

Jon S. Corzine
Governor

Kris Kolluri, Esq.
Board Chairman

Richard R. Sarles
Executive Director

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



October 17, 2008

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, October 15, 2008.

Sincerely,

Gwen A. Watson
Board Secretary

Enclosures

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

(NJT Board – 10/15/2008)

Minutes of the actions taken at the Open Session of the regularly scheduled Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc. and NJ TRANSIT Mercer, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, October 15, 2008.

Present:

Myron P. Shevell, Acting Chairman
James A. Carey, Jr., Governor's Representative
Patrick O'Connor, Treasurer's Representative
Flora Castillo
Susan L. Hayes
Kenneth E. Pringle

Richard R. Sarles, Executive Director
Gwen A. Watson, Board Secretary
Warren Hersh, Auditor General
Lynn Bowersox, Assistant Executive Director, Communications & Customer Services
Stanley Wrobel, Acting Vice President & General Manager, Bus Operations
William Duggan, Vice President & General Manager, Rail Operations
Mala Narayanan, Deputy Attorney General
James Redeker, Vice President of Technology Services
Les Eckrich, Acting Assistant Executive Director, Capital Planning and Programs
H. Charles Wedel, Chief Financial Officer & Treasurer
Alma Scott-Buczak, Assistant Executive Director, Human Resources
Jan Walden, Assistant Executive Director, Diversity

Acting Chairman Myron P. Shevell convened the Open Session at 9:19 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 Patrick O'Connor, seconded by Flora Castillo and unanimously adopted.

Acting Chairman Myron P. Shevell reconvened the Open Session at 10:06 a.m. and asked for a motion to adopt the minutes of the September 10, 2008 meeting. A motion was made by James A. Carey, seconded by Kenneth E. Pringle and unanimously adopted.

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

Access to the Region's Core

Executive Director Sarles said the Mass Transit Tunnel project continues to advance. At today's meeting, the Board will consider a contract which would fund the Final Design and to keep the project on track to get shovels in the ground next year. Executive Director Sarles said the Mass Transit Tunnel is important to the region and, in particular, to New Jersey. Last week, a funding milestone was reached with the NJ Turnpike

Authority approval of toll adjustments that dedicate \$1.25 billion to the project that benefits all commuters no matter what mode of transportation they choose. He said during these tough economic times, this project will create approximately 6,000 jobs during construction and 44,000 permanent jobs. It will reduce congestion for customers in New York Penn Station and for motorists on the roadways. It will build capacity for future growth and double peak capacity into and out of New York with 23 to 48 trains per hour. It will provide a one-seat ride opportunity on 10 of 11 rail lines, reducing travel time for customers.

Portal Bridge Capacity Enhancement Project

Executive Director Sarles said the good news from the Federal Railroad Administration is that the final Environmental Impact Statement has been released and a Record of Decision is expected soon. This project complements the Mass Transit Tunnel. It replaces a functionally obsolete two-track, 98-year-old span across Hackensack River with two new bridges, five tracks in all. The current bridge is used by about 400 trains per day providing more than 330,000 passenger trips. Executive Director Sarles said the project benefits include: eliminating a bottleneck on the Northeast Corridor, eliminating speed restrictions (60 mph vs. 90 mph on adjacent track) and eliminating frequent delays associated with a faulty mechanism to open and close the swing bridge. This project is advancing with Amtrak.

Preview of October 26, 2008 Rail Timetable Changes

Executive Director Sarles said everyone should take a moment to review the rail timetables changes that take effect October 26, 2008 since it is good news for customers. Systemwide, the same number of rail trips per day will be maintained, 729 weekday trains, and NJ TRANSIT is optimizing equipment and crews to lines and times with the heaviest demand. Connections and adjustments to early-morning and late-night trip times have been made in response customer feedback .

Timetable Highlights

Executive Director Sarles said there will be more off-peak Northeast Corridor express service to Newark and New York, five eastbound trains and one westbound train and there will be more midday service to Newark Airport from New York and Newark. There will be better MidTOWN DIRECT connections for Gladstone Branch customers across the platform at Newark Broad Street instead of Summit and faster trips, up to 18 minutes for off-peak Gladstone customers and earlier morning service to Montclair State University and better coordination with class schedules. Executive Director Sarles said the last Montclair-Boonton Line train to New York will be 45 minutes later and the last North Jersey Coast Line train from New York will be 30 minutes later. More convenient trip times will be available on the Atlantic City Rail Line for employees and leisure travelers and a later Saturday night departure from Atlantic City. On the weekday schedule, there will be earlier trips from Philadelphia to Atlantic City and better coordination with employee work schedules.

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Executive Director Sarles said to accommodate these improvements; adjustments had to be made elsewhere. For example, some trains have been combined where capacity exists. North Jersey Coast Line Train 3515 with Train 3285 have been combined, which now will make all local stops to Long Branch. The Morris & Essex Train 1020 with Train 218 have been combined to create a new Train 1074. Executive Director Sarles advised customers to pick up new timetables to note new trip times.

