

Jon S. Corzine  
Governor

Stephen Dilts  
Board Chairman

Richard R. Sarles  
Executive Director

**NJ TRANSIT**   
One Penn Plaza East  
Newark, New Jersey 07105-2248  
973-491-7000

September 18, 2009

Dear Governor Corzine:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the regularly scheduled meetings of the New Jersey Transit Corporation, NJ Transit Rail Operations, Inc., NJ Transit Bus Operations, Inc., and NJ Transit Mercer, Inc., Board of Directors held on Wednesday, September 16, 2009.

Sincerely,



Gwen A. Watson  
Board Secretary

Enclosures

Honorable Jon S. Corzine  
Governor, State of New Jersey  
State House  
Trenton, NJ 08625

Minutes of the actions taken at the Open Session of the re-scheduled Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, September 16, 2009.

**Present:**

Stephen Dilts, Chairman  
Myron P. Shevell, Vice Chairman  
James A. Carey, Jr., Governor's Representative  
Patrick O'Connor, Treasurer's Representative  
Flora Castillo  
Kenneth E. Pringle

Richard R. Sarles, Executive Director  
Gwen A. Watson, Board Secretary  
Lynn Bowersox, Assistant Executive Director, Communications & Customer Service  
James Gigantino, Vice President & General Manager, Bus Operations  
William Duggan, Vice President & General Manager, Rail Operations  
Steve Santoro, Assistant Executive Director, Capital Planning and Programs  
Alma Scott-Buczak, Assistant Executive Director, Human Resources  
Leotis Sanders, Vice President, Diversity  
Warren A. Hersh, Auditor General  
Kenneth Worton, Deputy Attorney General

Chairman Stephen Dilts convened the Open Session at 9:25 a.m. in accordance with the Open Public Meetings Act and asked for a motion to enter Executive Session to discuss contract negotiations and attorney-client, litigation and personnel matters. A motion was made by Flora Castillo, seconded by Myron P. Shevell and unanimously adopted.

Chairman Stephen Dilts reconvened the Open Session at 9:55 a.m. and asked for a motion to adopt the minutes of the August 12, 2009 meeting. A motion was made by Myron P. Shevell and seconded by Kenneth E. Pringle and adopted.

Executive Director Richard R. Sarles highlighted the following from his monthly business report.

**On-Time Performance**

Executive Director Sarles highlighted on-time performance which is critically important to the riders. Rail on-time performance for August was 95.9 percent, a 1.5 percent improvement over last year. Of 18,775 trains operated, 18,003 arrived on-time. In July, Rail on-time performance was 94.3 percent, nearly 1 percent better than last year. He noted that, even though summer is peak track work season and NJ TRANSIT is doing more track work now than at any time in recent history, on-time performance improved. He said specific steps have been taken for improved scheduling, improved coordination of track outages and for equipment maintenance.

Executive Director Sarles said there are similar results on light rail. In August, of the roughly 32,000 trips NJ TRANSIT operated, 97.7 percent arrived on time, a 2.5 percent improvement over last year. The month of July was 97.7 percent, a 1.6 percent improvement over last year. Light rail increases can be attributed to improved integration of track work with special weekend schedules on Newark Light Rail.

Executive Director Sarles said on the bus side, August on-time performance was 94.4 percent, an increase of .9 percent over last August (93.5 percent).

### **Port Authority Bus Terminal (PABT) “Buy Before Boarding” Ticketing Procedure**

Executive Director Sarles said one way to improve bus on-time performance is to ensure that buses depart on time. NJ TRANSIT is starting new boarding procedures at the busiest passenger facility, the Port Authority Bus Terminal, to make the trip home faster and more reliable for riders. Beginning Monday, October 19, NJ TRANSIT will ask customers departing the Port Authority Bus Terminal to “buy before boarding.” Customers will purchase their tickets (or show passes) before boarding the bus. The experience of other carriers at the Terminal proves that a cashless procedure speeds boarding and improves on time departures. All ticket vending machines will be upgraded to the newest generation and eight new machines will be added.

### **Customer Service STARS program**

Executive Director Sarles said there is a new way for customers to tell NJ TRANSIT about the good things that our front-line employees do every day. The STARS program, developed by NJ TRANSIT’s Customer Advocate, gives customers a special form online to help NJ TRANSIT track and acknowledge employees who go above and beyond in serving customers. The online form can be accessed via [www.njtransit.com](http://www.njtransit.com)

### **American Recovery and Reinvestment Act (ARRA) Project Update**

Executive Director Sarles said several capital projects are on the Board agenda today, some of which are funded with federal stimulus money. NJ TRANSIT is making good progress relative to other agencies. NJ TRANSIT has expended nearly \$53 million to date, more than all but two other agencies. The ARRA-funded items for action today include: Pennsauken Transit Center: The first phase of the project is to build an intermodal transfer station linking the RiverLINE with the Atlantic City Rail Line and the design/build contract for construction of the RiverLINE station platform. (\$40M ARRA). Newark Penn Station Raymond Plaza West Improvements: This project will improve pedestrian flow and traffic circulation on the west side of the station, with roadway improvements to Raymond Plaza West and Alling Street, upgrades to traffic signals and roadway lighting, and pedestrian-friendly improvements such as crosswalks, traffic-calming devices, benches and streetscaping. (\$17.3M ARRA). Lower Hack Bridge Rehabilitation: This project will extend the useful life of the bridge and ensure that it remains in a state-of-good-repair. The bridge carries all Morris & Essex and Montclair-Boonton line trains over the Hackensack River traveling to/from Hoboken Terminal. (\$30M ARRA).

Other projects which are not funded by ARRA include: Hudson-Bergen Light Rail Route 440 Extension Alternatives Analysis: This project starts the federal environmental process for the proposed extension of light rail service from West Side Avenue Station across Route 440 to the redevelopment zone along the Hackensack Riverfront in Jersey City. Hoboken Ferry Terminal Rehabilitation: The final phase of this project is to restore ferry service to the original ferry slips, which includes construction of the ferry boarding area, ticket offices, waiting area, passenger amenities, utilities, ferry barges and gangways.

### Al Cafiero

Executive Director Sarles received the sad news of the passing of Al Cafiero that marked the loss of an expert on railroading in New Jersey, and beyond that, a great advocate, who will surely be missed. Mr. Cafiero was someone you could count on whenever it was necessary to build consensus for the expansion of passenger rail. Mr. Cafiero was a regular at the Board meetings and often shared his colorful memories about riding the rails in northern Bergen County. When light rail service begins on the Northern Branch, we know Mr. Cafiero would be pleased that a new generation will have the chance to build those same kinds of memories.

Executive Director Sarles said it is his personal pleasure to announce that NJ TRANSIT is including Mr. Cafiero on its Walk of Fame, a much-deserved and fitting tribute to a great advocate for passenger rail.

### Advisory Committee

Suzanne Mack presented the Advisory Committee report. Ms. Mack was pleased that Al Cafiero will be added to NJ TRANSIT's Walk of Fame and said it is a fitting tribute to a real giant of transportation advocacy who loved rail. She said Mr. Cafiero and many others have a real passion for rail and helped make NJ TRANSIT the great agency it is today. Ms. Mack extended congratulations on behalf of Anna Marie Gonnella, South Jersey Advisory Committee, with regard to the Pennsauken project and said she appreciates the support of South Jersey. Ms. Mack said NJ TRANSIT is a leader in using the recovery funds because there are so many good projects in New Jersey.

There was one public comment on agenda items. Board Secretary Watson announced a three minute time limit for speakers.

David Peter Alan, Vice Chairman of the Senior Citizens and Disabled Residents Transportation Advisory Committee (SCDRTAP) said all his members understand the importance of this Committee and for other grants for transportation for senior citizens and persons with disabilities that is a Board agenda item today.

Mr. Alan said today's seniors and persons with disabilities want to participate in all life activities as fully as possible. Even though he was in his late 80s, the late Al Cafiero was a hard act to follow who will be very much missed. He never let his age impede his zeal in advocating for better transit in Bergen County and, fortunately, he lived long enough to hear that the NJ TRANSIT Board approved his long-sought goal of electric light rail to Tenafly, the town where he lived. He said many members of the SCDRTAP

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Committee live in transit-oriented communities, so age and physical impairment will not prevent them from using transit and participating as fully in all aspects of life.

Other senior citizens and persons with disabilities are not so mobile. They either live where there is little transit service or else their disabilities keep them off regular buses and trains. Mr. Alan rode with them on the county-operated services funded by SCRDTAP grants when the van ride was around town or home from lunch at the senior center. A trip to the senior center, a trip to the food store or to the doctor's office may not be a big deal, but for many senior citizens and persons with disabilities, it is all the life they have. Without SCDRTAP and other grants, these people would not even have that.

Mr. Alan saluted Richard Bartello, Chairman of SCDRTAP, Ernie Anamone, First Vice Chairman of SCDRTAP and Robert Koska, Director of Local Programs Support at NJ TRANSIT and everyone who assists him in overseeing the grant process. These grants give at least a small amount of mobility to thousands of people around the State who would otherwise have essentially no mobility at all.

Mr. Alan said despite the best efforts, a crisis looms. Every day, many seniors "age out" of driving an automobile. Other people of any age become disabled through illness or injury. They will need mobility and in many places, like Ocean County, there will some day be more transit-dependent people than a local system can carry without vastly increased funding. The Casino Revenue Fund, which provides much of the money for these programs, is shrinking.

Mr. Alan said they are looking for new ways to fund these programs and asked Board members, managers and members of the audience for any suggestions they may have. Good ideas are needed, along with a strong effort by the Committee members, to help continue to bring mobility to the people who need it the most.

Executive Director Sarles presented the following Action Items for approval:

**0909-63: HOBOKEN FERRY TERMINAL REHABILITATION – PHASE 3 CONSTRUCTION CONTRACT AWARD, CONSTRUCTION MANAGEMENT CONTRACT AWARD AND CONTRACT AMENDMENT FOR CONSTRUCTION ASSISTANCE AND CREATION OF AN OWNER CONTROLLED INSURANCE PROGRAM (OCIP)**

Hoboken Terminal has undergone a major restoration in recent years to return it to its early 1900's splendor. Authorization is requested to continue that work by approving several contracts related to the rehabilitation and restoration of the Hoboken Ferry Terminal ferry slips. The scope of work includes utility work, new flooring, passenger restrooms, ticketing areas, sprinklers, new lighting, communications and security system, ferry barges and gangplanks, wind screens and new signage. When this work is complete, NJ TRANSIT will relocate ferry operations to the original slips. The successful bidder for the construction contract is Hall Construction Inc. at a cost not to exceed \$29,475,000 plus five percent for contingencies.

Authorization is requested to amend a professional services contract for construction assistance with STV Inc. in the amount of \$1,181,620 plus five percent for contingencies and for construction management services with Tishman Construction Corporation in an amount not to exceed \$2,340,489 plus five percent for contingencies.

Authorization is requested to establish an Owner Controlled Insurance Program, or OCIP, to provide insurance coverage for this Phase 3 project. NJ TRANSIT has used OCIP's since the early 1990's for insurance coverage and claims administration on some of the major capital projects. It will provide uniform coverage, an enhanced safety program, larger and broader limits of coverage, a reduction in premium costs and better administrative control over claims. The OCIP, to be administered by Marsh USA, will not exceed \$1.4 million plus five percent for contingencies.

Myron P. Shevell moved the resolution, Flora Castillo seconded it and it was unanimously adopted.

**0909-64: NEWARK PENN STATION RAYMOND PLAZA WEST IMPROVEMENTS: CONSTRUCTION CONTRACT AWARD**

The area around Newark Penn Station is a gateway to the City of Newark and requires improvements to enhance pedestrian and traffic circulation on the west side of the station. Funding has become available through the American Recovery and Reinvestment Act to construct these improvements and authorization is requested to contract with the lowest responsive and responsible bidder to complete the work. Included will be construction of a mid-block roundabout and two way traffic operation in front of the building. Alling Street will be aligned with Raymond Plaza West and roadway improvements will include crosswalks, traffic calming, warning lights and drop off and pick up spaces. Improvements for pedestrians will include benches, wayfinding signs, tree grates, new lighting and landscaping. Upgraded traffic signals and a new taxi queuing area and Greyhound bus parking area will be constructed.

James A. Carey, Jr. moved the resolution, Patrick O'Connor seconded it and it was unanimously adopted.

**0909-65: PENNSAUKEN TRANSIT CENTER PHASE I: DESIGN/BUILD CONTRACT AWARD FOR RIVER LINE STATION AND SOLE SOURCE CONTRACT FOR CONSTRUCTION SUPPORT AND TRACK IMPROVEMENTS**

The Atlantic City Rail Line crosses over the RiverLINE in Pennsauken, New Jersey and authorization is requested for two contracts to construct a multi-modal transit center at that site. This connection will allow customers the ability to travel for pleasure or employment between the

Delaware River towns, Atlantic City and Philadelphia. The first phase of this project begins with the design and build of a RiverLINE station platform at ground level along with all necessary grading, drainage, lighting, amenities and infrastructure for all passenger communications. Funding has become available for Phase 1 through the American Recovery and Reinvestment Act of 2009. A competitive procurement process selected Northeast Remsco Corporation for the design and construction of this RiverLINE station at a cost not to exceed \$2,080,000 plus five percent for contingencies. Also necessary for construction support, track improvement work and safety of the operation of the RiverLINE is Southern New Jersey Rail Group. The Rail Group has current contractual obligations to maintain the signal system and protect all construction activities since it is the existing operator of the RiverLINE. This sole source contract with the Rail Group will not exceed \$380,500 plus five percent for contingencies.

Flora Castillo moved the resolution, Kenneth E. Pringle seconded it and it was unanimously adopted.

**0909-66: PHASE II CONSTRUCTION CONTRACT: REHABILITATION OF UNDERGRADE BRIDGE 2.64 LOWER HACK LIFT BRIDGE OVER HACKENSACK RIVER AND CONTRACT AMENDMENT TO PERFORM PHASE III – CONSTRUCTION SUPPORT SERVICES**

NJ TRANSIT's Lower Hack Lift Bridge in Jersey City on the Morristown Line is in need of structural work to maintain a state-of-good-repair and to extend the useful life of the bridge. Authorization is requested for the second phase of rehabilitation of this bridge which will include structural steel repairs to the lift and tower spans, repairs to the underdeck and waterproofing of the concrete approach slabs and repairs to the concrete columns. Funding has become available through the American Recovery and Reinvestment Act. Northeast Remsco Construction has been competitively selected to construct these repairs at a cost not to exceed \$14,804,408 plus five percent for contingencies. An amendment to an existing contract for construction support services is also required with Clough Harbour & Associates in an amount not to exceed \$480,609 plus five percent for contingencies.

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

**0909-67: NJ TRANSIT GRANT PROGRAMS SUPPORTING COORDINATED LOCAL TRANSPORTATION FOR SENIOR CITIZENS, PERSONS WITH DISABILITIES, RURAL AND ECONOMICALLY DISADVANTAGED RESIDENTS**

NJ TRANSIT oversees numerous grant programs to provide non-emergency life sustaining and life enhancing transportation services including demand responsive service, fixed route and feeder services and

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community shuttles. This is done through grant recipients which include non-profit organizations, counties, municipalities and county improvement authorities. Funding for these vehicles and services is from the Casino Revenue Tax Fund, which this year is a bit over \$30 million and from the Federal Transit Administration programs that are detailed in the Board agenda. Authorization is requested to execute all necessary contracts and agreements and award competitively procured contracts for vehicles in the amounts listed in the Board agenda.

Kenneth E. Pringle moved the resolution, Flora Castillo seconded it and it was unanimously adopted.

Executive Director Sarles presented the following Consent Calendar for approval:

**0909-68: HUDSON-BERGEN LIGHT RAIL ROUTE 440 EXTENSION:  
CONTRACT AWARD FOR ALTERNATIVES ANALYSIS PHASE I**

Authorization to enter into a contract (No. 09-121) with AKRF, Inc. of New York, New York, for consultant services in support of the HBLR Route 440 Extension Alternatives Analysis Phase I at a cost not to exceed \$251,000, subject to the availability of funds.

**0909-69: DISPOSAL OF NON-HAZARDOUS CONTAMINATED SOIL:  
AMENDMENT OF CONTRACT FOR ADDITIONAL SOIL REMOVAL  
IN HUDSON COUNTY**

Authorization to amend the contract (No. 07-303) with Clean Venture Inc. of Elizabeth, New Jersey, in the amount of \$179,600 to allow for the removal of the remaining soil, for a total contract authorization of \$1,179,599, subject to the availability of funds.

**0909-70: NEWARK BUS COMPLEX LITIGATION: COMPENSATION OF  
SPECIAL COUNSEL**

Authorization to compensate DeCotiis, Fitzpatrick, Cole & Wisler of Teaneck, New Jersey, as Special Counsel with respect to the Newark Bus Complex litigation at an amount not to exceed \$350,000, subject to the availability of funds.

The Consent Calendar was moved in its entirety by Flora Castillo, seconded by Myron P. Shevell and unanimously adopted.

There was one public comment on non-agenda items. Board Secretary Watson announced a three minute time limit for speakers.

