawken Ferry Maintenance Terminal, was deferred from this Board agenda.

Board Secretary Zuczek conducted a roll call and noted Board Member Doshi would join later.

Board Secretary Zuczek announced that adequate notice of the regularly scheduled meetings of the Board of Directors of the New Jersey Transit Corporation and its affiliates and subsidiaries was provided in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Notices were filed on October 14, 2021 with the Secretary of State, sent to newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice.

Approval of Minutes

Chair Gutierrez-Scaccetti asked for a motion to approve the minutes of the September 15, 2021 Board meetings. Board Member Shanti Narra made the motion, Vice Chair Cedrick T. Fulton seconded the motion, and it was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Absent	Yes	Yes	Yes	Abstain	Yes	Yes	Yes

President & CEO’s Monthly Report

President & CEO Corbett started with COVID-related updates, noting this month they saw a decrease in positive cases among NJ TRANSIT employees. Out of approximately 12,000 employees, 36 were positive, down from 41 at the September Board meetings.

Since the September Board meetings, they were seeing many positive indications that the economy was getting back on track, and the region was getting back to business. According to hotel research firm STR, New York City in September hit 500,000 room nights sold for the first time in the pandemic era, helped by Broadway shows reopening and the U.S. Open tennis championship.

Last week, Governor Murphy announced that more than 75 percent of eligible New Jersey residents were vaccinated against COVID-19. New Jersey was only one of seven states in the nation to reach this milestone.

All these stats were reflected in NJ TRANSIT’s increasing ridership, especially on the weekends. As in previous months, weekend rail ridership was about 80 percent of pre-COVID levels, and was at or approaching 100 percent of pre-COVID levels on select trains. Weekday rail ridership was approximately 45 to 50 percent of pre-COVID levels.

Intrastate Bus service increased from approximately 65 percent to approaching 70 percent of pre-pandemic levels, while Interstate bus ridership into New York continued to close in on the 60 percent mark. Light Rail ridership has seen incremental increases and was now up to nearly 65 percent of pre-COVID levels systemwide.

As more people return to the system, NJ TRANSIT was working harder than ever to attract customers to transit, by providing seamless, reliable service, and planning for the future. This month, for example, in another indication that the region was steadily recovering from the pandemic, they provided seamless transportation to and from two major events. The Aventura concert on October 9, 2021 at MetLife Stadium, and this year’s

Steeplechase this past Saturday in Far Hills, which was cancelled last year due to the pandemic, for which NJ TRANSIT offered enhanced service.

It was also the time of year when leaves begin to fall on railroad tracks throughout the system, so NJ TRANSIT was taking the proactive steps necessary to keep service safe and reliable. This month, they began using two AquaTrack machines to clean and remove leaves from the rails throughout the fall season.

AquaTrack is a high-pressure power washing system that runs on tracks like a train and removes the oily residue left behind by fallen leaves, in order to prevent train delays caused by what is referred to in the industry as slippery rail conditions. Deployment was targeted to the segments of the system where the leaves were most prevalent in the fall, the M&E, Montclair-Boonton, Pascack Valley, and Main/Bergen lines.

Moving on to the very busy agenda this evening, they had a number of important items up for Board consideration. After last week's landmark approval of the single largest contract award in NJ TRANSIT's history, which President & CEO Corbett would discuss more in a moment, they had another historic first on the agenda.

Today, the Board would vote on a contract with New Flyer of America for the purchase of eight, 40-foot battery-electric buses, the first zero-emissions bus purchase in their history. These buses will be part of an initial deployment in Camden, furthering their commitment to transitioning to a 100 percent zero-emissions bus fleet by 2040.

Also on the agenda was a contract to advance the design of their Northern Bus Garage. Through this project, NJ TRANSIT will construct a new bus garage in Ridgefield Park for up to 500 buses, complete with all of the necessary charging infrastructure to support an all-electric fleet.

The Board will consider a major advancement in the replacement of Walter Rand Transportation Center, through a contract for the design of a new facility. This project, supported by a significant State investment commitment, will modernize and expand the Center to better connect South Jersey rail and bus service, and provide improved connectivity to Camden's growing medical, educational, and industrial development areas.

Finally, the Board will consider a contract for signal and yard repairs that will harden Hoboken Terminal against extreme weather events.

As the Board considers a series of major infrastructure advancements today, President & CEO Corbett would be remiss in giving this report without mentioning the single largest construction contract award in their agency's history. Last week, with the support of the Murphy Administration, this Board approved an historic, nearly \$1.6 billion contract award to Skanska Traylor Brothers PNB Joint Venture, for their Portal North Bridge Replacement Project.

This development represents the culmination of more than three years of hard work and determination by NJ TRANSIT and project partners at Amtrak. It also means that very soon, NJ TRANSIT will begin construction on this project of national significance, creating jobs and spurring economic growth for the region, and restoring dependable rail service to the millions of customers who count on this critical link between New Jersey and New York every year.

The new Portal North Bridge will span nearly three miles of the Northeast Corridor, and includes the construction of retaining walls, deep foundations, concrete piers, structural steel bridge spans, rail systems, and demolition of the existing bridge. Once construction begins, the contract is expected to take approximately five-and-a-half years, and was supported by a Full Funding Grant Agreement from the FTA for \$766.5 million.

They celebrated another infrastructure first last month, with the introduction of their first-ever solar powered bus shelter. On September 27, 2021, President & CEO Corbett was proud to join Congressman Donald Norcross, Cherry Hill Mayor Susan Shin Angulo, and NJ TRANSIT Board member and Cherry Hill Councilwoman Sangeeta Doshi, to unveil this shelter at their Cherry Hill bus stop.

They foresee this as the first of many state-of-the-art, energy efficient solar-powered bus shelters to come to NJ TRANSIT bus stops across the state. The shelter includes USB charging ports and boasts high-intensity, no-maintenance LED lights, significantly improving safety and security. It was another example of NJ TRANSIT's steadfast commitment to delivering transit services in the most environmentally responsible manner possible.

As evidence that their strong focus on technology was yielding dividends, President & CEO Corbett was pleased to report that NJ TRANSIT's Office of Information and Digital Technology received a prestigious award last month from IDG, a premier security media brand providing insight into business risk leadership.

The award, named CSO50, recognized the top 50 organizations in the nation for security projects and initiatives that demonstrate outstanding business value. NJ TRANSIT's ISO cybersecurity certification, which President & CEO Corbett discussed last month, earned a spot on the list, alongside household names like Adobe, Intel, and Zoom. President & CEO Corbett said kudos to Chief Information & Digital Officer, Lookman Fazal, and his team for their continued focus on cybersecurity.

Moving on to the people side of business, on October 12, 2021, this Board also voted to approve the economic terms and other proposed conditions set forth in the Memoranda of Understanding between NJ TRANSIT and six of rail unions. This approval followed the Board's approval in August of a new contract with nine Amalgamated Transit Union locals representing NJ TRANSIT bus drivers, mechanics, and other workers.

As they shore up agreements with union employees, President & CEO Corbett noted many were aware of the acute nationwide shortage of Bus Operators. While this shortage

has certainly been challenging for NJ TRANSIT, they were aggressively recruiting, training, and hiring these essential workers. They created and launched a targeted advertising campaign, displayed on buses, billboards, major social media platforms, and through employee outreach, tailored to New Jersey residents with a Commercial Driver's License, or CDL.

Though this aggressive campaign and other measures, including work with the New Jersey Motor Vehicle Commission to facilitate CDL testing, they were continuing to add bus operators to their roster. But, for the largest state-wide transit agency in the nation with 251 bus routes, keeping up with normal retirement and attrition at this time was not easy. That was why they will continue to recruit operators through every available avenue, so they never again face a situation similar to the severe shortage of bus operators and locomotive engineers they had to confront when they arrived in 2018.

Speaking of which, President & CEO Corbett said tomorrow he would join Governor Murphy and Commissioner Gutierrez-Scaccetti at their Meadows Maintenance Complex in Kearny to celebrate yet another class of locomotive engineers. They achieved a full roster earlier this year, by graduating an unprecedented 11 training classes since 2018, more than the previous five years combined.

Once this class becomes fully qualified, NJ TRANSIT will have 404 active locomotive engineers, after having added 127 new, fully qualified engineers since 2018. For customers, this means a much more reliable rail system.

Beyond ensuring the reliability of regular service, it also allows better support service outside the normal schedule, including special events at MetLife Stadium such as Aventura and Giants and Jets home games, the Far Hills Steeplechase, and the upcoming Army/Navy game in December.

President & CEO Corbett said they were committed to maintaining this full roster moving forward in order to keep pace with normal retirements and attrition, with a full pipeline of trainees in ongoing classes.

Also in regard to recruitment, President & CEO Corbett highlighted NJ TRANSIT's continuing partnership with the Edge4Vets jobs preparation program. Vice-Chair Fulton initially connected NJ TRANSIT with this program, and NJ TRANSIT was proud to have recently hired the first of what they hope will be many Edge4Vets participants into a Bus Operator position after holding a series of workshops this spring.

President & CEO Corbett said their newest program will be presented tomorrow and on November 4, 2021 in two 90-minute Zoom sessions, and was offered through the Human Resiliency Institute at Fordham University.

Moving from recruitment to retention, employee engagement, and culture-building, on September 25, 2021, NJ TRANSIT held its annual Bus Rodeo at their Howell Bus Garage in Monmouth County. There, NJ TRANSIT Bus Operators navigated a driving

course with obstacles and challenges, and were judged on their driving skills and safety habits.

All NJ TRANSIT employees were invited to attend with their families for a fun-filled day that included lots of activities for children. President & CEO Corbett said it was so good to be able to hold the Roadeo this year, as they had to cancel it last year due to the pandemic. They had great weather, great food, and a great turn-out of employees and their families.

President & CEO Corbett was privileged to be on hand to see the competition between their best drivers from 16 bus garages, and to hand out awards to the top three competitors, including: third place winner Francisco Vides, from Meadowlands Garage; second place winner Michael Self, from Newton Avenue Garage; and grand prize winner, Fermonides Fernandez, representing Fairview Garage. President & CEO Corbett congratulated these expert drivers once again, and to all competitors for showcasing their professionalism and commitment to safe driving.

This was an ideal month to recognize and celebrate people and diversity, as October has the most federally recognized cultural dedications of any single month in the calendar. October is federally recognized as Filipino American Heritage Month, Italian American Heritage Month, and Polish American Heritage Month, Hispanic Heritage Month, which actually runs from September 15, 2021 through October 15, 2021, and German American Day on October 6, 2021.

While not federally recognized, October was also celebrated as LGBTQ+ History Month. This observance was particularly timely, as NJ TRANSIT just launched its LGBTQ+ Company Employee Resource Group (CERG), which held its first official meeting earlier this month. This was NJ TRANSIT's fourth CERG, in addition to their Black/African American, Asian-American and Pacific Islander, and Women's CERGs.

As they celebrate diversity on the federal level and beyond, President & CEO Corbett took a moment to acknowledge an NJ TRANSIT leader who herself was recently recognized for her many efforts to promote and advance inclusion and diversity at their organization. Last month, President & CEO Corbett was proud to attend the Women Builders Council's (WBC) Red Tie Reception to see Senior Vice President and Chief Administrative Officer Jeannie Kwon receive the prestigious WBC "Champion" Award.

The award was presented to individuals who empower women within the construction industry by fostering work environments that are diverse, dynamic, and representative. President & CEO Corbett said their congratulations go out to Jeannie for exemplifying NJ TRANSIT's commitment to promoting a robust and diverse work environment, at the highest levels of their organization.

Speaking of women who have made a difference in their organization, on October 4, 2021, their very own Board Secretary, Joyce Zuczek, celebrated 45 years at NJ TRANSIT. President & CEO Corbett said Joyce began her career with a division of

NJDOT that would later become NJ TRANSIT, and for 45 years, she has served this organization with diligence, commitment, and professionalism. President & CEO Corbett said they wish her nothing but the best on her work anniversary, and, on behalf of this entire organization, he thanked her for the great work she does for NJ TRANSIT and their Board.

Public Comments

Chair Gutierrez-Scaccetti asked the event call operator to open the floor for public comments and to provide instructions for entering the queue to make a public comment. The event call operator said the floor was open for public comments. If individuals wanted to make a public comment, they were instructed to press *1 on their telephone keypad to enter the queue. They would hear a brief tone to indicate they have successfully entered the queue. Priority access would be given to any participant who has pre-registered, and those comments will be taken in turn. They would then take public comments from the remaining participants on a first-come first-serve basis. Each person would have three (3) minutes for their public comment. A warning would be provided with one (1) minute remaining and again with 15 seconds remaining.

Sally Jane Gellert Chairperson of the Lackawanna Coalition said she had a lot of issues to cover in short period of time, but the same issues of opacity kept coming up. She said they see an agenda with very little detail on large complex projects. She said back in early 2018 and before, contracts in their entirety were included in the agenda and now with even virtual meetings and digital documents, they do not even see a total budget figure or a scheduled completion, and not even the full scope of the project. Ms. Gellert said they were seeing just a notice of plans to proceed in phases without a note of how many phases were covering what portion or on what timeline or cost. In addition, none of the action items have any information on bidders other than those of the winning bid, and none have a specific source included.

Ms. Gellert said on the Portal North Bridge Project the FTA was very vague, and if they were not going to pay for 100 percent of a project, they wanted to know the source of the remainder. Ms. Gellert said she and Joseph Clift did some research on their own and found a lot of answers to their questions on various items in NJ TRANSIT's Capital Plan Project Sheets but finding them took almost four hours. She said they really did not begrudge that time, but they were all busy and should not have to do this type of research on their own because not everyone has the time or computer skills. Also, she said there were a lot of electronics used in those searches that would not have had to die if they would include a link to the regular project sheets along with the action items.

For instance, Ms. Gellert said they wondered about the infrastructure for the eight buses being purchased for the Newton Avenue Garage and through the combination of a general search and a look through the Bus Garage Project Sheet documents on njtplan.com they were reminded of a September 2020 authorization of the infrastructure improvement contract with the Vineland Company, and questioned that one of the "Whereas" clauses did not cite this approval. Ms. Gellert said they found the same

situation with virtually every item and if they took the time to dig deeply enough into prior agendas and capital plan documents, they would find details, but the average member of the public does not have the time, or internet search expertise to find what could easily be included as a link in the agenda PDF.

Ms. Gellert thanked President & CEO Corbett for the new Northern Bus Maintenance Facility and identifying Ridgefield Park which was not mentioned in the action item. With a link to the capital plan, they found this was one of two new bus maintenance facilities, and asked why there was no mention of this or the upgrades that were needed for 16 other facilities.

Ms. Gellert said action item 2110-70, the Walter Rand Transportation Center Improvement Project, was something sorely needed. This project with a great deal of potential, but the lack of specifics, with a price tag of \$4.0 million for Conceptual Preliminary and Final Engineering Services and Construction Assistance Services sounded like everything but construction itself. Also, she said there was a picture showing a two-block redevelopment area yet leaving out the location of the current light rail station which left them with a number of questions.

Tim Sevener said Transit Justice has been a hot topic during the pandemic to enable essential workers to get to their jobs. Mr. Sevener said NJ TRANSIT to its credit has been running the woefully inadequate Morris/Boonton Line Rail service without fare hikes. He said beyond the monomania on New York City service presumably for mostly middle-class white-collar workers the attitude towards what in the past were termed “incidental riders” was graphically illustrated in pictures he provided of the Eastbound New York City station versus the Westbound Dover bound “incidental riders/ essential workers” station.

Mr. Sevener said the Eastbound station has been gloriously and artistically restored with a mural, ticket agent, benches, snack stand, and bathroom. He said the Westbound station was still a boarded dilapidated mess and has been for decades, there was no warmth, ticket machines, bathrooms, or snack stand. Riders were forced out on the platform in the cold despite plenty of room wasted inside the boarded off waiting room.

Mr. Sevener said the NJ TRANSIT Board authorized \$2.5 million in 2009 for the Morristown Station restorations which was completed for \$5 million in 2012. He said apparently this restoration could not be bothered to actually make use of the Westbound waiting room which could have brought funding from a vendor providing restrooms and other amenities and warmth in the winter.

Mr. Sevener said the same injustice towards the transit dependent has been well illustrated in the 30 percent cuts in Hoboken service which meant that instead of trains every 30 minutes, there were trains only hourly, except for peak hours. Mr. Sevener said it was long past time to promote Green Rail Transit by adding 15–20-minute headways which could start with restoring 20 percent of trains cut to Hoboken before 2008.

Mr. Sevenser said Morristown was building more and more Transit Oriented Developments, but without increased transit. He said instead of allowing new residents to use transit locally, instead of just into New York City, the new development also has a six-story parking garage dumping more cars and traffic. Mr. Sevenser said running more trains will benefit all riders from all backgrounds, which a musician friend of his said would only take him ten-minutes to take the train from Denville to the Morristown Youth Jam, but miss your train and it will take you one-hour and ten minutes, which was why so many people felt forced to drive.

Hayley Berliner, clean energy advocate with Environment New Jersey, stated they were one of New Jersey's largest citizen based environmental hazard organizations representing more than 20,000 members and over 60,000 activists. They were pleased to see that NJ TRANSIT was moving forward on its commitment to procure New Jersey's first Electric Transit Buses. She said the Board knows that NJ TRANSIT was mandated to have 10 percent of all new bus purchases be electric by 2024, 50 percent by 2026, and 100 percent by 2032. Ms. Berliner said the procurement of eight new electric buses, which NJ TRANSIT committed to almost three years ago, was the first step towards reaching the mandate. She said more than 40 percent emissions come from the transportation sector and medium and heavy-duty vehicles account for a third of those emissions. Ms. Berliner said specifically, medium, and heavy-duty vehicles like transit buses emit toxic pollution and particulate matter that disproportionately impacts overburdened communities, especially in cities. She said electrifying these vehicles will not only benefit their climate and environment, but bring them closer to hitting Governor Murphy's ambitious mandate, as well as provide enormous health benefits.

Ms. Berliner said a study from Columbia University estimated that the public health benefits of replacing just one diesel bus with an electric alternative was equivalent to \$150,000 in reduced respiratory and other diseases. She said electrifying the NJ TRANSIT bus fleet will provide a much cleaner and healthier ride for the thousands of New Jersey riders each day, however it will not be easy. Ms. Berliner said as President & CEO Corbett mentioned earlier that eight new electric buses being deployed in Camden will be purchased with millions in grant funding money from the DEP, Volkswagen Settlement, and EPA. She said this was the start of NJ TRANSIT's bus electrification transition plan which was outlined in May's Energy and Sustainability Committee meeting, however, without significant sources of state and federal funding it will be difficult for NJ TRANSIT to acquire the electric buses and retrofit the garages charging infrastructure. Ms. Berliner said it was estimated this year that it would cost NJ TRANSIT \$1.96 billion to replace its entire diesel fleet with electric buses and this did not even include the cost for the garage retrofit charging infrastructure.

Ms. Berliner said they will need to accelerate the purchase of electric buses over the next three years in order to hit the 2024 mandate, and there was a clear need for a dedicated source of funding. She said it was crucial that NJ TRANSIT roll-out the pilot of electric buses in Camden so that the riders and drivers can breathe cleaner air and reduce greenhouse gas emissions and NJ TRANSIT can learn from the pilot roll-out before putting them in other cities.

Christian Hartman, Sr. Vice President of New Jersey Alliance for Action, said he hoped everyone was well and navigating the pandemic as best as they could. He said his group was a non-partisan, non-profit association representing thousands of business, labor, government, utility, and other professional leaders. He said their mission was to improve New Jersey's economy through the promotion of environmentally friendly capital construction and infrastructure investments. Today he was there to represent not only his thousands of members, but he was also a user of NJ TRANSIT and lived in one of its prime service areas and was happy to comment on this as well. He said the New Jersey Alliance for Action was extremely proud of their working relationship with NJ TRANSIT and it dates all the way back to its 1979 founding, and since that time they have worked closely with 10 Governor's, numerous Directors, and Board Members.

Mr. Hartman wanted to congratulate NJ TRANSIT for potentially moving forward on so many terrific initiatives. He hopes NJ TRANSIT will continue moving forward on resiliency on one of the major rail yards in Hoboken, the expansion of major transit hubs in New Jersey, the Walter Rand Transportation Center, and the first milestone for the Gateway Project, which was probably the most important infrastructure project in the country, also the purchase of electric buses, and lastly the Portal Bridge which unfortunately he has been stuck on when riding the train.

Mr. Hartman said he could go on and on but would submit more detailed comments and said that any one of these actions taken by itself would be significant in its own right, but they were all being acted upon tonight which made it even more important for New Jersey. He said this was not only a statewide thing, but it was also an entire United States Regional Northeast thing. In addition, Mr. Hartman said each of these action items taken this evening support other planned infrastructure improvements that were part of NJ TRANSIT's Capital Plan or its 2021 or 2030 Strategic Plan.

Overall Mr. Hartman wanted to say this sends an impactful message that conveys to people that effectively, timely, and efficiently was a better rock of economic foundation for any state or urbanized region and New Jersey was both, the only state that was considered fully urbanized in this country. He said these projects being voted on tonight have the full support of the New Jersey Alliance for Action and their members and they represent the designers, contractors, engineers, and the labor unions that will build these projects, and the utility companies that will power them. Their pledge was to continue to work with NJ TRANSIT to make these and other upgrades to the mass transit system a reality.

Joe Fiordaliso said he was speaking tonight in his capacity as President of the American Council of Engineering Companies of New Jersey which was a business trade association for the engineering profession. He said the Board was scheduled to take action on three important contracts tonight, one Hoboken Signal and Yard Power Repairs Project, the new Northern Bus Maintenance Facility Project, and the Walter Rand Transportation Center Improvement Project. He said these infrastructure improvement projects will rehabilitate and upgrade essential transportation assets and directly benefit thousands of riders each day. These projects will meaningfully benefit riders who rely on transit to

access jobs and employment opportunities particularly those from historically underserved communities. He said these projects fall on the heels of last week's historical \$1.6 billion contract award for the Portal North Bridge replacement.