Monthly Transportation and Parking Passes

Executive Director Sarles said one way to ensure efficiency is to stay focused on customers and change business practices that don't make sense. He was pleased to announce that monthly transportation and parking passes will now go on sale at 5:00 p.m. on the 19th of each month. Previously the sale would begin midnight on the 20th, prompting customers to make the midnight dash to the station. He said this change involved a simple reprogramming of TVMs and he hopes customers take advantage of the convenience.

Executive Director Sarles said the changes include: Passaic County Bus Park & Rides (Wayne/Route 23, Willowbrook, Mother's and Allwood), the Hudson Bergen Light Rail (Liberty State Park, 22nd St., 34th St., West Side Ave. and Tonnelle Ave.) and the Newark Light Rail (Grove Street). Due to high ridership and limited parking availability at some stations, customers are encouraged to purchase passes early.

Slippery Rail and Aqua Track

Executive Director Sarles said it is the time of the year when fall foliage becomes a nemesis for railroads. The coating of leaves on rails impacts service. November is most challenging, especially sections of the Montclair-Boonton and Morris & Essex lines. During the past six years, NJ TRANSIT fought slippery rails with a combination of methods: sand, tree-trimming and deployment of Aqua Track, a high-pressure rail-washing system. Slippery rail delays were reduced by about 50 percent since Aqua Track. Despite best efforts, inevitably there are delays and NJ TRANSIT is working to minimize those delays.

Steeplechase

Executive Director Sarles said autumn brings the annual Steeplechase in Far Hills which will be held on Saturday, October 18, 2008. NJ TRANSIT is gearing up to help horse-racing fans get to/from the festive event which will attract thousands no matter the weather. NJ TRANSIT is a great alternative to heavy automobile traffic. Additional Gladstone Branch trips will be operated including express trains from Hoboken. Afterwards trains will operate to Hoboken every 10-15 minutes, 4:30 - 7:00 p.m. Dozens of NJ TRANSIT staff volunteer to help everyone get to the race and back home.

Prudential Center

Executive Director Sarles said the hockey season is here which gives NJ TRANSIT the opportunity to become the transportation mode of choice for Devils fans, and fans of some nearby rivals in New York and Philadelphia. Last year, it was projected that about 15 percent of the fans would choose public transportation, but we were gratified that about 40 percent of fans did so. The Devils are offering "Flash Pass" to season-ticket holders, allowing unlimited access to all NJ TRANSIT modes to and from every home game, which is another way to make it easier to choose NJ TRANSIT.

HBLR 8th Street

Executive Director Sarles said today he will join a host of elected and local officials for a groundbreaking in Bayonne for the construction start of the Hudson Bergen Light Rail extension to new 8th Street Station. The project will extend light rail one mile from the current southern terminus at 22nd Street in Bayonne. The Hudson Bergen Light Rail has been serving the Waterfront communities since opening eight years ago. It provides more than 40,000 passenger trips on a typical weekday. The extension will connect more Bayonne neighborhoods with other communities, and trans-Hudson trains and ferries and the project completion is anticipated in 2010.

Suzanne Mack presented the Advisory Committee report. Ms. Mack said the Executive Director's report covered many of the items on the Advisory Committee agenda. She said the Committee was concerned about the schedule changes and off-peak weekend service. Tom Morgan of Rail Service Planning discussed in detail the schedule changes and the coordination of service. Ms. Mack said the Committee was very satisfied going through the line by line changes and agreed they were appropriate. She said Jim Gilligan from Bus Service Planning also discussed the bus schedule changes and the studies that are being conducted in Essex and Hudson counties. A recommendation will be provided later in the year. Ms. Mack said she joined Commissioner Kolluri at the NJ Turnpike Authority meeting and thanked the Governor's office for their initiative. She said roads are there for motor vehicles, but buses are on the roads too. Ms. Mack said if the Access to the Region's Core project is not done, congestion on the New Jersey Turnpike will grind to a halt and she again thanked the Governor's office for a holistic approach by supporting transit. Ms. Mack thanked Executive Director Sarles for the invitation to attend the groundbreaking for Hudson-Bergen and said she is very happy to attend.

Acting Chairman Myron P. Shevell presented the Capital Planning, Policy & Privatization Committee report to the Board. The Committee was updated on Americans with Disabilities Act (ADA) improvements at Ridgewood Train Station which include a new center island platform and new inbound platform, elevators and climate controlled waiting areas. The Committee reviewed progress on THE Tunnel project and the need for continued preliminary engineering and final engineering, discussed the fall schedule changes, and had an update on the Lackawanna Cutoff project.

Board Member Flora Castillo presented the Administration Committee report to the Board. The Administration Committee discussed the readoption of the Advertising Standards regulation. The regulation provides standards for the installation, display and maintenance of advertising on properties and facilities owned by NJ TRANSIT or its subsidiaries. This Committee also had a brief update on the Lackawanna Cut Off project.

There were three public comments on agenda items. Board Secretary Watson announced a three minute time limit for speakers.