David Peter Alan, on behalf of the Lackawanna Coalition, said with all of the emphasis during the past several years on bringing peak hour commuters into Manhattan, riders who wish to go from one place in New Jersey to another have been essentially forgotten. Service cuts and poor scheduling have severely downgraded mobility for

many New Jerseyans who wish to travel within the Garden State and the Morris & Essex Line is one of the hardest hit.

Sixteen months ago, off-peak service on the Morris & Essex Lines was essentially cut in half without notice to the riding public. Management's excuse was that the trains that were eliminated went to Hoboken, while more riders want to go to Manhattan. The fact that many Morris & Essex riders go to Newark or ride locally between outlying stations was deemed irrelevant. The Coalition suggested that if New York were the ultimate destination of so many riders, the weekday off-peak trains that previously ran to Hoboken should be restored to the schedule as Penn Station trains. The Coalition requested a calculation of revenue and cost increases that could be expected from such a change and the methodology used to calculate them. The requests were not even dignified by an answer from management.

On weekends, the Morris & Essex Lines service was obliterated, while trains from Dover to Penn Station were rescheduled to make sure that every rider who was bound for points on the Trenton or Raritan lines would need an additional 60 minutes for the journey. A few years ago, eastbound Morris & Essex Lines trains arrived in Newark in time to take the light rail to Penn Station and connect quickly with Trenton or Raritan trains. With the new schedule, this is now impossible and intrastate riders must now wait for almost an hour for their connections.

On the current schedule, Morris & Essex Lines trains also arrive so late at Secaucus that there is not enough time to make a connection to Main/Bergen or Pascack trains. Again, the journey is now 60 minutes longer than it used to be and there is nothing to do at Secaucus during the long wait. Mr. Alan said management was asked to explain why schedules were "adjusted" to make sure that the Morris & Essex Lines riders would suffer a misconnect whenever they wanted to go elsewhere in New Jersey and again his inquiries were not even dignified with an answer.

Mr. Alan said these actions, taken in secret and with no explanation that could possibly justify a schedule that forces this level of inconvenience upon intrastate riders, leads to the conclusion that service cuts and schedule revisions were implemented either maliciously or with reckless disregard for the desire of intrastate passengers to get to their destinations without undue delay.

Mr. Alan said transit management can abuse transit-dependent riders as much as they wish and the riders must take it because they do not have an automobile available. These policies sacrifice any revenue or goodwill that might come from persons with access to automobiles who might wish to try transit and might like it if they could reach their destinations in a reasonable time. Mr. Alan calls upon management to respond to his inquiries promptly and calls upon the Board to direct management to restore schedules that permitted intrastate riders, as well as riders to New York, to reach their destinations promptly and conveniently.

Since there were no further comments or business, Chairman Dilts called for adjournment and a motion to adjourn was made by Myron P. Shevell seconded by Kenneth E. Pringle and unanimously adopted. The meeting was adjourned at approximately 10:20 a.m.

NEW JERSEY TRANSIT CORPORATION  
NJ TRANSIT BUS OPERATIONS, INC.  
NJ TRANSIT RAIL OPERATIONS, INC.  
NJ TRANSIT MERCER, INC.  
RE-SCHEDULED BOARD OF DIRECTORS MEETING

SEPTEMBER 16, 2009

MINUTES

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ACTION ITEMS

0909-63: HOBOKEN FERRY TERMINAL REHABILITATION – PHASE 3 CONSTRUCTION CONTRACT AWARD, CONSTRUCTION MANAGEMENT CONTRACT AWARD AND CONTRACT AMENDMENT FOR CONSTRUCTION ASSISTANCE AND CREATION OF AN OWNER CONTROLLED INSURANCE PROGRAM (OCIP)	41507
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Authorization to enter into contract (No. 09-020XR) with Hall Construction Company, Inc. of Farmingdale, New Jersey, for the construction of Hoboken Ferry Terminal Rehabilitation – Phase 3, at a cost not to exceed \$29,475,000, plus five percent for contingencies, subject to the availability of funds.

Authorization to amend the professional services contract (No. 94CA035) with STV, Inc. of New York, New York, for construction assistance services in the amount of \$1,181,620, plus five percent for contingencies, for a total contract authorization of \$26,385,102, subject to the availability of funds.

Authorization to enter into contract (No. 09-032) with Tishman Construction Corp. of Newark, New Jersey, for construction management services in the amount of \$2,340,489, plus five percent for contingencies, subject to the availability of funds.

NEW JERSEY TRANSIT CORPORATION  
NJ TRANSIT BUS OPERATIONS, INC.  
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Authorization to establish an additional Owner Controlled Insurance Program to provide coverage for the Hoboken Ferry Terminal Rehabilitation – Phase 3 project. The program will be administered by Marsh USA, Inc. pursuant to the contract approved by the Board and awarded in March 2006 (Board Item #0603-13), at a cost not to exceed \$1,400,000, plus five percent for contingencies.

**0909-64: NEWARK PENN STATION RAYMOND PLAZA WEST 41512  
IMPROVEMENTS: CONSTRUCTION CONTRACT AWARD**

Authorization to contract (No. 10-005X) with the lowest responsive, responsible bidder for the construction of Raymond Plaza West Improvements at Newark Penn Station at a cost not to exceed the budgeted amount, subject to the availability of funds.

**0909-65: PENNSAUKEN TRANSIT CENTER PHASE I: DESIGN/BUILD 41515  
CONTRACT AWARD FOR RIVER LINE STATION AND SOLE-SOURCE CONTRACT FOR CONSTRUCTION SUPPORT AND TRACK IMPROVEMENTS**

Authorization to enter into contract (No. 09-119X) with Northeast Remsco Coast Inc. of Farmingdale, New Jersey, for the design and construction of the Pennsauken Transit Center River LINE Station at a cost not to exceed \$2,080,000, plus five percent for contingencies, subject to the availability of funds and Federal Transit Administration approval of the environmental document.

Authorization to also enter into contract (No. 10-022) on a sole-source basis with Southern New Jersey Rail Group, LLC of Camden New Jersey, for construction support and track improvement work on the River LINE to support the Pennsauken Transit Center project at a cost not to exceed \$380,500, plus five percent for contingencies, subject to the availability of funds and Federal Transit Administration approval of the environmental document.

**0909-66: PHASE II CONSTRUCTION CONTRACT: REHABILITATION OF 41518  
UNDERGRADE BRIDGE 2.64, LOWER HACK LIFT BRIDGE OVER HACKENSACK RIVER AND CONTRACT AMENDMENT TO PERFORM PHASE III – CONSTRUCTION SUPPORT SERVICES**

Authorization to contract with Northeast Remsco Construction of Farmingdale, NJ to perform Phase II construction of the Lower Hack Lift Bridge over the Hackensack River on NJ TRANSIT's Morristown Line in Jersey City at a cost not to exceed \$14,804,408.69, plus five percent for contingencies, subject to the availability of funds.

NEW JERSEY TRANSIT CORPORATION  
NJ TRANSIT BUS OPERATIONS, INC.  
NJ TRANSIT RAIL OPERATIONS, INC.  
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RE-SCHEDULED BOARD OF DIRECTORS MEETING  
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Authorization to amend the professional service contract (No. 03-014) with Clough Harbour & Associates, LLP of Parsippany, NJ to perform Phase III – Construction Support Services to assist during construction activities in the amount of \$480,609.48, plus five percent for contingencies, subject to the availability of funds.

**0909-67: NJ TRANSIT GRANT PROGRAMS SUPPORTING COORDINATED LOCAL TRANSPORTATION FOR SENIOR CITIZENS, PERSONS WITH DISABILITIES, RURAL AND ECONOMICALLY DISADVANTAGED RESIDENTS**

**41521**

Authorization to execute all appropriate contracts and agreements to implement the following programs, subject to the availability of funds:

- FY2010 Senior Citizen and Disabled Resident Transportation Assistance Program as set forth in Exhibit B, for a total program amount of \$30,233,000 funded by the Casino Revenue Tax.
- FY2010 FTA Section 5311 Rural and Small Urban Areas Program as set forth in Exhibit C, for a total program amount of \$3,990,712 which includes \$2,736,343 in federal funds and \$1,254,371 as the NJ TRANSIT share of local match.
- FY2010 FTA Section 5311(b)(3) Rural Transit Assistance Program in an amount up to \$105,000 in federal funds to supplement the New Jersey Community Transportation Training Program at no cost to NJ TRANSIT.
- FY2010 FTA Section 5310 Transportation for Elderly Persons and Persons with Disabilities Program at a cost not to exceed \$5,437,500 which includes \$4,350,000 in federal funds and \$1,087,500 as the NJ TRANSIT share of local match.
- FY2010 FTA Section 5316 Jobs Access and Reverse Commute (JARC) Program at a cost not to exceed \$4,241,622 which includes \$3,241,622 in federal funds and \$1,000,000 in funds from the New Jersey Department of Human Services subject to the availability of funds. No NJ TRANSIT match is required for this program as it is provided by the local provider.
- FY2010 FTA Section 5317 New Freedom (NF) Program at a cost not to exceed \$3,100,000 funded by the federal government. No NJ TRANSIT match is required for this program as it is provided by the local provider.

NEW JERSEY TRANSIT CORPORATION  
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- Any specially-dedicated Congressional appropriations, FTA Section 5307, FTA Section 5309 and CMAQ local projects under the FY2010 budget at a cost not to exceed \$5,000,000.

Authorization to award any contracts to purchase vehicles and related equipment in order to implement any of the programs described herein at a total cost not to exceed \$9,000,000.

**CONSENT CALENDAR**

**0909-68: HUDSON-BERGEN LIGHT RAIL ROUTE 440 EXTENSION: 41533  
CONTRACT AWARD FOR ALTERNATIVES ANALYSIS PHASE I**

Authorization to enter into a contract (No. 09-121) with AKRF, Inc. of New York, New York, for consultant services in support of the HBLR Route 440 Extension Alternatives Analysis Phase I at a cost not to exceed \$251,000, subject to the availability of funds.

**0909-69: DISPOSAL OF NON-HAZARDOUS CONTAMINATED SOIL: 41536  
AMENDMENT OF CONTRACT FOR ADDITIONAL SOIL REMOVAL  
IN HUDSON COUNTY**

Authorization to amend the contract (No. 07-303) with Clean Venture, Inc. of Elizabeth, New Jersey, in the amount of \$179,600 to allow for the removal of the remaining soil, for a total contract authorization of \$1,179,599, subject to the availability of funds.

**0909-70: NEWARK BUS COMPLEX LITIGATION: COMPENSATION OF 41539  
SPECIAL COUNSEL**

Authorization to compensate DeCotiis, Fitzpatrick, Cole & Wisler of Teaneck, New Jersey, as Special Counsel with respect to the Newark Bus Complex litigation at an amount not to exceed \$350,000, subject to the availability of funds.

**PUBLIC COMMENTS ON NON-AGENDA ITEMS**

**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 contract negotiations and attorney-client, litigation and personnel matters; and

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

### **APPROVAL OF MINUTES**

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

**WHEREAS**, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the August 12, 2009, Board meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc. and NJ TRANSIT Mercer, Inc. were forwarded to the Governor on August 13, 2009;

**NOW, THEREFORE, BE IT RESOLVED** that the minutes of actions taken at the August 12, 2009 New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, Inc. Board of Directors' meetings are hereby approved.

Jon S. Corzine  
Governor

Stephen Dilts  
Board Chairman

Richard R. Sarles  
Executive Director

**NJ TRANSIT**  
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Newark, New Jersey 07105-2248  
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**TO:** BOARD OF DIRECTORS  
**FROM:** RICHARD R. SARLES   
**DATE:** SEPTEMBER 16, 2009  
**SUBJECT:** EXECUTIVE DIRECTOR'S REPORT – SEPTEMBER 2009

As you know, federal stimulus funding through the American Recovery and Reinvestment Act (ARRA) is enabling NJ TRANSIT to accelerate more than a dozen key capital projects that will create and preserve jobs. NJ TRANSIT is investing more than \$420 million into transit projects that will build system capacity, extend accessibility and ensure service reliability for decades to come. We have expended more total ARRA funding to date than all but two other transit agencies, with a total of \$52.7 million.

Today, there are several ARRA-funded projects before the Board, including Pennsauken Transit Center and Newark Penn Station Raymond Plaza West improvements. The first phase of the Pennsauken Transit Center project, which will build a new intermodal transfer station linking the River Line with the Atlantic City Rail Line, allows for construction of the light rail platform. The Newark Penn Station Raymond Plaza West project will improve pedestrian flow and traffic circulation on the west side of the station, with roadway improvements to Raymond Plaza West and Alling Street, upgrades to traffic signals and roadway lighting, and pedestrian-friendly improvements such as crosswalks, traffic-calming devices, benches and streetscaping. Both projects are expected to begin this fall.

The Board will consider approval of other important projects today, including work on an alternatives analysis for a proposed extension of Hudson-Bergen Light Rail service from West Side Avenue Station across Route 440 to a redevelopment zone in Jersey City. Also before the Board is an item for construction of the third and final phase of a project that will return a portion of Hoboken Terminal to its original function, ultimately restoring permanent ferry service to the historic building and creating a new ferry waiting area for customers. The final phase of the project will complete all remaining work necessary to restore ferry service to the original slips, including construction of the ferry boarding area, ticket offices, waiting area, passenger amenities, utilities and gangways. The overall project is expected to be completed in 2011.

Turning to operations, we have seen some very good on-time performance (OTP) figures out of Rail and Light Rail this summer, which is particularly impressive considering that summer is the peak of track work season, and we are doing more track work now than at any time in recent history. Rail OTP for July and August was 94.3 percent and 95.9 percent, respectively. For August, this marked a 1.5 percent improvement over last year, and means that of the nearly 19,000 trains scheduled to operate, only 773 experienced delays. Light Rail OTP for July and August was 97.6 percent and 97.7 percent, respectively. For August, this marked a 1.6 percent improvement over last year, with just 722 out of a total of more than 31,000 scheduled trains experiencing delays.

Finally, last month, we received the sad news of Al Cafiero's passing, marking the loss of a great advocate for railroading in New Jersey. Al was someone you could count on whenever it was necessary to build consensus for the expansion of passenger rail. As a regular at our Board meetings, he often shared colorful memories about riding the rails in northern Bergen County. When light rail service begins on the Northern Branch, we know Al will be pleased that a new generation will have the chance to build these same kinds of memories. In addition to the new names being added to our Walk of Fame announced last month, Al Cafiero will also be included—a much-deserved and fitting tribute to a great advocate for passenger rail.

## **EXECUTIVE DIRECTOR'S MONTHLY REPORT SEPTEMBER 2009**

- 1. HIGHLIGHTS**
  
- 2. CUSTOMER AND COMMUNITY INITIATIVES**
  
- 3. EMPLOYEE RECOGNITION**
  
- 4. DBE/MBE PROGRAM**
  
- 5. PERFORMANCE MEASURES**

# HIGHLIGHTS

**Governor Corzine hails federal funding agreement for Mass Transit Tunnel**

On August 14, 2009, Governor Jon S. Corzine welcomed U.S. Transportation Secretary Ray LaHood's \$650 million "down payment" toward a federal funding commitment of \$3 billion for the historic Mass Transit Tunnel.

LaHood and Federal Transit Administrator Peter Rogoff have notified Congress of the agency's approval of a \$1.35 billion Early Systems Work Agreement for the Access to the Region's Core (ARC) Mass Transit Tunnel, money that will support the transit tunnel's initial phases of construction.

Some \$650 million of the \$1.35 billion in the agreement is from federal sources, including \$130 million in stimulus funds under the American Reinvestment and Recovery Act. LaHood and Rogoff emphasized that the FTA is committed to providing a total of \$3 billion in transit "New Starts" funding for the Mass Transit Tunnel over the project's construction.

The \$8.7 billion Mass Transit Tunnel project, being built by NJ TRANSIT in partnership with the Port Authority of New York & New Jersey, is expected to create and sustain 6,000 jobs throughout the construction of two new rail tunnels under the Hudson River, an expanded New York Penn Station and other key improvements. The project's long-term mobility benefits for the region also are expected to create 44,000 permanent jobs.

The Mass Transit Tunnel is the largest transit public works project in the nation. The transit tunnel will relieve the commuter rail bottleneck under the Hudson River, where the existing, 100-year-old rail tunnels are pushed beyond their functional capacity each day during morning and evening rush hours. The Mass Transit Tunnel will more than double the number of trains that can travel between New Jersey and New York during peak hours, to 48 from 23, while also creating transfer-free, one-seat rides for travelers on 11 of NJ TRANSIT's 12 rail lines.

**NJ TRANSIT Board approves sale and lease of property to City of Paterson**

Action taken August 12 by the NJ TRANSIT Board of Directors will help advance the City of Paterson's vision for redevelopment near the train station, as the Board approved the sale and long-term lease of properties on Railroad Avenue to the City.

The Board approved the sale of approximately 2.3 acres of vacant land on Railroad Avenue—adjacent to NJ TRANSIT's Main Line—as well as a 50-year lease of an adjoining acre next to

Paterson Station. Located in an area zoned for redevelopment, together the properties make up about four city blocks along the Main Line between Ward and Twentieth streets.