Mr. Fiordaliso said these projects were only moving forward because Governor Murphy made fixing NJ TRANSIT a hallmark priority in his first term, Governor Murphy assembled an accomplished team lead by Board Chair Gutierrez-Scaccetti and President & CEO Corbett, and gave them a mission to reverse years of neglect and get NJ TRANSIT back on track. He said Under Governor Murphy's leadership NJ TRANSIT unveiled its 10-year Strategic Plan and 5-year Capital Plan and tonight they were seeing the fruits of that labor. Mr. Fiordaliso said reforms to NJ TRANSIT's procurement and capital delivery processes were the reforms that NJ TRANSIT actually needed and have facilitated the delivery of tonight's projects in a timely and efficient manner with many more in the pipeline on their way to a Board agenda soon.

Mr. Fiordaliso said the members in his firm see themselves as partners in these efforts and an extension of NJ TRANSIT's project staff and were ready to do their part to deliver these much-needed investments. He said they applauded the leadership of Governor Murphy and the expertise of Board Chair Gutierrez-Scaccetti and President & CEO Corbett and thanked the Board for their continued guidance and dedication. He also applauded all of the hard work that the NJ TRANSIT staff has done including, Senior Vice President of Capital Programs Eric Daleo, Chief Engineer Richard Schaefer, and the many others for their service to NJ TRANSIT. Lastly, Mr. Fioraliso said also on the agenda was the purchase of eight zero-emission buses which was enthusiastically to be applauded, and there was so much more to come which will benefit communities today and help to make sure they leave a better environment for their children and grandchildren.

Robert Briant, CEO of Utilities & Transportation Contract Association of New Jersey, said they have a 1,000-member firm and build the infrastructure in the State of New Jersey. He wanted to first commend Board Chair Gutierrez-Scaccetti and President & CEO Corbett for their leadership at NJ TRANSIT and really compliment the Board and the staff for development and adoption of the 5-year Capital Program. He said this document was a map and financial plan which allowed them to plan out the capital needs for the transportation system, and without it would be a daunting task to complete.

Mr. Briant thanked NJ TRANSIT for obtaining federal funding for the Portal North Bridge Project because it has been a very difficult, long, and hard-fought battle to get the funding for it, and this was going to have a major economic impact on New Jersey and for this region of the country. He said from an industry perspective it was refreshing to see that NJ TRANSIT's capital investments were coming back to life after many years of dormancy.

Mr. Briant said it takes many years to bring a project from scoping to design to the actual construction phase, and NJ TRANSIT has done a lot in a short period of time, and they were seeing these great projects like Portal North Bridge, Raritan Bridge Project,

numerous train station projects, Delco Lead, and County Yard, which will all have a tremendous impact on the economy as well as be a great benefit to the State and ridership.

In closing Mr. Briant wanted to express again their thanks and great appreciation to Governor Murphy, Board Chair Gutierrez-Scaccetti, President & CEO Corbett, and the staff at NJ TRANSIT for all of their efforts. He said they have added several new members to the construction team, and they look forward to working with everyone.

Adam Reich was pleased to see on the agenda, the approval of a new Chief Ethics Officer for NJ TRANSIT which was an important step forward, especially in light of the recent headlines about harassment lawsuits and other issues within the employment ranks in the agency. He said they were still without a Customer Advocate even though it was a position written into law by the legislature that has now been vacant for over a year.

Mr. Reich said Board Member Narra was kind enough when he posed the question at the last Operations & Customer Service Committee meeting to ask staff to provide an update, however due to discussions with other Board Members it sort of got lost in the shuffle. He asked that someone commit to some concrete target date on when this position will be filled, even if the mark is missed, which was better than a promise and hearing nothing. Mr. Reich said if they cannot provide any information on the status of the Customer Advocate position tonight, at least provide something at the next Operations & Customer Service Committee meeting next week and provide dates and an update on the Customer Advisory Board and whether NJ TRANSIT will be moving forward with it.

Mr. Reich said masking onboard trains has gotten somewhat better, but the issue raised at the last Operations & Customer Service Committee meeting was masking within the Trenton Transit Center and how there was no real enforcement and some of the officers did not seem to be in compliance. He said Chief Trucillo stated that a memorandum was issued to the ranks on this, however he has not seen any meaningful change in that time, and something more needs to be done. Mr. Reich said a video went viral of NYC Police Officers being non-compliant in their mask wearing and he would hate to see something like this happen to NJ TRANSIT because officers do not want to adhere to the mask mandates.

Lastly, Mr. Reich said he would like everyone to look at what other agencies were doing, increasing service during off-peak hours, lowering fares, and maybe bring back the off-peak round-trip fares.

Talia Crawford, Campaign Organizer for the Tri-State Transportation Campaign, said they were very impressed and excited that NJ TRANSIT was moving forward on meeting its Electric Vehicle fleet goal by purchasing eight Electric Buses, which was a celebratory step towards electrifying the bus fleet, signaling that the pilot program was moving forward. This pilot program was a huge step for transit shifting towards zero-carbon emissions. She said Tri-State appreciated the continued dialogue regarding certification

efforts through the Energy & Sustainability Committee and requested that these efforts continue as the pilot program advances.

Ms. Crawford said throughout the development NJ TRANSIT should ensure there was as much public input and output as possible, and feedback from customers, as well as frequent updates from the agency, which was very important. Additionally, they would like to know what metrics were being used in determining the success of the Camden pilot program and how it will be applied when expanding electrification to other areas in New Jersey. They would also like to know is the \$80 million that was raided from the clean energy fund by NJ TRANSIT going to be used for electrification.

Ms. Crawford said Tri-State applauded the progress of the Portal North Bridge Project which was a critical step to reach full capacity and eventually realizing the Gateway Project. She said Tri-State also holds monthly New Jersey Bus Rider meetings and many riders were still concerned about COVID protocol being followed on buses specifically, following the bus mandate. Ms. Crawford said riders and NJ TRANSIT employees need to be responsible for the safety and well-being of each other, and mutual respect and observation of PPE protocol while using transit was essential in keeping people safe.

James Veach said he resided in Teaneck, New Jersey and was speaking on behalf of the many residents in Teaneck who depend upon the buses to get to and from work and school and to Broadway shows in Manhattan. He said they depend on these buses and 43,000 people were within sight of the Manhattan Skyline. Mr. Veach said there were people who go across the river as he did for many years and they commute on the Pascack Valley Line.

Mr. Veach wanted to talk about the Board Reform legislation that the Governor signed into law in 2018 creating a 13-person Board. He said it was to his understanding that there were currently nine Board Members, four members were yet to be appointed, and among those four they have a representative for regular route bus riders, and one for regular route train riders, but they have no Director speaking for those people. He said there were photos of the current Board Members displayed for the meeting, and all of the photos look very good, but an average citizen looking at the photos would think this was not a 13-member Board but a nine-member Board, because there were no boxes indicating there were missing Board Members. He also said there was not any information that identified what role each of these Board Members were supposed to play. Mr. Veach said they have designated experts on rail, and buses, but would not know it looking at the list of photos because it only had members listed with no explanation and no hint that they were missing four Board Members.

Mr. Veach said he listened to the Special Board Meeting last week and heard Board Member Gordon say this was fantastic and he had never voted on a \$1.6 billion project before. Mr. Veach thought it was fantastic that NJ TRANSIT was moving forward on the Portal North Bridge Project. However, he said they voted on a \$1.6 billion project with only a third of the Board. While Mr. Veach knows this was up to the Governor, he was perplexed as to why the Governor did not think it was important enough to fill these

positions. He said these Board Members should be nominated, appointed, approved, and be placed on the Board, so they can bring additional energy and points of view to make NJ TRANSIT even more effective.

Joseph Clift said he was a past Long Island Railroad Director of Strategic Planning. First, he thanked President & CEO Corbett for acknowledging Board Secretary Zuczek on her 45 years of service, which was great because she was one of the originals and it was nice to see her being recognized. His only regret was they were not doing it in person.

Mr. Clift talked about the reporting process because he just looked on the website and saw the President's Letter and Monthly Report from September 15, 2021. He asked when NJ TRANSIT was going update this information and provide it ahead of time before the meeting so they could comment on it. He said it was irritating to look at old information. He also asked why the documents to be presented tonight were not being livestreamed as they go through each item so everyone could see what was being talked about.

On the Portal North Bridge, Mr. Clift said he would once again state his opposition to this project and the replacement of the existing Portal Bridge in which 90 percent was being paid by New Jersey. He said they were receiving zero dollars from New York, and only 10 percent from Amtrak, and yet this was an Amtrak bridge and their responsibility. Mr. Clift said Portal North Bridge was a \$300 million problem being solved by a \$1.8 billion solution. He said a simple low-level modern removeable bridge would work just fine because there was no longer any openings for the bridge due to no commercial traffic up or down the river, and this was a waste of money which could be used for many other things. He said they could build 100 flyovers, so the Raritan Valley people could have a one-seat ride 24/7. Mr. Clift said the 14 percent increase in peak-hour trains stated by President & CEO Corbett was all due to non-bridge action, and one was a missing peak-hour train that could be returned at any time, and the other was the Multi-Level III's that were coming onboard beginning in 2023. Lastly, Mr. Clift said on the other projects being voted on today the Board do not have enough information on them to make an informed decision.

Board Member Comments

Board Member Adams thanked Board Secretary Zuczek for her 45 years of service with NJ TRANSIT. He said it was team members like Board Secretary Zuczek who keep Board Members in line and guide them on the Board process. Board Member Adams wanted to personally thank her for being so patient with him as a Board Member as he navigated his way around NJ TRANSIT. He said Board Secretary Zuczek was truly a testament of what a public service employee should be.

Board Member Adams also wanted to thank all of the speakers who took time out of their busy day to speak about the things that were near and dear in their hearts. He said for the first public speaker, he wants staff to see if they could provide links to some of the important documents and Board Items they were voting on, to let the public know that they do not have any secrets and there was no information they were trying to hide.

Board Member Adams said although the information may not be in the package, the Board does have access to all the detailed information.

Board Member Adams also wanted to thank those specific speakers who came out in support of NJ TRANSIT and remembered some of his first Board meetings where most of the comments were negative and harsh on the Board and staff. He said it was great to see that all the teams' hard work was being recognized by the public. Lastly, he asked the Board Chair if not at this meeting, but at a future meeting, to provide the public with the status of the Customer Advocate position timeline and how they were doing. He said he did not want the public to think that they were not working hard to fill the Governor's mandate.

Board Secretary Zuczek said for the record Board Member Doshi joined the meeting during the public comment period, and asked if she had any comments.

Board Member Doshi said she would keep her comments short because she joined the meeting late and apologized. She also wanted to thank Board Secretary Zuczek for all her years of service, echoed what Board Member Adams said, and noted she was an incredible employee who does so much for NJ TRANSIT, and they were very lucky to have her.

Board Member Doshi also thanked all the speakers who spoke tonight, especially those who spoke about sustainability. Being on the sustainability committee, she wanted to emphasize that they were committed to green initiatives. She also thanked NJ TRANSIT Bus Operations for doing the first solar bus shelter trial in Cherry Hill and said South Jersey thanks them.

Board Member Gordon congratulated Board Secretary Zuczek. He said he was sure all the Board Members joined him in thanking her for dedicating her professional life to the service of New Jersey and were grateful for her service. Board Member Gordon said many of his comments were mentioned by Board Member Adams. He hoped staff could provide some greater detail on the agenda items for the benefit of the public, as well as provide more definitive information on the timing and staffing of the Customer Advocate position. Board Member Gordon thanked all of the speakers for their presentations.

Board Member Maroko thanked President & CEO Corbett for his report as well as the public speakers. Most of all he wanted to thank Board Secretary Zuczek and he echoed all of the flattering comments that the Board Members made before him. Board Member Maroko added that those of them on the Board know how invaluable Board Secretary Zuczek was to NJ TRANSIT and he thanked her so much for her 45 years of service.

Board Member Narra congratulated Board Secretary Zuczek on her 45 years of service. She said for all those in the public, hearing about all of them being enthused by Board Secretary Zuczek, that she was her first point of contact at NJ TRANSIT. Board Member Narra said she continues to be an invaluable resource and connection and knows so much about the organization. She wished her many more years of service.

Board Member Narra also wanted to echo a lot of the other Board Members comments and spoke specifically about the Customer Advocate position. She said they will have more information for the public, she was chosen to be the Board Liaison with staff to get this position filled, and they should have information on the timeline and the process very shortly.

Board Member Spalla said she wanted to echo everyone else's comments and congratulated Board Secretary Zuczek on her 45 years of service.

Board Member Giblin echoed her colleagues praise on Board Secretary Zuczek's incredible service to the Board.

Vice Chair Fulton thanked all of the speakers who took the time to share with the Board information from their perspective because it was important. He said they do take it into consideration. Vice Chair Fulton commended the entire team at NJ TRANSIT and said the Capital Program was really percolating along, and the benefits will serve the customers and the economic development in the State of New Jersey. Vice Chair Fulton said this spoke to the phenomenal efforts and true comeback based on where NJ TRANSIT was and is now, which happened in a relatively short period of time. He said embodied within the work was not just the work that was going to be a direct benefit to customers, which was important, but also embedded in it were projects that look to the future to ensure that NJ TRANSIT was conscious of its responsibility for the planet and inhabitant and kudos for that.

Lastly, Vice Chair Fulton congratulated Board Secretary Zuczek and said her service was commendable on every level and most of all it was a joy and pleasure working with her. He said was one of the most pleasant people he has had the opportunity to work with in his life. Vice Chair Fulton thanked her for making all that they do tolerable, for her professionalism, and just being a wonderful person.

Chair Gutierrez-Scaccetti said in the interest of time the easiest thing for her to say was a general ditto on so many of the comments that have been made. She thanked Board Member Narra for responding on the Customer Advocate issue and for her commitment to help the Board with this process. Chair Gutierrez-Scaccetti said she has had the pleasure of telling Board Secretary Zuczek how she feels about her service at NJ TRANSIT, how she has been there from the very first day, and how they were so lucky to have her and the institutional memory and commitment to the agency that she shows day in and day out.

Board Secretary Zuczek thanked all of the Board Members for their kind words, and said they were very much appreciated.

Advisory Committee Report

Anna Marie Gonnella Rosato provided the Advisory Committee Report. She was happy to present the report for September 17, 2021 and October 15, 2021. Ms. Gonnella Rosato

said at the September 17, 2021 meeting, a presentation was made on the construction progress on the Elizabeth Train Station. Its completion was anticipated by 2023 and it would be a state-of-the-art facility. Ms. Gonnella Rosato said during the October 15, 2021 meeting, a presentation was made regarding the construction progress on the Camden Newton Avenue Bus Garage Electric Bus Infrastructure Project. She said the Newton Avenue Garage was selected as NJ TRANSIT's first electric bus garage because of its short bus route. Ms. Gonnella Rosato said they were also updated on several topics such as the status of the Federal Infrastructure Investments and Jobs Act and other congressional and state legislation. She said NJ TRANSIT continued to partner with the Edge for Veterans Program connecting New Jersey Veterans National Guard Members and transitional military service personnel and spouses to a career in transportation.

Ms. Gonnella Rosato noted some exciting things happening with NJ TRANSIT and said there was an unveiling of NJ TRANSIT's first solar powered bus shelter on route 70 in Cherry Hill. Also, NJ TRANSIT was named one of the Best Employers in 2021 by Forbes Magazine, and she congratulated NJ TRANSIT Sr. Vice President and Chief Administrative Officer Jeannie Kwon, who was honored as a recipient of the Women Builders Council Championship Award. Ms. Gonnella Rosato also congratulated Board Secretary Zuczek on her 45th anniversary at NJ TRANSIT.

The Advisory Committee was also pleased that NJ TRANSIT approved the construction of the Portal North Bridge Project, which was a critical part of the Gateway Program. They also support all of the resolutions on the agenda, in particular, Board Item 2110-69 for the purchase of eight zero-emissions buses to operate at the Camden/Newton Bus Garage, and Board Item 2110-70 for the Design Contract Award for the Walter Rand Transportation Center Improvement Project because it was much needed and well anticipated. Ms. Gonnella-Rosato said she has committed herself to the participation for the public discussions when they begin.

Board Operations and Customer Service Committee Report

Board Member Giblin presented the report for the Operations and Customer Service Committee. The Operations and Customer Service Committee received an update on trends, analysis, and actions for rail, bus, light rail, and Access Link. The Committee also received an update on the Cost of Service.

Board Administration Committee Report

Board Member Maroko presented the report for the Administration Committee. The Administration Committee received a Financial Update. This included a summary of operating results compared to the previous year's comparable period and preliminary budget, twelve-month farebox revenue and farebox recovery actual results compared to pre-COVID, bus revenue and ridership trends, Federal COVID-19 relief grant drawdown summary, and major balance sheet items.

Additional information was provided as part of the agenda materials, including the cost-of-service key performance indicators, history of vacancies, attrition and hires, ridership and revenue, and a monthly budget-to-actual comparison for July 2021 to August 2021.

Board Capital Planning, Policy, and Privatization Committee Report

Vice Chair Fulton presented the report for the Capital Planning, Policy and Privatization Committee. The Committee discussed the board items for the Hoboken Signal and Yard Power Repairs Project – Construction Contract and Construction Management Services Contract Award; New Northern Bus Maintenance Facility Project: Phase 1B Preliminary Design/Engineering; Bus Stock Program: Purchase of Eight (8) Zero-Emission Buses; Conceptual, Preliminary and Final Engineering Services, and Construction Assistance Services for the Walter Rand Transportation Center Improvement Project – Design Contract Award; and Purchase of 654 Operator Protective Barrier Upgrade Kits for NABI Bus Fleet.

Board Safety Committee Report

Board Member Adams presented the report for the Safety Committee. The Safety Committee was given a presentation outlining the safety performance metrics for Rail, Bus, Light Rail and Access Link. The Committee also received a briefing on safety topics related to current capital construction projects.

The NJ TRANSIT Office of System Safety's core mission is to provide a consistently safe environment for all customers, colleagues, and the local neighborhoods NJ TRANSIT travels through. Through risk-based safety management principles and comprehensive trend analysis, the Office of System Safety continues to proactively identify and mitigate potential hazards.

Chief Trucillo updated the Safety Committee on several items, including the department's ongoing efforts during the month of September concerning mask enforcement. In addition, the Chief reviewed the Hi Visibility patrol initiative that the department was engaged in from August 1, 2021 through September 14, 2021. The purpose of the operation was to ride all three modes of transportation during this period to coincide with the anniversary of 9/11, to support their bus operators and rail crew members, as well as showing an increased police presence for customers who they anticipated to be coming back to NJ TRANSIT. The Chief also briefed out on the Department's Outreach efforts and Narcan deployments, which resulted in saving 12 lives.

Finally, the Chief reviewed the department's special event deployments for the prior month and concluded his report with an Intel brief.

Action Items

Board Secretary Zuczek noted Board Members Adams and Gordon were recused from the next item 2110-67. The Operator removed Board Members Adams and Gordon from the meetings.

2110-67: HOBOKEN SIGNAL AND YARD POWER REPAIRS PROJECT CONSTRUCTION CONTRACT AND CONSTRUCTION MANAGEMENT SERVICES CONTRACT AWARD

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2110-67. Eric Daleo recommended approval of Action Item #2110-67: Hoboken Signal and Yard Power Repairs Project – Construction Contract and Construction Management Service Contract Award.

Approval was requested to enter into a contract with DMR Construction Services, Inc. of Waldwick, New Jersey, for the construction of the Hoboken Signal and Yard Power Repairs Project - General Construction Contract in the amount not to exceed \$39,970,158.63, plus 10 percent for contingencies, subject to the availability of funds. Mr. Daleo noted there was an error in the materials and clarified that he was requesting 10 percent for contingencies, not five percent.

Approval was also requested to enter into a contract with AECOM, to provide construction management services for the Hoboken Signal and Yard Power Repairs Project in the amount not to exceed \$4,172,187.53, plus five percent for contingencies, subject to the availability of funds.

Board Member Richard A. Maroko made a motion and Board Member Andrea Spalla seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Recused	Yes	Recused	Yes	Yes	Yes	Yes	Yes	Yes

Board Members Adams and Gordon returned to the meetings.

2110-68: NEW NORTHERN BUS MAINTENANCE FACILITY PROJECT: PHASE 1B PRELIMINARY DESIGN/ENGINEERING

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2110-68. Eric Daleo recommended approval of Action Item

#2110-68: New Northern Bus Maintenance Facility Project: Phase 1B Preliminary Design/Engineering.

Approval was requested to amend a contract with Gannett Fleming, Inc. of Newark, New Jersey, to provide consultant services for the New Northern Bus Maintenance Facility Project: Phase 1B – Preliminary Design/Engineering in the amount not to exceed \$12,522,234.53, plus five percent for contingencies, subject to the availability of funds.

Board Member Richard A. Maroko made a motion and Vice Chair Cedrick T. Fulton seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2110-69: BUS STOCK PROGRAM: PURCHASE OF EIGHT (8) ZERO-EMISSION BUSES

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2110-69. Eric Daleo recommended approval of Action Item #2110-69: Bus Stock Program: Purchase of Eight (8) Zero-Emission Buses. Mr. Daleo noted as President & CEO Corbett said, this was the first purchase in the agency’s history, and the first of many more to come in the future, in a manner consistent with the Governor’s Energy Master Plan.

Approval was requested to enter into a contract with New Flyer of America for the purchase of eight Zero-Emission Buses to be operated at the Newton Avenue Bus Garage, including spare parts, at a cost not to exceed \$9,429,947, plus five percent for contingencies, subject to the availability of funds.

Board Member Andrea Spalla made a motion and Board Member Bob Gordon seconded the motion.

Board Member Adams asked when they expected delivery of the first bus. Mr. Daleo said they were targeting delivery as soon as possible, but they were expected the second quarter of 2022.

Board Member Doshi said they were very excited in Camden for this project.

Board Member Gordon thanked the staff for getting them to this most historic moment. Also, he wanted to repeat a point he made yesterday, while speaking virtually before the World Electric Vehicle Congress in England, about what they were doing in New Jersey

regarding vehicle electrification and comments about NJ TRANSIT’s efforts and the impacts of bus pollution. Board Member Gordon said they really cannot overstate the potential benefits of zero-emission buses, and if they look at the air pollution in the New York/New Jersey region, the census tract with the worst pollution in terms of particulates and with consequential impact on respiratory health in the area were around the Port Authority Bus Terminal due to the idling buses there.