Jerry Keenan, New Jersey Alliance for Action, commented on the item Access to the Region's Core: Engineering/Architectural Consultant Services: THE Partnership - Contract Amendment. Mr. Keenan applauded NJ TRANSIT for all of its work on the Access to the Region's Core project. He said the project will bring many jobs to the area and will improve economic development and the quality of life for people in New Jersey and on the east coast. He asked the Board to move forward as expeditiously as possible to approve this item. Mr. Keenan also applauded the Governor's office and said he attended the New Jersey Turnpike hearings to approve increasing tolls to fund the Access to the Region's Core project. Money raised for this project is critical. Mr. Keenan said just like the Lincoln Tunnel and Holland Tunnel, it is time to take the same steps towards the Access to the Region's Core project to move ahead. Mr. Keenan said he does not understand why there is opposition to this project from the rail groups. Mr. Keenan noted that the New Jersey Alliance for Action is honoring Executive Director Sarles with the "Eagle Award" and said the award is well deserved for NJ TRANSIT and the Access to the Region's Core project.

Joseph M. Clift, on behalf of the Lackawanna Coalition commented on the item Access to the Region's Core: Engineering/Architectural Consultant Services: THE Partnership - Contract Amendment. He said rail groups are opposed to this project because the project is going in the wrong direction. He said jobs are important but getting the project right is important too. Mr. Clift lauded the toll increases for identifying money for the Access to the Region's Core project but said funding is still \$2 billion short. Mr. Clift said funding has to be in place in order to have a full funding agreement with the Federal Transit Administration. Mr. Clift said Amtrak has been left out of this project and a bill was just passed which requires Amtrak's cooperation. He said Governor Patterson in New York has also asked for cooperation between Amtrak, NJ TRANSIT and the Long Island Railroad. Mr. Clift said it is important to make this regional project work for the people and it should go to Penn Central and Grand Central.

James T. Raleigh commented on the item Access to the Region's Core: Engineering/Architectural Consultant Services: THE Partnership - Contract Amendment. He said NJ TRANSIT made a decision on where the Tunnel should go. He asked how NJ TRANSIT could make a decision that affects New York State. Mr. Raleigh said the Port Authority has to work with the Governors of New York and New Jersey and New York may not agree with the Port Authority putting money in a project that changed with the Supplemental Draft Environmental Impact Statement. Mr. Raleigh said he has not seen the Supplemental Draft Environmental Impact Statement or any cooperation with Amtrak. Mr. Raleigh is opposed to any money being spent on

the item Access to the Region's Core: Engineering/Architectural Consultant Services: THE Partnership – Contract Amendment.

Executive Director Sarles presented the following Action Items for approval:

0810-73: ACCESS TO THE REGION'S CORE: ENGINEERING/ARCHITECTURAL CONSULTANT SERVICES: THE PARTNERSHIP – CONTRACT AMENDMENT

This item is the next big step to progress the Access to the Region's Core program and the Mass Transit Tunnel project into final design creating tens of thousands of jobs, ensuring long term workforce mobility and serving as an economic engine for the state and the region for generations to come. Authorization is requested to fund the extended preliminary engineering through 2008 and final design for 2009 and 2010 by continuing with THE Partnership, a joint venture among Parsons Brinckerhoff, STV Inc. and DMJM Harris Inc. Final design will be initiated after a Record of Decision has been obtained from the Federal Transit Administration. The cost will not exceed \$124 million plus five percent contingencies.

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

0810-74: RIDGEWOOD STATION ADA IMPORVEMENTS: CONSTRUCTION CONTRACT AWARD AND CONTRACT AMENDMENT FOR CONSTRUCTION SUPPORT SERVICES

Historic Ridgewood train station on NJ TRANSIT's Main/Bergen line has been owned by the Village of Ridgewood since the late 1960's and serves 1500 daily customers. It was designated as a "key" station and authorization is requested to bring the station into compliance with the Americans with Disabilities (ADA) key station plan. The improvement project features construction of two high level platforms to replace the existing three low level platforms with 350 foot canopies to protect commuters from the elements. Two new elevators will be installed as well as ADA compliant parking spaces, climate controlled waiting areas and other station modifications. Authorization is requested for the approval of two contracts, one with Terminal Construction Corporation to construct the improvements at a cost not to exceed \$23,577,949 plus five percent contingencies. Authorization is also requested for the approval of a construction support contract with Stantec not to exceed \$1 million plus five percent contingencies.

Acting Chairman Myron P. Shevell recused himself from voting on Item No. 0810-74. Flora Castillo moved the resolution, Susan L. Hayes seconded it and it was adopted.

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Executive Director Sarles presented the following Consent Items for approval:

**0810-75 REGULATIONS: READOPTION WITH AMENDMENTS TO
N.J.A.C. 16:86 ADVERTISING STANDARDS**

Authorization to take all actions necessary to adopt the regulations, N.J.A.C. 16:86 et seq., Advertising Standards, consistent with this Board item and exhibits, put the regulations in the appropriate format and effectuate the final adoption and promulgation of NJ TRANSIT's Advertising Standards.