The sale includes the bridge structure over Grand Street that connects the sale and lease properties. The lease property, consisting of a wide elevated embankment along the Main Line, includes the Express Building—a 15,600-square-foot concrete structure built into the embankment that contains 10 large storage bays.

The City's plans envision future residential development on the sale property together with commercial development on the lease property, including a Community Hospitality Center with a NJ TRANSIT passenger waiting area.

The sale of the property will provide NJ TRANSIT with \$1.3 million in revenue. In addition, under the terms of the 50-year lease, NJ TRANSIT will share equally in any net revenue resulting from the City's sublease of the property for retail development.

### **NJ TRANSIT approves work on Plauderville Station**

Construction of a new and improved Plauderville Station in the City of Garfield will begin this fall, under a contract approved August 12 by the NJ TRANSIT Board of Directors that will make the station fully accessible to customers with disabilities and will provide more convenient access to the station from the parking area.

The Board authorized a \$7.9 million contract with Anselmi & DeCicco, Inc. of Maplewood, NJ, for the construction of two 450-foot high-level platforms, as well as a new heated waiting area on the inbound platform, canopies, lighting, electronic signage, closed-circuit television cameras, ramps and sidewalks.

The new platforms will be built adjacent to the parking area located between Midland Avenue and Outwater Lane, south of the existing low-level platforms, providing customers with more convenient access to the station.

Located on the Bergen County Line, Plauderville Station serves nearly 400 customers on a typical weekday.

In addition to funding secured by Congressman Rothman, the Plauderville Station project is being funded through the American Recovery and Reinvestment Act (ARRA).

Construction is expected to begin this fall, with completion anticipated in spring 2011.

# **CUSTOMER AND COMMUNITY INITIATIVES**

**NJ TRANSIT to deliver train departure board info on mobile devices**

As part of the agency's ongoing effort to use technology to improve customer access to travel information, NJ TRANSIT Executive Director Richard Sarles on August 12 announced a public beta test of "DepartureVision™," a new NJ TRANSIT service that displays train departure boards on mobile devices, such as iPhones, Blackberries or web-enabled cell phones.

With DepartureVision, customers can view actual train departure screens—including arrival time, track assignment and train status—right in the palm of their hand.

NJ TRANSIT is the first transit agency in the region to provide this service on mobile devices.

The beta test of DepartureVision will take place over a period of six to eight weeks, using train departure boards for Frank R. Lautenberg Station at Secaucus Junction—an ideal test environment because of the large number of customers that transfer at the station.

NJ TRANSIT will collect feedback over the pilot period and incorporate it when the technology is launched more broadly in the months ahead.

Among the benefits of DepartureVision, customers traveling to Secaucus Junction will be able to view connecting track information before arriving at the station. Similarly, customers who use the new Meadowlands Rail Line to travel to and from football games or major events will be able to check their Secaucus connections from Giants Stadium.

As an additional benefit, users can click on an individual train to see a list of stations it serves.

Customers can access the new system by visiting [njtransit.com](http://njtransit.com) from their web-enabled mobile device.

In recent years, NJ TRANSIT has implemented a series of web enhancements to improve the flow of information to and from customers, including RSS feeds for train, bus and light rail status; a computerized Lost and Found system; Google Transit integration, a mobile website and mobile "Contact Us" feature for web-enabled mobile devices.

Introduced in 2006, NJ TRANSIT's mobile website gives customers the ability to tap into the most popular areas of [njtransit.com](http://njtransit.com) in a streamlined format optimized for web-enabled mobile devices—enabling them to check schedules and fares from wherever they are, and scan up-to-the-minute information about system operations and delays.

**New street entrance to NJ TRANSIT concourse opens at New York Penn Station**

NJ TRANSIT Executive Director Richard Sarles and Board Member Susan Hayes greeted rush-hour commuters the morning of August 31, at the grand opening of the new 31<sup>st</sup> Street entrance to the NJ TRANSIT Concourse at New York Penn Station – a direct and spacious gateway between the concourse and street level.

The new entrance, located at the corner of 7<sup>th</sup> Avenue and 31<sup>st</sup> Street, provides new escalators, an elevator and stairs that will relieve underground congestion and improve commuter traffic-flow for tens of thousands of NJ TRANSIT customers as they make their way to and from trains at the busiest rail terminal in North America.

Previously, NJ TRANSIT customers needed to use the shared Amtrak concourse entrance – the heavily traveled entrance on 7<sup>th</sup> Avenue opposite 32<sup>nd</sup> Street – to gain access to the NJ TRANSIT concourse, which opened in 2002.

NJ TRANSIT ridership to and from Manhattan has quadrupled over the past few decades and is projected to double again over the next 20 years. The new 31<sup>st</sup> Street entrance will enhance the new Mass Transit Tunnel, a project that will create more and improved rail service to meet the growing ridership demand and ensure that New Jerseyans have easier, less stressful trips from start to finish.

More than 81,000 NJ TRANSIT customers board trains at New York Penn Station each weekday, and make more than 44 million train trips to and from New York Penn Station each year.

Designed as a gateway for NJ TRANSIT customers to complement the concourse, the \$19.2 million entrance also will benefit Amtrak, Long Island Railroad and New York City Subway customers who share the massive midtown Manhattan rail hub by alleviating crowding at other entrances and interior walkways.

The NJ TRANSIT entrance features a barrel-vaulted ceiling and exposed trusses reminiscent of the original Penn Station as well as modern train information displays, signage and lighting.

### **Construction begins to improve Paterson's Broadway Bus Terminal**

NJ TRANSIT Executive Director Richard Sarles joined Paterson Mayor José "Joey" Torres August 28 to break ground on renovations to Broadway Bus Terminal—a project that when completed next year will give customers a modern facility equipped with a canopy over the bus lanes for protection from the elements, as well as new lighting, a new public address system and bus departure information screens.

In July 2009, the NJ TRANSIT Board of Directors authorized a \$1.4 million contract with John O'Hara Co., Inc., of East Orange, NJ, to refurbish the existing Broadway Bus Terminal building and site, including a new stucco and brick base exterior, new roof, new HVAC system, and repaving and marking of the existing bus lanes.

The project also includes installation of closed-circuit cameras for enhanced security, directional signage, passenger information displays and new heating and air conditioning systems.

Broadway Bus Terminal serves approximately 1,600 average weekday passenger trips on the 72, 74, 161, 171, 190, 703, 746, and 770 bus lines. Customers use the terminal for travel to and from destinations including Newark, New York, East Rutherford, Haledon, Ridgewood, Pompton Lakes, Wayne and Hackensack.

Constructed in the 1930's, Broadway Bus Terminal underwent renovations in 1940, 1962, and most recently in 1983. Today the terminal consists of a waiting room with customer restrooms and a vendor space, with a curbside bus drop-off location outside, as well as four islands with shelters serving four separate bus lanes.

A 450-square foot addition to the existing 1,120-square foot terminal building will provide storage and technology support spaces as well as new employee facilities.

Construction is expected to be completed in mid-2010. The building will remain in service to customers during construction.

### **New NJ TRANSIT bus schedules effective September 5**

New NJ TRANSIT bus schedules took effect on many routes September 5, 2009, with adjustments made throughout the system to increase capacity on high passenger-volume lines and to improve reliability.

The adjustments, which NJ TRANSIT makes several times a year to match service with ridership trends, included a service adjustment on the No. 403 line in South Jersey that will benefit customers with improved on-time performance. The 403 bus will no longer operate into Philadelphia to avoid traffic-related delays, and has been renamed the Turnersville-Lindenwold-Camden line. Trips will begin and end at the Walter Rand Transportation Center in Camden, with connecting service on any of 11 NJ TRANSIT bus lines serving Philadelphia at no additional charge.

Customers were reminded to review timetables available aboard buses, at customer service offices or online at [www.njtransit.com](http://www.njtransit.com).

### **NJ TRANSIT increases bus service in Millville**

NJ TRANSIT significantly increased the frequency of bus service in Millville along Wade Boulevard and 2<sup>nd</sup> Street effective Saturday, September 5, by combining the two branches of service that previously operated on the No. 408 Millville-Philadelphia line.

In response to customer requests, all No. 408 trips in Millville now serve 2<sup>nd</sup> Street south of Main Street and Wade Boulevard. In addition, service is now provided to the Millville Industrial Park along Orange Street.

Previously, the No. 408 route operated as two branches, which served either 2<sup>nd</sup> Street south of Main Street or Wade Boulevard every other trip. By combining the two branches in Millville, customers on 2<sup>nd</sup> Street south of Main Street and on Wade Boulevard benefit from more frequent service throughout the day, seven days a week, as well as more connections to the 553 line.

# **EMPLOYEE RECOGNITION**

**Five inductees join the “Walk of Fame”**

As we celebrated the 30<sup>th</sup> Anniversary of the creation of NJ TRANSIT in July, five people who made great contributions to the company were inducted into the “NJ TRANSIT Walk of Fame.” Located on the sidewalk in front of the Louis J. Gambaccini Building, our Newark headquarters, the Walk currently features 24 inductees, whose names are inscribed on bricks.

The five inductees for 2009 include former Executive Director George Warrington, who was a major force in advancing the Mass Transit Tunnel project; founding board member John McGoldrick, who served on the NJ TRANSIT Board for 25 years; Benjamin Feigenbaum, a bus employee who worked his way up to VP and GM of NJ TRANSIT Bus Operations; James Cantwell, the longest serving conductor - 45 years - with a sterling safety record; and Bus Operator Edward Taylor, who works out of Hamilton Garage and has 31 years of safe driving.

**NJ TRANSIT Police recruits graduate**

The newest NJ TRANSIT Police Department recruits graduated August 4, 2009 from the Passaic County Police Academy Basic Police Course:

- PO Jordan Bartolone
- PO Donald Hammer\*
- PO Edward Choate
- PO Fred Moses
- PO Keith Dombkowski
- PO Kazbek Said
- PO Christopher Giovannone
- PO Joseph Span
- PO Amit Vaidya

\*PO Donald Hammer also received the Academic Leader Award. Congratulations to all of the graduates.

**NJ TRANSIT employees bid farewell after outstanding careers**

Twenty-four NJ TRANSIT employees retired in August with careers ranging from 11 to 39 years of service:

1. Judith Austin (Union) Layout Artist, Orange Annex – 39 years
2. Kirk R. Wassong (Kearny) Assistant Superintendent Grove Street, Bloomfield – 39 years
3. Robert J. Schuster (Manalapan) Lead Pressman, Orange Annex – 37 years
4. Glenn Sullivan (Westfield) Deputy GM Infrastructure Engineer, Penn Plaza – 37 years
5. Thomas Schneick (Union) Pressman, Orange Annex – 36 years
6. Charles M. Beach (Cliffwood Beach) Pressmen, Orange Annex – 35 years
7. Frederick J. Gleason (Linden) Sr. Purchase Agent, Penn Plaza – 34 years
8. Janis M. Mitchell (North Arlington) Safety Supervisor, Penn Plaza – 34 years
9. Charles Eaves (Newark) Bus Operator, Orange Garage – 31 years
10. Robert W. Jones (Union) Repairman "A," Ironbound Garage – 31 years
11. George M. Smith (Bordertown) Technical Auditor, Penn Plaza – 31 years
12. Robert D. Carlock (Clintondale, NY) Repairman "A," Wayne Garage – 30 years
13. Joseph Laico (Edison) Depot Master, Newark Light Rail – 30 years
14. James J. Morrin (Somers Point) Bus Operator, Egg Harbor Garage – 30 years
15. James R. McFadden (Newark) Bus Operator, Hilton Garage – 28 years
16. Sandra Surretsky (Edison) Bus Tech. Support & Training Admin., Penn Plaza – 28 years
17. Thomas Favocci (Lakehurst) Mechanic "A," Wayne Garage – 27 years
18. Ronald D Katz (Freehold) Mechanic "A," Ironbound Garage – 27 years
19. Ernest Carter (Bayonne) Depot Master "A," Ironbound Garage – 25 years
20. Hector O. Giron (West New York) Depot Master "C," Fairview Garage – 24 years
21. Elaine K. Kazmierski (Garwood) Sr. Executive Secretary, GOB – 22 years
22. Clemmie D. Livingston (Trenton) Bus Operator, Hamilton Garage – 17 years
23. Lennox Lewis (East Orange) Bus Operator, Orange Garage – 13 years
24. Joseph Augustin (Orange) Bus Cleaner, Ironbound Garage – 11 years

# **DBE/MBE PROGRAM**

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

**Federally Funded Contracts**

\$68,933,958 in federal funds were awarded during October through June of FY 09.\* Disadvantaged Business Enterprises (DBEs) were awarded \$14,077,568 or 20.4 percent, which includes both race conscious and race neutral awards.

**State Funded Contracts**

\$11,670,706 in state-funded contract dollars were awarded during July FY 10. \*\* Of that total, Small Business Enterprises (SBEs) received \$3,571,623 or 30.6 percent. Category 1 SBEs received \$0 or 0 percent. Category 2 SBEs received \$261,250 or 2.2 percent. Category 3 SBEs received \$0 or 0 percent. Category 4 SBEs received \$0 or 0 percent. Category 5 SBEs received \$3,310,373 or 28.4 percent.\*\*\*

**Federal & State Contracts Total**

\$80,604,664 in federal and state contract dollars were awarded by NJ TRANSIT during this reporting period. Of that total, \$17,649,191 or 21.9 percent of federal and state contract dollars was won by DBEs and SBEs.

\*Fiscal year beginning October 1, 2008

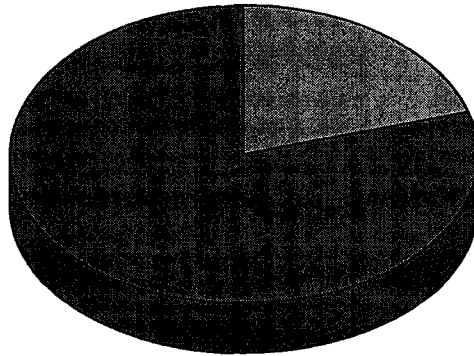
\*\*Fiscal year beginning July 1, 2009

\*\*\*Cat 1-Less than \$500,000 gross revenues, Cat 2-Less than \$5 million, Cat 3-Less than \$12 million, Cat 4 (construction)-Less than \$1 million, Cat 5 (construction)-Less than \$17,420,000, Cat 6 (construction)-Up to \$33.5 million

(Contract No. 09-327, Diesel Fuel for NJ TRANSIT Rail Locations, issued 8/18/09, for the amount of \$24,074,800 and Contract No. 09-326, Diesel Fuel for NJ TRANSIT Bus Locations, issued 8/18/09, for the amount of \$37,963,331.90 were not included in the total for state funded contracts)

**DBE PARTICIPATION  
FEDERAL CONTRACTS  
FEDERAL FYTD (THROUGH AUGUST 09)\***

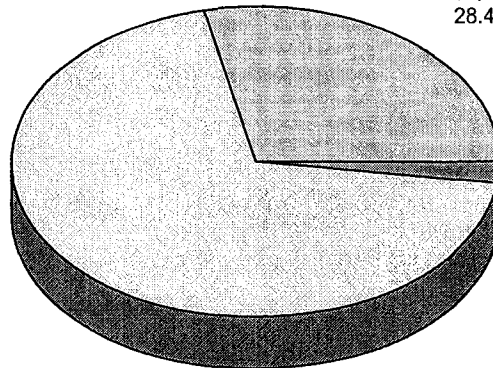
NON-DBE  
FEDERAL  
\$54,856,390  
79.6%