Board Member Gordon said bus electrification aside from the benefits for addressing climate change will have a tremendous impact on urban health. He said this showed how serious they were on addressing the needs of the environmental justice communities and they could not expand this fast enough. He congratulated the staff again on getting them where they were and looks forward to more progress in this area.

Board Member Maroko wanted to echo everyone that this was a great step forward.

Board Member Narra was equally as excited as the other Board Members about this new project and looks forward to hearing all the good reports on how it works out.

Vice Chair Fulton wanted to echo his colleagues’ comments and commend the team at NJ TRANSIT for this momentous step. He also recognized that they have created an amazing step forward and a plan to work towards the endgame. They know this was the beginning and there were many elements that have to fall into place, from bus garages through funding, but with all of that in mind the plan that the team has prepared and the element that represents the beginning was truly something to be proud of. Vice Chair Fulton said he has high confidence that the team was going to be able to deliver on this and was looking forward to working with the team every step of the way.

Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Secretary Zuczek noted Board Members Adams was recused from the next item 2110-70. The Operator removed Board Members Adams from the meetings.

2110-70: CONCEPTUAL PRELIMINARY AND FINAL ENGINEERING SERVICES, AND CONSTRUCTION ASSISTANCE SERVICES FOR THE WALTER RAND TRANSPORTATION CENTER IMPROVEMENT PROJECT—DESIGN CONTRACT AWARD

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2110-70. Eric Daleo recommended approval of Action Item

#2110-70: Conceptual Preliminary and Final Engineering Services, and Construction Assistance Services for the Walter Rand Transportation Center Improvement Project – Design Contract Award.

Approval was requested to enter into a contract with HNTB of New York, New York, for the Conceptual, Preliminary and Final Engineering Services and Construction Assistance Services at a cost not to exceed \$4,351,635.44, plus five percent for contingencies, subject to the availability of funds.

Board Member Shanti Narra made a motion and Board Member Sangeeta Doshi seconded the motion.

Board Member Doshi thanked everyone at NJ TRANSIT who worked on this project, noting this Center was in an underserved area which has a lot of implications from a social point of view. She said it has been a long time coming and thanked all for the hard work on this.

Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Recused	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Board Members Adams returned to the meetings.

2110-71: NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: PARCEL R124 HUDSON COUNTY IMPROVEMENT AUTHORITY

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2110-71. Eric Daleo recommended approval of Action Item #2110-71: NJ TRANSIT – Portal North Bridge Project: Parcel R124 Hudson County Improvement Authority.

Approval was requested to take any and all actions to acquire Parcel R124 in accordance with the Eminent Domain Law of 1971, not to exceed payment of an amount as discussed in Executive Session, subject to the availability of funds and FTA approval.

Approval was also requested to take any and all actions to convey a mitigation easement to the Hudson County Improvement Authority, it's transferees, successors and assigns to provide alternate access to the remainder from Route 7 over Parcel 118 to be acquired by NJ TRANSIT.

Approval was also requested to cause filing a complaint in condemnation and the filing and recording of a declaration of taking and to take any and all actions related to the exercise of NJ TRANSIT’s power of eminent domain, where necessary, to acquire Parcel R124 for the Portal North Bridge Project and deposit the estimated just compensation with the Clerk of the Superior Court, so long as NJ TRANSIT attempts to acquire these parcels from the property owner through bona fide negotiations as required by the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et. seq. before commencing condemnation proceedings.

Board Member Shanti Narra made a motion and Board Member James D. Adams seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2110-72: NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: AUTHORIZING EXECUTION OF SETTLEMENT OF CLAIMS WITH OCCIDENTAL CHEMICAL CORPORATION SUBSTANTIALLY IN ACCORDANCE WITH THE TERMS OF A PROPOSED SETTLEMENT AGREEMENT AND RELEASE RELATED TO THE PORTAL NORTH BRIDGE PROJECT

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2110-72. Eric Daleo recommended approval of Action Item #2110-72: NJ TRANSIT – Portal North Bridge Project: Authorizing Execution of Settlement of Claims with Occidental Chemical Corporation Substantially in Accordance with the Terms of a Proposed Settlement Agreement and Release Related to the Portal North Bridge Project.

Approval was requested to negotiate, draft, and execute a final Settlement Agreement with Occidental Chemical Corporation by and through its corporate affiliates and subsidiaries, Glenn Springs Holdings, Inc. and Mariana Properties (collectively referred to as “GSH”) to settle those pending claims on the Impacted Parcels to be acquired for the Project substantially in accordance with the terms set forth in the Memorandum of Understanding, and related documentation.

Approval was also requested to negotiate, draft, and execute an Access Agreement substantially in accordance with the Memorandum of Understanding to allow GSH and associated parties access to the Impacted Parcels upon acquisition by NJ TRANSIT substantially in accordance with the Memorandum of Understanding and consistent with applicable federal and state law.

Board Member Noreen M. Giblin made a motion and Board Member Shanti Narra seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2110-73: HOBOKEN SIGNAL AND YARD POWER REPAIRS PROJECT CONSTRUCTION CONTRACT AND CONSTRUCTION MANAGEMENT SERVICES CONTRACT AWARD

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2110-73. Eric Daleo recommended approval of Action Item #2110-73: Purchase of 654 Operator Protective Barrier Upgrade Kits for NABI Bus Fleet.

Approval was requested to enter into a procurement-by-exception contract for the purchase of 654 Operator Barrier Door System upgrade kits with Bentech Inc. of Philadelphia, Pennsylvania, in an amount not to exceed \$1,103,952.00, subject to the availability of funds.

Board Member Shanti Narra made a motion and Board Member Noreen M. Giblin seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2110-74: WEEHAWKEN FERRY MAINTENANCE TERMINAL

Board Secretary Zuczek noted this item was deferred.

2110-75: PROPOSED LABOR AGREEMENTS: NJ TRANSIT RAIL OPERATIONS, INC.

President & CEO Corbett introduced James Sincaglia, Acting Senior Vice President and General Manager, Rail Operations, to present Action Item #2110-75. James Sincaglia

recommended approval of Action Item #2110-75: Proposed Labor Agreements: NJ TRANSIT Rail Operations, Inc.

Approval was requested to approve the economic terms and other proposed conditions set forth in the Memorandum of Understanding negotiated by NJ TRANSIT Rail Operations, Inc. and SMART Mechanical and authorization is requested for the President & CEO, or his designee, to take all necessary steps to finalize and implement same, pending ratification by SMART Mechanical.

Board Member James D. Adams made a motion and Board Member Shanti Narra seconded the motion.

Board Member Narra thanked all the staff that were involved with these negotiations as well as the employee partners for reaching these agreements.

Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2110-76: PERSONAL INJURY CLAIM OF FLOYD PITT

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2110-76. William Viqueira recommended approval of Action Item #2110-76: Personal Injury Claim of Floyd Pitt.

Approval was requested to settle the claim of Floyd Pitt through his attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member Richard A. Maroko made a motion and Board Member Noreen M. Giblin seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2110-77: PERSONAL INJURY CLAIM OF THE ESTATE OF ALVIN MARACALLO

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2110-77. William Viqueira recommended approval of Action Item #2110-77: Personal Injury Claim of The Estate of Alvin Maracallo.

Approval was requested to settle the claim of The Estate of Alvin Maracallo through its attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

Board Member James D. Adams made a motion and Board Member Shanti Narra seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

2110-78: DESIGNATION OF CHIEF ETHICS OFFICER

President & CEO Corbett recommended approval of Action Item #2110-78: Designation of Chief Ethics Officer. Approval was requested to designate Christopher Iu as Chief Ethics Officer of NJ TRANSIT, reporting to the Board of Directors.

Board Member Shanti Narra made a motion and Board Member Noreen M. Giblin seconded the motion. Vice Chair Fulton and Chair Gutierrez-Scaccetti congratulated Mr. Iu on his appointment. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Executive Session Authorization

Chair Gutierrez-Scaccetti noted they would adjourn to Executive Session, would only return to adjourn the meetings, and no further business would be conducted. Chair Gutierrez-Scaccetti asked for a motion to enter Executive Session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation,

and matters falling within the attorney-client privilege, including, but not limited to, the Personal Injury Claim of the Estate of Umberto Lombardo and the Portal North Bridge Owner Controlled Insurance Program.

Board Member Shanti Narra made the motion, Board Member Richard A. Maroko seconded the motion, and it was adopted. At approximately 7:46 p.m., the Board adjourned to Executive Session.

Roll Call Vote:

Adams	Doshi	Gordon	Maroko	Narra	Spalla	Giblin	Fulton	Gutierrez-Scaccetti
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Return to Open Session

Board Secretary Zuczek conducted a Roll Call as Board Members returned to Open Session. All Board Members returned to Open Session at approximately 8:47 p.m.

Adjournment

Since there was no further business, a motion to adjourn was made by Board Member Shanti Narra, seconded by Board Member Bob Gordon, and adopted. The meetings were adjourned at approximately 8:48 p.m.

**NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
REGULARLY SCHEDULED BOARD OF DIRECTORS' MEETINGS**

OCTOBER 20, 2021

MINUTES

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➤ CALL TO ORDER	-
➤ APPROVAL OF MINUTES OF PREVIOUS MEETINGS	61082
➤ PRESIDENT & CEO'S MONTHLY REPORT	61083
➤ PUBLIC COMMENTS	-
➤ ADVISORY COMMITTEE REPORT	-
➤ BOARD COMMITTEE REPORTS	-

ACTION ITEMS

2110-67	HOBOKEN SIGNAL AND YARD POWER REPAIRS PROJECT – CONSTRUCTION CONTRACT AND CONSTRUCTION MANAGEMENT SERVICES CONTRACT AWARD – Authorization to enter into NJ TRANSIT Contract No. 21-004X with DMR Construction Services, Inc. of Waldwick, New Jersey, for the construction of the Hoboken Signal and Yard Power Repairs Project - General Construction Contract in the amount not to exceed \$39,970,158.63, plus five percent for contingencies, subject to the availability of funds. Authorization to enter into NJ TRANSIT Contract No. 19-048 with AECOM, to provide construction management services for the Hoboken Signal and Yard Power Repairs Project in the amount not to exceed \$4,172,187.53, plus five percent for contingencies, subject to the availability of funds.	61106
2110-68	NEW NORTHERN BUS MAINTENANCE FACILITY PROJECT: PHASE IB PRELIMINARY DESIGN/ENGINEERING – Authorization to amend NJ TRANSIT Contract No. 19-051 with Gannett Fleming, Inc. of Newark, New Jersey, to provide consultant services for the New Northern Bus Maintenance Facility Project: Phase IB – Preliminary Design/Engineering in the amount not to exceed \$12,522,234.53, plus five percent for contingencies, subject to the availability of funds.	61110

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
NJ TRANSIT RAIL OPERATIONS, INC.
NJ TRANSIT MERCER, INC.
NJ TRANSIT MORRIS, INC.
REGULARLY SCHEDULED BOARD OF DIRECTORS' MEETINGS
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- 2110-69 BUS STOCK PROGRAM: PURCHASE OF EIGHT (8) ZERO-EMISSION BUSES** – Authorization to enter into NJ TRANSIT Contract No. 20-058 with New Flyer of America for the purchase of eight Zero-Emission Buses to be operated at the Newton Avenue Bus garage, including spare parts, at a cost not to exceed \$9,429,947, plus five percent for contingencies, subject to the availability of funds. **61114**
- 2110-70 CONCEPTUAL, PRELIMINARY AND FINAL ENGINEERING SERVICES, AND CONSTRUCTION ASSISTANCE SERVICES FOR THE WALTER RAND TRANSPORTATION CENTER IMPROVEMENT PROJECT – DESIGN CONTRACT AWARD** – Authorization to enter into NJ TRANSIT Contract No. 21-014 with HNTB of New York, New York, for the Conceptual, Preliminary and Final Engineering Services and Construction Assistance Services at a cost not to exceed \$4,351,635.44, plus five percent for contingencies, subject to the availability of funds. **61126**
- 2110-71 NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: PARCEL R124 HUDSON COUNTY IMPROVEMENT AUTHORITY** – Authorization to take any and all actions to acquire Parcel R124 in accordance with the Eminent Domain Law of 1971, not to exceed payment of an amount as discussed in Executive Session, subject to the availability of funds and FTA approval; and **61130**
- Authorization to take any and all actions to convey a mitigation easement to the Hudson County Improvement Authority, its transferees, successors and assigns to provide alternate access to the remainder from Route 7 over Parcel 118 to be acquired by NJ TRANSIT; and
- Authorization to cause filing a complaint in condemnation and the filing and recording of a declaration of taking and to take any and all actions related to the exercise of NJ TRANSIT's power of eminent domain, where necessary, to acquire Parcel R124 for the Portal North Bridge Project and deposit the estimated just compensation with the Clerk of the Superior Court, so long as NJ TRANSIT attempts to acquire these parcels from the property owner through bona fide negotiations as required by the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et. seq. before commencing condemnation proceedings.

NEW JERSEY TRANSIT CORPORATION
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- 2110-72 NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: AUTHORIZING EXECUTION OF SETTLEMENT OF CLAIMS WITH OCCIDENTAL CHEMICAL CORPORATION SUBSTANTIALLY IN ACCORDANCE WITH THE TERMS OF A PROPOSED SETTLEMENT AGREEMENT AND RELEASE RELATED TO THE PORTAL NORTH BRIDGE PROJECT –** 61132
- Authorization to negotiate, draft, and execute a final Settlement Agreement with Occidental Chemical Corporation by and through its corporate affiliates and subsidiaries, Glenn Springs Holdings, Inc. and Mariana Properties (collectively referred herein as “GSH”) to settle those pending claims on the Impacted Parcels to be acquired for the Project substantially in accordance with the terms set forth in the Memorandum of Understanding, and related documentation.
- Authorization to negotiate, draft, and execute an Access Agreement substantially in accordance with the Memorandum of Understanding to allow GSH and associated parties access to the Impacted Parcels upon acquisition by NJ TRANSIT substantially in accordance with the Memorandum of Understanding and consistent with applicable federal and state law
- 2110-73 PURCHASE OF 654 OPERATOR PROTECTIVE BARRIER UPGRADE KITS FOR NABI BUS FLEET –** 61134
- Authorization to enter into a procurement-by-exception contract (Contract No. 21-348) for the purchase of 654 Operator Barrier Door System upgrade kits with Bentech Inc. of Philadelphia, Pennsylvania, in an amount not to exceed \$1,103,952.00, subject to the availability of funds.
- 2110-74 WEEHAWKEN FERRY MAINTENANCE TERMINAL –** This item was 61137
deferred.
- 2110-75 PROPOSED LABOR AGREEMENTS: NJ TRANSIT RAIL OPERATIONS, INC. –** 61138
- Authorization to approve the economic terms and other proposed conditions set forth in the Memoranda of Understanding negotiated by NJ TRANSIT Rail Operations, Inc. and the labor unions and authorization for the President & CEO, or his designee, to take all necessary steps to finalize and implement same, pending ratification.
- 2110-76 PERSONAL INJURY CLAIM OF FLOYD PITT –** 61143
- Authorization to settle the claim of Floyd Pitt through his attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

NEW JERSEY TRANSIT CORPORATION
NJ TRANSIT BUS OPERATIONS, INC.
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- 2110-77 PERSONAL INJURY CLAIM OF THE ESTATE OF ALVIN MARACALLO – 61144**
Authorization to settle the claim of the Estate of Alvin Maracallo through its attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.
- 2110-78 DESIGNATION OF CHIEF ETHICS OFFICER – 61145**
Approval of this item will designate Christopher Iu to serve as Chief Ethics Officer of NJ TRANSIT, reporting to the Board of Directors.
- **EXECUTIVE SESSION AUTHORIZATION 61146**
- **ADJOURNMENT**

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., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, 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 September 15, 2021 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. were forwarded to the Governor on September 23, 2021;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the September 15, 2021 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

Philip D. Murphy, Governor
Sheila Y. Oliver, Lieutenant Governor
Diane Gutierrez-Scaccetti, Commissioner
Kevin S. Corbett, President & CEO

NJTRANSIT
One Penn Plaza East
Newark, NJ 07105-2246
973-491-7000

TO: BOARD OF DIRECTORS
FROM: KEVIN S. CORBETT 
DATE: OCTOBER 20, 2021
SUBJECT: PRESIDENT & CEO'S REPORT – OCTOBER 2021

We have busy agenda this evening, with a number of important items up for Board consideration. Today, the Board will vote on a contract with New Flyer of America for the purchase of eight, 40-foot battery-electric buses – the first zero-emissions bus purchase in our history. Also on the agenda is a contract to advance the design of our Northern Bus Garage. Through this project, NJ TRANSIT will construct a new bus garage in Ridgefield Park for up to 500 buses – complete with all of the necessary charging infrastructure to support an all-electric fleet. The Board will consider a major advancement in the replacement of our Walter Rand Transportation Center, through a contract for the design of a new facility. Finally, the Board will consider a contract for signal and yard repairs that will harden our Hoboken Terminal against extreme weather events.

As our Board considers a series of major infrastructure advancements, I would be remiss without mentioning the single largest construction contract award in our agency's history. Last week, with the support of the Murphy Administration, this Board approved an historic, nearly \$1.6 billion contract award to Skanska Traylor Brothers PNB Joint Venture, for our Portal North Bridge Replacement Project. This award represents the culmination of more than three years of hard work and determination by NJ TRANSIT and our project partners at Amtrak. It also means that very soon, NJ TRANSIT will begin construction on this project of national significance – creating jobs and spurring economic growth for our region, and restoring dependable rail service to the millions of customers who count on this critical link between New Jersey and New York every year. Once construction begins, the contract is expected to take approximately five-and-a-half years, and is supported by a Full Funding Grant Agreement from the FTA for \$766.5 million.

We celebrated another infrastructure “first” last month, with the introduction of our first-ever solar powered bus shelter. On September 27th, I was proud to join Congressman Donald Norcross, Cherry Hill Mayor Susan Shin Angulo, and our own NJ TRANSIT Board member and Cherry Hill Councilwoman Sangeeta Doshi, to unveil this shelter at one of our bus stops in Cherry Hill. We foresee this as the first of many state-of-the-art, energy efficient solar-powered bus shelters to come to NJ TRANSIT bus stops across the state. It is another example of NJ TRANSIT's steadfast commitment to delivering our transit services in the most environmentally responsible manner possible.

Moving on to the “people” side of our business, on October 12th, this Board also voted to approve the economic terms and other proposed conditions set forth in the Memoranda of Understanding between NJ TRANSIT and six of our rail unions. This approval follows the Board's approval in August of a new contract with nine Amalgamated Transit Union locals representing NJ TRANSIT bus drivers, mechanics, and other workers.

As we shore up agreements with our union employees, tomorrow I will join Governor Murphy and Commissioner Gutierrez-Scaccetti at our Meadows Maintenance Complex in Kearny to celebrate yet another class of locomotive engineers. We achieved a full roster earlier this year, by graduating an unprecedented 11 training classes since 2018 – more than the previous five years combined. Once this class becomes fully qualified, NJ TRANSIT will have 404 active locomotive engineers, after having added 127 new, fully qualified engineers since 2018. For our customers, this means a much more reliable rail system. Beyond ensuring the reliability of our regular service, it also allows us to better support service outside the normal schedule – including special events at MetLife Stadium such as concerts, Giants and Jets home games, last weekend's Far Hills Steeplechase, and the upcoming Army/Navy game in December. And to be clear: We are committed to maintaining this full roster moving forward in order to keep pace with normal retirements and attrition, with a full pipeline of trainees in ongoing classes.

Also in regards to recruitment, I'd like to highlight NJ TRANSIT's continuing partnership with the Edge4Vets jobs preparation program. Vice-Chair Fulton initially connected us with this program, and NJ TRANSIT is proud to have recently hired the first of what we hope will be many Edge4Vets participants into a Bus Operator position after holding a series of workshops this spring. Our newest program will be presented tomorrow and on November 4th in two 90-minute Zoom sessions, and is offered through the Human Resiliency Institute at Fordham University.