0810-76 LEASE TO THE BOROUGH OF BERLIN (STATION PARCEL)

Authorization to enter into all necessary agreements and take all necessary actions with regard to NJ TRANSIT renewing the lease to the Borough of Berlin for a term of ten (10) years for \$1.00 annual rent, consisting of approximately 1.7 acres of land encompassing the Berlin Station known as Block 99, identified as Class II Railroad Property on the Official Tax Map of the Borough of Berlin Camden County, on NJ TRANSIT's Atlantic City Line at milepost 16.28, as depicted in Exhibit "A", attached.

**0810-77 LEASE TO THE BOROUGH OF PARK RIDGE (STATION PARCEL
AND PEDESTRIAN WALKWAY)**

Authorization to enter into all necessary agreements and take all necessary actions with regard to NJ TRANSIT renewing the lease to the Borough of Park Ridge for 0.26 acres consisting of the Park Ridge Station parcel, located on the Pascack Valley Line, known as Block 1519, Lot 1 on the official tax map of the Borough of Park Ridge, and a pedestrian walkway located along the westbound side of the right of way from Madison Avenue continuing south toward Park Avenue in the Borough of Park Ridge, Bergen County, as depicted in Exhibit "A", attached.

The Consent Calendar was moved in its entirety by Flora Castillo, seconded by Susan Hayes and unanimously adopted.

There were nine public comments on non-agenda items.

Benjamin F. Evans, President/Business Agent, Amalgamated Transit Union, Local 819 represents over 1600 active NJ TRANSIT Bus employees, advised the Board of the ongoing lack of cooperation with NJ TRANSIT management. Mr. Evans cited a specific issue with a Supervisor in the Newark City Subway. He said the Supervisor worked on a truck hydraulic system with two other employees. Mr. Evans said this is a serious matter that violated the collective bargaining agreement because 1) the vehicle should have been sent to the Central Maintenance Facility's non-revenue department to be worked on by qualified mechanics; 2) The Supervisor is a management employee and

should not be working on any vehicle or equipment. The contract clearly spells that out; and 3) The Supervisor put not only his safety in jeopardy but also jeopardized the safety and well being of other employees by instructing them to work on the equipment.

Mr. Evans explained another matter. He said an Assistant Director at the Central Maintenance Facility paid two Central Maintenance Facilities employees for preparation involving a civil case against another employee. Mr. Evans said one of the employees paid was the charging party and he asked if that type of management is ethically acceptable by NJ TRANSIT and if management is in a conspiracy against the individual who the charges have been alleged against. Mr. Evans requested an investigation of this matter and offered to provide more information and factual evidence.

Mr. Evans also requested to be informed of managerial or organizational changes before they occur and not after the fact.

Assemblyman Jerry Green commented on the Access to the Region's Core project and the DBE/SBE goals established for the project. Assemblyman Green received phone calls on this issue and asked for clarification on how goals are established. He said New York should not dictate to New Jersey what to accomplish. Assemblyman Green offered his assistance in a positive way and said he wants to hear both sides of the issue.

Executive Director Sarles said he would be glad to meet with Assemblyman Green and other representatives to discuss NJ TRANSIT's plans in moving forward with the Access to the Region's Core project with regard to DBE/SBE goals

Assemblyman Green agreed to a meeting and also requested names of other individuals he should meet with to determine a fair policy.

Reverend Sammie McGriff commented that 24 years ago he was certified by NJ TRANSIT and given the opportunity to bid on NJ TRANSIT projects. Reverend McGriff said he wants to make sure there is a commitment on diversity for qualified contractors. He said there are many qualified certified contractors who are capable of performing the work on time and on budget. He said there is diverse talent everywhere in New Jersey and now is not the time to back track on what has been accomplished over the last 24 years. Reverend McGriff supports diversity in moving forward with the Access to the Region's Core project.

Carl Evans, Project Administrator, BOSS said he hopes to participate in the Access to the Region's Core project and applauded NJ TRANSIT on its vision and innovation on this project. He said the implication of this project goes beyond the region and is clearly a model for transit in this country and the world. There are 25 plus DBE contractors who hope to participate in this great venture. Mr. Evans said this is a mega project for minority business enterprise development which would have a major impact on the development of this project.

Richard E. Barber Sr., New Jersey State Conference of NAACP, said his conference consists of 41 branches from Paterson to Cape May to Camden County to Warren

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County. Their mission is to work with the public and private sectors in a strategic partnership to ensure that a fair share of economic benefits accrue to their constituents. The Committee's work is based on the philosophy of "fair share and economic reciprocity". He said during these economic times of job losses and layoffs, it is most important that minority business entities receive a fair share of contract awards from both the public and private sectors, in order to help abate the high unemployment in their communities. Mr. Barber said his journey started in New Jersey 30 years ago as Deputy Executive Director of the National NAACP in New York with Dr. Benjamin L. Hooks, the National Executive Director. During his first year in New Jersey, he was surprised to learn the New Jersey State Government had no minority business program even ten years after President Nixon's capitalism and 8(A) procurement program at the federal level. To address this situation, Mr. Barber approached Senator Lipman and Assemblyman Watson and at Senator Lipman's request, Mr. Barber, along with the Office of Legislative Services, drafted the small, women and minority business set-aside legislation which was enacted by the Legislature in the early 1980's. That legislation provided for goals of 15 percent for small businesses, 3 percent for women and 7 percent for the five minority ethnic categories. Over the last 30 years, both small and women owned businesses have greatly exceeded their annual procurement goals. Only the minority business entities have fallen far short of its annual goal of 7 percent.