DBE RACE  
NEUTRAL & RACE  
CONSCIOUS  
\$14,077,568  
20.4%

**SBE PARTICIPATION  
STATE CONTRACTS  
STATE FYTD (THROUGH AUGUST 09)\*\***

NON-SBE STATE  
\$8,099,083  
69.4%



SBE-5  
\$3,310,373  
28.4%

SBE-2  
\$261,250  
2.2%

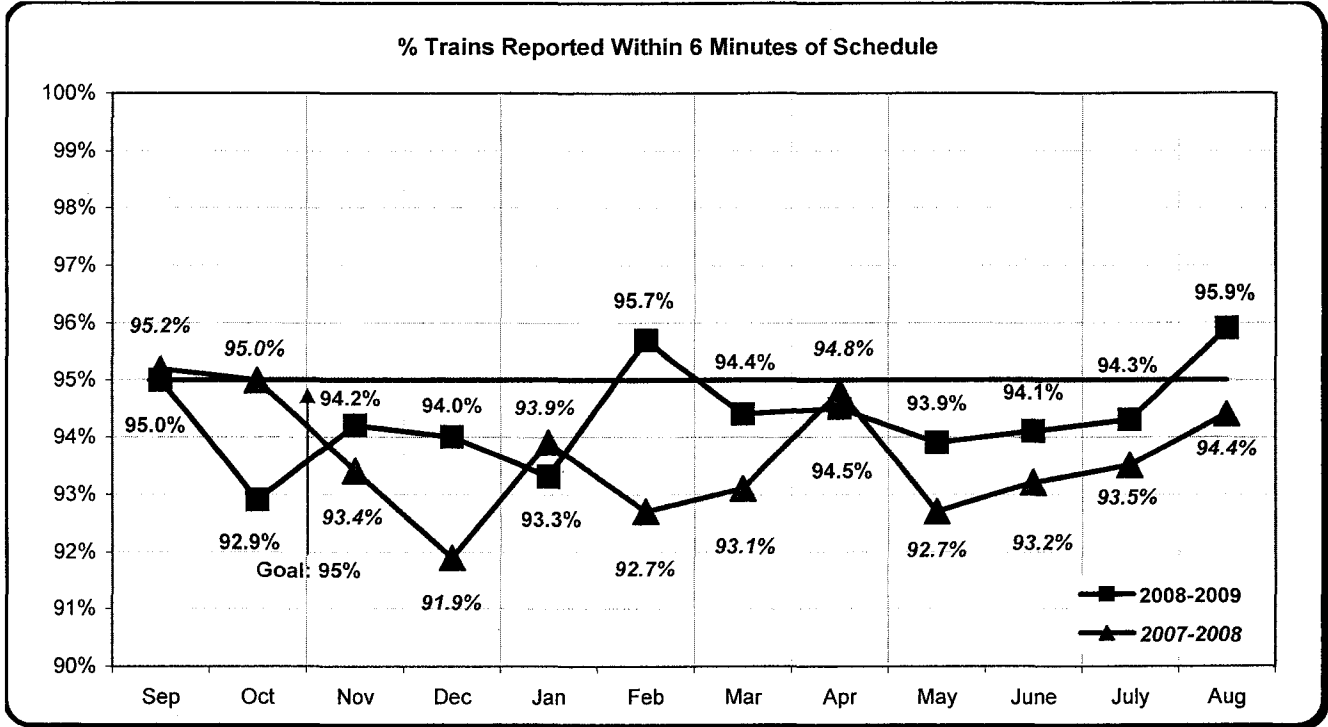
**Fiscal Year Beginning October 1, 2008\***  
**Fiscal Year Beginning July 1, 2009\*\***  
(This report covers contracts above \$29,000)

# **PERFORMANCE MEASURES**

# NJ TRANSIT ON-TIME PERFORMANCE RAIL

41497

## SEPTEMBER 2007 - AUGUST 2009



	2008	2009	# Change
August Comparison	94.4%	95.9%	1.5%

	2007-2008	2008-2009	# Change
12-Month Average September - August	93.7%	94.4%	0.7%

### Analysis:

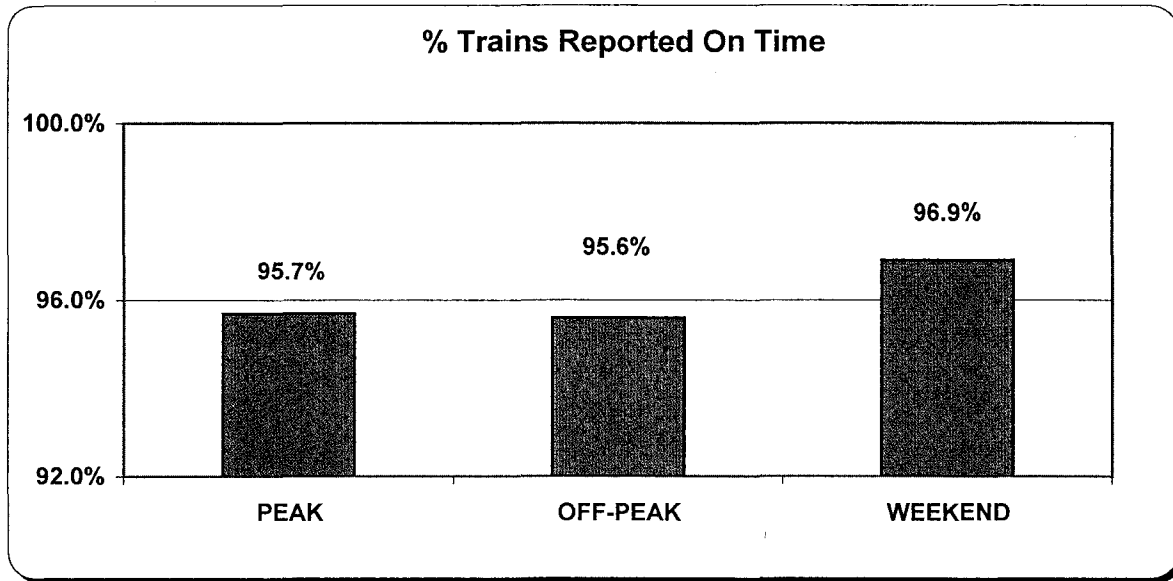
Rail On-Time Performance was 95.9% for August 2009. Of the 18,726 trains that were scheduled to operate, 17,953 were on time, while 773 trains (or 4.1%) were delayed. Key causes included:

- An Amtrak switch failure near Secaucus Junction on August 12.
- An NJ TRANSIT overhead wire failure on the North Jersey Coast Line on August 28.
- Amtrak's Portal Bridge was unable to close for two hours on August 29.

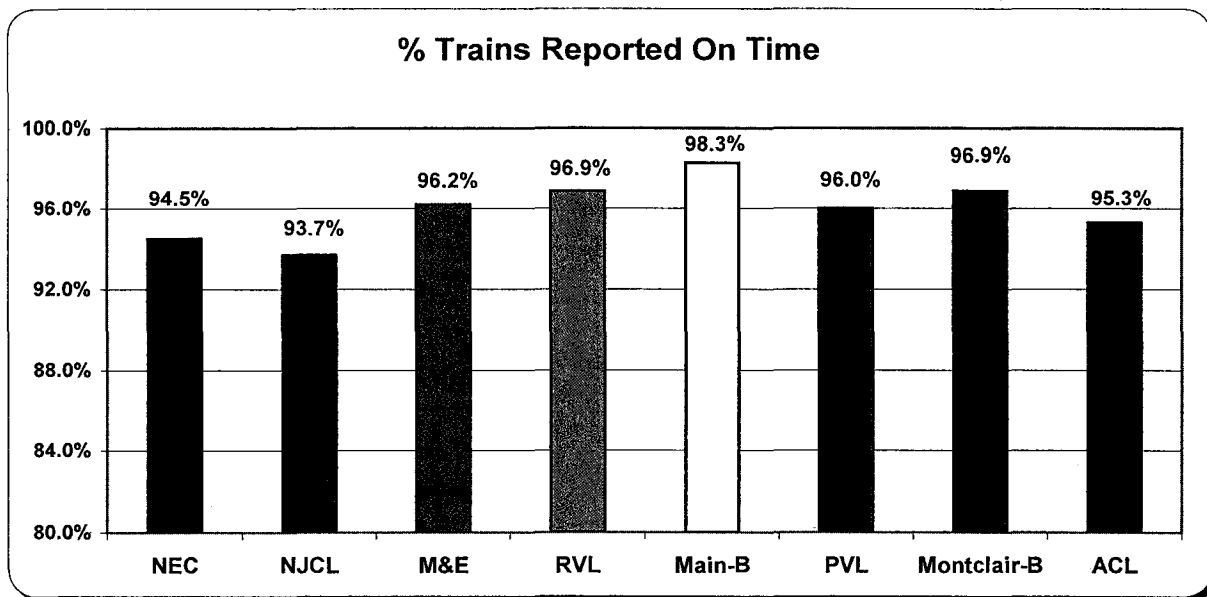
The 12-month average for Rail On-Time Performance for September 2008 - August 2009 was 94.4%.

# ON-TIME PERFORMANCE RAIL

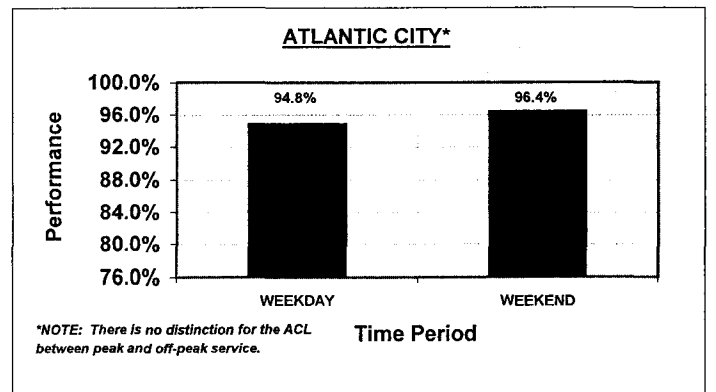
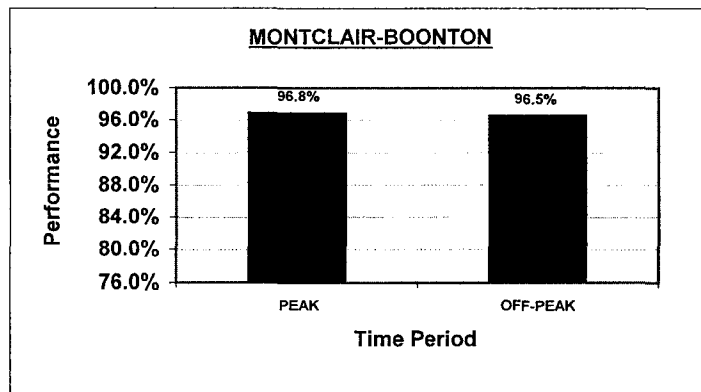
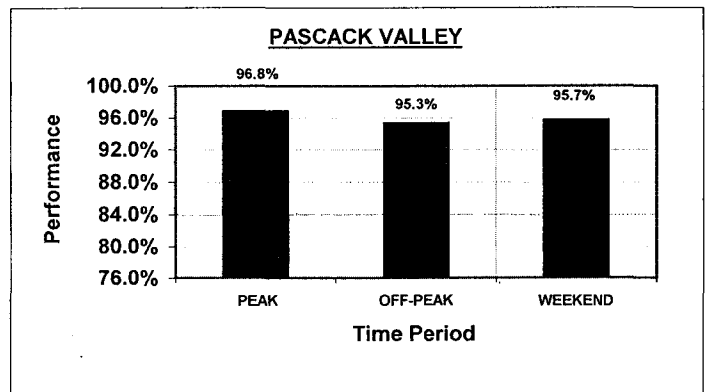
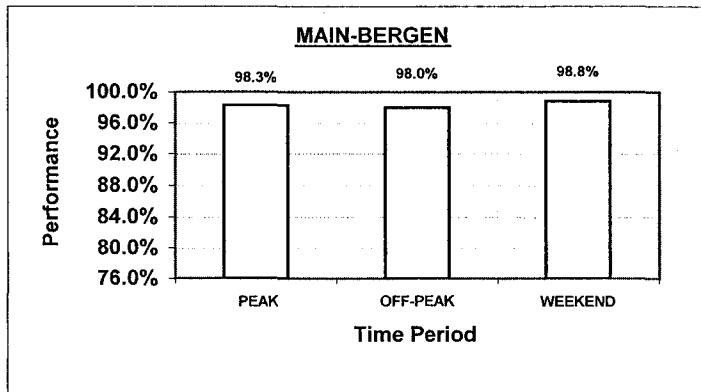
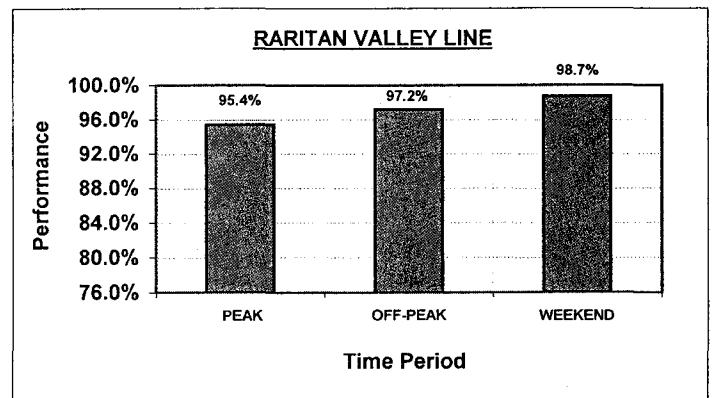
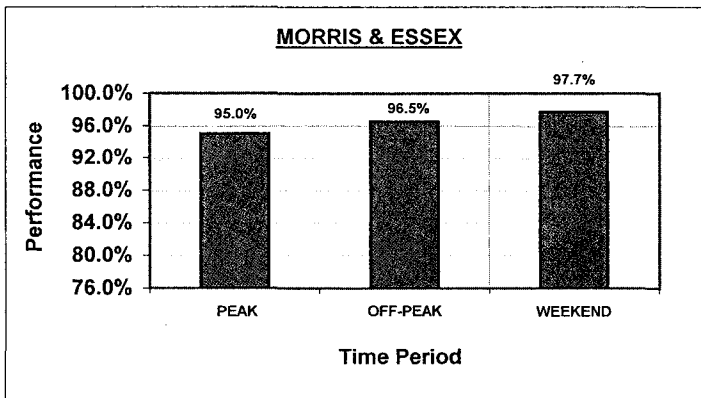
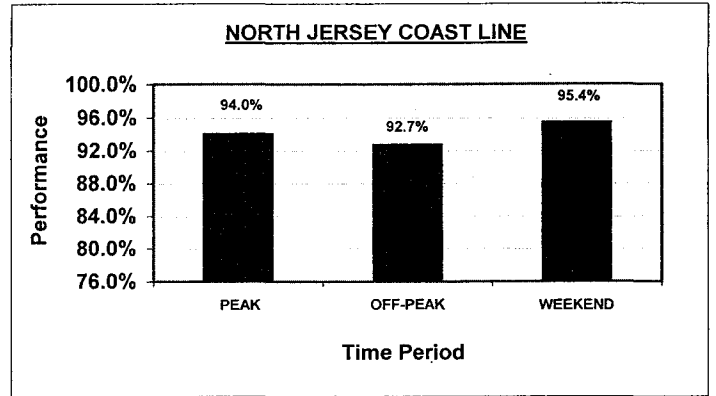
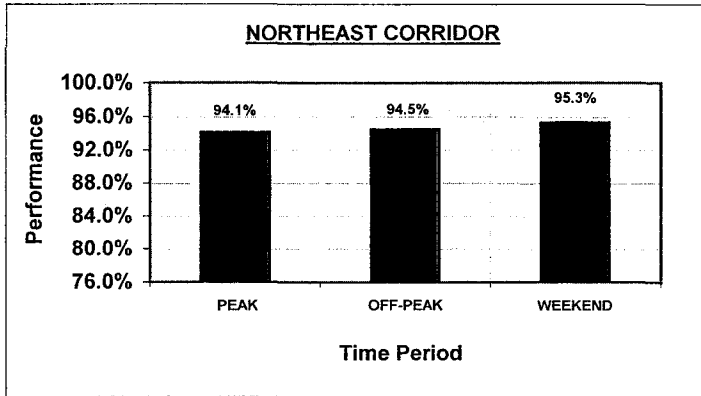
## SUMMARY BY TIME PERIOD AUGUST 2009



## SUMMARY BY LINE AUGUST 2009



# ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD 41499 AUGUST 2009

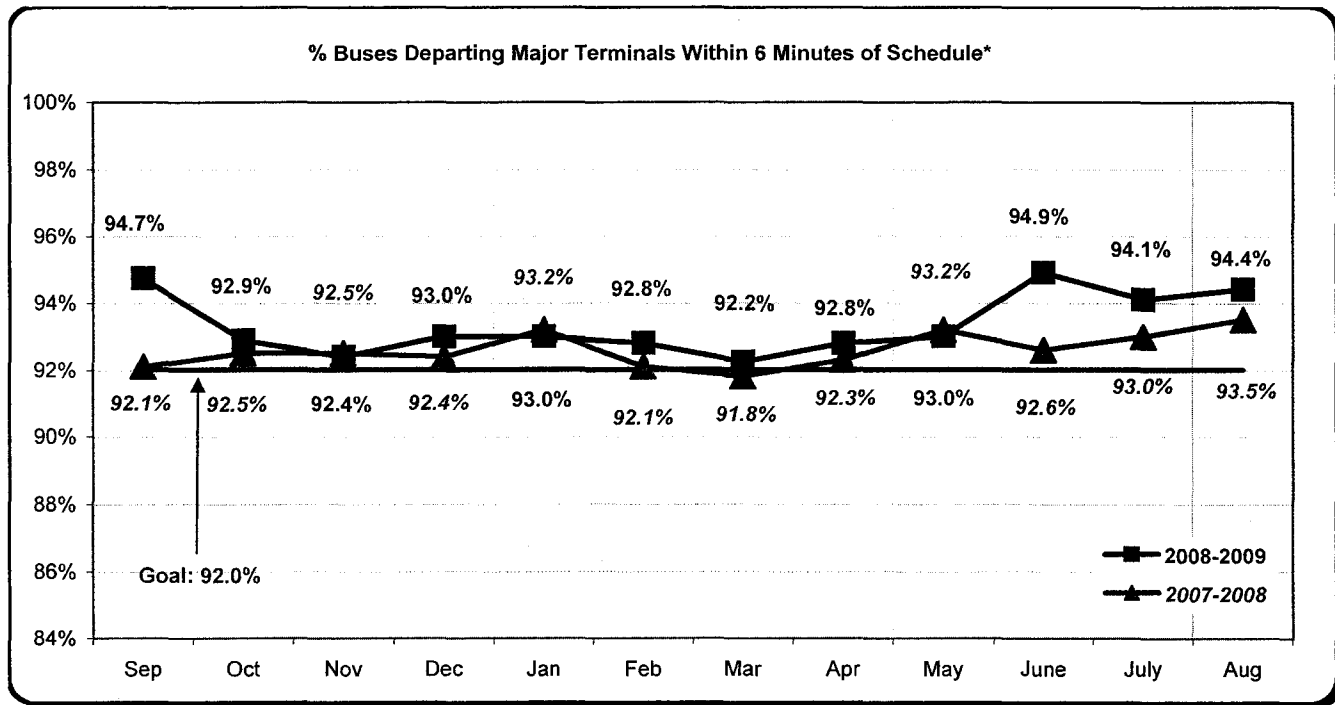


\*NOTE: There is no distinction for the ACL between peak and off-peak service.