PRESIDENT & CEO'S MONTHLY REPORT
October 20, 2021

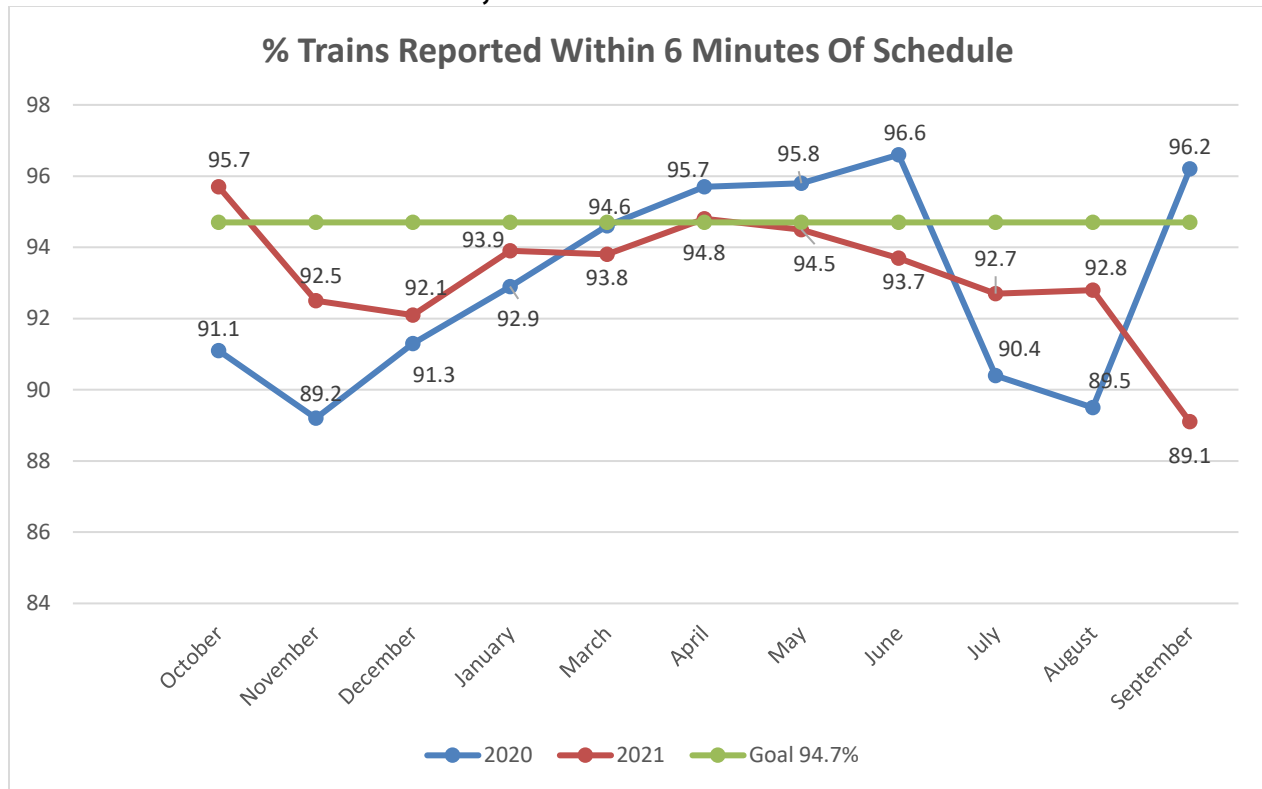
PRESIDENT & CEO'S MONTHLY REPORT

October 20, 2021

- 1. PERFORMANCE MEASURES**
- 2. MEAN DISTANCE BETWEEN FAILURES**
- 3. DBE/SBE PROGRAM**
- 4. EMPLOYEE RECOGNITION**

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL OCTOBER, 2019 – SEPTEMBER 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
September Comparison	96.2%	89.1%	-7.1%
12-Month Average Oct. 2019 – Sept, 2021	92.8%	93.1%	0.3%

Analysis:

Rail On-Time Performance was 89.1% for September, 2021. Of the 16,554 trains scheduled to operate, 14,747 were on time, while 1,807 trains (or 10.9%) were delayed.

Key Causes included:

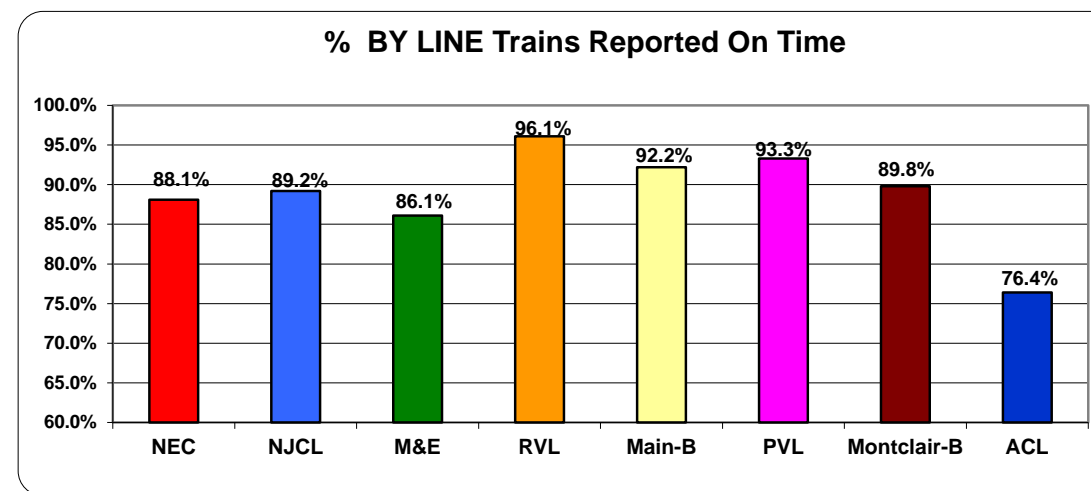
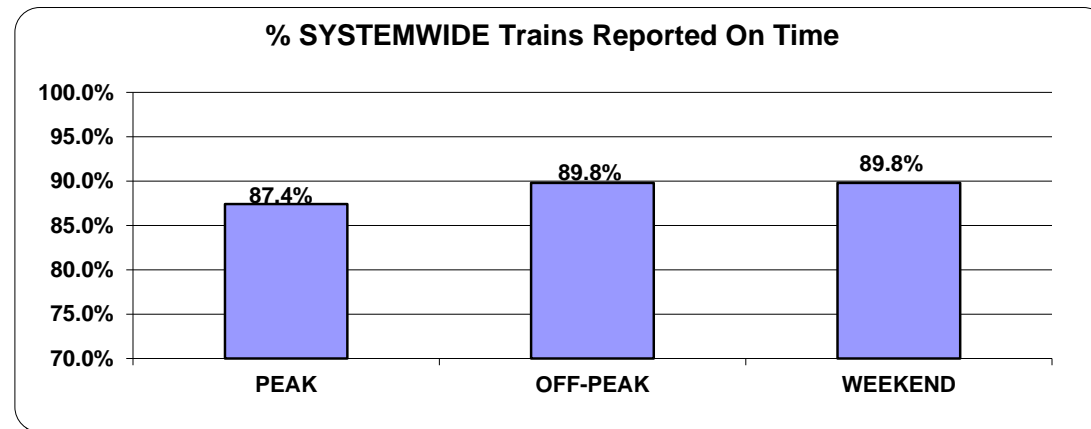
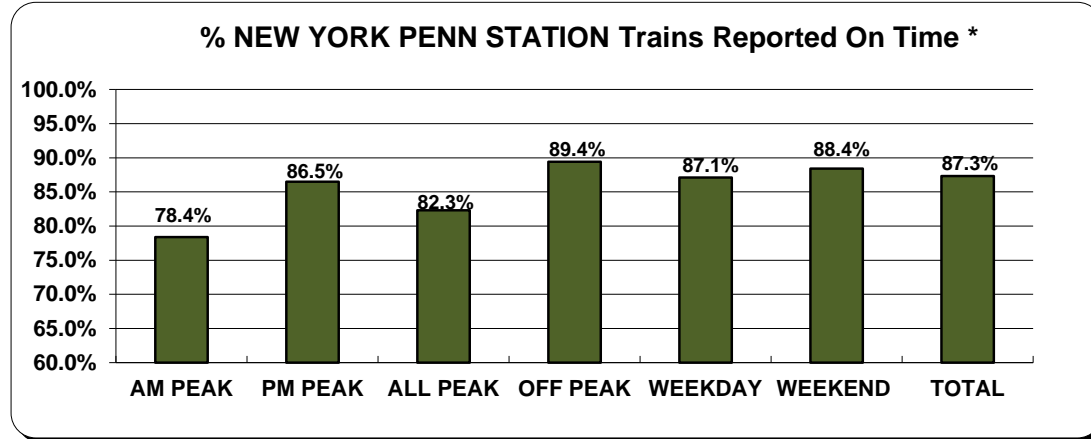
- Weather related NJT and Amtrak issues, weather related catenary issues, mechanical and equipment issues contributed 119 delays on September 1.
- Amtrak signal power issues, a fatality, weather-related and trackside interference catenary contributed 255 delays on September 3.
- Amtrak catenary issues, weather related signal issues, NJT PTC mechanical and bridge issues contributed 146 delays on September 16.

The 12-month Average for Rail On-Time Performance was 93.1%.

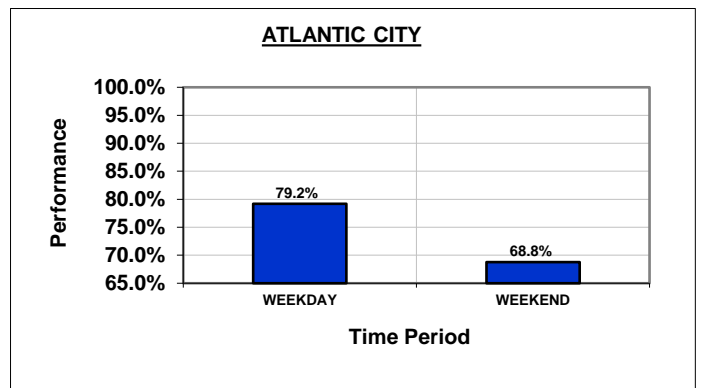
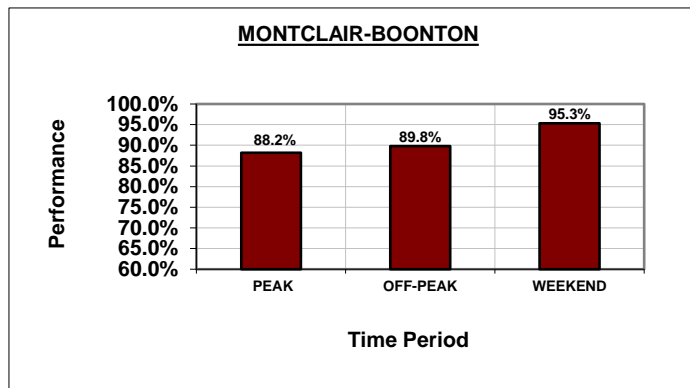
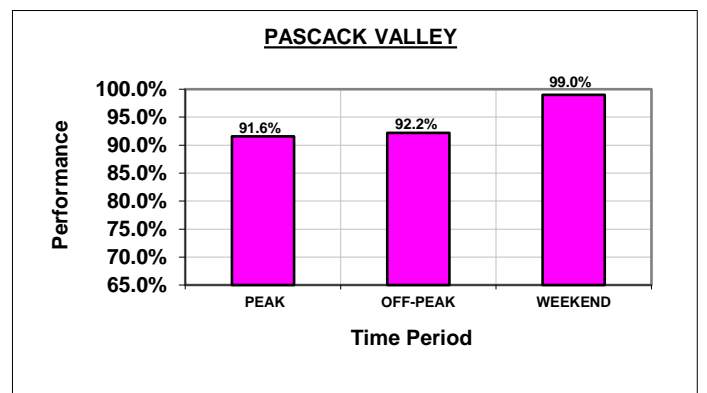
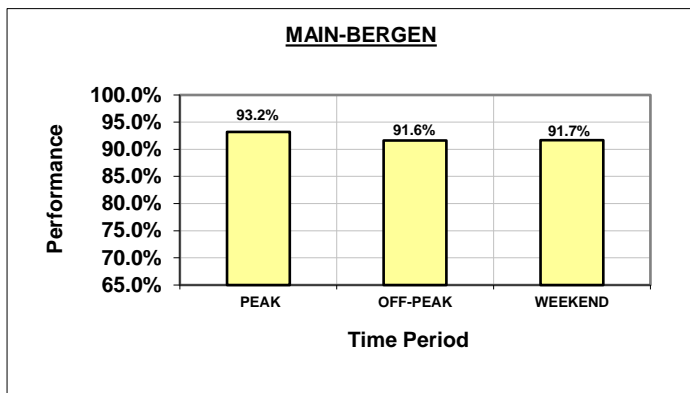
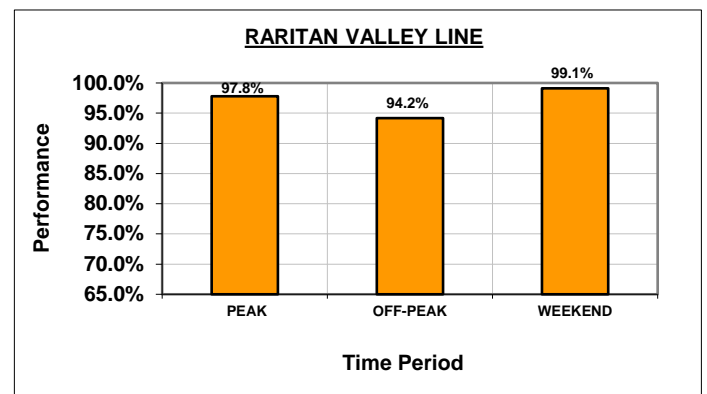
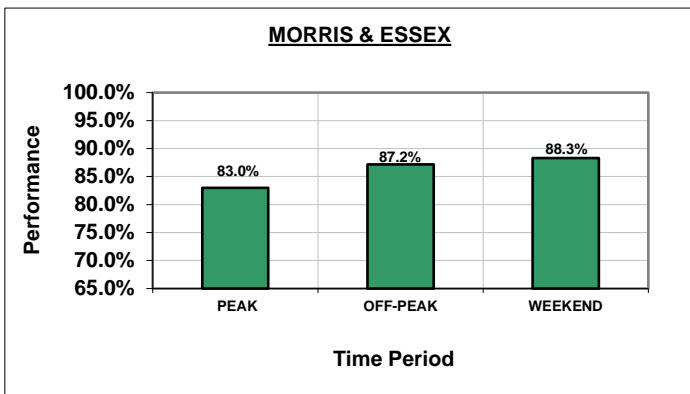
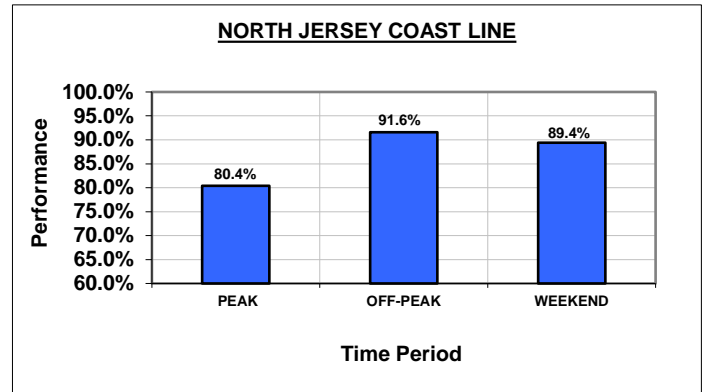
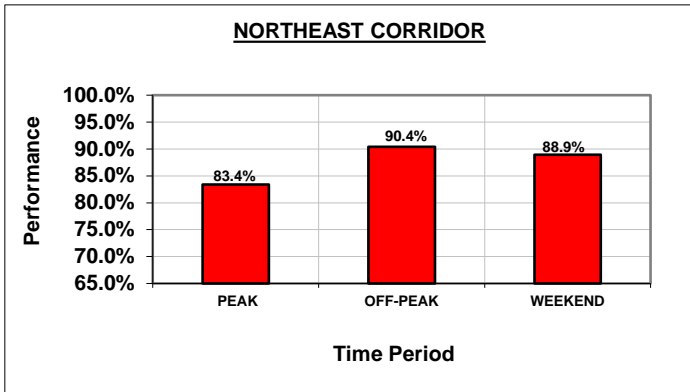
ON-TIME PERFORMANCE RAIL

SUMMARY BY TIME PERIOD September 2021

* NOTE: A train is reported late if it arrives at its final station stop more than 5:59 minutes later than the advertised schedule.



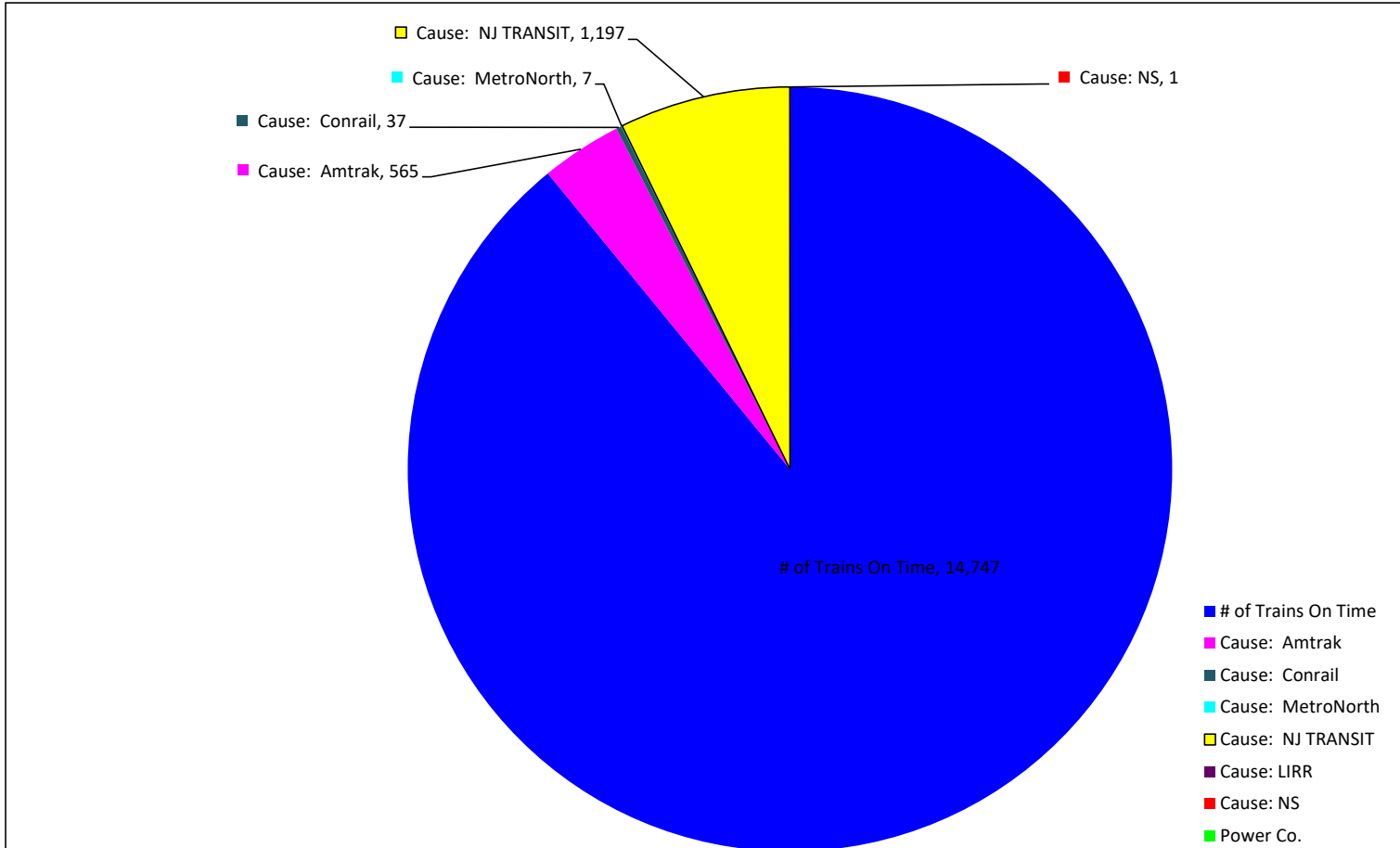
ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD September 2021



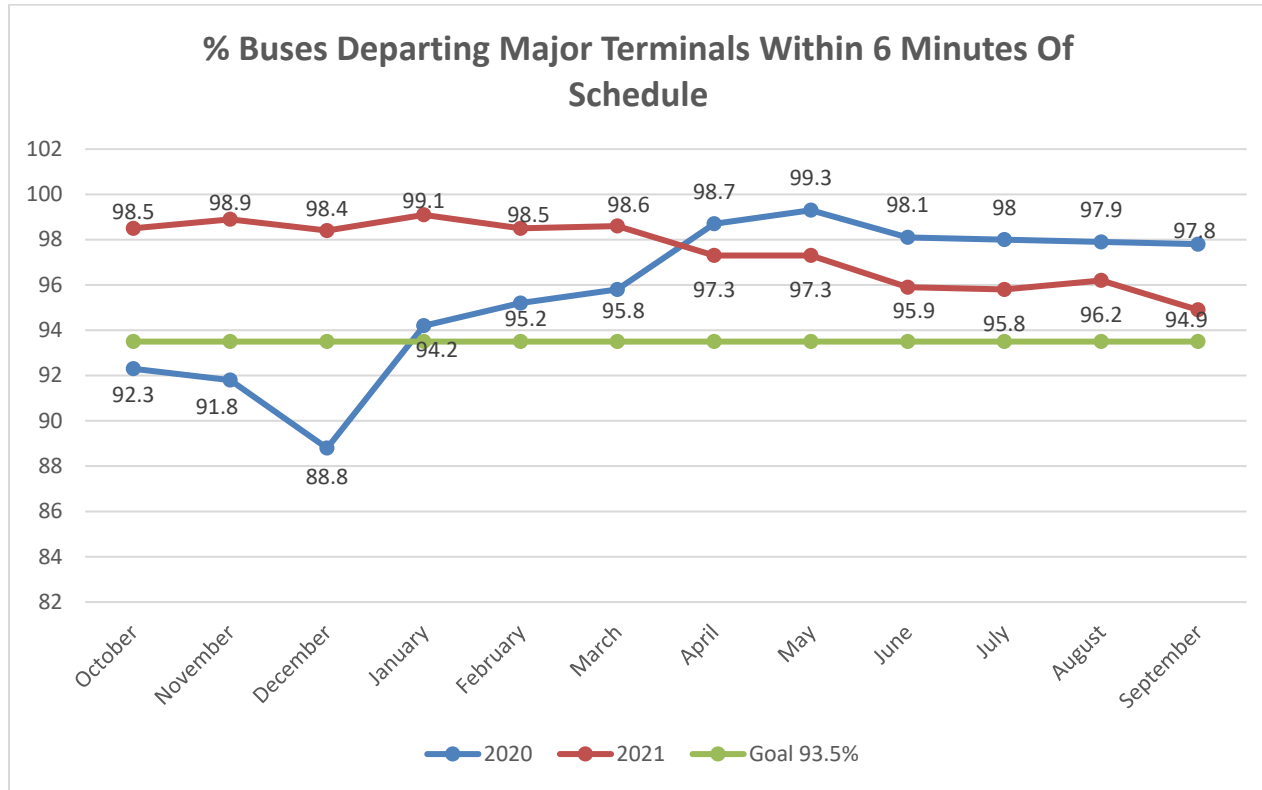
NJ TRANSIT Performance - September 2021

Late NJ TRANSIT Trains

# of Trains On		Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause: LIRR	Cause: NS	Power Co.
# of Trains On Time	14,747	565	37	7	1,197		1	
# of Late Trains	1,807	3.41%	0.22%	0.04%	7.23%	0.00%	0.01%	0.00%
Total # of Trains	16,554							
Percentage On Time	89.1%							



NJ TRANSIT ON-TIME PERFORMANCE BUS October 2019 – September 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
September Comparison	97.8%	94.9%	-2.9%
12-Month Average Oct 2020 – Sept 2021	95.7%	97.4%	1.7%

Analysis*:

Bus On-Time Performance systemwide was 94.9% for the month of September 2021. Of the 41,030 scheduled departures, 2077 experienced delays.