Mr. Barber said today, 30 years later, the issue of addressing the matter of a "fair share of contract awards" to bona fide and credible minority businesses still exists. He understands there have been internal discussions within NJ TRANSIT to reduce minority business enterprise procurement goals, notwithstanding the historical shortfall of nearly every department and related entity of state government over the last 30 years. Mr. Barber said as directors and stewards of the nation's largest public statewide transportation system, NJ TRANSIT is responsible to approve fair, equitable and honest procurement and personnel policies. Mr. Barber, on behalf of James Harris, President and the Executive Committee of the State NAACP Conference, requests that NJ TRANSIT not only maintain the current minority business enterprise goals but also explore creative ways that these goals may be increased.

Mr. Barber believes that economics and politics are the right formula for progressive communities and profitable minority business development across New Jersey. If the minority businesses are not included in the procurement formula in an equitable manner, they will be short changed in the solution. Mr. Barber hopes NJ TRANSIT will see the wisdom of not short changing the minority businesses of this state.

Reginald A. Guy Jr. commented on the Access to the Region's Core project and requested a holistic approach to this project. He said minority and women owned companies should be identified to participate in this mega project. He cited the 1996 Atlanta Olympics where minority and women-owned participation began at the design stage, where smaller firms were encouraged to team with larger ones that could supplement their resources. Mr. Guy distributed a matrix mentoring support system that described the relationship development. Mr. Guy said opportunities for participation should be enhanced and enlarged and NJ TRANSIT should lead by example in meeting goals.

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Joseph M. Clift, representing the Regional Rail Working Group, said current events demonstrate that the changed circumstances for ARC should be taken into account and procedural and factual errors accounted for and corrected. He asked NJ TRANSIT to work cooperatively with the MTA and the Port Authority and to return to the previous plan for connecting the tunnels to Penn Station, followed by a two track connection to Grand Central Terminal. Mr. Clift said segmenting west of Secaucus the Access to the Region's Core improvements into the Portal Bridge Capacity Project makes it impossible for consideration of Hoboken routing and understates the Access to the Region's Core cost by 18 percent. Mr. Clift said NJ TRANSIT should take another look at the Hoboken routing and said NJ TRANSIT is approving a project that will help the far side of Manhattan and damage the Waterfront.

James T. Raleigh, President of Friends of Monmouth Battlefield, said NJ TRANSIT efforts to pour monies into studies and preliminary engineering ignores the reality of limited funds and the various concerns about the Supplemental Draft Environmental Impact Statement. NJ TRANSIT is inconsistent by refusing to release the Draft Major Investment study for THE Tunnel because it is a draft, yet the Monmouth-Ocean-Middlesex Major Investment Study is in several libraries and still used by some of the pre-1996 committees.

Charles Jones, representing the Black Chamber of Commerce, advocates that NJ TRANSIT continue the minority business enterprise goals and said any decreases would hurt the Access to the Region's Core project. He asked NJ TRANSIT to stay on course and to accentuate the minority business enterprise efforts. He said protégé/mentoring programs work. Mr. Jones said the Access to the Region's Core project is a once-in-a-lifetime project and everyone should have equal access to this work. He said the Chamber of Commerce would work with NJ TRANSIT's Office of Business Diversity on this issue.

Since there were no further comments or business, Acting Chairman Shevell called for adjournment and a motion to adjourn was made by Kenneth E. Pringle, seconded by Flora Castillo and unanimously adopted.

The meeting was adjourned at approximately 10:56 a.m.

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

OCTOBER 15, 2008

MINUTES

- EXECUTIVE SESSION AUTHORIZATION 40457**
- APPROVAL OF MINUTES OF PREVIOUS MEETINGS 40458**
- EXECUTIVE DIRECTOR'S MONTHLY REPORT 40459**
- ADVISORY COMMITTEE REPORTS**
- BOARD COMMITTEE REPORTS**
 - *Capital Planning, Policy & Privatization Committee-Shevell
 - *Administration Committee-Castillo
- PUBLIC COMMENTS ON AGENDA ITEMS**

ACTION ITEMS

**0810-73 ACCESS TO THE REGION'S CORE: ENGINEERING/
ARCHITECTURAL CONSULTANT SERVICES: THE
PARTNERSHIP - CONTRACT AMENDMENT 40479**

Authorization to fund Extended Preliminary Engineering through 2008 and Final Design for 2009 and 2010 to extend contract (No. 06-046) with THE Partnership, a joint venture between, Parsons Brinckerhoff, Inc. STV Inc., and DMJM Harris, Inc. of Newark, NJ, for Engineering / Architectural Consultant for the Access to the Region's Core THE Tunnel Project at the cost not to exceed \$124,000,000, plus five percent, for contingency, for a total contract authorization of \$214,493,869 subject to the availability of funds. The consultant services for Final Design will be initiated after a Record of Decision and approval to enter Final Design has been obtained by the Federal Transit Administration.