# NJ TRANSIT ON-TIME PERFORMANCE BUS

41500

## SEPTEMBER 2007 - AUGUST 2009



\*Note: Includes the Walter Rand Transportation Center, Atlantic City Bus Terminal, Port Authority Bus Terminal, Newark Penn Station, and, as of July, 2008, Hoboken Terminal.

	2008	2009	% Change
August Comparison	93.5%	94.4%	0.9%

	2007-2008	2008-2009	% Change
12-Month Average September - August	92.6%	93.4%	0.8%

### Analysis:

Bus On-Time Performance was 94.4% for August 2009. Of the 33,953 monitored departures, 1,890 (or 5.6%) experienced delays. Key causes included:

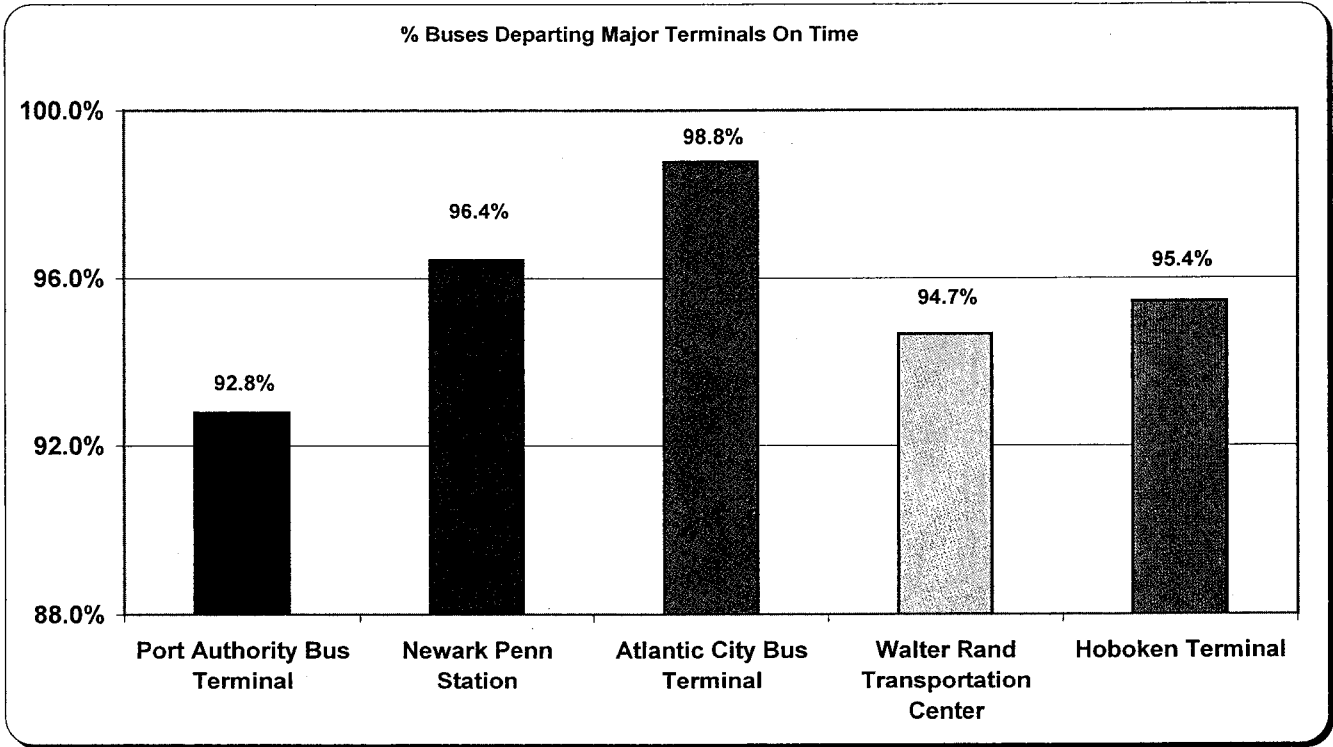
- A breakdown in the Lincoln Tunnel on August 19 impacted Port Authority buses.
- Mechanical issues affected Newark Penn Station buses on August 31.
- Traffic from the Atlantic Air Show delayed Atlantic City buses on August 19th
- Walter Rand Transit Center buses were affected by a car accident on Admiral Wilson Blvd and heavy traffic on Route 38 in Moorestown on August 13.

The 12-month average for Bus On-Time Performance for September 2008 - August 2009 was 93.4%.

# ON-TIME PERFORMANCE BUS

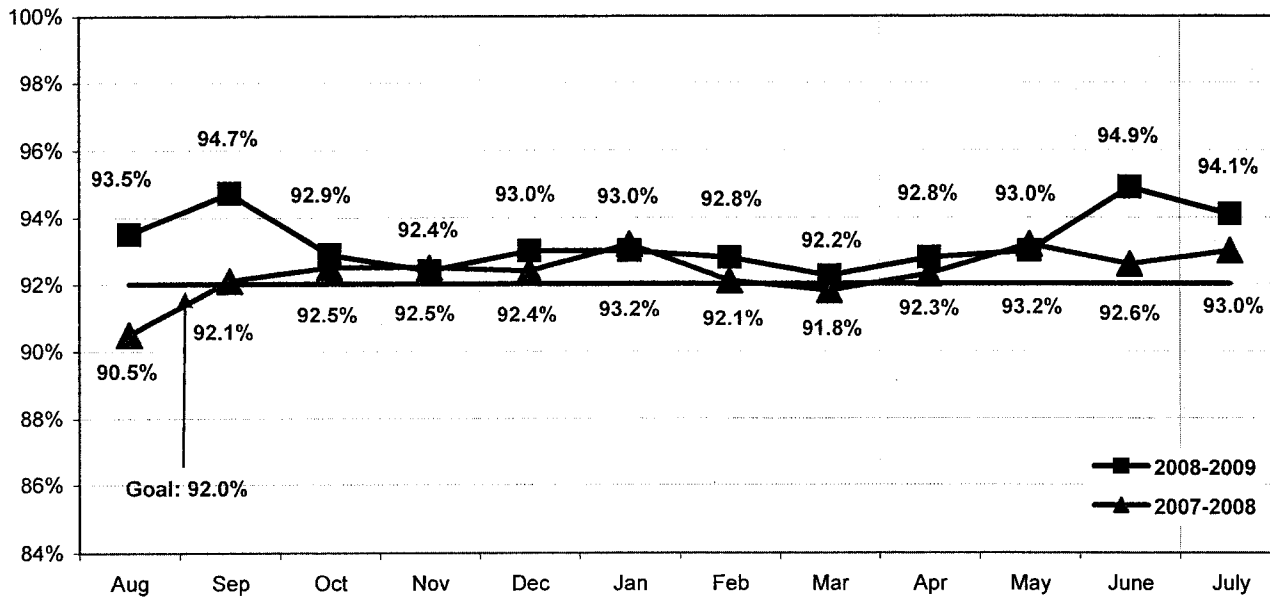
41501

## SUMMARY BY TERMINAL AUGUST 2009



# NJ TRANSIT ON-TIME PERFORMANCE BUS AUGUST 2007 - JULY 2009

% Buses Departing Major Terminals Within 6 Minutes of Schedule\*



\*Note: Includes the Walter Rand Transportation Center, Atlantic City Bus Terminal, Port Authority Bus Terminal, Newark Penn Station, and, as of July, 2008, Hoboken Terminal.

	2008	2009	% Change
July Comparison	93.0%	94.1%	1.1%

	2007-2008	2008-2009	% Change
12-Month Average August - July	92.4%	93.3%	0.9%

### Analysis:

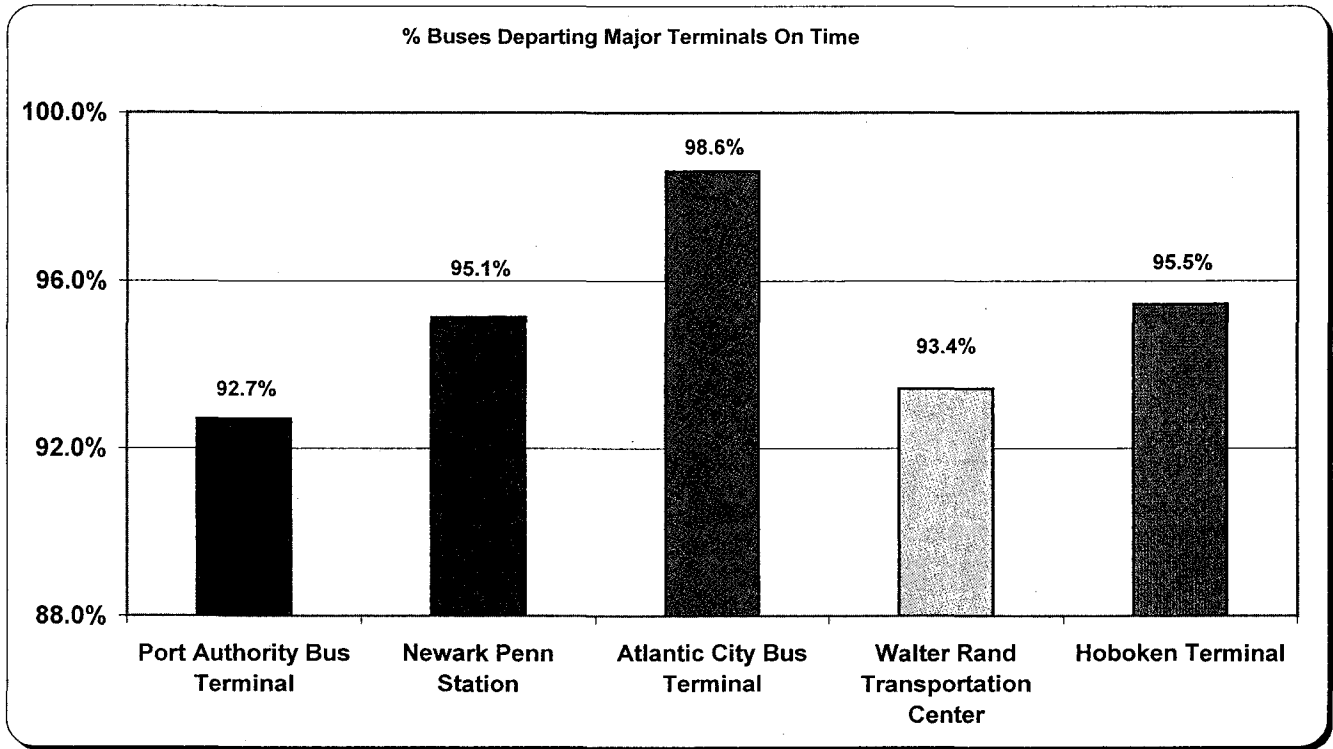
Bus On-Time Performance was 94.1% for July 2009. Of the 34,596 monitored departures, 2,040 (or 5.9%) experienced delays. Key causes included:

- Heavy traffic on 7/17 affected Newark Penn Station buses.
- High volume of 7/4 holiday/weekend traffic delayed Atlantic City Terminal buses.
- Heavy traffic in Moorestown, Deptford and Philadelphia affected Walter Rand Transportation Center buses on 7/2.
- Journal Square closure on 7/23 due to a public funeral procession.

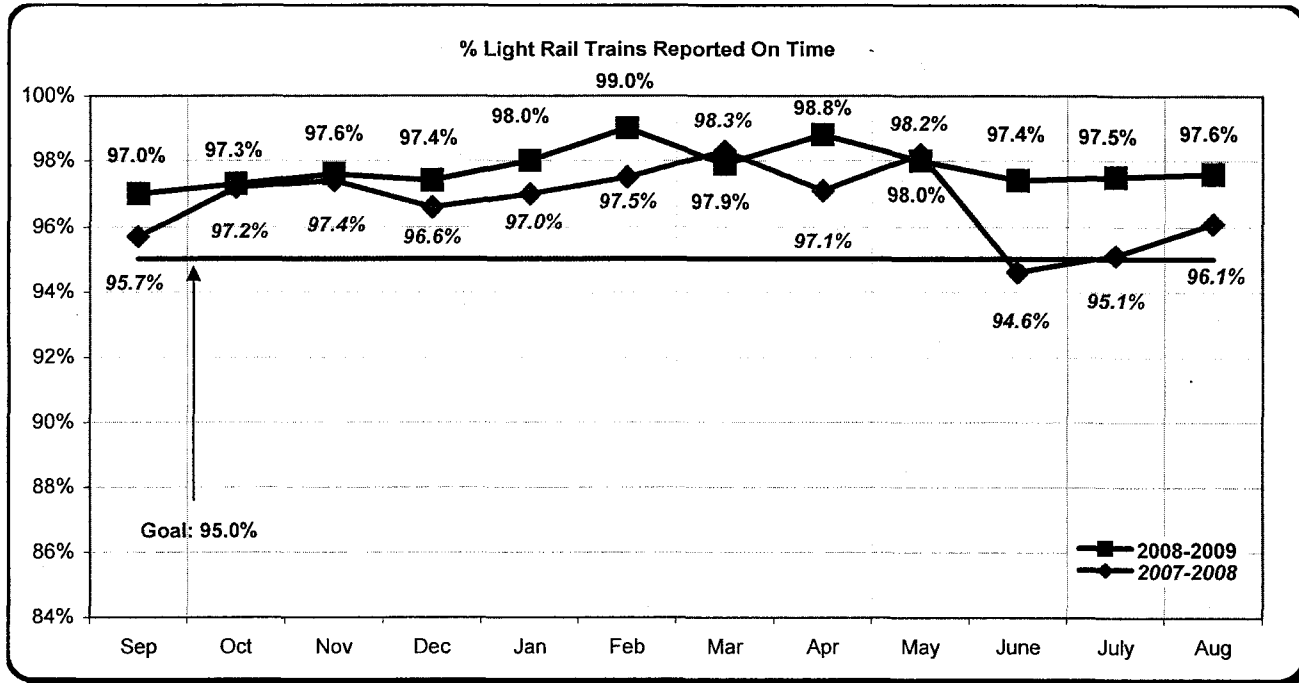
The 12-month average for Bus On-Time Performance for August 2008 - July 2009 was 93.3%.

# ON-TIME PERFORMANCE BUS

## SUMMARY BY TERMINAL JULY 2009



# NJ TRANSIT ON-TIME PERFORMANCE LIGHT RAIL - SYSTEMWIDE SEPTEMBER 2007- AUGUST 2009



\*Note: Starting May 2007

	2008	2009	# Change
August Comparison	96.1%	97.7%	1.6%

	2007-2008	2008-2009	# Change
12-Month Average September - August	96.7%	97.8%	1.1%

**Analysis:**

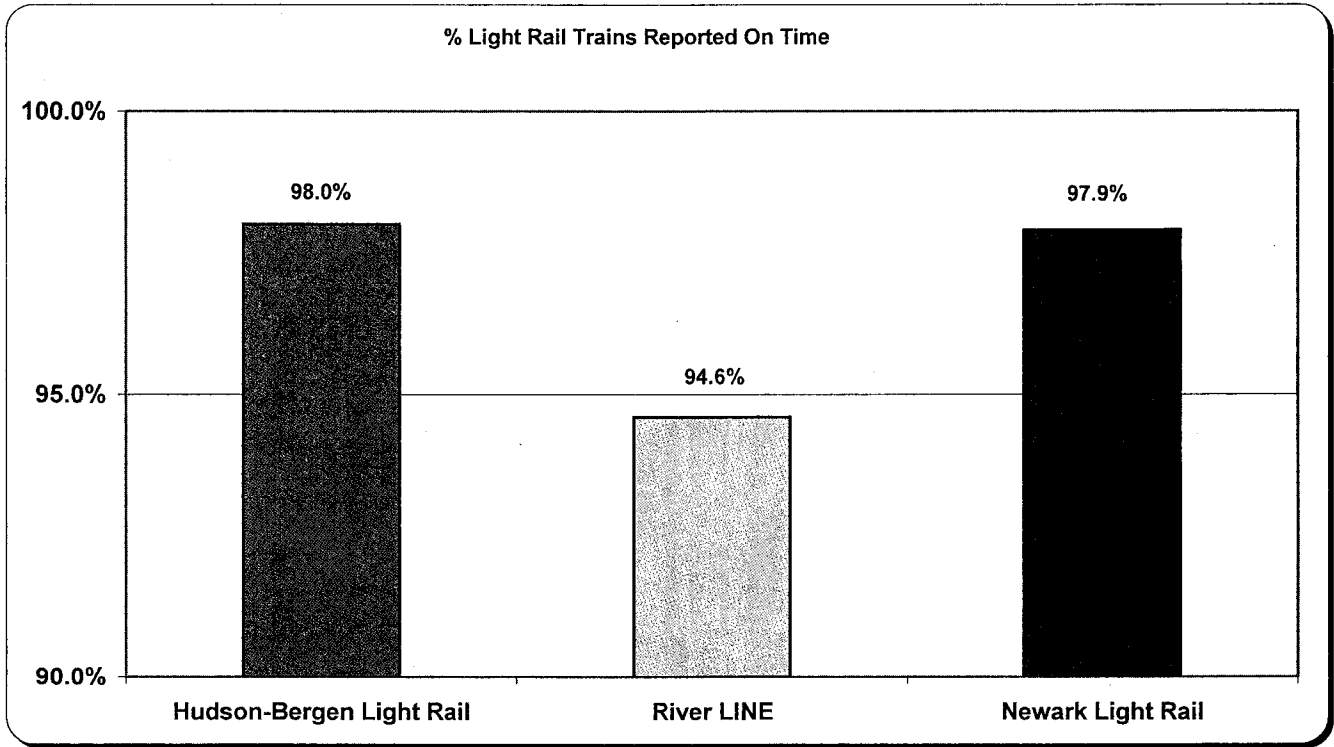
Light Rail On-Time Performance systemwide was 97.7% for the month of August 2009. Of the 31,187 scheduled trains, 722 (or 2.3%) experienced delays. Key causes included:

- A PSE&G power failure caused communications loss on the HBLR on August 11.
- High water on Camden street-running section of the River LINE on August 29.
- Mechanical failure at the Newark Light Rail Orange Street station on August 11.