Key Causes included:

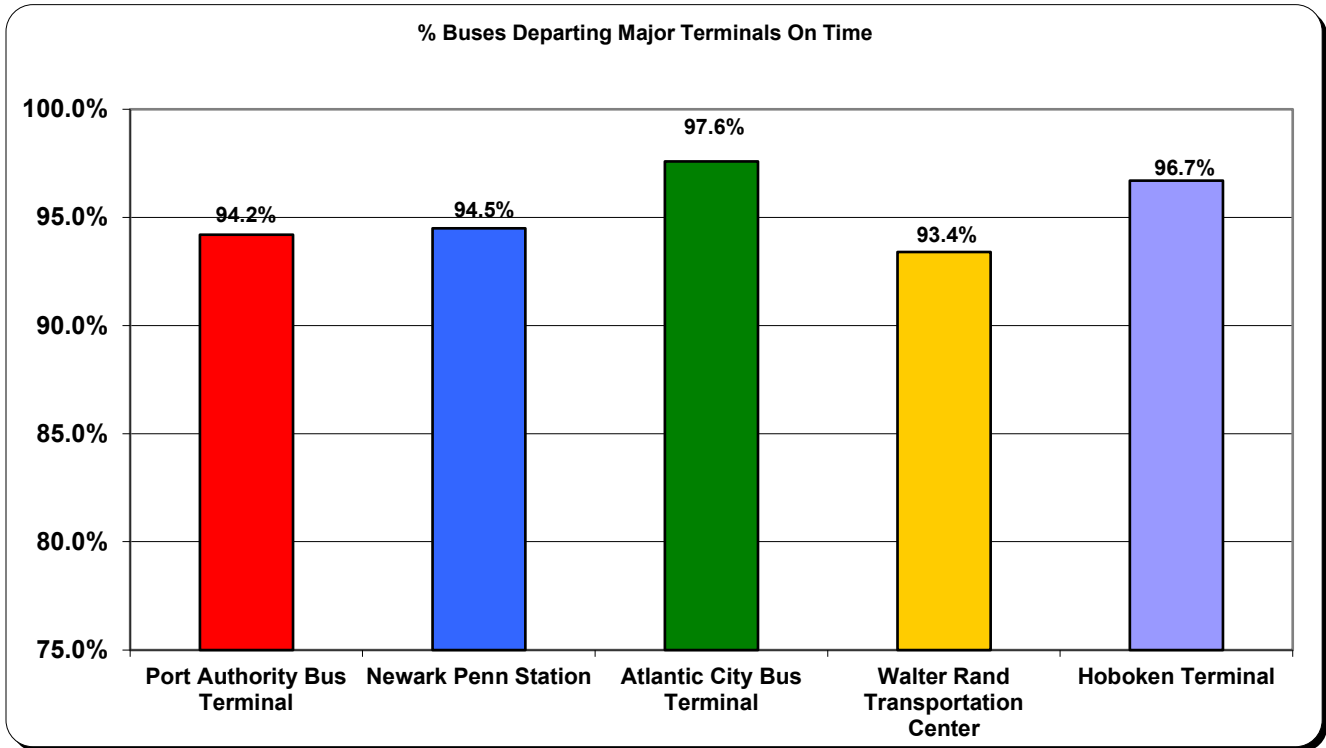
- At PABT, weather, detours, traffic, and road construction caused minor delays.
- At Newark Penn Station on the 3rd, road closures caused significant traffic. Mechanical issues, sick customer needing medical assistance caused delays. On the 7th, road closure on the main road to Penn Station caused major delays. Motor vehicle accidents delayed several routes. Heavy traffic on main road and mechanical issues contributed to the delays. On the 27th, multiple road closures, mechanical issues and fire department activity caused significant delays.
- For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

The 12-month average for Bus On-Time Performance was 97.4%.

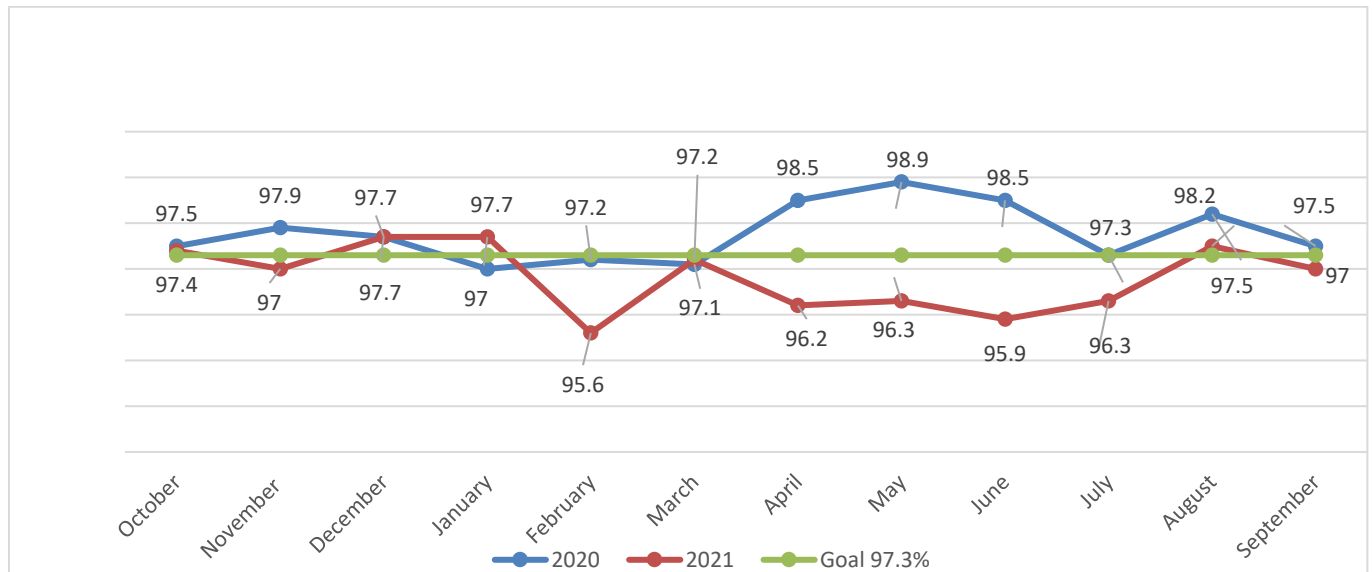
* The higher than usual OTP is the result of the state-wide lockdowns and little to no traffic interference.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL



NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL October 2019 – September 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
September Comparison	97.5%	96.8%	-0.7%
12-Month Average October 2020 – September 2021	97.8%	96.7%	-1.0%

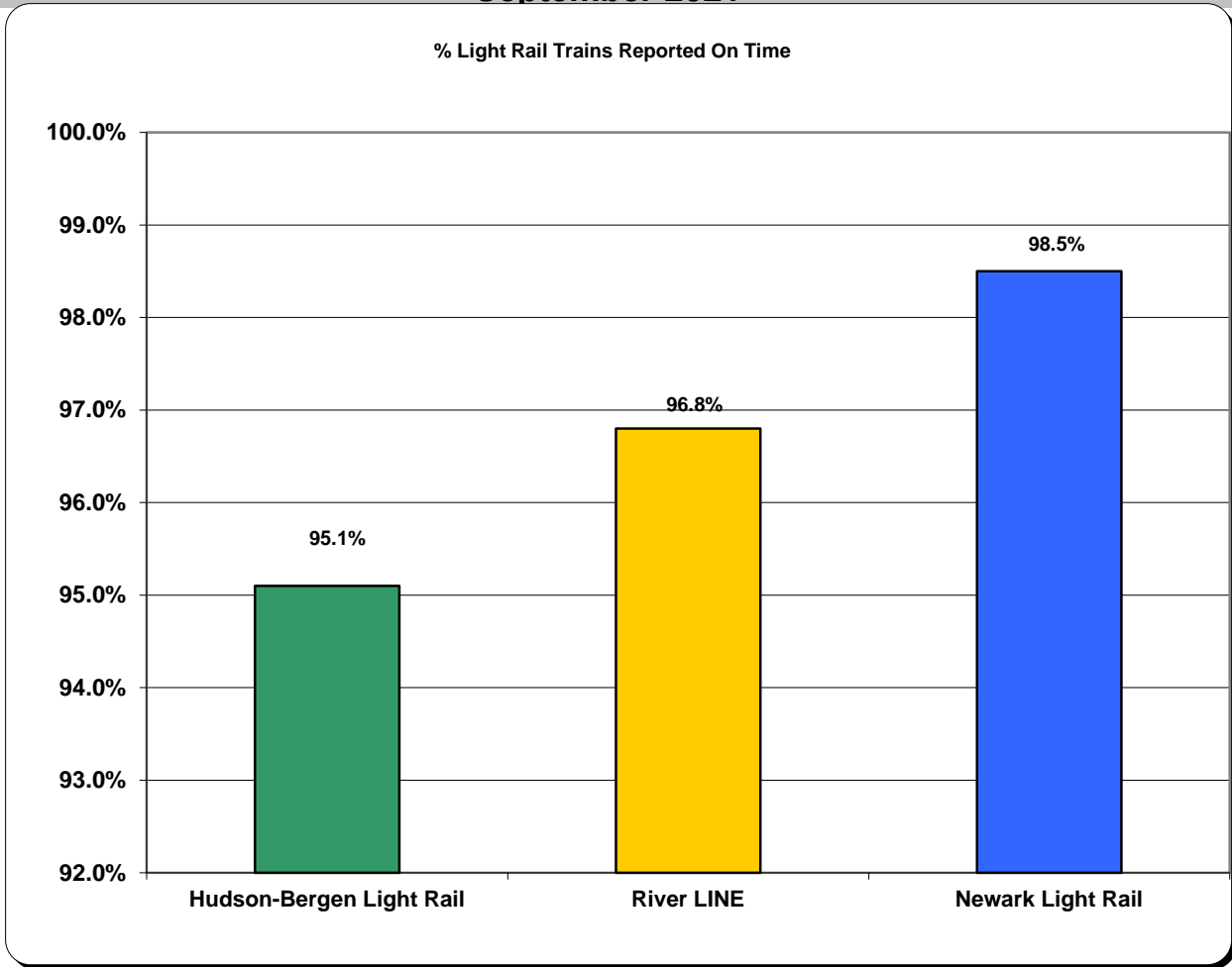
Analysis: Light Rail On-Time Performance system wide was 96.8% for the month of September. Of the 27,144 scheduled departures, 2,956 experienced delays.

Key Causes included:

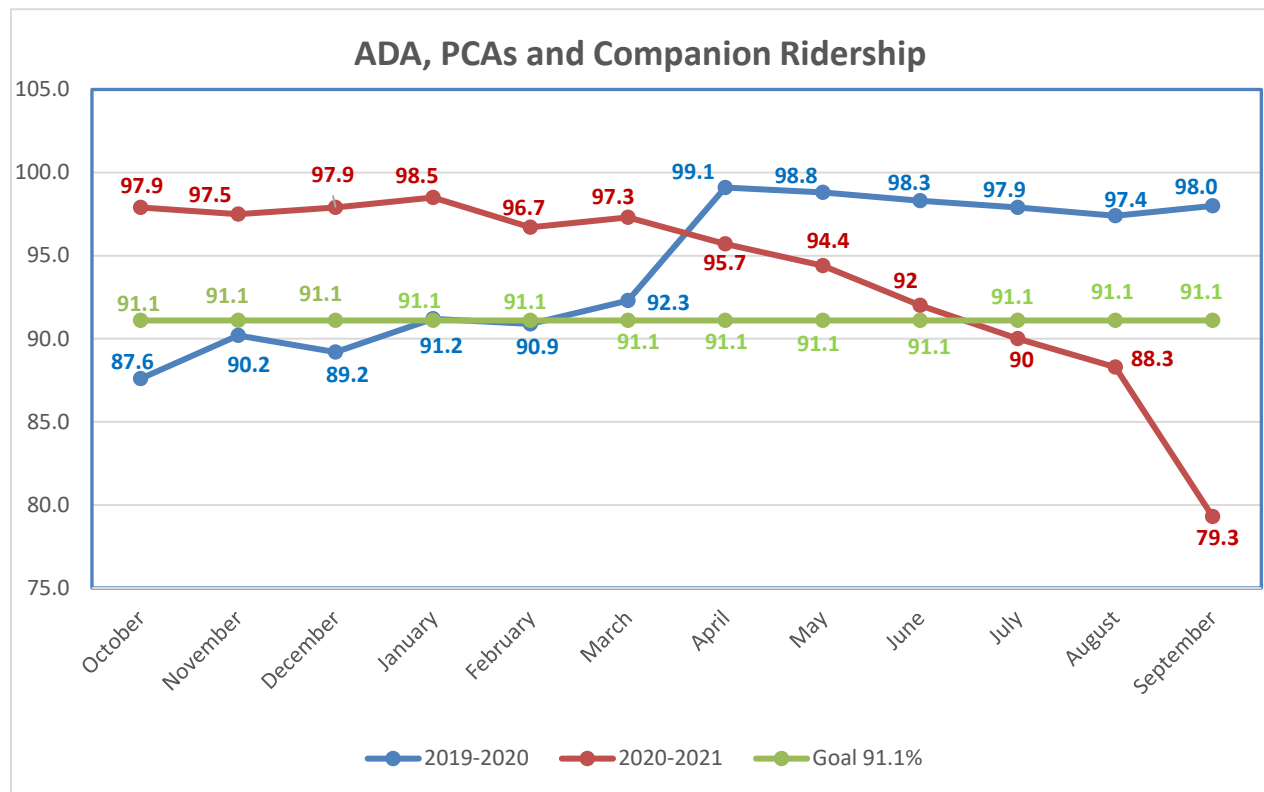
- **Newark Light Rail** – 86 trips were affected due to mechanical issues, police activity and inclement weather on 9/1. Switch issues at Branch Brook Interlocking affected 70 trains. Mechanical issues affected OTP throughout the month.
- **River LINE** – Motor vehicle fouling tracks on 9/10 affected 3 trains. Signal issues on 9/2 affected 7 trains. Mechanical and equipment issues on 9/1 affected 6 trains. Mechanical and equipment issues on 9/13 affected 4 trains. Police activity on 9/3, 9/5, 9/7, 9/12, and 9/17 affected OTP for multiple trains. Track obstructions on 9/10 and 9/21 resulted in 3 affected trains.
- **HBLR** – Damage from Hurricane Ida resulted in 1,665 affected trains throughout the month. Motor vehicle fouling tracks on 9/1, 9/5, 9/11, and 9/19 resulted in 107 lost trains. LRV contact with street vehicle on 9/27 affected 90 trains. Downed trees on 9/1 and 9/23 affected 66 trains. Mechanical issues heavily affected OTP on multiple dates.
- The 12-month Average for Light Rail On-Time Performance was 96.7%

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE September 2021



NJ TRANSIT ON-TIME PERFORMANCE ACCESS LINK OCTOBER 2019– SEPTEMBER 2021



	<u>2020</u>	<u>2021</u>	<u>%Change</u>
September Comparison	98.0%	79.3%	-18.7%
September Ridership	75,077	101,697	26,620
12-Month Average October 2020 – September 2021	94.2%	93.8%	-0.4%

Analysis:

Access Link On-Time Performance was 79.3% for September 2021. In serving 110,051 total riders, for 101,697 ADA customers trips, 21,094 (or 20.7%) experienced delays.

Key Causes included:

- Service disruptions and suspensions due to inclement weather (Storm Ida) - 9/2
- Major flooding and road closures in the Newark and Kearny area - 9/3 & 9/7
- Regions 5 & 6, 45-60 minute delays due to operator availability
- Customer no-shows

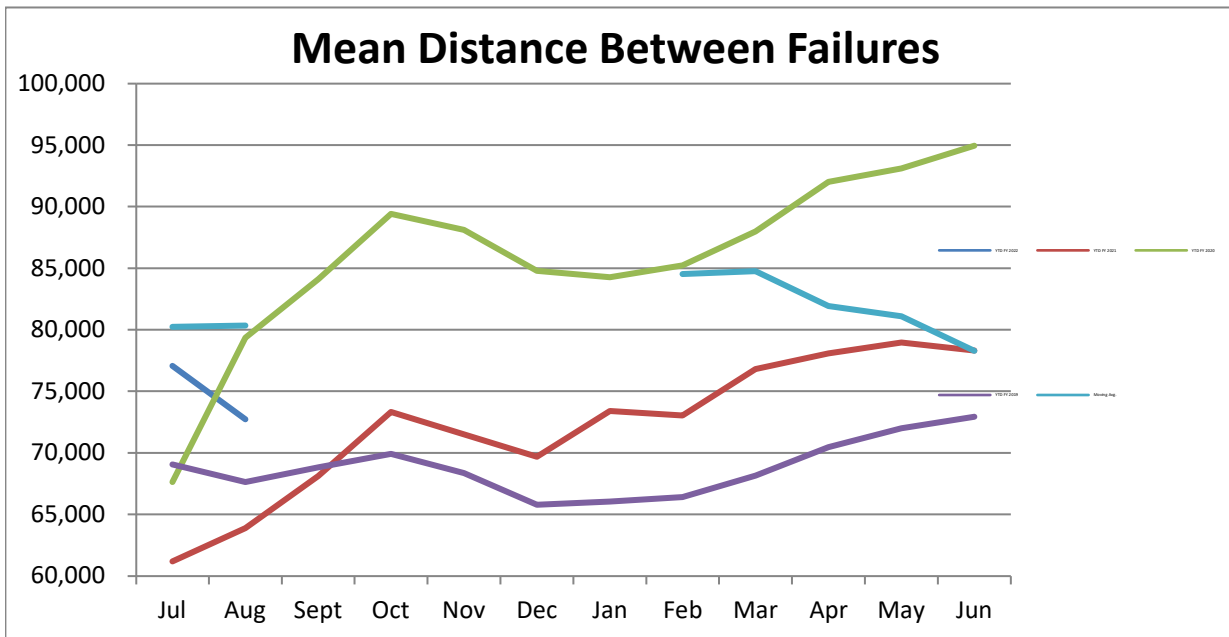
The 12-month Average for Access Link On-Time Performance was 93.8%.

MEAN DISTANCE BETWEEN FAILURES

August 2021

NJ TRANSIT Rail Operations
Mean Distance Between Failures

					12 Month
Month	YTD FY 2022	YTD FY 2021	YTD FY 2020	YTD FY 2019	Moving Avg.
Jul	77,087	61,198	67,634	69,055	80,232
Aug	72,743	63,891	79,350	67,612	80,333
Sept	-	68,109	84,111	68,823	-
Oct	-	73,320	89,410	69,913	-
Nov	-	71,498	88,101	68,356	-
Dec	-	69,664	84,773	65,796	-
Jan	-	73,392	84,273	66,025	-
Feb	-	73,030	85,233	66,391	84,529
Mar	-	76,790	87,973	68,141	84,772
Apr	-	78,072	92,007	70,447	81,931
May	-	78,962	93,119	71,986	81,101
Jun	-	78,300	94,969	72,930	78,300

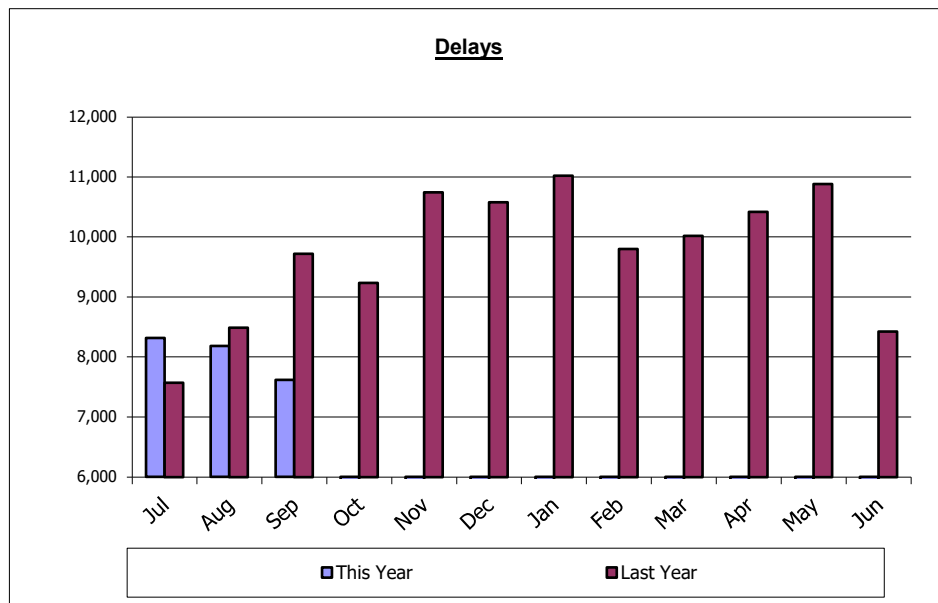


* FY2022 Numbers reflect start of FY2022

Garage Performance Parameters

September 2021

Location	Miles Between In-Service Delays			
	FY2022 Goal	This Month	FY2022 YTD	FY2021 YTD
Fairview	5,500	4,736	5,447	3,311
Greenville	7,000	5,548	6,400	5,162
Market Street	8,000	4,551	4,023	5,189
Meadowlands	9,500	6,897	6,834	5,204
Oradell	10,000	3,469	4,661	7,746
Wayne	16,000	11,465	13,453	16,103
Northern Division	-	5,563	6,136	6,590
Big Tree	8,800	6,510	5,937	3,818
Hilton	10,200	5,491	6,533	6,121
Howell	16,750	22,617	25,002	27,582
Ironbound	9,600	7,834	7,643	8,225
Orange	9,250	3,408	3,899	4,473
Morris	10,500	50,538	25,375	35,597
Central Division	-	7,325	7,922	7,882
Egg Harbor	15,000	16,536	11,517	16,373
Hamilton	13,000	7,049	9,414	10,349
Newton Avenue	14,000	19,577	16,460	14,393
Washington Twp.	16,000	22,608	18,303	16,740
Southern Division	-	15,761	13,592	15,852
Bus Operations	-	7,618	8,034	8,473