**0810-74 RIDGEWOOD STATION ADA IMPROVEMENTS: CONSTRUCTION
CONTRACT AWARD AND CONTRACT AMENDMENT FOR
CONSTRUCTION SUPPORT SERVICES 40482**

Authorization to contract (No. 08-107X) with Terminal Construction Corporation of Wood-Ridge, New Jersey, for the construction of two

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NJ TRANSIT RAIL OPERATIONS, INC.
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high-level platforms and associated elements at Ridgewood Station at a cost not to exceed \$23,577,949 plus five percent for contingencies, subject to the availability of funds.

Authorization to amend the existing professional services contract (No. 06-083) with Stantec (formerly Vollmer Associates) of Newark, New Jersey, for Construction Support services related to the construction contract in the amount of \$1,000,000, plus five percent for contingencies, for a total contract authorization of \$3,045,000, subject to the availability of funds.

CONSENT ITEMS

0810-75 REGULATIONS: READOPTION WITH AMENDMENTS TO 40486
N.J.A.C. 16:86 ADVERTISING STANDARDS

Authorization to take all actions necessary to adopt the regulations, N.J.A.C. 16:86 et seq., Advertising Standards, consistent with this Board item and exhibits, put the regulations in the appropriate format and effectuate the final adoption and promulgation of NJ TRANSIT's Advertising Standards.

0810-76 LEASE TO THE BOROUGH OF BERLIN (STATION PARCEL) 40495

Authorization to enter into all necessary agreements and take all necessary actions with regard to NJ TRANSIT renewing the lease to the Borough of Berlin for a term of ten (10) years for \$1.00 annual rent, consisting of approximately 1.7 acres of land encompassing the Berlin Station known as Block 99, identified as Class II Railroad Property on the Official Tax Map of the Borough of Berlin Camden County, on NJ TRANSIT's Atlantic City Line at milepost 16.28, as depicted in Exhibit "A", attached.

0810-77 LEASE TO THE BOROUGH OF PARK RIDGE (STATION PARCEL 40499
AND PEDESTRIAN WALKWAY)

Authorization to enter into all necessary agreements and take all necessary actions with regard to NJ TRANSIT renewing the lease to the Borough of Park Ridge for 0.26 acres consisting of the Park Ridge Station parcel, located on the Pascack Valley Line, known as Block 1519, Lot 1 on the official tax map of the Borough of Park

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Ridge, and a pedestrian walkway located along the westbound side of the right of way from Madison Avenue continuing south toward Park Avenue in the Borough of Park Ridge, Bergen County, as depicted in Exhibit "A", attached.

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 September 10, 2008, 2008, 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 September 12, 2008;

NOW, THEREFORE, BE IT RESOLVED that the minutes of actions taken at the September 10, 2008 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

Kris Kolluri, Esq.
Board Chairman

Richard R. Sarles
Executive Director

N TRANSIT
One Penn Plaza East
Newark, New Jersey 07105-2246
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TO: BOARD OF DIRECTORS
FROM: RICHARD R. SARLES *Richard R. Sarles*
DATE: OCTOBER 15, 2008
SUBJECT: EXECUTIVE DIRECTOR'S REPORT - OCTOBER 2008

As we continue to advance the ARC Mass Transit Tunnel—a project that is important to the region and in particular to New Jersey—today the Board will consider a contract that will provide funding for final design, helping keep us on track to get shovels in the ground next year. Last week, the New Jersey Turnpike Authority's approval of toll adjustments included \$1.25 billion for the project, in recognition of its congestion relief, job creation and mobility benefits to all commuters. The project will create jobs—6,000 during construction and 44,000 permanently—and reduce congestion for customers in New York Penn Station as well as for motorists on roadways. It also will build capacity for future growth, doubling peak capacity into and out of New York, and provide one-seat ride opportunities, reducing travel time for customers.

Last week, we received good news from the Federal Railroad Administration on a project that complements the Mass Transit Tunnel—the Portal Bridge Capacity Enhancement project, which will replace the functionally obsolete two-track, 98-year old span across the Hackensack River, with two new bridges, for five tracks in all. The FRA released the Final Environmental Impact Statement, and we expect a Record of Decision soon. The current Portal Bridge is used by about 400 trains per day, serving more than 330,000 passenger trips. In addition to eliminating a bottleneck on the Northeast Corridor, the capacity enhancement project will eliminate speed restrictions over the bridge and reduce delays.

On October 26, new timetables take effect on all rail lines, as we continue to optimize equipment and crews to match seat capacity with demand. Systemwide, we are maintaining the same number of trains per day, while improving connections and adjusting early-morning and late-night trip times in response to customer feedback. Among the highlights, we will offer more off-peak Northeast Corridor express service to Newark and New York and more midday service to Newark Airport from New York and Newark. On the Atlantic City Line, we will offer more convenient trip times for area employees and leisure travelers, including a later Saturday night departure from Atlantic City. On weekdays, we will offer an earlier trip from Philadelphia to Atlantic City to better coordinate with employee work schedules.