The 12-month average for Light Rail On-Time Performance for September 2008 - August 2009 was 97.8%.

# ON-TIME PERFORMANCE LIGHT RAIL

## SUMMARY BY LINE AUGUST 2009



# **ACTION ITEMS**

**ITEM 0909-63: HOBOKEN FERRY TERMINAL REHABILITATION – PHASE 3:  
CONSTRUCTION CONTRACT AWARD, CONSTRUCTION  
MANAGEMENT CONTRACT AWARD AND CONTRACT AMENDMENT  
FOR CONSTRUCTION ASSISTANCE AND CREATION OF AN OWNER  
CONTROLLED INSURANCE PROGRAM (OCIP)**

**BENEFITS**

The Hoboken Ferry Terminal Building is being rehabilitated to restore ferry service to this historic building. This project is included in NJ TRANSIT's master plan to rehabilitate and restore all facilities at Hoboken Terminal for customer comfort and convenience, to maintain reliable operations, and to protect and enhance historic assets. The Hoboken Ferry Terminal Rehabilitation – Phase 3 project includes reconstruction and rehabilitation of the building required to restore ferry service to the original slips. In 2008, there were approximately 9,900 average weekday passenger trips (1.8 million annual trips) between the current interim ferry facility at Hoboken Terminal and New York City. The terminal offers direct connections to and from NJ TRANSIT's rail, light rail, and bus systems as well as the PATH system. The rehabilitation will upgrade the historic ferry facility for continued use as a multi-modal transportation facility.

NJ TRANSIT has been utilizing an Owner Controlled Insurance Program ("OCIP") since 1994 to provide insurance coverage and claims administration for several major construction projects, including the Frank R. Lautenberg Rail Station at Secaucus Junction, the Hudson-Bergen Light Rail, the River LINE, and the Hoboken Ferry Terminal Rehabilitation – Phases 1 and 2. A new OCIP is being created for this project due to size and capacity constraints of the existing program. The OCIP will provide uniform coverage, an enhanced safety program, larger and broader limits of coverage, a reduction in premium costs, and better administrative control over claims. The OCIP will provide insurance coverages including, but not limited to:

- Workers' Compensation & Employers' Liability
- USL&H/Maritime
- General and Excess Liability
- FELA
- Environmental Liability
- Builder's Risk
- Railroad Protective Liability

**PURPOSE**

Authorization of this construction contract will allow for the reconstruction of the Hoboken Ferry Terminal Building to restore ferry service to five of the six original slips. The scope of work includes structural repairs, a new raised floor, new Ferry Passenger Concourse and slip, new ramps and ferry docking equipment, wind screens, a new ticketing area with crew quarters, new electrical/telecommunications, site utility work, environmental remediation and marine construction.

Authorization of an amendment to the Hoboken general design contract with STV, Inc. will also allow for construction assistance services. This will be the last authorization under this contract.

Authorization of a Construction Management contract with Tishman Construction Corp. will allow for construction management services for Hoboken Ferry Terminal Rehabilitation – Phase 3.

The current OCIP, which began in 2004, provided insurance coverage for the construction of several capital projects – Hoboken Ferry Terminal Phases 1 and 2, the Frank R. Lautenberg Rail Station at Secaucus Junction, the Hudson-Bergen Light Rail, the River LINE, Port Imperial Intermodal Ferry Terminal Construction and Morris & Essex Lines (M&E) Station Repairs and Viaduct Waterproofing Construction. In 2006, the OCIP was expanded to include the Hudson-Bergen Light Rail Extension to 8<sup>th</sup> Street. The insurance companies currently participating in the existing OCIP are unable to provide additional capacity for future projects due to the size and scope of the program. As a result, NJ TRANSIT, through its corporate broker, Marsh USA, Inc., will solicit quotes from all available insurance companies to create a new OCIP that will provide insurance coverage, claims administration and loss control and safety services for the Hoboken Ferry Terminal Rehabilitation – Phase 3, as well as for other future major construction projects as applicable.

**ACTION (Justification: Capacity)**

Staff seeks authorization to contract (No. 09-020XR) with Hall Construction Company, Inc. of Farmingdale, New Jersey, for the construction of Hoboken Ferry Terminal Rehabilitation – Phase 3, at a cost not to exceed \$29,475,000, plus five percent for contingencies, subject to the availability of funds.

Staff also seeks authorization to amend the professional services contract (No. 94CA035) with STV, Inc. of New York, New York, for construction assistance services in the amount of \$1,181,620, plus five percent for contingencies, for a total contract authorization of \$26,385,102, subject to the availability of funds.

Staff also seeks authorization to contract (No. 09-032) with Tishman Construction Corp. of Newark, New Jersey, for construction management services in the amount of \$2,340,489, plus five percent for contingencies, subject to the availability of funds.

Finally, staff seeks authorization to establish an additional Owner Controlled Insurance Program to provide coverage for the Hoboken Ferry Terminal Rehabilitation – Phase 3 project. The program will be administered by Marsh USA, Inc. pursuant to the contract approved by the Board and awarded in March 2006 (Board Item #0603-13), at a cost not to exceed \$1,400,000, plus five percent for contingencies.

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

**FISCAL IMPACTS**

**Requested Amount:**

Hall Construction Company, Inc. STV, Inc.	\$	29,475,000	+ 5% contingency
This Authorization	\$	1,181,620	+ 5% contingency
Total Authorization	\$	26,385,102	
Tishman Construction	\$	2,340,489	+ 5% contingency
OCIP	\$	1,400,000	+ 5% contingency

**Total Project Cost:** \$ 119,289,000

**Projected Date of Completion:** February 2011

**Anticipated Source of Funds:** Federal Transit Administration  
Transportation Trust Fund  
Port Authority of New York and New Jersey

**Diversity Goal:**

Construction	20% DBE
Construction Management	20% DBE
Construction Assistance	30% DBE
OCIP	15% DBE

**NJ Build Amount:** \$ 43,000

**Future/Related Authorizations:** None

**Impact on Subsequent  
Operating Budget:** \$ 40,000 per year

**RESOLUTION**

**WHEREAS**, the restoration of the Hoboken Ferry Terminal Building will continue NJ TRANSIT's work to stabilize and improve the historic Hoboken Terminal Complex for operational reliability and customer convenience; and

**WHEREAS**, construction of the Phase 3 improvements to the Hoboken Ferry Terminal Building will restore ferry service to the original slips; and

**WHEREAS**, due to the magnitude and complexity of the project, it is in the best interest of NJ TRANSIT to create an Owner Controlled Insurance Program ("OCIP") which will provide for uniformity of coverage, reduced administrative costs, an enhanced safety program, and better control over claims and premiums; and

**WHEREAS**, upon completion of a competitive procurement process, it was determined that Hall Construction Company, Inc. was the lowest responsive, responsible bidder for the Phase 3 improvements to the Hoboken Ferry Terminal Building; and

**WHEREAS**, NJ TRANSIT previously selected STV, Inc. through a competitive procurement process for construction assistance services for the Hoboken Terminal project; and

**WHEREAS**, upon completion of a competitive procurement process it was determined that Tishman Construction Corp. submitted the proposal for construction management services that provides the best value and is in the best interest of NJ TRANSIT; and

**WHEREAS**, NJ TRANSIT previously selected Marsh USA, Inc. through a competitive procurement process as its Corporate Insurance Broker;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman or Executive Director is authorized to contract (No. 09-020XR) with Hall Construction Company, Inc. of Farmingdale, New Jersey, for the construction of Hoboken Ferry Terminal Rehabilitation – Phase 3, at a cost not to exceed \$29,475,000, plus five percent for contingencies, subject to the availability of funds; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is authorized to amend the professional services contract (No. 94CA035) with STV, Inc. of New York, New York, for construction assistance services in the amount of \$1,181,620, plus five percent for contingencies, for a total contract authorization of \$26,385,102, subject to the availability of funds; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is authorized to contract (No. 09-032) with Tishman Construction Corp. of Newark, New Jersey, for construction management services in the amount of \$2,340,489, plus five percent for contingencies, subject to the availability of funds; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is authorized to contract for an Owner Controlled Insurance Program administered by Marsh USA, Inc. to provide coverage for the Hoboken Ferry Terminal – Phase 3 project at a cost not to exceed \$1,400,000, plus five percent for contingencies, subject to the availability of funds.

**ITEM 0909-64: NEWARK PENN STATION RAYMOND PLAZA WEST  
IMPROVEMENTS: CONSTRUCTION CONTRACT AWARD****BENEFITS**

Newark Penn Station is both a strategic regional transportation facility for NJ TRANSIT and a highly visible gateway to the City of Newark. Each weekday, more than 50,000 customers use the station to access NJ TRANSIT's rail, bus, and light rail services, Amtrak Intercity Rail, PATH, Greyhound and other private carrier bus routes. The station is located between Newark's Ironbound section and the downtown business district which includes the new Prudential Center Arena. The station is on the State and National Registers of Historic Places.

The importance of the station as a gateway to Newark has created a need to enhance the station access from the west side through pedestrian and traffic circulation improvements.

The funding for this project is being provided as part of the American Recovery and Reinvestment Act of 2009 (ARRA) economic stimulus program.

**PURPOSE**

Authorization of this contract will provide for the construction of the Raymond Plaza West Improvements to include construction of a mid-block roundabout and two-way traffic operation on Raymond Plaza West and the realignment of Alling Street with Raymond Plaza West. Roadway improvements include crosswalks, traffic-calming speed tables, in-crosswalk warning lights and drop-off and pick-up spaces with textured pavement. Pedestrian improvements include benches, way-finding signs, tree grates, pedestrian lighting, street, tree, and building uplighting, and plantings. The project scope also involves upgrading traffic signals and roadway lighting, a taxi queuing area, and a Greyhound bus boarding area.

**ACTION (Justification: Improved Customer Service)**

Staff seeks authorization to contract (No. 10-005X) with the lowest responsive, responsible bidder for the construction of Raymond Plaza West Improvements at Newark Penn Station at a cost not to exceed the budgeted amount, subject to the availability of funds.

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

**FISCAL IMPACTS:**

**Requested Authorization:**

*Construction Vendor* Budgeted amount

**Total Project Cost:** \$18,117,000

**Projected Date of Completion:** May 2011

**Anticipated Source of Funds:** Federal Transit Administration (Stimulus Funding)  
Transportation Trust Fund

**Diversity Goal:** 21% DBE

***NJ Build* Amount:** NA

**Related Future Authorizations:** None

**Impacts on Subsequent**

**Operating Budgets:** City of Newark will maintain traffic signals

**RESOLUTION**

**WHEREAS**, Newark Penn Station is both a strategic regional transportation facility for NJ TRANSIT and a highly visible gateway to the City of Newark; and

**WHEREAS**, Newark Penn Station is on the National and State Registers of Historic Places; and

**WHEREAS**, NJ TRANSIT seeks to improve its rail system through the construction of pedestrian and vehicle exterior circulation improvements; and

**WHEREAS**, the Raymond Plaza West Improvements will make Newark Penn Station more inviting for customers;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman or Executive Director is authorized to enter into a contract (No. 10-005X) with the lowest responsive, responsible bidder for the construction of Raymond Plaza West Improvements at Newark Penn Station at a cost not to exceed the budgeted amount, subject to the availability of funds.

**ITEM 0909-65: PENNSAUKEN TRANSIT CENTER PHASE I: DESIGN/BUILD CONTRACT AWARD FOR RIVER LINE STATION AND SOLE SOURCE CONTRACT FOR CONSTRUCTION SUPPORT AND TRACK IMPROVEMENTS**

**BENEFITS**

NJ TRANSIT is planning to construct a multi-modal transit center in Pennsauken on a vacant site at Derosse Avenue at the juncture of the River LINE and the Atlantic City Rail Line. A connection between these two lines will afford customers the opportunity to travel between the Delaware River towns, Atlantic City and Philadelphia.

The River LINE is a light rail service between Camden and Trenton, a 34.5-mile corridor serving 19 communities in three counties. The Atlantic City Rail Line is a 66-mile corridor providing service between Atlantic City and Philadelphia serving eight communities in two counties and two states. It is estimated that this transit center will generate 1,140 average weekday passenger trips in the year of 2015.

The new Pennsauken Transit Center will include a platform for the light rail at ground level and two high-level platforms for the Atlantic City Rail Line which is elevated. The project will also include a new parking lot, a passenger drop-off area, bus/shuttle connections, and pedestrian access improvements to Derosse Avenue.

Funding for this project is being provided as part of the American Recovery and Reinvestment Act of 2009 (ARRA) economic stimulus program.

**PURPOSE**

Authorization of the design/build contract will allow for construction of the River LINE station platform (Phase I). Authorization of a sole source contract with Southern New Jersey Rail Group, the operator of the River LINE, will allow for the reconstruction of the River LINE track in the vicinity of the new platform as well as construction support for the design/build contractor.

Southern New Jersey Rail Group has been certified to be the sole-source vendor for the construction support work in accordance with NJ TRANSIT Procurement Regulations N.J.A.C. 16:72-1.5 and Executive Order No. 37.

This project is the subject of an *Environmental Assessment* document prepared in accordance with the National Environmental Policy Act of 1969, as amended, and has been submitted to the Federal Transit Administration (FTA) for review and approval of a Finding on No Significant Impact (FONSI). Execution of these contracts is contingent upon receipt of the FONSI.

**ACTION (Justification: System Expansion)**

Staff seeks authorization to contract (No. 09-119X) with Northeast Remsco Coast Inc. of Farmingdale, New Jersey, for the design and construction of the Pennsauken Transit Center River LINE station at a cost not to exceed \$2,080,000, plus five percent for contingencies, subject to the availability of funds and Federal Transit Administration approval of the environmental document.

Staff also seeks authorization to contract (No.10-022) on a sole source basis with Southern New Jersey Rail Group, LLC of Camden, New Jersey, for construction support and track improvement work on the River LINE to support the Pennsauken Transit Center project at a cost not to exceed \$380,500, plus five percent for contingencies, subject to the availability of funds and Federal Transit Administration approval of the environmental document.

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

**FISCAL IMPACTS**

**Requested Authorization:**

Northeast Remsco Coast Inc.	\$ 2,080,000	+ 5% contingency
Rail Group	\$ 380,500	+ 5% contingency

**Total Project Cost:** \$ 40,644,000 (Phases I and II)

**Projected Date of Completion:** December 2012 (Revenue Service)

**Anticipated Source of Funds:** Federal Transit Administration (ARRA)

**Diversity Goal:**

Design/Build	27% DBE
Construction Support	TBD

**NJ Build Amount:** NA

**Future/Related Authorizations:** Phase II construction  
Phase II construction management  
Property acquisition

**Impact on Subsequent Operating Budgets:** None

**RESOLUTION**

**WHEREAS**, the River LINE is a 34.5-mile corridor between Camden and Trenton serving 19 communities in three counties; and

**WHEREAS**, the Atlantic City Line is a 66-mile corridor between Philadelphia and Atlantic City serving eight communities in two counties and two states; and

**WHEREAS**, NJ TRANSIT has identified the Pennsauken Transit Center River LINE station design/build contract as well as the signal and track improvements portion of the abovementioned transfer station as early action design and construction qualifying the project for funding provided as part of the economic stimulus program; and

**WHEREAS**, upon completion of a competitive procurement process it was determined that Northeast Remsco Coast Inc. was the lowest responsive, responsible bidder for the design and construction of the Pennsauken Transit Center River LINE station; and

**WHEREAS**, it has been determined that Southern New Jersey Rail Group, LLC is the sole source vendor for construction support in accordance with NJ TRANSIT Procurement Regulations N.J.A.C. 16:72-1.5 and Executive Order No. 37;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to contract (No. 09-119X) with Northeast Remsco Coast Inc. of Farmingdale, New Jersey, for the design and construction of the Pennsauken Transit Center River LINE station at a cost not to exceed \$2,080,000, plus five percent for contingencies, subject to the availability of funds and Federal Transit Administration approval of the environmental document; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is authorized to contract (No.10-022 on a sole source basis with Southern New Jersey Rail Group, LLC of Camden, New Jersey, for construction support work on the River LINE to support the Pennsauken Transit Center project at a cost not to exceed \$380,500, plus five percent for contingencies, subject to the availability of funds and Federal Transit Administration approval of the environmental document.