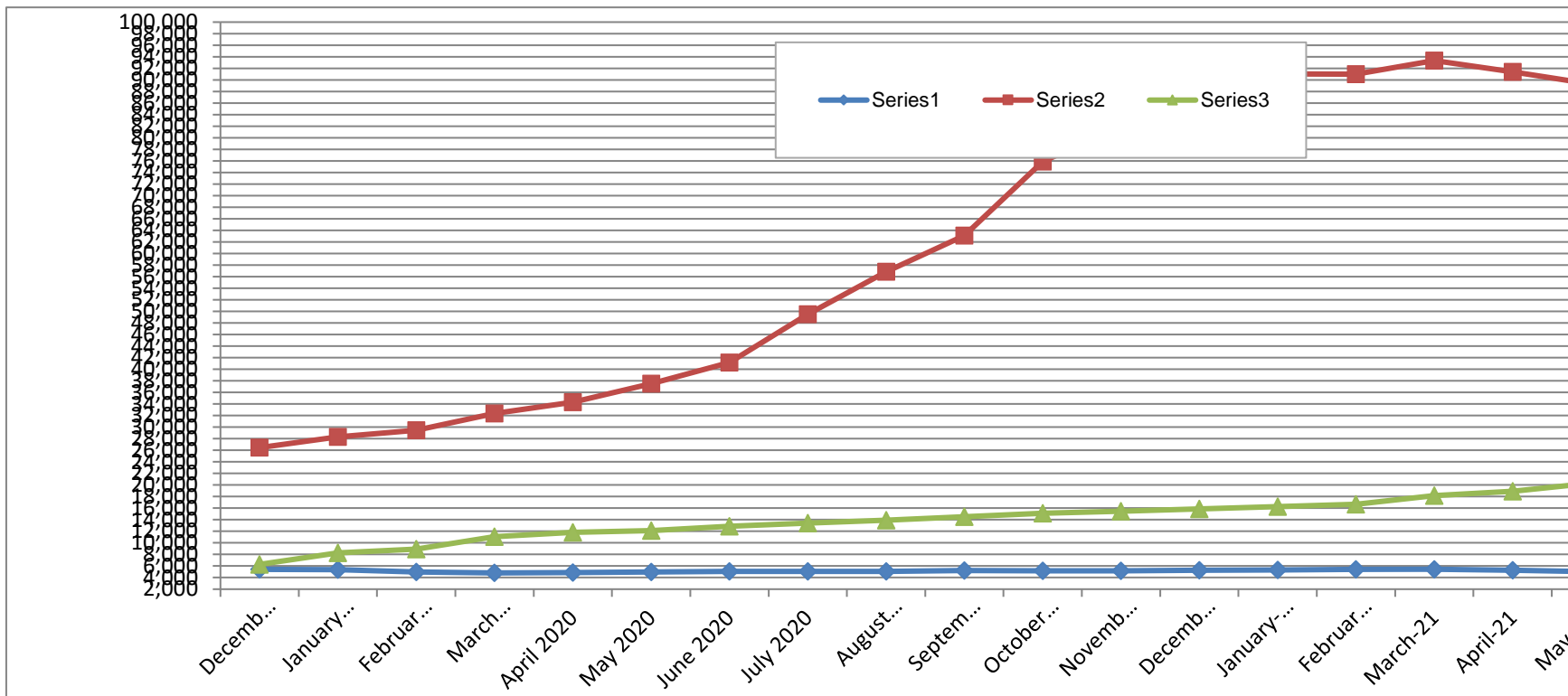


NJ TRANSIT - LIGHT RAIL, September 2021

Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF * September 2021	MDBSF * August 2021
Newark Light Rail	4,816	4,912
Hudson Bergen	94,294	91,765
River LINE	22,452	21,617

AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



DBE/SBE PROGRAM

NJ TRANSIT - DBE/SBE Participation for September 2021**State Funded Contracts****State Fiscal Year 2022 - July 1, 2021 through June 30, 2022**

During the month of **September 2021** NJ TRANSIT awarded **\$12,354,256.37** in state funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$4,153,866.64** or **33.62%**.

State Fiscal Year 2022 YTD (July 1, 2021 through June 30, 2022) NJ TRANSIT awarded **\$31,136,860.59** in state funded contracts. Of that total, SBEs received **\$8,399,161.64** or **26.97%**.

Note: The above reflects the Procurement Report of Awards through October 4, 2021.

SBE Goal Attainment from July 1, 2021 through June 30, 2022 (SFY 2022)

Category 1 SBEs	\$55,980.00	0.18%
Category 2 SBEs	\$3,961,917.64	12.72%
Category 3 SBEs	\$3,420,715.00	10.99%
Category 4 SBEs	\$273,200.00	0.88%
Category 5 SBEs	\$687,349.00	2.21%
Category 6 SBEs	\$0.00	0.00%

FTA Funded Contracts (Updated Quarterly – next update will occur October 2021)**Federal Fiscal Year (FFY) 2021 - October 1, 2020 through September 30, 2021**

During the **4th Quarter** (July 1, 2021 – September 30, 2021) the FTA-funded share of NJ TRANSIT's federal contract awards was **\$5,398,652.21**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$889,142.54** or **16.469%**.

FFY 2020 through FFY 2021 Q4 (October 1, 2019 – September 30, 2021) NJ TRANSIT awarded **\$391,526,285.12**** in federally funded contracts. Of that total, DBEs received **\$33,785,863.22** or **8.629%**.

**Numbers reflect federal share*

*** Number includes subrecipient awards*

Transit Vehicle Manufacturer (TVM)¹ Awards

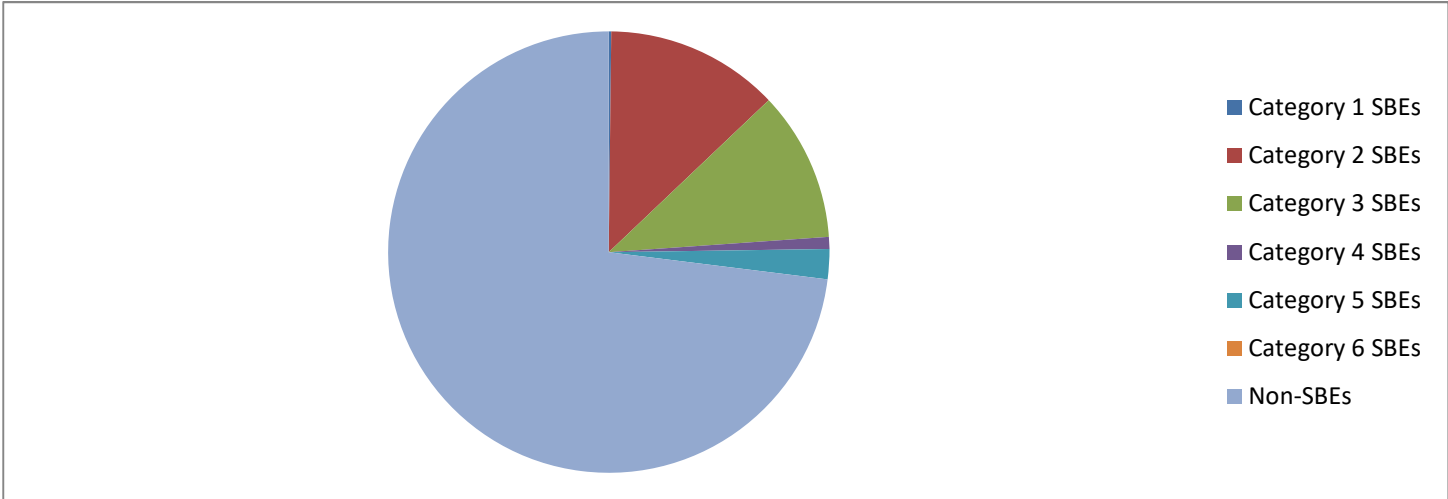
(Next update will occur in October 2021)

During the **4th Quarter (July 1, 2021 – September 30, 2021)**, there were zero (0) TVM contracts awarded at NJ TRANSIT.

¹ Transit Vehicle Manufacturers (TVMs) will be reported to the President and CEO on a quarterly basis in the same manner that FTA-funded contracts are currently reported. TVMs are manufacturers whose primary business purpose is to build vehicles specifically for public mass transportation. The "TVM" designation indicates that the intended contract recipient/awardee has submitted to the Federal Transit Administration a plan to utilize Disadvantaged Business Enterprises on their contracts. NJ TRANSIT does not place a separate goal on Transit Vehicle Manufacturers.

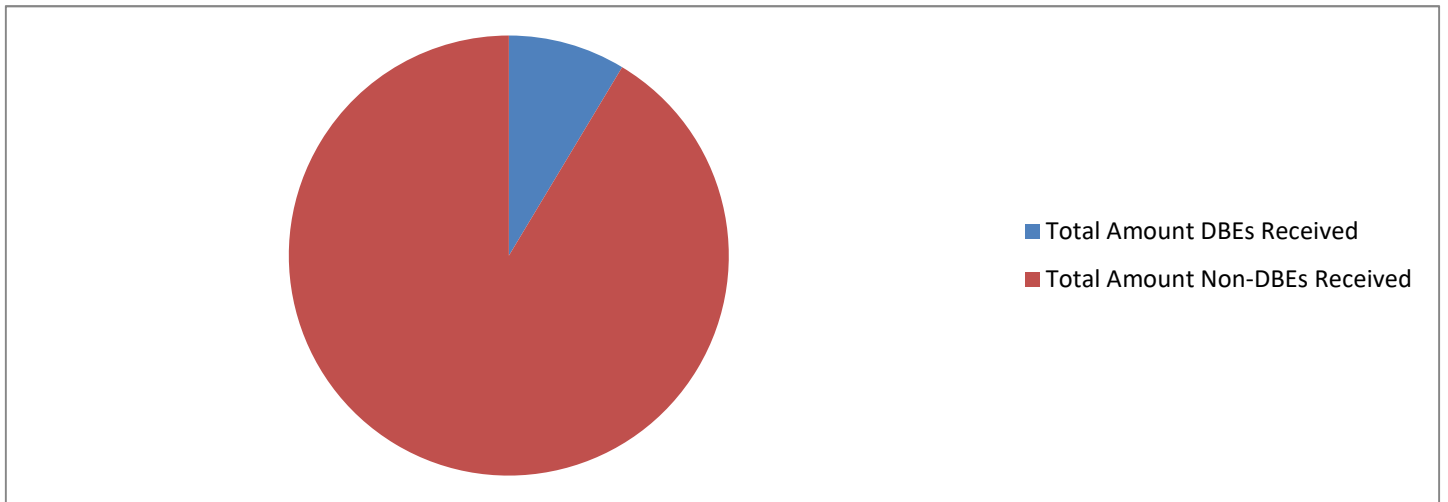
STATE CONTRACTS
STATE FYTD 2021

<i>Category 1 SBEs</i>	\$55,980.00	0.18%
<i>Category 2 SBEs</i>	\$3,961,917.64	12.72%
<i>Category 3 SBEs</i>	\$3,420,715.00	10.99%
<i>Category 4 SBEs</i>	\$273,200.00	0.88%
<i>Category 5 SBEs</i>	\$687,349.00	2.21%
<i>Category 6 SBEs</i>	\$0.00	0.00%
<i>Non-SBEs</i>	\$22,737,698.95	73.03%



DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FY 2020-2022

Total Amount DBEs Received	\$33,785,863.22	8.629%
Total Amount Non-DBEs Received	\$357,740,421.90	91.37%



EMPLOYEE RECOGNITION

The following NJ TRANSIT employees retired recently:

1. Francis Gillespie Jr., Senior Director Light Rail Services-- Penn Plaza -- 16 years
2. Levern Bryant, Operator -- Orange -- 15 years
3. Joseph Cusac Sr., Operator -- Egg Harbor -- 15 years
4. Janet Malachowski, Cleaner -- Howell -- 15 years
5. Thelma Wright, Operator -- Big Tree -- 26 years
6. Kevin Alston, Starter -- Port Authority Bus Terminal -- 18 years
7. Jerome Camel, Operator -- Orange -- 25 years
8. Andre Castro, Operator -- Ironbound -- 21 years
9. Bobby Morris, Repairman -- Greenville -- 35 years
10. Luis Nieves, Operator -- Wayne -- 19 years
11. Ernest Sampson, Repairman -- Oradell -- 29 years
12. Alex Arguson, DES/Draftsper -- Penn Plaza -- 16 years
13. Carl Addu, Electrician -- Dover -- 18 years
14. Jerzy Apostol, Car Maintenance Maintainer -- Meadows Maintenance Complex -- 23 years
15. Joe Arsola, Locomotive Engineer -- Various -- 29 years
16. Joseph Cifarelli, Tech -- Hoboken -- 20 years
17. Martin Flynn, Roving Bridge Operator -- Hackensack -- 25 years
18. Leonard Geller, Assistant Conductor -- Various -- 20 years
19. Ronald Hessing, Electrician -- Raritan Yard -- 32 years
20. Abdur Mubarak, Conductor -- Various -- 33 years
21. George Naef, Lead Maintainer -- Orange -- 35 years
22. Ronald Taylor, Machinist -- Meadows Maintenance Complex -- 14 years
23. Deborah Tymczak-Pawling -- Various -- 7 years
24. David Zeigler, Locomotive Engineer -- Various -- 30 years

ACTION ITEMS

ITEM 2110-67 HOBOKEN SIGNAL AND YARD POWER REPAIRS PROJECT

The Hoboken Signal and Yard Power Repairs project will provide resilience to signal and power supply systems within the Hoboken Rail Yard by repairing and restoring signal and yard power devices by relocating/replacing equipment out of the flood zone and/or above the Design Flood Elevation.

DMR Construction Services, Inc. of Waldwick, New Jersey, for the construction of the Hoboken Signal and Yard Power Repairs Project in the amount not to exceed **\$39,970,158.63** plus ten percent for contingencies, subject to the availability of funds.

- NJ TRANSIT Contract No. 19-048 with **AECOM** of Piscataway, New Jersey, for the construction management of the Hoboken Signal and Yard Power Repairs Project in the amount not to exceed **\$4,172,187.53**, plus five percent for contingencies, subject to the availability of funds.



ITEM 2110-67 HOBOKEN SIGNAL AND YARD POWER REPAIRS PROJECT

- Authorization of this construction and construction management contract will improve the infrastructure damaged as a result of the effects of Superstorm Sandy, improve the conditions of the historic yard and allow it to operate more efficiently.
- These repairs will include installation of steel monopoles, aerial cables to supply signal power and yard wayside power, transformers, raised equipment platforms, yard power system components, upgraded wayside power outlet boxes, and other associated devices and equipment.



**ITEM 2110-67: HOBOKEN SIGNAL AND YARD POWER REPAIRS PROJECT –
CONSTRUCTION CONTRACT AND CONSTRUCTION
MANAGEMENT SERVICES CONTRACT AWARD**

WHEREAS, Hoboken Terminal and Yard is a major NJ TRANSIT terminal and serves approximately 30,000 customers daily (Pre-COVID-19) from across seven New Jersey counties and New York City; and

WHEREAS, Hoboken Terminal is an intermodal facility served by nine NJ TRANSIT commuter rail lines, the Hudson-Bergen Light Rail, Port Authority Trans-Hudson (PATH) rapid transit system, bus service, and New York Waterway ferry services; and

WHEREAS, the Hoboken Rail Yard is located in the Cities of Hoboken and Jersey City in Hudson County, New Jersey; and

WHEREAS, Hoboken Yard is listed on the State and National Registers of Historic Places; and

WHEREAS, on October 29, 2012, Superstorm Sandy's storm surge caused significant damage to Hoboken Terminal and Yard; and

WHEREAS, the equipment in the yard consisting of underground cables, pad mounted transformers, and wayside power equipment were inundated with storm surge; and

WHEREAS, the Hoboken Signal and Yard Power Repairs combines two projects: Signal Power Repairs and Yard Power Repairs; and

WHEREAS, this project will provide storm flood resilient aerial distribution of the Signal and Yard Power Feeders; and

WHEREAS, an Invitation for Bid (IFB) to provide Construction Services for the Hoboken Signal and Yard Power Repairs Project was advertised on BID EXPRESS, NJ TRANSIT's electronic bid system, and in *The Star-Ledger*, *Trenton Times*, and *Minority Commerce Weekly* on Monday, April 28, 2021; and

WHEREAS, bids were received electronically from two firms and opened on Wednesday, July 22, 2021 at NJ TRANSIT Headquarters in Newark, New Jersey; and

WHEREAS, NJ TRANSIT Office of Business Development (OBD) assigned a 23 percent Race Conscious Disadvantaged Business Enterprise (DBE) goal for the Hoboken Signal and Yard Power Repairs Project - General Construction Contract 21-004X; and

WHEREAS, OBD reviewed the bid and approved the 23.52 percent DBE utilization commitment identified by DMR Construction Services, Inc.; and

WHEREAS, upon completion of a competitive procurement process, DMR Construction Services, Inc. of Waldwick, New Jersey, was determined to be the lowest responsive and responsible bidder; and

WHEREAS, a Request for Proposal was solicited from qualified firms to provide construction management services, NJ TRANSIT Contract No. 19-048, for the Hoboken Signal and Yard Power Repairs Project; and

WHEREAS, proposals were received on Wednesday, July 29, 2020; and

WHEREAS, on June 14, 2021, AECOM was selected to provide construction management services for NJ TRANSIT Contract 19-048 the Hoboken Signal and Yard Power Repairs Project; and

WHEREAS, OBD assigned NJ TRANSIT Contract No. 19-048 a race neutral project; and

WHEREAS, OBD reviewed the proposal and approved the 22.54 percent DBE commitment identified by AECOM; and

WHEREAS, the Federal Transit Administration is the anticipated source of funding for this project;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 21-004X with DMR Construction Services, Inc. of Waldwick, New Jersey, for the construction of the Hoboken Signal and Yard Power Repairs Project - General Construction Contract in the amount not to exceed \$39,970,158.63, plus ten percent for contingencies, subject to the availability of funds; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 19-048 with AECOM, to provide construction management services for the Hoboken Signal and Yard Power Repairs Project in the amount not to exceed \$4,172,187.53, plus five percent for contingencies, subject to the availability of funds.

ITEM 2110-68
NEW NORTHERN BUS MAINTENANCE FACILITY PROJECT: PHASE 1B PRELIMINARY
DESIGN/ENGINEERING

This phase of the project is expected to provide Preliminary Design Documents which shall serve to fix and describe the size and character of the project as to structural, mechanical, communication and electrical systems, equipment, schedules and other essentials as appropriate, and should represent approximately 30% complete design.

- Seeking approval to exercise Phase 1B - Preliminary Design/Engineering of NJ TRANSIT contract No. 19-051 with **Gannett Fleming, Inc.** of Newark, New Jersey, to provide consultant services for the New Northern Bus Maintenance Facility Project in the amount not to exceed **\$12,522,234.53**, plus five percent for contingencies, subject to the availability of funds.



ITEM 2110-68

NEW NORTHERN BUS MAINTENANCE FACILITY PROJECT: PHASE IB PRELIMINARY DESIGN/ENGINEERING

- Authorization of this preliminary engineering and design contract will provide survey and base mapping and right-of-way engineering, utility investigations and engineering, initial and detailed geotechnical investigations, environmental investigations/requirements for NEPA, preliminary engineering, and value engineering.
- Subsequent phases include final design, construction assistance services, and construction



**ITEM 2110-68: NEW NORTHERN BUS MAINTENANCE FACILITY PROJECT:
PHASE IB PRELIMINARY DESIGN/ENGINEERING**

WHEREAS, NJ TRANSIT's New York City-bound interstate bus system has continued to experience year-over-year growth and peak service to New York City's Port Authority Bus Terminal (PABT) operates near, at, or over capacity; and

WHEREAS, several buses that NJ TRANSIT operates into the PABT in the peak hour is limited by the PABT and related constraints; and

WHEREAS, NJ TRANSIT has developed plans to purchase larger 45' and 60' buses with additional seating in order to address capacity issues on certain routes in the northern portion of the state; and

WHEREAS, NJ TRANSIT currently does not have available capacity at any of its existing garages to accommodate additional buses within the target service area; and

WHEREAS, NJ TRANSIT requires a new facility to store and maintain buses in order to support existing and future bus operations in the northern portion of the state; and

WHEREAS, NJ TRANSIT Board of Directors approved Contract 19-051 with Gannett Fleming, Inc. under Board Item 2005-22: Preliminary and Final Design Engineering and Construction Assistance Services for the New Northern Bus Maintenance Facility; and

WHEREAS, NJ TRANSIT has completed Phase IA: Conceptual Design and has prepared a Project Definition Report; and

WHEREAS, authorization for Phase IB: Preliminary Design/Engineering shall provide a 30 percent design package, including value engineering; and

WHEREAS, this design phase is part of a larger program to design and construct a new Northern Division Bus Maintenance Facility; and

WHEREAS, subsequent phases include final design, construction assistance services, and construction; and

WHEREAS, on March 01, 2021, a Scope of Work (SOW) was issued to Gannett Fleming, Inc. for Phase IB – Preliminary Design/Engineering; and

WHEREAS, a final negotiated cost proposal was received from Gannett Fleming, Inc. on August 31, 2021; and

WHEREAS, NJ TRANSIT Office of Business Development established a race neutral Disadvantaged Business Enterprise (DBE) goal for this contract;

WHEREAS, the Office of Business Development reviewed and approved a 6.2 percent DBE utilization commitment by Gannett Fleming for Phase 1B; and

WHEREAS, the Federal Transit Administration and Transportation Trust Fund are the anticipated sources of funding for this project;

NOW, THEREFORE, BE IT RESOLVED, that the Chair or President & CEO is authorized to amend NJ TRANSIT Contract No. 19-051 with Gannett Fleming, Inc. of Newark, New Jersey, to provide consultant services for the New Northern Bus Maintenance Facility Project: Phase IB – Preliminary Design/Engineering in the amount not to exceed \$12,522,234.53, plus five percent for contingencies, subject to the availability of funds.