Finally, this afternoon, I will join a host of officials in Bayonne to break ground on the Hudson-Bergen Light Rail extension to a new 8th Street Station. The project will extend light rail service one mile from its current southern terminus at 22nd Street, connecting more Bayonne neighborhoods with other communities, as well as with trans-Hudson trains and ferries. HBLR has been serving Waterfront communities since opening eight years ago and now provides more than 40,000 passenger trips on a typical weekday. We anticipate completion of the project in 2010.

EXECUTIVE DIRECTOR'S MONTHLY REPORT OCTOBER 2008

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

CUSTOMER AND COMMUNITY INITIATIVES

Customers can now Google trips across transit agencies

Planning trips between the largest public transportation agencies in New Jersey and New York is now just a few mouse-clicks away—and easier than ever—thanks to a beefed-up Google Maps website that integrates NJ TRANSIT, PATH and Metropolitan Transportation Authority (MTA) bus, rail and light rail service schedules.

The Google trip planning tool, which was introduced to NJ TRANSIT rail and light rail customers in March, is now available for trips that include all 240 NJ TRANSIT bus routes as well MTA and PATH transit services.

Google Maps provides written directions and maps to stations, schedule information, transfer times, reverse trip directions, an ability to search for nearby businesses and a link to www.njtransit.com for customized planning tools and fare information.

Access to the Meadowlands via Secaucus Junction now available for customers boarding at stations in NJ, Rockland and Orange counties

This month, NJ TRANSIT announced that customers within New Jersey, as well as Rockland and Orange counties in New York, can now access the Meadowlands via the new Secaucus-Meadowlands special events bus service. Customers can buy combination rail/bus tickets from any ticket sales location and connect to the bus shuttle at Secaucus Junction for all events at the Meadowlands.

Direct bus service between the Port Authority Bus Terminal (PABT) in New York and the Meadowlands—the No. 351 bus—remains available for customers attending Giants and Jets home games, providing customers traveling from New York City with two transit options for accessing the stadium.

Historically, the 351 bus was the only transit option to the Meadowlands sports and entertainment complex because the PABT was the only facility that could handle the number of buses and customers traveling to a major event.

However, construction impacts, combined with ridership increases beyond a level that the PABT could accommodate, prompted NJ TRANSIT to introduce the new bus shuttle service linking Secaucus Junction Rail Station and the Meadowlands.

The Secaucus bus link operates for all Meadowlands special events— football, basketball and soccer games, as well as concerts and major horseracing events.

Special roundtrip transportation passes are available at all NJ TRANSIT ticket offices and ticket vending machines. The pass is valid for roundtrip rail transportation to and from Secaucus, as well as roundtrip bus transportation between Secaucus and the Meadowlands. Fares are based on boarding location. Alternatively, customers may use a weekly or monthly rail passes to travel to Secaucus, then purchase a \$5 bus-only ticket upon arrival.

Customers using a Ticket Vending Machine should select “Meadowlands & Other Special Promotions” to purchase their one-day transportation pass.

A rail spur connecting Secaucus Junction with the Meadowlands is currently under construction and next year will replace the bus link, providing rail customers from New Jersey and New York with a convenient rail transfer at Secaucus Junction.

Jersey City and NJ TRANSIT announce community open house on bus service

Last month, Jersey City Mayor Jerramiah Healy and NJ TRANSIT Executive Director Richard Sarles announced the first of three community open houses on bus service in Jersey City.

The first open house, conducted as part of a Jersey City Bus Study, was held on Monday, September 22, from 6 p.m. to 8 p.m., at the Monumental Baptist Church at 121 Lafayette Street in Jersey City. Members of the public were invited to stop by at their convenience during these hours.

People attending the open house were interviewed individually about the community's bus service needs and any issues with existing bus service. The information collected will be reviewed by the study team and included in the recommendations concerning current bus service in Jersey City.

Additional community open house meetings will be scheduled in October. Residents may also share comments about their bus service needs by calling the Mayor's Action Bureau at 201-547-5555.

The Jersey City Bus Study is sponsored by Jersey City, Hudson County, the North Jersey Transportation Planning Authority and NJ TRANSIT.

EMPLOYEE RECOGNITION

NJ TRANSIT Police recruits graduate

Congratulations to NJ TRANSIT Police Department Recruits Brian Rea, David Osterhoudt and William Bowdler, who graduated from the Essex County College Police Academy in September and began their tour as police officers here at NJ TRANSIT.