**ITEM 0909-66: PHASE II CONSTRUCTION CONTRACT REHABILITATION OF UNDERGRADE BRIDGE 2.64, LOWER HACK LIFT BRIDGE OVER HACKENSACK RIVER AND CONTRACT AMENDMENT TO PERFORM PHASE III - CONSTRUCTION SUPPORT SERVICES**

**BENEFITS**

NJ TRANSIT owns and maintains the Lower Hack Lift Bridge over the Hackensack River on the Morristown Line at Mile Post 2.64. Phase II of the Rehabilitation of Lower Hack Lift Bridge will restore the structure to a "state of good repair." The rehabilitation will extend the useful life of the bridge.

The Funding for this project is being provided as part of the American Recovery and Reinvestment Act of 2009 (ARRA) economic stimulus program.

**PURPOSE**

Authorization of this construction contract will allow Phase II of a two-phase rehabilitation project on the Lower Hack Lift Bridge to proceed. The scope of work in Phase II includes structural steel repairs to the lift and tower spans, repairs to the under deck of the concrete approach slabs, the concrete columns and the concrete balustrade and waterproofing of the concrete approach slabs.

The original procurement process for this project selected Clough Harbor & Associates, LLP of Parsippany, NJ to perform three tasks: Phase I – Preliminary Engineering; Phase II – Final Design; and Phase III – Construction Support Services. Phase I was authorized by the Board in July 2003. Phase II was authorized in June 2004. Staff is now seeking additional authorization for construction assistance.

**ACTION (Justification: State of Good Repair and Safety)**

Staff seeks authorization to contract with Northeast Remsco Construction of Farmingdale, NJ to perform Phase II construction of the Lower Hack Lift Bridge over the Hackensack River on NJ TRANSIT's Morristown Line in Jersey City at a cost not to exceed \$14,804,408.69, plus five percent for contingencies, subject to the availability of funds.

Staff also seeks authorization to amend the professional service contract (No. 03-014) with Clough Harbour & Associates, LLP of Parsippany, NJ to perform Phase III – Construction Support Services to assist during construction activities in the amount of \$480,609.48, plus five percent for contingencies, subject to the availability of funds.

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

**FISCAL IMPACTS**

<b>Requested Contract Authorization (Phase II Construction):</b>	\$14,804,408.69 +5% contingency
<b>(Phase III Construction Support Services):</b>	\$ 480,609.48 +5% contingency
<b>Total Authorizations to date (Phase I):</b>	\$18,736,735
<b>Total Project Cost (Phase II):</b>	\$ 30,000,000
<b>Projected Date of Completion:</b>	April 2011
<b>Anticipated Source of Funds:</b>	FTA (ARRA)
<b>Diversity Goal:</b>	26% DBE
<b>NJ Build Amount:</b>	None
<b>Impacts on Subsequent Operating Budgets:</b>	None

**RESOLUTION**

**WHEREAS**, NJ TRANSIT owns and maintains the railroad bridge on its Morristown Line at Milepost 2.64 over Hackensack River in the Jersey City, Hudson County; and

**WHEREAS**, structural steel repairs to the lift and tower spans and concrete repairs and waterproofing of the approach spans will extend the useful life of the bridge; and

**WHEREAS**, the rehabilitation will restore the Lower Hackensack Lift Bridge to a state of good repair; and

**WHEREAS**, upon completion of a competitive procurement process, it was determined that Northeast Remsco Construction was the lowest responsive, responsible bidder; and

**WHEREAS**, Phase III - Construction Support Services is now required to assist during construction activities; and

**WHEREAS**, upon completion of a competitive procurement process, it was determined that Clough, Harbour, & Associates was the firm providing the most advantageous proposal and previously awarded Phase I – Preliminary Design Services; Phase II – Final design and Phase III Construction Support Services;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to contract with Northeast Remsco Construction of Farmingdale, NJ to perform of rehabilitation of NJ TRANSIT's Lower Hackensack Lift Bridge over Hackensack River at a cost not to exceed \$14,804,408.69, plus five percent for contingency, subject to the availability of funds;

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is authorized to amend Phase III of the Professional Services contract (No. 03-014) with Clough Harbour & Associates, LLP of Parsippany, NJ for construction support services for capital improvements to the Lower Hackensack Lift Bridge at a cost not to exceed \$480,609.48, plus five percent for contingency, subject to the availability of funds.

**ITEM 0909-67: NJ TRANSIT GRANT PROGRAMS SUPPORTING COORDINATED LOCAL TRANSPORTATION FOR SENIOR CITIZENS, PERSONS WITH DISABILITIES, RURAL AND ECONOMICALLY DISADVANTAGED RESIDENTS**

**BENEFITS**

Board authorization for the grant programs herein described will allow NJ TRANSIT to apply for, contract for and administer a variety of federal and state grant programs dedicated to the development of coordinated community-based transportation services that benefit senior citizens, persons with disabilities, rural and small urban area residents and economically disadvantaged persons transitioning from welfare as well as special local transportation projects. The services funded through these grants provide non-emergency life-sustaining and life-enhancing transportation that include but are not limited to demand responsive, deviated fixed-route services, feeder services and community shuttles. NJ TRANSIT requires that grant subrecipients make every effort to coordinate services in order to maximize efficiency and feed existing bus and rail services when possible. NJ TRANSIT also monitors subrecipients for compliance with relevant federal and state laws and regulations.

**PURPOSE**

NJ TRANSIT's Capital Planning and Programs Department administers the state-funded Senior Citizen and Disabled Resident Transportation Assistance Program, as well as a variety of Federal programs funded through the Federal Transportation Administration (FTA): Transportation for Elderly Persons and Persons with Disabilities (Section 5310), Rural and Small Urban Areas (Section 5311), the New Jersey Community Transportation Training Program funded in part by the Rural Transit Assistance Program (RTAP), the Jobs Access and Reverse Commute Program (Section 5316), and the New Freedom Program (Section 5317) as well as planning efforts under the FTA United We Ride program. In addition, from time to time, local shuttle initiatives funded through a variety of federally-funded sources, including specially-dedicated Congressional appropriations and the Congestion Mitigation and Air Quality (CMAQ) and Small Urban Areas (Section 5307) and Major Capital Investments (Section 5309) programs are applied for and administered by NJ TRANSIT on behalf of designated local providers.

These programs assist a variety of private non-profit organizations, counties, various municipalities, county improvement authorities and NJ TRANSIT in meeting the mobility needs of New Jersey's senior citizens, persons with disabilities, and transportation disadvantaged and rural residents. Board authorization is sought to implement these programs for Fiscal Year 2010 (FY2010), including authorization to award contracts for vehicles which will be competitively procured under each of the various federal programs. A description of each Program is set forth in Exhibit A.

**ACTION (Justification: Mandate)**

Staff seeks authorization to execute all appropriate contracts and agreements to implement the following programs, subject to the availability of funds:

- FY2010 Senior Citizen and Disabled Resident Transportation Assistance Program as set forth in Exhibit B, for a total program amount of \$30,233,000 funded by the Casino Revenue Tax.
- FY2010 FTA Section 5311 Rural and Small Urban Areas Program as set forth in Exhibit C, for a total program amount of \$3,990,712 which includes \$2,736,343 in federal funds and \$1,254,371 as the NJ TRANSIT share of local match.
- FY2010 FTA Section 5311(b)(3) Rural Transit Assistance Program in an amount up to \$105,000 in federal funds to supplement the New Jersey Community Transportation Training Program at no cost to NJ TRANSIT.
- FY2010 FTA Section 5310 Transportation for Elderly Persons and Persons with Disabilities Program at a cost not to exceed \$5,437,500 which includes \$4,350,000 in federal funds and \$1,087,500 as the NJ TRANSIT share of local match.
- FY2010 FTA Section 5316 Jobs Access and Reverse Commute (JARC) Program at a cost not to exceed \$4,241,622 which includes \$3,241,622 in federal funds and \$1,000,000 in funds from the New Jersey Department of Human Services subject to the availability of funds. No NJ TRANSIT match is required for this program as it is provided by the local provider.
- FY2010 FTA Section 5317 New Freedom (NF) Program at a cost not to exceed \$3,100,000 funded by the federal government. No NJ TRANSIT match is required for this program as it is provided by the local provider.
- Any specially-dedicated Congressional appropriations, FTA Section 5307, FTA Section 5309 and CMAQ local projects under the FY2010 budget at a cost not to exceed \$5,000,000.

Staff also seeks authorization to award any contracts to purchase vehicles and related equipment in order to implement any of the programs described herein at a total cost not to exceed \$9,000,000.

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

**FISCAL IMPACTS**

**Requested Authorization:**

**Senior Citizen and Disabled Resident Transportation Assistance Program**

100% Casino Revenue Tax Fund                      \$ 30,233,000

**Federal Transit Administration Formula Programs**

Section 5311    \$ 3,990,714

Section 5311(b)(3)                                      \$ 105,000

Section 5310    \$ 5,437,500

Section 5316    \$ 4,241,622

Section 5317    \$ 3,100,000

Sections 5307, 5309, CMAQ and various  
Special Appropriations (Local)                      \$ 5,000,000

**Projected Date of Completion:**                      December 31, 2010

**Anticipated Source of Funds:**                      Casino Revenue Funds  
FTA Section 5307, 5309, 5310, 5311,  
5311(b)(3), 5316, 5317  
Specially-dedicated Congressional  
appropriations  
CMAQ  
New Jersey Department of Human Services  
NJ TRANSIT Operating and Capital Budget

**Diversity Goal:**  
Section 5310    Lowest bidder will be requested to make  
best reasonable effort  
Section 5307, 5311, 5316 and 5317                      10%

**NJ Build Amount:**    None

**Related/Future Authorizations:**                      NA

**Impacts on Subsequent  
Operating Budgets:**                      Operating funds used for FTA Section 5311  
and FTA Section 5307 (East Windsor) projects.  
Based upon federal funds available a less than  
five percent annual growth not to exceed  
\$40,000 is anticipated.

## RESOLUTION

**WHEREAS**, the New Jersey Senior Citizen and Disabled Resident Transportation Assistance Act provides 100 percent State funding for the counties or their designees to provide community-based transportation services, as well as for NJ TRANSIT to administer the program, to provide technical assistance to the counties, and to develop, provide and maintain accessible improvements to fixed route systems; and

**WHEREAS**, the Federal Transit Administration (FTA) makes available, under the Section 5311 Rural and Small Urban Areas program, 80 percent of the non-operating assistance and 50 percent of the operating assistance, with NJ TRANSIT providing one-half of the local match, to improve public transit services in rural areas; and

**WHEREAS**, the FTA makes available, under Section 5311(b)(3) Rural Transit Assistance Program (RTAP), 100 percent of the funding for training and technical assistance to FTA Section 5311 and FTA Section 5310, Section 5316 and Section 5317 subrecipients; and

**WHEREAS**, the FTA makes available, under Section 5310 Transportation for Elderly Persons and Persons with Disabilities, 80 percent of the purchase price, with NJ TRANSIT providing the 20 percent match, for vehicles which are purchased for private non-profit organizations and/or designated public bodies to transport senior and disabled residents; and

**WHEREAS**, the FTA makes available, under Section 5316 Jobs Access and Reverse Commute (JARC) program 50 percent of the operating assistance and 80 percent of the capital assistance for transit services that address the needs of low income customers transitioning from welfare and/or seeking employment with supplement funds from the New Jersey Department of Human Services; and

**WHEREAS**, the FTA makes available, under Section 5317 New Freedom (NF) program 50 percent of the operating assistance and 80 percent of the capital assistance and mobility management planning for transit services that address the needs of persons with disabilities gaining access to employment; and

**WHEREAS**, the FTA makes available funds, under specially-dedicated Congressional appropriations, Congestion Mitigation Air Quality (CMAQ), Section 5307 Small Urban Cities and Section 5309 Major Capital Investments, funds for the provision of operating, planning assistance and/or capital assistance with various matches provided by state, local agencies or toll credit for capital projects or equipment and/or local transit services that address the needs of community transit services; and

**WHEREAS**, in order to implement some of these and other community transit programs it will be necessary to purchase a variety of vehicle types in varying quantities;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is hereby authorized to execute, extend or modify contracts to implement the FY2010 Senior Citizen and Disabled Resident Transportation Assistance Program as set forth in Exhibit B for a total program amount of \$30,233,000, subject to the availability of funds; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is authorized to execute all appropriate agreements and contracts and to take all other steps necessary to implement the FY2010 FTA Section 5311 Rural and Small Urban Areas program, as set forth in Exhibit C, in the amount of \$3,990,714 which includes \$2,736,343 in federal funds and \$1,254,371 as the NJ TRANSIT share of the local match, subject to the availability of funds; and

**BE IT FURTHER RESOLVED**, that the Chairman or Executive Director is hereby authorized to execute all appropriate agreements and contracts and to take all other steps to implement the FY2010 FTA Section 5311(b)(3) Rural Transit Assistance Program in an amount up to \$105,000 in federal funds at no cost to NJ TRANSIT; and

**BE IT FURTHER RESOLVED** that the Chairman or Executive Director is hereby authorized to execute all appropriate agreements and leases to implement the FY2010 FTA Section 5310 Transportation for Elderly Persons and Persons with Disabilities program at a cost not to exceed \$5,437,500 which includes \$4,350,000 in federal funds and \$1,087,500 as the NJ TRANSIT share of the local match; and

**BE IT FURTHER RESOLVED**, that the Chairman or Executive Director is hereby authorized to execute all appropriate agreements and contracts and to take all other steps to implement the FY2010 FTA Section 5316 Jobs Access and Reverse Commute (JARC) program at a cost not to exceed \$4,241,622 which includes \$3,241,622 in federal funds and \$1,000,000 in state funds from the New Jersey Department of Human Services subject to the availability of funds (no NJ TRANSIT match is required in this program); and

**BE IT FURTHER RESOLVED**, that the Chairman or Executive Director is hereby authorized to execute all appropriate agreements and contracts and to take all other steps to implement the FY2010 FTA Section 5317 New Freedom program at a cost not to exceed \$3,100,000 which is funded by the federal government (no NJ TRANSIT match is required in this program); and

**BE IT FURTHER RESOLVED**, that the Chairman or Executive Director is hereby authorized to execute all appropriate agreements and contracts and to take all other steps to implement any specially-dedicated Congressional appropriations, FTA Section 5307 Small Urban Cities, FTA Section 5309 Major Capital Investments and Congestion Mitigation Air Quality (CMAQ) local projects under the FY10 budget at a cost not to exceed \$5,000,000; and

**BE IT FURTHER RESOLVED**, that the Chairman or Executive Director is hereby authorized to enter into any contracts to purchase vehicles and related equipment in order to implement any of the programs described herein, at a total cost not to exceed \$9,000,000.

**DESCRIPTION OF LOCAL PROGRAMS ADMINISTERED BY NJ TRANSIT ON  
BEHALF OF COUNTIES, MUNICIPALITIES, AUTHORITIES AND PRIVATE NON-  
PROFIT ORGANIZATIONS**

The **Senior Citizen and Disabled Resident Transportation Assistance Program** is funded from the Casino Revenue Tax Fund. Eighty-five percent of the annual appropriation is allocated by formula among the 21 counties for transportation of senior citizens and persons with disabilities. NJ TRANSIT is allocated the remaining 15 percent to provide administrative and compliance oversight, provide technical assistance to the counties, coordinate the program within and among the counties, and develop, provide and maintain those portions of capital improvements that afford accessibility to fixed-route and other transit services.

Under administrative costs, technical assistance includes, as necessary, the awarding of grants to counties or the initiation of studies by NJ TRANSIT for planning efforts that foster coordination among counties as well as between counties, local community transportation and public transportation. Also included under planning efforts would be any studies that address statewide efforts to examine coordination of local transportation and human services programs as part of New Jersey's response to the federal United We Ride initiative. The Casino Revenue Program is shown in Exhibit B.

The **FTA Section 5311 Rural and Small Urban Area Program** provides operating, administrative and capital assistance for public transportation services in small urban and rural areas in New Jersey pursuant to a population-based formula. Board approval of the FY2010 Program will allow 13 Section 5311 Projects to continue operation. Four additional designated rural areas are eligible for funding. The Section 5311 program is shown in Exhibit C.