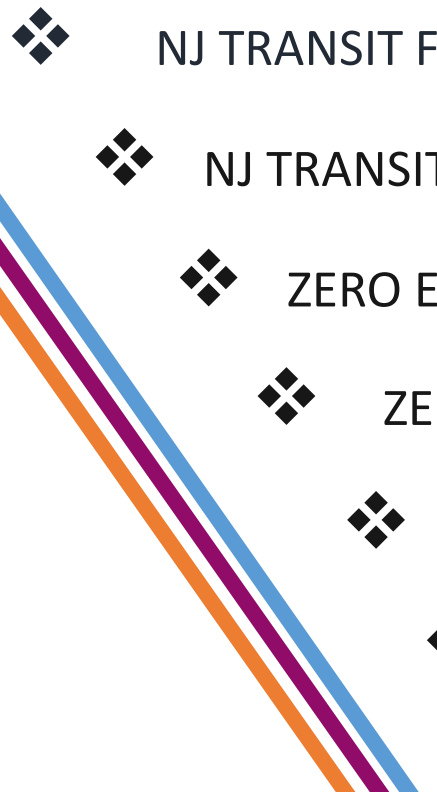
ITEM 2110-69 BUS STOCK PROGRAM: PURCHASE OF ZERO EMISSIONS BUSES



OBJECTIVE

Seeking authorization to enter into a contract **with New Flyer of America**, for the purchase of 8 Forty-Foot Zero-Emissions Buses, including capital spare parts, at a cost not to exceed **\$9,429,947** plus five percent for contingencies, subject to the availability of funds.

AGENDA

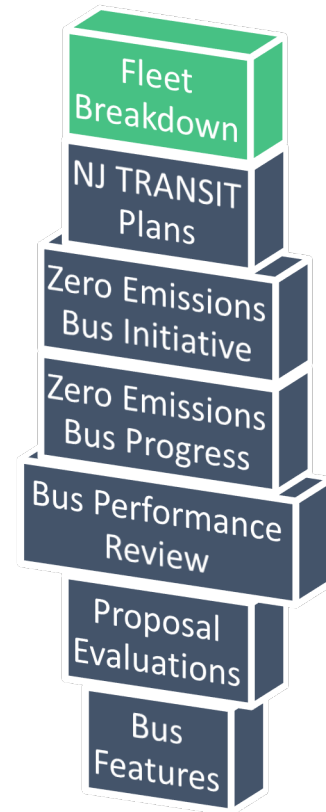
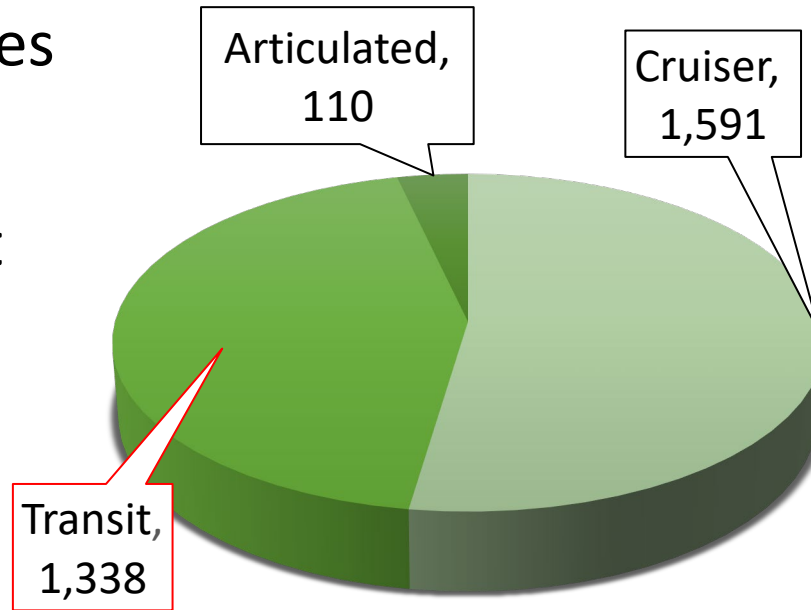
- 
- ❖ NJ TRANSIT FLEET BREAKDOWN
 - ❖ NJ TRANSIT PLANS
 - ❖ ZERO EMISSIONS INITIATIVE
 - ❖ ZERO EMISSIONS BUS PROGRESS
 - ❖ BUS PERFORMANCE REVIEW
 - ❖ PROPOSAL EVALUATIONS
 - ❖ BUS FEATURES



NJ TRANSIT FLEET BREAKDOWN

➤ NJ TRANSIT provides its customers with regular route bus service throughout New Jersey and to New York City and Philadelphia.

➤ NJ TRANSIT owns 3,039 buses. 1,338 of these buses are Transit type.



NJ TRANSIT PLANS

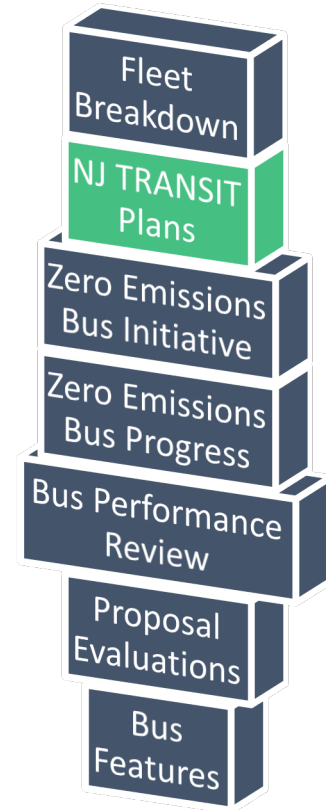
NJT2030

**A 10-Year
Strategic Plan**

NJ TRANSIT

**A 5-Year
Capital Plan**

NJ TRANSIT's 5-Year Capital Plan and NJ TRANSIT's 10-Year Strategic Plan are aligned with the State of NJ's Energy Master Plan, which calls for reducing energy consumption and emissions from the transportation sector.



ZERO EMISSIONS BUS INITIATIVE

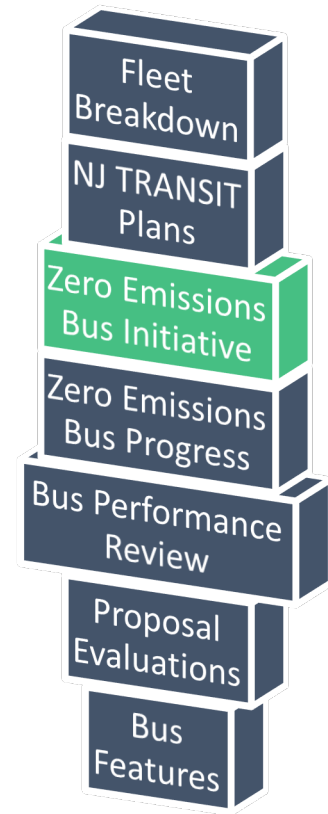
On January 17, 2020, Governor Murphy signed S2252/A4819 that established requirements for NJ TRANSIT to move forward with zero emissions bus purchases.



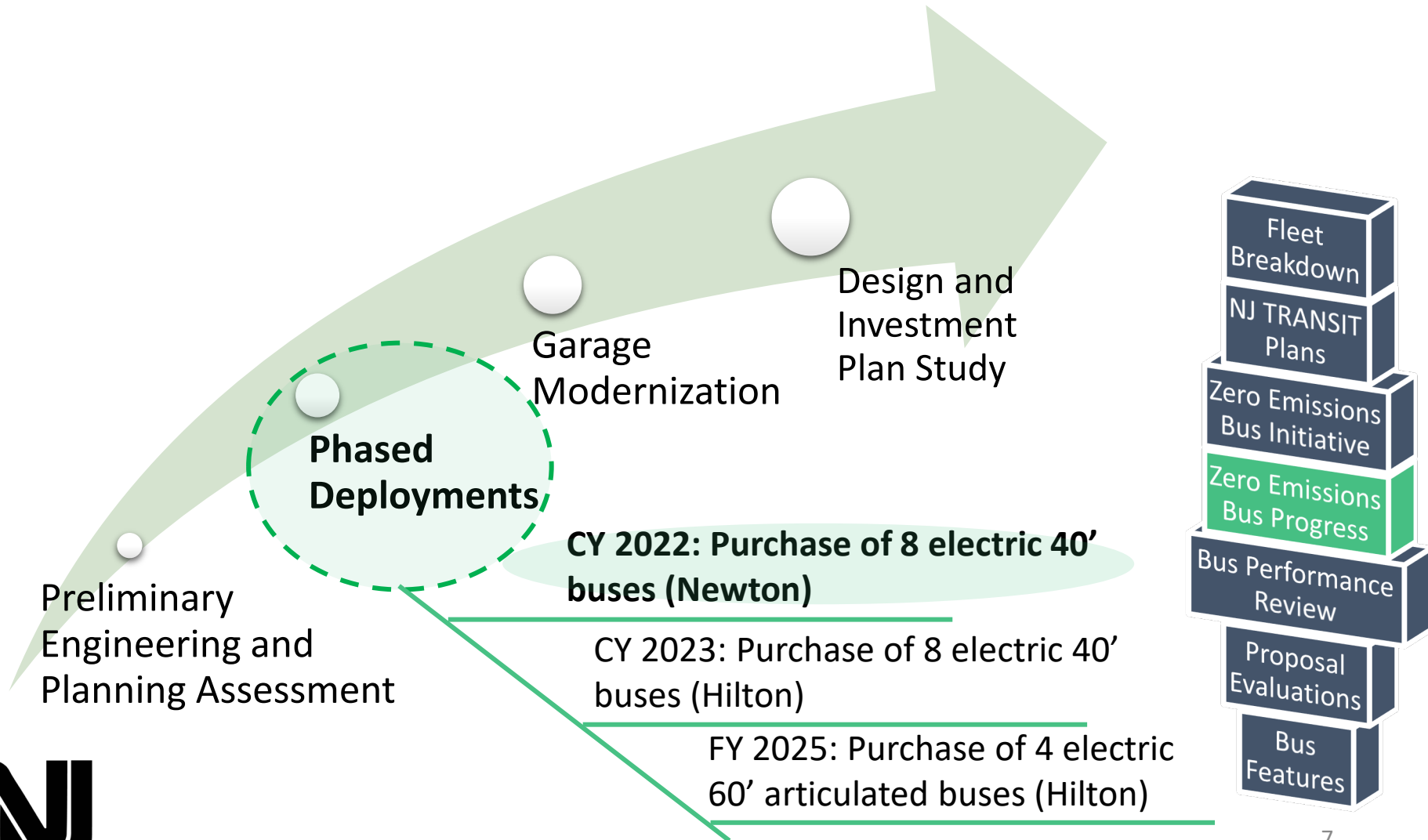
10 % of new bus procurements must be zero emissions.

50 % of new bus procurements must be zero emissions.








100 % of new bus procurements must be zero emissions.

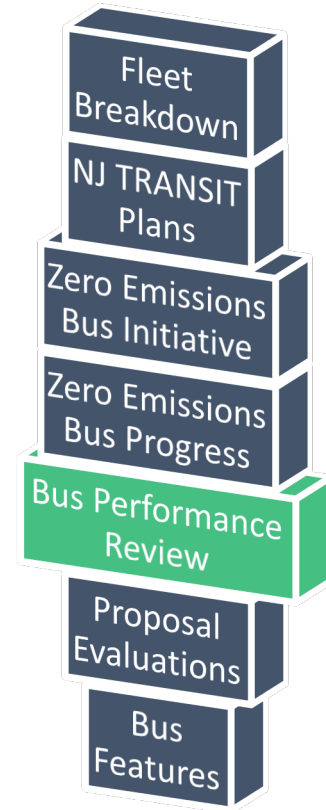


ZERO EMISSIONS BUS PROGRESS



BUS PERFORMANCE REVIEW

-  Bus reliability
-  Operating range
-  Charging time
-  Charging logistics
-  Maintenance and energy cost
-  Impact on operation
-  Customer feedback

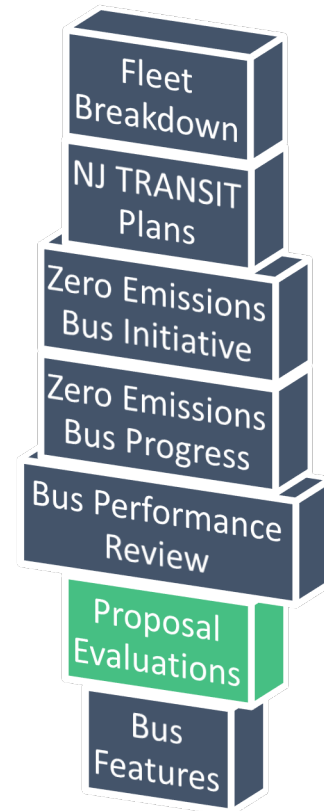


PROPOSAL EVALUATIONS

Three proposals were received. Evaluated on Technical (60%) and Cost (40%). Technical merits included:

- Operating Range
- Proposers experience delivering successful ZEVs for the North American market
- Bus reliability based on standard testing method
- Delivery times
- Adherence to other requirements of technical specifications

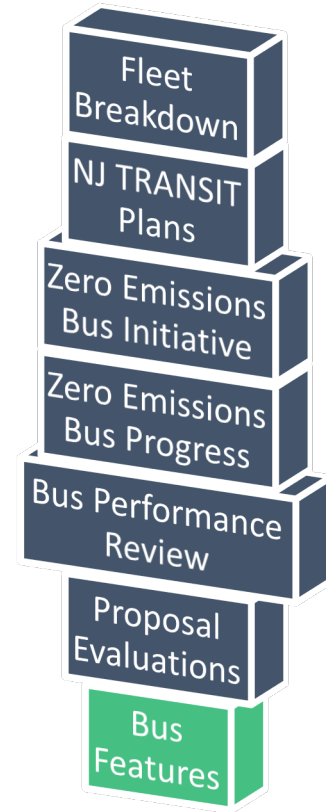
New Flyer of America was technically rated highest and had the highest combined score



BUS FEATURES



- Zero-Emissions
- Quiet in Operation
- Backup Camera System
- 360-Degree Blind Spot Camera System
- Security Camera System
- Turn Warning System
- Automatic Vehicle Monitoring System (AVM)
- Automatic Passenger Counting (APC) system
- USB Charging
- Digital Information Screen



REQUESTED BOARD ACTION

Seeking authorization to enter into a contract **with New Flyer of America**, for the purchase of 8 Forty-Foot Zero-Emissions Buses, including capital spare parts, at a cost not to exceed **\$9,429,947** plus five percent for contingencies, subject to the availability of funds.



ITEM 2110-69: BUS STOCK PROGRAM: PURCHASE OF EIGHT (8) ZERO-EMISSION BUSES

WHEREAS, NJ TRANSIT provides its customers with regular route bus service throughout New Jersey and to New York City and Philadelphia which carries 151 million annual passenger trips; and

WHEREAS, the Federal Transit Administration (FTA) awarded NJ TRANSIT Low or No-Emission Bus Program Grants of \$1,500,000 in FY2018 and \$500,000 in FY2017 for the purchase of Zero-Emission Buses (ZEBs) and associated charging infrastructure; and

WHEREAS, NJ TRANSIT through New Jersey Department of Environmental Protection (NJDEP) has received \$8,000,000 for the purchase of ZEBs and associated charging infrastructure through the Volkswagen Environmental Mitigation Fund; and

WHEREAS, the new ZEBs will have zero emission; and

WHEREAS, the Newton Avenue Garage is located in Camden NJ, and is located in an EPA-emission non-attainment area; and

WHEREAS, the purchase of ZEBs was identified as a capital need in the *NJ TRANSIT A 5-Year Capital Plan: An Unconstrained Vision for NJ TRANSIT*, as approved by the NJ TRANSIT Board of Directors in July 2021, and is also aligned with Governor Murphy's Energy Master Plan; and

WHEREAS, the purchase of eight new ZEBs will provide fleet reliability at reduced operating and maintenance costs; and

WHEREAS, the new ZEBs will include new passenger amenities such as USB, security cameras, blind spot cameras, and turn warning system, to enhance the customer experience and safety;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO authorizes NJ TRANSIT to enter into NJ TRANSIT Contract No. 20-058 with New Flyer of America for the purchase of eight Zero-Emission Buses to be operated at the Newton Avenue Bus Garage, including spare parts, at a cost not to exceed \$9,429,947, plus five percent for contingencies, subject to the availability of funds.

ITEM: 2110-70 CONCEPTUAL, PRELIMINARY AND FINAL ENGINEERING SERVICES AND CONSTRUCTION ASSISTANCE SERVICES FOR THE WALTER RAND TRANSPORTATION CENTER IMPROVEMENT PROJECT – DESIGN CONTRACT AWARD

The WRTC Improvement Project will allow the development of a new multi-modal facility to service the Transportation needs of travelers and the Camden community.

- Staff seeks authorization to enter into NJ TRANSIT Contract No. 21-014 with HNTB Corporation of New York, NY, for the Conceptual, Preliminary and Final Engineering Services and Construction Assistance Services.
- Staff further seeks authorization in the amount not to exceed \$4,351,635.44 , plus five percent for contingencies, subject to availability of funds, for Phase 1 to provide Conceptual Development services for the WRTC Improvement Project.



ITEM: 2110-70 CONCEPTUAL, PRELIMINARY AND FINAL ENGINEERING SERVICES AND CONSTRUCTION ASSISTANCE SERVICES FOR THE WALTER RAND TRANSPORTATION CENTER IMPROVEMENT PROJECT – DESIGN CONTRACT AWARD

Authorization of this contract will provide:

- A design for the WRTC that includes innovative approaches to providing public spaces, which are inviting, safe, maintainable, and are easy to secure, so the community residents, workers, and visitors will feel welcomed and enjoy a positive experience;
- Identification of the most viable redevelopment plan to serve the communities in the project area; and
- New facility designed to:
 - Comply with federal accessibility laws;
 - Meet the current and future anticipated requirements of all stakeholders; and
 - Allow accommodations for future transit developments and explore the potential for new retail, office, housing, and hospitality opportunities to foster the rebuilding, utilizing Transit-Oriented Development (TOD) design standards.

ITEM 2110-70: CONCEPTUAL, PRELIMINARY AND FINAL ENGINEERING SERVICES AND CONSTRUCTION ASSISTANCE SERVICES FOR THE WALTER RAND TRANSPORTATION CENTER IMPROVEMENT PROJECT – DESIGN CONTRACT AWARD

WHEREAS, The Walter Rand Transportation Center (WRTC) is the main intermodal transportation facility for the City of Camden; and

WHEREAS, the City of Camden is currently undergoing a development renaissance and is poised for a dynamic and exciting future ahead. A burgeoning educational and healthcare corridor in the downtown area and surrounding vicinity is emerging, a proposed multi-million-dollar redevelopment of the nearby waterfront to the west of downtown is taking shape, and the establishing of headquarters for both the Campbell Soup Company and Subaru of America are examples of this renaissance in action; and

WHEREAS, the WRTC, constructed in 1989 and owned by NJ TRANSIT, is the largest transportation hub in the City of Camden; and

WHEREAS, the WRTC currently houses services for twenty-six (26) NJ TRANSIT bus lines, a station of the NJ TRANSIT River LINE light rail, a station of the Port Authority Transit Corporation (PATCO) Speedline subway, a stop for intercity Greyhound Bus services, and a stop for the South Jersey Transportation Authority (SJTA); and

WHEREAS, this project was identified as a capital need in late 2020; and

WHEREAS, the present facility is undersized, aging, and maintenance intensive; and

WHEREAS, an agreement between NJ TRANSIT and the County of Camden for the design and engineering to be procured and managed by the County of Camden, which was approved by the NJ TRANSIT Board of Directors in January 2018; and

WHEREAS, the County of Camden requested NJ TRANSIT to manage this project in May 2020; and

WHEREAS, if funded, the WRTC Improvement project would replace the existing facility with an expanded multi-purpose transit center that would integrate the existing services under a single roof, enhancing the experience for transit riders, and improving intermodal connections in Camden. The improvement would also include additional parking and administrative offices, providing opportunities for local development, while accommodating future ridership expansion; and

WHEREAS, NJ TRANSIT envisions developing this project through a Contract with a phased approach and will divide the services requirements into various phases; and

WHEREAS, on April 28, 2021, a Request for Proposals (RFP) was advertised on NJ TRANSIT's website, *The Star-Ledger*, *The Times of Trenton*, and the *Minority Commerce Weekly*; and

WHEREAS, a Pre-Bid Conference was held on May 12, 2021; and

WHEREAS, Technical Proposals were received by the due date of June 23, 2021 from four firms; and

WHEREAS, HNTB Corporation was identified as the highest and best qualified firm to provide Conceptual Development and Preliminary Engineering services for the project; and

WHEREAS, The NJ TRANSIT Office of Business Development (OBD) assigned a 20% Race Conscious Disadvantaged Business Enterprise (DBE) goal for the project; and

WHEREAS, OBD reviewed and approved the 20.52 percent DBE utilization commitment identified by HNTB Corporation in their proposal; and

WHEREAS, the Transportation Trust Fund is the anticipated sources of funding for this project;

NOW, THEREFORE, BE IT RESOLVED, that the Chair or President & CEO is authorized to enter into NJ TRANSIT Contract No. 21-014 with HNTB of New York, New York, for the Conceptual, Preliminary and Final Engineering Services and Construction Assistance Services at a cost not to exceed \$4,351,635.44, plus five percent for contingencies, subject to the availability of funds.