Through the **FTA Section 5311(b) (3) Rural Transit Assistance Program (RTAP)**, NJ TRANSIT provides training and technical assistance for all small transit operators receiving federal funds. Private operators under contract to funding recipients are also allowed to participate. The Program is sponsored 100 percent by the FTA under Section 5311 and, together with Casino Revenue Administrative funds, provides a variety of training through the National Transit Institute (NTI) as well as in-house. In addition to holding training classes and workshops, NTI maintains a Community Transportation Training Program website ([www.njcttp.org](http://www.njcttp.org)), publishes a quarterly newsletter and NJ TRANSIT through this program co-sponsors the annual New Jersey paratransit driver rodeo every spring.

**DESCRIPTION OF LOCAL PROGRAMS ADMINISTERED BY NJ TRANSIT ON  
BEHALF O COUNTIES, MUNICIPALITIES, AUTHORITIES AND PRIVATE NON-  
PROFIT ORGANIZATIONS**

As the federal transportation programs authorized under the current SAFETEA-LU enters its final year, there is the likelihood that Congress will extend the current programs for FY2010. However, a preliminary proposal under a new authorization bill would consolidate the Section 5310, Section 5316 and Section 5317 programs into one community transportation grant program entitled Coordination for Access and Mobility Program (CAMP). All program purposes under the current three programs would remain the same and projects would continue to be derived from community-based human services transportation coordination plans. A description of these three grant programs follows:

The **FTA Section 5310 Transportation for Elderly Persons and Persons with Disabilities Program** provides Federal funds to States for the purchase of vehicles and related equipment for private non-profit organizations and designated public bodies to provide transit services to senior citizens and persons with disabilities. It also allows for the funding of mobility management projects that further coordination of services under the United We Ride effort. The Federal funds available under this program can be used to pay up to 80 percent of the cost of vehicles. Since assuming administration of the program in 1979, NJ TRANSIT has purchased nearly 1,400 vehicles for non-profit organizations and designated coordinated public bodies in all 21 counties. Reflecting FTA regulations outlined in the latest program circular, all local projects selected must meet a need identified in a locally developed human services-public transit transportation coordination plan. It is anticipated a final application for vehicles, related equipment and mobility management projects will be submitted to the FTA in winter 2010.

The **FTA Section 5316 Jobs Access and Reverse Commute (JARC) Program** provides funds for operating and capital expenses for transit services that target employment transportation. Through a planning process initiated by the Metropolitan Planning Organizations (MPOs), applications for the FY2010 program will be solicited and reviewed. NJ TRANSIT will then prepare and submit a statewide application to the FTA for funds. A dollar for dollar match is required under this program. Historically match dollars have come from local sources. In addition, the NJ Department of Human Services has through a Memorandum of Understanding provided an additional \$1 million to NJ TRANSIT towards meeting the needs of this program. Reflecting FTA regulations outlined in the latest program circular, all local projects selected must meet a need identified in a locally developed human services-public transit transportation coordination plan. It is anticipated a final application for vehicles, related equipment and mobility management projects will be submitted to the FTA in spring 2010.

**DESCRIPTION OF LOCAL PROGRAMS ADMINISTERED BY NJ TRANSIT ON  
BEHALF O COUNTIES, MUNICIPALITIES, AUTHORITIES AND PRIVATE NON-  
PROFIT ORGANIZATIONS**

The **FTA Section 5317 New Freedom (NF) Program** provides funding for capital and operating expenses that support new public transportation services beyond those required by the Americans with Disabilities Act (ADA) as well as new public transportation alternatives beyond those required by the ADA designed to assist individuals with disabilities with accessing transportation services especially transportation to and from jobs and employment services. Reflecting FTA regulations outlined in the latest program circular, all local projects selected must meet a need identified in a locally developed human services/public transit transportation coordination plan. It is anticipated a final application for vehicles, related equipment and mobility management projects will be submitted to the FTA in spring 2010.

In addition, in FY2010 it is anticipated that various **Local Community Transit Initiatives** will be funded through specially-dedicated Congressional appropriations, Sections 5307, Section 5309 and CMAQ funding that will require the purchasing of capital equipment and/or the contracting for operating and/or planning services for local transportation services.

**SENIOR CITIZEN AND DISABLED RESIDENT  
TRANSPORTATION ASSISTANCE PROGRAM  
FY2010**

<b>COUNTY</b>	<b>FY 2009 ALLOCATION</b>	<b>FY 2010 ALLOCATION</b>
Atlantic	\$ 864,411	\$ 791,500
Bergen	2,509,038	2,297,405
Burlington	1,349,941	1,236,076
Camden	1,585,690	1,451,940
Cape May	566,919	519,101
Cumberland	566,919	519,101
Essex	2,410,809	2,207,462
Gloucester	752,150	688,708
Hudson	1,779,340	1,629,256
Hunterdon	566,919	519,101
Mercer	1,100,160	1,007,364
Middlesex	2,312,581	2,117,519
Monmouth	1,939,312	1,775,735
Morris	1,425,717	1,305,461
Ocean	2,509,038	2,297,405
Passaic	1,490,267	1,364,566
Salem	566,919	519,101
Somerset	853,185	781,221
Sussex	566,919	519,101
Union	1,782,147	1,631,826
Warren	566,919	519,101
<b>Total Counties</b>	<b>28,065,300</b>	<b>25,698,050</b>
<b>NJ TRANSIT</b>	<b>4,952,700</b>	<b>4,534,950</b>
<b>TOTAL</b>	<b>\$ 33,018,000</b>	<b>\$ 30,233,000</b>

100% State funds from the Casino Revenue Tax funds.

**EXHIBIT C**  
**Page 1 of 1**

**SECTION 5311 RURAL AND SMALL URBAN AREAS PROGRAM**  
**PROJECTED FY2010**

	<b>FEDERAL (A)</b>	<b>STATE*** (B)</b>	<b>TOTAL BUDGET (A+B)</b>	<b>LOCAL**** (C)</b>	<b>TOTAL PROGRAM (A+B+C)</b>
<b>NORTHERN REGION</b>					
Morris*	\$ 201,459	\$ 100,730	\$ 302,189	\$ 100,730	\$ 402,919
Passaic (West Milford)	76,788	38,395	115,183	38,395	153,578
Sussex	416,641	208,321	624,962	208,321	833,283
Warren	262,189	125,905	388,094	125,905	513,999
<b>CENTRAL REGION</b>					
Hunterdon	323,795	161,898	485,693	161,898	647,591
Mercer**	--	--	--	--	--
Middlesex**	--	--	--	--	--
Monmouth	126,715	63,358	190,073	63,358	253,431
Ocean**	--	--	--	--	--
Somerset	91,679	34,262	125,941	34,262	160,203
<b>SOUTHERN REGION</b>					
Atlantic	230,364	96,226	326,590	96,226	422,816
Burlington	305,109	111,264	416,373	111,264	527,637
Camden	16,058	8,029	24,087	8,029	32,116
Cape May	73,869	31,464	105,333	31,464	136,797
Cumberland	311,240	143,800	455,040	143,800	598,840
Gloucester	127,007	59,004	186,011	59,004	245,015
Salem	173,430	71,715	245,145	71,715	316,860
<b>TOTAL</b>	<b><u>\$ 2,736,343</u></b>	<b><u>\$ 1,254,371</u></b>	<b><u>\$ 3,990,714</u></b>	<b><u>\$ 1,254,371</u></b>	<b><u>\$ 5,245,085</u></b>
Operating	\$ 2,432,858	\$ 1,216,434	\$ 3,649,292	\$ 1,216,434	\$ 4,865,726
Non-Operating (Administration)	\$ 263,485	\$ 32,937	\$ 296,422	\$ 32,937	\$ 329,359
Capital	\$ 40,000	\$ 5,000	\$ 45,000	\$ 5,000	\$ 50,000

\* Morris County service contracted as part of NJ TRANSIT Private Carrier Affairs Program.

\*\* Mercer, Middlesex and Ocean Counties have limited eligible rural areas and no active projects at this time.

\*\*\* State match provided by NJ TRANSIT

\*\*\*\* Local match provided by local grantee and not reflected in Board authorization.

# CONSENT CALENDAR

**ITEM 0909-68: HUDSON-BERGEN LIGHT RAIL ROUTE 440 EXTENSION:  
CONTRACT AWARD FOR CONSULTANT SERVICES FOR  
ALTERNATIVES ANALYSIS PHASE I**

**BENEFITS**

The existing Hudson-Bergen Light Rail (HBLR) West Side Avenue service terminates at West Side Avenue Station in Jersey City. The municipality is planning significant new residential, commercial and retail development approximately one-half mile west of the existing West Side Avenue HBLR station in the vicinity of State Route 440. Up to 8,000 housing units, the expansion of New Jersey City University, and additional commercial and retail space are planned. The proposed density levels will require the study of improved transit options to support this development. There are also existing residential communities in the area that would benefit from the HBLR extension.

HBLR has been in operation since April 2000. Since then, a series of system expansions have been completed with over 40,000 average weekday passenger trips. This project will analyze the utility and effectiveness of extending the system to the redevelopment area west of State Route 440 while ensuring that HBLR continues to provide efficient and effective service.

Congressman Albio Sires has secured a federal earmark to begin this Alternatives Analysis.

**PURPOSE**

The Authorization of this contract will provide professional services for Phase I of a Federal Transit Administration (FTA)-compliant Alternatives Analysis for the extension of HBLR to the vicinity of State Route 440 in Jersey City to serve planned and existing residential, commercial and retail development. Phase I will include the Problem Statement, Development of Alternatives, Capital and Operating & Maintenance Cost Estimation and Public Involvement. The HBLR Route 440 Extension Alternatives Analysis is expected to culminate in the identification of a Locally Preferred Alternative as part of Phase II. The Locally Preferred Alternative will be advanced through the federal environmental review process as a future project, subject to future funding.

**ACTION (Capital Program Justification: New System Start)**

Staff seeks authorization to enter into a contract (No. 09-121) with AKRF, Inc. of New York, New York, for consultant services in support of the HBLR Route 440 Extension Alternatives Analysis Phase I at a cost not to exceed \$251,000, subject to the availability of funds.

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

**FISCAL IMPACT**

**Requested Authorization:** \$ 251,000

**Total Project Cost:** \$ 320,500 (Alternatives Analysis Phase I)

**Projected Date of Completion:** 2010 (Alternatives Analysis Phase I)

**Anticipated Source of Funds:** Federal Transit Administration  
North Jersey Transportation Planning Authority

**Diversity Goal:** 25% DBE

***NJ Build* Amount:** None

**Future Related Authorizations:** Alternatives Analysis – Phase II  
Environmental Impact Statement  
Preliminary engineering  
Final engineering and design  
Construction

**Impact on Future Operating Budgets:** None

**RESOLUTION**

**WHEREAS**, extensive new residential, commercial and retail development is planned in western Jersey City in the vicinity of State Route 440; and

**WHEREAS**, NJ TRANSIT seeks to conduct an Alternatives Analysis for the extension of the Hudson-Bergen Light Rail (HBLR) system to this development as part of the federal environmental process; and

**WHEREAS**, upon completion of a competitive procurement process it was determined that AKRF, Inc. submitted the proposal that provides the best value and is in the best interest of NJ TRANSIT;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is hereby authorized to enter into a contract (No. 09-121) with AKRF, Inc. of New York, New York, for consultant services in support of the HBLR Route 440 Extension Alternatives Analysis Phase I at a cost not to exceed \$251,000, subject to the availability of funds.

**ITEM 0909-69: DISPOSAL OF NON-HAZARDOUS CONTAMINATED SOIL:  
AMENDMENT OF CONTRACT FOR ADDITIONAL SOIL  
REMOVAL**

**BENEFITS**

During construction of the New County Road overpass in Secaucus, NJ TRANSIT stockpiled excess soil. NJ TRANSIT utilized an existing soil disposal contract for on-call loading, transportation and disposal of non-hazardous contaminated soil to dispose of this soil. Approximately 96 percent of the soil has been removed. However, the total contract amount has been expended and additional authorization is required to complete the soil removal effort.

**PURPOSE**

In February 2007, NJ TRANSIT entered into a three-year contract with Clean Venture, Inc. The contract was utilized to complete various soil disposal projects. In October 2008, NJ TRANSIT utilized this contract to dispose of non-hazardous contaminated soil that had been stockpiled. Based upon the estimated total soil weight (22,000 tons), it was determined that sufficient authority remained in the contract to complete the work. However, the actual weight of the soil removed to date is 27,540 tons, and approximately 1700 tons remain on-site awaiting disposal.

Authorization of this contract amendment will enable NJ TRANSIT to remove the remaining soil in a timely and cost-effective manner.

**ACTION (Justification: Business Efficiency/Environmental Protection)**

Staff seeks authorization to amend the contract (No. 07-303) with Clean Venture, Inc. of Elizabeth, New Jersey, in the amount of \$179,600 to allow for the removal of the remaining soil, for a total contract authorization of \$1,179,599, subject to the availability of funds.

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

**FISCAL IMPACTS**

**Requested Authorization:** \$ 179,600

**Total Project Cost:** \$ 1,179,599

**Projected Date of Completion:** November 2009

**Anticipated Source of Funds:** Transportation Trust Fund

**Diversity Goal:** None

***NJ Build* Amount:** NA

**Related/Future Authorizations:** None

**Impacts on Subsequent  
Operating Budgets:** None

**RESOLUTION**

**WHEREAS**, in February 2007, NJ TRANSIT entered into a contract (No. 07-303) with Clean Venture, Inc. for the disposal of non-hazardous contaminated soil from various projects in an amount not to exceed \$999,999; and

**WHEREAS**, in October 2008, NJ TRANSIT began to dispose of soil that had been stockpiled during a NJ TRANSIT construction project; and

**WHEREAS**, NJ TRANSIT estimated there was sufficient authorization remaining in the Clean Venture contract to complete removal of the stockpiled soil; and

**WHEREAS**, actual weight of the soil exceeded the estimate, and the contract authorization limit was reached before the project was completed; and

**WHEREAS**, additional contract authorization is required to complete this project;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chairman or Executive Director is authorized to amend the contract (No. 07-303) with Clean Venture, Inc. of Elizabeth, New Jersey, in the amount of \$179,600 to allow for the removal of the remaining soil for a total contract authorization of \$1,179,599, subject to the availability of funds.

**ITEM 0909-70: NEWARK BUS COMPLEX LITIGATION: COMPENSATION OF SPECIAL COUNSEL**

**BENEFITS**

DeCotiis, Fitzpatrick, Cole & Wisler of Teaneck, New Jersey, ("DeCotiis") is an established firm providing comprehensive legal services. DeCotiis is representing NJ TRANSIT in ongoing litigation pertaining to the Newark Bus Complex. The additional requested authorization will enable DeCotiis to continue to provide legal services and retain technical expertise to protect NJ TRANSIT's interests and prepare and defend NJ TRANSIT at trial.

**PURPOSE**

The litigation stems from a disagreement between NJ TRANSIT's landlord, 1114 Newark Urban Renewal Limited Partnership, an affiliate of Hartz Mountain Industries, regarding the terms of lease agreements entered into in 1986. Pending the results of pre-trial discovery, the matter could go to trial in State Superior Court early in 2010.

This authorization enables the Division of Law, in conjunction with NJ TRANSIT, to continue to allocate legal services requirements between the Division of Law and Special Counsel based on the specific expertise required and the availability of experienced staff. Staff anticipates that there may be a need for additional Board action before the litigation is resolved.

**ACTION**

Staff seeks authorization to compensate DeCotiis, Fitzpatrick, Cole & Wisler of Teaneck, New Jersey, as Special Counsel with respect to the Newark Bus Complex litigation at an amount not to exceed \$350,000, subject to the availability of funds.

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

**FISCAL IMPACTS**

<b>Requested Authorization:</b>	\$350,000
<b>Anticipated Source of Funds:</b>	Operating Budget
<b>Projected Date of Completion:</b>	February 2010
<b>Diversity Goal:</b>	N/A
<b>Related/Future Authorizations:</b>	Increase in contract authorization dependent on litigation schedule

**RESOLUTION**

**WHEREAS**, NJ TRANSIT requires significant and varied legal expertise in support of its day-to-day operations; and

**WHEREAS**, NJ TRANSIT is engaged in ongoing litigation pertaining to the Newark Bus Complex stemming from a disagreement between NJ TRANSIT's landlord, 1114 Newark Urban Renewal Limited Partnership, an affiliate of Hartz Mountain Industries, regarding the terms of lease agreements entered into in 1986; and

**WHEREAS**, pre-trial preparation continues to require the assistance of special counsel to complement the services provided by the Division of Law; and

**WHEREAS**, the Attorney General has previously designated Decotiis as Special Counsel;

**NOW, THEREFORE, BE IT RESOLVED** that the Chairman or Executive Director is authorized to compensate DeCotiis, Fitzpatrick, Cole & Wisler of Teaneck, New Jersey as Special Counsel with respect to the Newark Bus Complex litigation at an amount not to exceed \$350,000, subject to the availability of funds.