**ITEM 2110-71: NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: PARCEL R124
HUDSON COUNTY IMPROVEMENT AUTHORITY**

WHEREAS, NJ TRANSIT is an instrumentality of the State of New Jersey and is authorized to operate rail passenger service in New Jersey and between points in New Jersey and points in other states pursuant to the New Jersey Public Transportation Act of 1979, as amended; and

WHEREAS, the existing Portal Bridge, located on the Northeast Corridor in Kearny, Hudson County, is a 110-year-old swing bridge that requires span openings for passage of marine traffic and frequent maintenance due to its age, which interrupt and cause delays to NJ TRANSIT and Amtrak rail service; and

WHEREAS, the NJ TRANSIT Board of Directors previously authorized NJ TRANSIT to construct the replacement Portal North Bridge (“Project”) and NJ TRANSIT has obtained the required agency and stakeholder approvals and permits for the Project; and

WHEREAS, the NJ TRANSIT Board of Directors previously authorized NJ TRANSIT to offer and make compensatory payments to property owners that hold title to property from which rights are needed for the Project by conducting bona fide negotiations as required by the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et. seq. before commencing condemnation proceedings where necessary; and

WHEREAS, Parcel R124 is a private property owned by the Hudson County Improvement Authority, located in the Town of Kearny, New Jersey, and is a proposed fee acquisition, subject to certain reservations by the owner, needed for the Project and the Northeast Corridor; and

WHEREAS, as part of this proposed acquisition, NJ TRANSIT plans to mitigate costs of acquiring of Parcel R124, by providing a mitigation easement for access to remainder property owned by Hudson County Improvement Authority as additional compensation; and

WHEREAS, NJ TRANSIT and Amtrak executed a Project Development Agreement on November 27, 2020; and

WHEREAS, on January 14, 2021, NJ TRANSIT and the Federal Transit Administration (FTA) executed a Full Funding Grant Agreement (FFGA) in the amount of \$766,500,000 for the final design and construction of the Project; and

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to take any and all actions to acquire Parcel R124 in accordance with the Eminent Domain Law of 1971, not to exceed payment of an amount as discussed in Executive Session, subject to the availability of funds and FTA approval; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to take any and all actions to convey a mitigation easement to the Hudson County Improvement Authority, its transferees, successors and assigns to provide alternate access to the remainder from Route 7 over Parcel 118 to be acquired by NJ TRANSIT; and

BE IT FURTHER RESOLVED that the Chair or President & CEO is authorized to cause filing a complaint in condemnation and the filing and recording of a declaration of taking and to take any and all actions related to the exercise of NJ TRANSIT's power of eminent domain, where necessary, to acquire Parcel R124 for the Portal North Bridge Project and deposit the estimated just compensation with the Clerk of the Superior Court, so long as NJ TRANSIT attempts to acquire these parcels from the property owner through bona fide negotiations as required by the Eminent Domain Act of 1971, N.J.S.A. 20:3-1, et. seq. before commencing condemnation proceedings.

ITEM 2110-72: NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: AUTHORIZING EXECUTION OF SETTLEMENT OF CLAIMS WITH OCCIDENTAL CHEMICAL CORPORATION SUBSTANTIALLY IN ACCORDANCE WITH THE TERMS OF A PROPOSED SETTLEMENT AGREEMENT AND RELEASE RELATED TO THE PORTAL NORTH BRIDGE PROJECT

WHEREAS, the existing Portal Bridge, located on the Northeast Corridor in Kearny, Hudson County, is a 110-year-old swing bridge that requires span openings for passage of marine traffic and frequent maintenance due to its age, which interrupt and cause delays to NJ TRANSIT and Amtrak rail service; and

WHEREAS, the NJ TRANSIT Board of Directors previously authorized NJ TRANSIT to construct the replacement Portal North Bridge (“Project”) and NJ TRANSIT has obtained the required agency and stakeholder approvals and permits for the Project; and

WHEREAS, NJ TRANSIT is in the process of acquiring right-of-way parcels for the Project; and

WHEREAS, portions of the westernmost approach span of the Project are to be constructed on the real property to be acquired by NJ TRANSIT from (1) Jana Corporation, the owner of record, identified by NJ TRANSIT as Parcel 118; (2) New Jersey Sports and Exposition Authority, the owner of record, identified by NJ TRANSIT as Parcel 119 on the Individual Parcel Map; and (3) Hudson County Improvement Authority, the owner of record, identified by NJ TRANSIT as Parcel 124 on the Individual Parcel Map (“Impacted Parcels”); and

WHEREAS, Occidental Chemical Corporation by and through its corporate affiliates and subsidiaries, Glenn Springs Holdings, Inc. and Mariana Properties (collectively referred herein as “GSH”) is engaged in the investigation and remediation of chromite ore processing residue and/or chromate chemical production waste (collectively “COPR”) on certain properties in the Project area (“Project Area”), as required pursuant to an April 17, 1990 Administrative Consent Order entered In The Matter of The Town of Kearny and The Town of Secaucus Chromite Ore Processing Residue Sites and Occidental Chemical Corporation and Chemical Land Holdings, Inc., as modified and superseded by a subsequent September 7, 2011 Consent Judgment between the New Jersey Department of Environmental Protection (NJDEP), Honeywell International Inc., Occidental Chemical Corporation and PPG Industries, Inc.; and

WHEREAS, GSH acquired an easement on Parcel 118 for access and remediation of Parcel 118 and neighboring properties in accordance with NJDEP approved revised remedial action work plans; and

WHEREAS, as part of its due diligence before acquiring property, NJ TRANSIT performed an environmental investigation on the Impacted Parcels and determined that the property contains COPR material, resulting in increased construction activities and costs to the Project; and

WHEREAS, NJ TRANSIT has reached an agreement with Jana Corporation to acquire its property in the entirety, but as a condition precedent to closing title has chosen to consummate an agreement with GSH to first settle NJ TRANSIT's pending claim for reimbursement of certain anticipated additional costs to construct the Project directly relating from existing COPR material found within the area to be excavated to construct the various structures designed to support the proposed Portal North Bridge; and

WHEREAS, NJ TRANSIT asserts under New Jersey State law, it is not liable for the cleanup, remediation, and/or removal of any environmental contamination which occurred or began prior to the date of vesting of title and possession as provided by the Spill Compensation and Control Act *N.J.S.A. 58:10-23.11g.d(4)* and may seek reimbursement from the property owner and/or responsible party for such costs; and

WHEREAS, NJ TRANSIT has entered into a Memorandum of Understanding, with GSH to coordinate various Project activities and resolve issues arising from and/or related to the environmental claim for Parcel 118, including a final settlement and release of claims of COPR material remediation costs, and

WHEREAS, GSH has agreed to release its permanent easement of access in exchange for a license of access to allow it to complete the remediation of Parcel 118 and neighboring properties in accordance with NJDEP approved revised remedial action work plans;

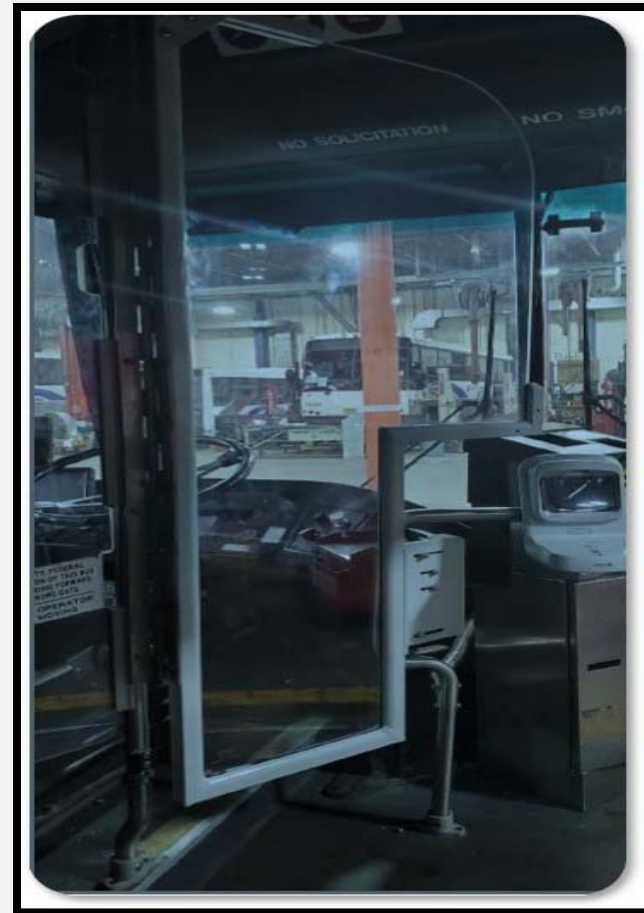
NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO or his/her designee are hereby authorized to negotiate, draft, and execute a final Settlement Agreement with Occidental Chemical Corporation by and through its corporate affiliates and subsidiaries, Glenn Springs Holdings, Inc. and Mariana Properties and associated parties to settle those pending claims on the Impacted Parcels to be acquired for the Project substantially in accordance with the terms set forth in the Memorandum of Understanding, and related documentation; and

BE IT FURTHER RESOLVED that the Chair or President & CEO or his/her designee are hereby authorized to negotiate, draft, and execute an Access Agreement substantially in accordance with the Memorandum of Understanding to allow Occidental Chemical Corporation by and through its corporate affiliates and subsidiaries, Glenn Springs Holdings, Inc. and Mariana Properties and associated parties access to the Impacted Parcels upon acquisition by NJ TRANSIT substantially in accordance with the Memorandum of Understanding and consistent with applicable federal and state law.

ITEM 2110-73 PURCHASE OF 654 OPERATOR PROTECTIVE BARRIER UPGRADE KITS FOR NABI BUS FLEET

The upgrade kits will provide both safety and health protection for bus operators of the NABI bus fleet.

- Seeking authorization to enter into NJ TRANSIT Contract No. 21-348 with **Bentech Inc.** of Philadelphia, PA, for the purchase of 654 Operator Barrier Door System upgrade kits in an amount not to exceed **\$1,103,952**, subject to the availability of funds.



ITEM 2110-73 PURCHASE OF 654 OPERATOR PROTECTIVE BARRIER UPGRADE KITS FOR NABI BUS FLEET

- Since 2014, NJ TRANSIT Bus Operations has equipped its NABI transit-style bus fleet with clear Lexan security shields that enclose approximately 75 percent of the bus operator compartment and include a side panel barrier door and driver door.
- This existing barrier system was supplied by the original equipment manufacturer (OEM), Bentech Inc., of Philadelphia, PA, an industry leader in the design and fabrication of tube and pipe bending, specializing in door and barrier systems for the transportation industry.
- Utilization of a different vendor would result in the need for complete replacement of the existing system raising costs and lead times
- The upgraded barriers will provide significantly more protection than the original barrier by extending the top portion in a “P” shape that will provide more coverage for the operator and better prevent a determined actor from reaching around the shield, as well as offer protection from COVID-19 and other variants.
- Once approved and ordered, there is an approximate 10-week lead time for start of delivery from the vendor, with 35 units per week delivered and anticipated completion in June 2022.
- The barriers will be installed by NJ TRANSIT’s internal workforce.

ITEM 2110-73: PURCHASE OF 654 OPERATOR PROTECTIVE BARRIER UPGRADE KITS FOR NABI BUS FLEET

WHEREAS, since 2014, NJ TRANSIT Bus Operations has equipped its NABI transit-style bus fleet with clear Lexan security shields that enclose approximately 75 percent of the bus operator compartment and include a side panel barrier door and driver door; and

WHEREAS, this existing barrier system was supplied by the original equipment manufacturer (OEM), Bentech Inc., of Philadelphia, Pennsylvania, an industry leader in the design and fabrication of tube and pipe bending, specializing in door and barrier systems for the transportation industry, including those that provide both safety and health protection for bus operators; and

WHEREAS, to provide enhanced operator protection, NJ TRANSIT has developed an upgraded prototype barrier, the shape of which provides significantly more protection than the original barrier by extending the top portion in a “P” shape that will provide more coverage for the operator and better prevent a determined actor from reaching around the shield, as well as offer protection from COVID-19 and other variants; and

WHEREAS, the addition of the upgraded barriers will utilize existing supports from the original system to decrease installation times and overall costs, such that utilizing any supplier other than Bentech would increase costs, extend lead times, and delay installations; and

WHEREAS, the installation of these barrier system upgrades is an urgent need to enhance operator protection from COVID-19 and other variants, as well as to protect operators from potential assaults by providing a separation between the operators and passengers; and

WHEREAS, pursuant to N.J.S.A. 27:25-11 g(3)(c), N.J.S.A. 52:34-1 O(g), and N.J.A.C. 16:72-1.5(e)12, NJ TRANSIT is authorized to enter into contracts without advertising when the equipment to be purchased is of a technical nature and the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts in the public interest;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to enter into a procurement-by-exception contract (Contract No. 21-348) for the purchase of 654 Operator Barrier Door System upgrade kits with Bentech Inc. of Philadelphia, Pennsylvania, in an amount not to exceed \$1,103,952.00, subject to the availability of funds.

ITEM 2110-74: WEEHAWKEN FERRY MAINTENANCE TERMINAL

THIS ITEM WAS DEFERRED

ITEM 2110-75: PROPOSED LABOR AGREEMENTS: NJ TRANSIT RAIL OPERATIONS, INC. AND SMART MECHANICAL (FORMERLY SMWIA)

WHEREAS, NJ TRANSIT Rail Operations, Inc. (“NJT Rail”) and SMART Mechanical, have collectively negotiated a Labor Agreement for the approximately 85 employees represented by SMART Mechanical; and

WHEREAS, represented SMART Mechanical NJ TRANSIT Rail Operations employees have negotiated a tentative labor agreement with NJ TRANSIT Rail Operations Management; and

WHEREAS, the terms and conditions of the agreement are set forth in an individual Memorandum of Understanding (“MOU”); and

WHEREAS, employees represented by SMART Mechanical are preparing to send ballots on the ratification of the Union’s Memorandum of Understanding with NJ TRANSIT Rail Operations;

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approve the economic terms and other proposed conditions set forth in the Memorandum of Understanding negotiated by NJ TRANSIT Rail Operations, Inc. and SMART Mechanical (Exhibit A), and staff seeks authorization for the President & CEO, or his designee, to take all necessary steps to finalize and implement same, pending ratification by SMART Mechanical.

MEMORANDUM OF UNDERSTANDING
BETWEEN
SMART- MECHANICAL
REPRESENTING
WATER SERVICE MECHANICS AND PIPEFITTERS
AND
NEW JERSEY TRANSIT RAIL OPERATIONS

The parties hereby agree to the following terms and conditions of employment for a new labor agreement (“Agreement”) for the period January 1, 2020, through June 30, 2024.

This Memorandum of Understanding is subject to ratification by the membership of the SMWIA and final approval by the New Jersey Transit Board of Directors.

This Agreement amends the agreement between SMWIA and New Jersey Transit Rail Operations (NJTRO) amended through December 31, 2019. The rules in the agreement are changed only to the extent indicated herein and remain otherwise unchanged and in full force until changed in accordance with provisions of the Railway Labor Act, as amended. The rule changes set for in this Memorandum of Understanding shall be effective upon date of ratification unless otherwise specified.

EXHIBIT A

1. Wages

Effective July 1, 2020, wages shall be increased two percent (2%) over the rates in effect on June 30, 2020.

Effective July 1, 2021, wages shall be increased two and one quarter percent (2.25%) over the rates in effect on June 30, 2021.

Effective January 1, 2022, wages shall be increased two- and one-quarter-percent (2.25%) over the rates in effect on December 31, 2021.

Effective July 1, 2022, wages shall be increased two- and one-half percent (2.5%) over the rates in effect on June 30, 2022.

Effective July 1, 2023, wages shall be increased three (3%) over the rates in effect on June 30, 2023.

2. Retroactive Wages

Every active employee, any employee who died during the term of agreement from January 1, 2020 up to ratification, any employee who retired with a Railroad Retirement annuity between January 1, 2020 and full and final ratification, as well as any employee who resigned and who was not in and out of service status for a dismissal at the time or subject to a pending dismissal from a serious disciplinary charge shall receive payment for service under the above schedule, said retroactive payment to be made by November 25, 2021 or as soon as practical but in no event later than 90 days after full ratification.

3. Holiday

Add Juneteenth as a holiday.

4. Bereavement Leave

Add Step-parent. Employees may attend the funerals for any of the persons covered by this rule on any of the three (3) bereavement days.

5. Paying Off

All payroll, including shortage adjustments and expense payments, will be made electronically, via direct deposit only. Paper paychecks and pay advices are discontinued.

6. Electronic Communication

The parties recognize that this provision is not subject to negotiations, however, for sale of clarity, the parties have agreed to insert this provision in the Instant Memorandum of Understanding. Namely, NJTRO and NJT corporation will use electronic communication to the email address furnished each employee for various notices from the Human Resources, Pension, EEO, Employee Benefits and other Departments. Correspondence from the NJTRO Transportation and Labor Relations Departments shall continue by current methods.

EXHIBIT A

7. Health and Welfare Benefits

- a. Change the out-of-network reimbursement methodology from 80% of Fair Health to 180% of Centers of Medicare and Medicaid Services (CMS) standard.
- b. Add Dispense as Written (DAW) cost containment provision for prescription drug plan.
- c. All prescription drugs to be filled using National Preferred Formulary (NPF) standard.
- d. Specialty drugs to be filled via mail order only. In a situation following the initial prescribing of a medication by a physician in which the employee or dependent must commence use of the medication immediately, the drug may be filled once at a retail pharmacy.
- e. Effective July 1, 2022, the requirement for NJT to provide “triple option” dental plans shall terminate. NJT will seek quotes from various insurance companies to provide employees with dental plans of equal or better provisions than at present.
- f. There will be no “true up” of health contribution increases, as provided in the Memorandum of Understanding dated June 24, 2016. Additionally, there will be no health premium increases during the term of this Memorandum of Understanding.
- g. Effective July 1, 2022, the HMO plan will be discontinued and all employees in that plan will be placed in a new EPO Plan, which has coverage within as well as outside the State of New Jersey. This plan provides benefits equal to or greater than the HMO plan. The employee monthly premium for that plan will be \$155 per month. Effective July 1, 2022, employees in the HMO Plan who have attained five (5) years of service may remain in the EPO Plan or transfer to the DA10 Plan, as stipulated in provision 5 (d) of the Memorandum of Understanding signed June 24, 2016. All employees hired on/after July 1, 2022, will be required to be in the EPO for their initial five (5) years of service, following which they may remain in the EPO Plan or transfer to the DA10 Plan, as stipulated in provision 5(d) of the Memorandum of Understanding signed June 24, 2016.
- h. The Traditional Plan and the Enhanced Traditional Plan for retirees will be terminated and replaced with the DA10 Plan for all retirees and their spouses for those retirees who are at least 60 years of age and who have a minimum of 30 years of service with NJTRO. There will be no monthly contribution toward the premium of the DA10 Plan for retirees and their spouses, and eligibility will be the same as with the Traditional Plan for retirees and their spouses.

EXHIBIT A

8. Claims

All provisions which require automatic payment of claims if the Carrier fails to respond within time limits will be eliminated. Carrier's failure to respond within time limits will (a) require the Carrier to pay the claimant a two (2) hour penalty at straight time rates, and (b) automatically give the Organization the right to move the claim to the next step in the grievance procedure should they choose to do so.

9. Term

This Agreement shall continue in full force and effect from January 1, 2020 through June 30, 2024.

10. Moratorium

There shall be moratorium on the serving the Section 6 Notices until April 1, 2024, not become effective until July 1, 2024.

This Memorandum of Understanding constitutes the complete agreement of the parties with the respect to changes in the Collective Bargaining Agreement reached with the undersigned on September 25, 2021.

For the Organization:

For the Company:

John McCloskey
General Chairman

S.M. Drayzen
DGM- Labor Relations & Administration

Richardo Persaud
Assistant General Chairman

J.A Devine, III
Director- Labor Relations (Administration)

APPROVED:

Kevin Corbett
President and CEO
New Jersey Transit Corporation

ITEM 2110-76: PERSONAL INJURY CLAIM OF FLOYD PITT

WHEREAS, Article VI, Section II of the By-Laws requires Board Authorization for settlement of claims in excess of \$500,000; and

WHEREAS, Floyd Pitt has presented a claim with a probable settlement cost greater than \$500,000; and

WHEREAS, staff has reviewed the claim and recommends settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to settle the claim of Floyd Pitt through his attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

ITEM 2110-77: PERSONAL INJURY CLAIM OF THE ESTATE OF ALVIN MARACALLO

WHEREAS, Article VI, Section II of the By-Laws requires Board Authorization for settlement of claims in excess of \$500,000; and

WHEREAS, the Estate of Alvin Maracallo has presented a claim with a probable settlement cost greater than \$500,000; and

WHEREAS, staff has reviewed the claim and recommends settling this case out of court;

NOW, THEREFORE, BE IT RESOLVED that the Chair or President & CEO is authorized to settle the claim of the Estate of Alvin Maracallo through its attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds.

ITEM 2110-78: DESIGNATION OF CHIEF ETHICS OFFICER

WHEREAS, Public Law 2018, chapter 162 amended the NJ TRANSIT enabling statute, N.J.S.A. 27-25-1 et. seq., requiring the corporation to employ a Chief Ethics Officer (N.J.S.A. 27:25-5.26); and

WHEREAS, the Chief Ethics Officer shall be provided staff, equipment, and resources, as the Board deems appropriate, in order to investigate allegations and suspicions of unethical conduct or illegal activity within the corporation and to determine whether the corporation is in compliance with applicable State law; and

WHEREAS, the Chief Ethics Officer shall operate independently of the Executive Director and shall report directly to the Board of Directors; and

WHEREAS, the Chief Ethics Officer shall establish a whistleblower access and assistance program which shall include, but not be limited to: establishing toll-free telephone and facsimile lines available to employees; offering advice regarding employee rights under applicable state and federal laws and advice and options available to all persons; and offering an opportunity for employees to identify concerns regarding any issue at the corporation; and

WHEREAS, the effect of this item is to fulfill the statutory requirement to designate the Chief Ethics Officer of NJ TRANSIT, reporting to the Board of Directors;

NOW, THEREFORE, BE IT RESOLVED that Christopher Lu is designated as Chief Ethics Officer of NJ TRANSIT, reporting to the Board of Directors.

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 personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to the Portal North Bridge Owner Controlled Insurance Program and the Personal Injury Claim of Umberto Lombardo; 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.