NJ TRANSIT employees bid farewell after outstanding careers

Thirteen NJ TRANSIT employees retired in September with careers ranging from 18 to 42 years of service:

1. Linda Lanza (Lyndhurst) Sr. Executive Secretary, Penn Plaza – 42 years
2. Leonard A. Mondile (Bellmawr) Bus Operator, Washington Township Garage – 41 years
3. Pasquale Soranno (North Haledon) Foreman, Central Maintenance Facility – 39 years
4. Vivian Smith (Hillside) Manager Medical Benefit Admin., GOB – 30 years
5. Francis Chinchilla (Nutley) Assistant Line Engineer Track, Red Bank – 29 years
6. Michael Scipio (East Orange) Principal Accountant, Penn Plaza – 29 years
7. Fred Schultz (Yardley, PA) Assistant Program Manager, Penn Plaza – 28 years
8. August Nicosia (Toms River) Revenue Security Agent, GOB – 27 years
9. John Belusik (Newtown, PA) Asst. Supervisor Crew, ROC – 26 years
10. Lutricia Reed (Trenton) Bus Operator, Hamilton Garage – 26 years
11. James W. Easterwood (Waterford) Bus Operator, Washington Twp. Garage – 23 years
12. James Holman (Trenton) Manager Mini Bus Support, Penn Plaza – 22 years
13. Nannette Rempfer (Millville) Bus Operator, Washington Township Garage – 18 years

Nine NJ TRANSIT employees retired in October with careers ranging from 17 to 40 years of service:

1. Arcangelo Lofaro (Cliffside Park) Mechanic "A," Meadowlands Garage – 40 years
2. Dinesh C. Agrawal (Princeton) AED Corp Strat. Policy/Contracts, Penn Plaza – 34 years
3. Michael Curren (Fanwood) Technical Supervisory, Hoboken Terminal – 31 years
4. Paul Demyanovich (Chatham) Director, Capital Project Mgmt., Penn Plaza – 29 years
5. Lesley Garner-Jenkins (Somerset) Senior Purch. Agent, Penn Plaza – 29 years
6. John S. Hughes (Warwick, NY) Lead Systems Analyst, Penn Plaza – 27 years
7. Alessandra Mitchell (Budd Lake) Bus Operator, Wayne Garage – 25 years
8. Sharon Fisher (Newark) Starter, Wayne Garage – 24 years
9. Ruby Mayo (Elizabeth) Bus Operator, Ironbound Garage – 17 years

DBE/MBE PROGRAM

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

\$149,295,414 in federal funds were awarded during October through September of FY 08.* Disadvantaged Business Enterprises (DBEs) were awarded \$33,082,784 or 22.2 percent, which includes both race conscious and race neutral awards.

State Funded Contracts

\$28,261,983 in state-funded contract dollars were awarded during July through September FY 09. ** Of that total, Small Business Enterprises (SBEs) received \$7,474,557 or 26.4 percent. Category 1 SBEs received \$0.00 or 0.0 percent. Category 2 SBEs received \$0.00 or 0.0 percent. Category 3 SBEs received \$2,108,914 or 7.4 percent. Category 4 SBEs received \$0.00 or 0.0 percent. Category 5 SBEs received \$5,365,643 or 19 percent ***

Federal & State Contracts Total

\$177,557,397 in federal and state contract dollars were awarded by NJ TRANSIT during this reporting period. Of that total, \$40,557,341 or 22.8 percent of federal and state contract dollars was won by DBEs and SBEs.

Hudson-Bergen Light Rail Transit System Project

Of \$1,433,024,411 in contract dollars awarded for the Hudson-Bergen Light Rail Transit System project****, \$180,729,496 or 12.6 percent has been received by DBEs. Of the \$180,729,496, 6 percent or \$86,823,647 has been won by Women Business Enterprises (WBEs) who are classified as DBEs.

*Fiscal year beginning October 1, 2007

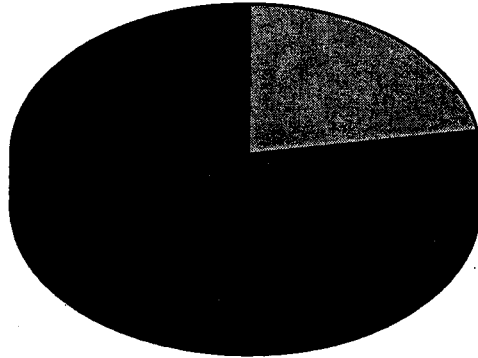
**Fiscal year beginning July 1, 2008

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

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

**DBE PARTICIPATION
FEDERAL CONTRACTS
FEDERAL FYTD (THROUGH SEPTEMBER 08)***

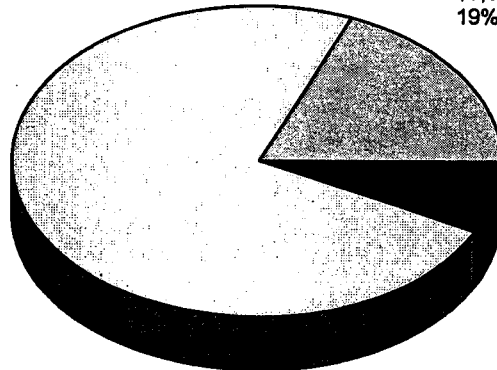
NON-DBE
FEDERAL
\$116,212,630
77.8%



DBE RACE
NEUTRAL & RACE
CONSCIOUS
\$33,082,784
22.2%

**SBE PARTICIPATION
STATE CONTRACTS
STATE FYTD (THROUGH SEPTEMBER 08)****

NON-SBE STATE
\$20,787,426
73.6%



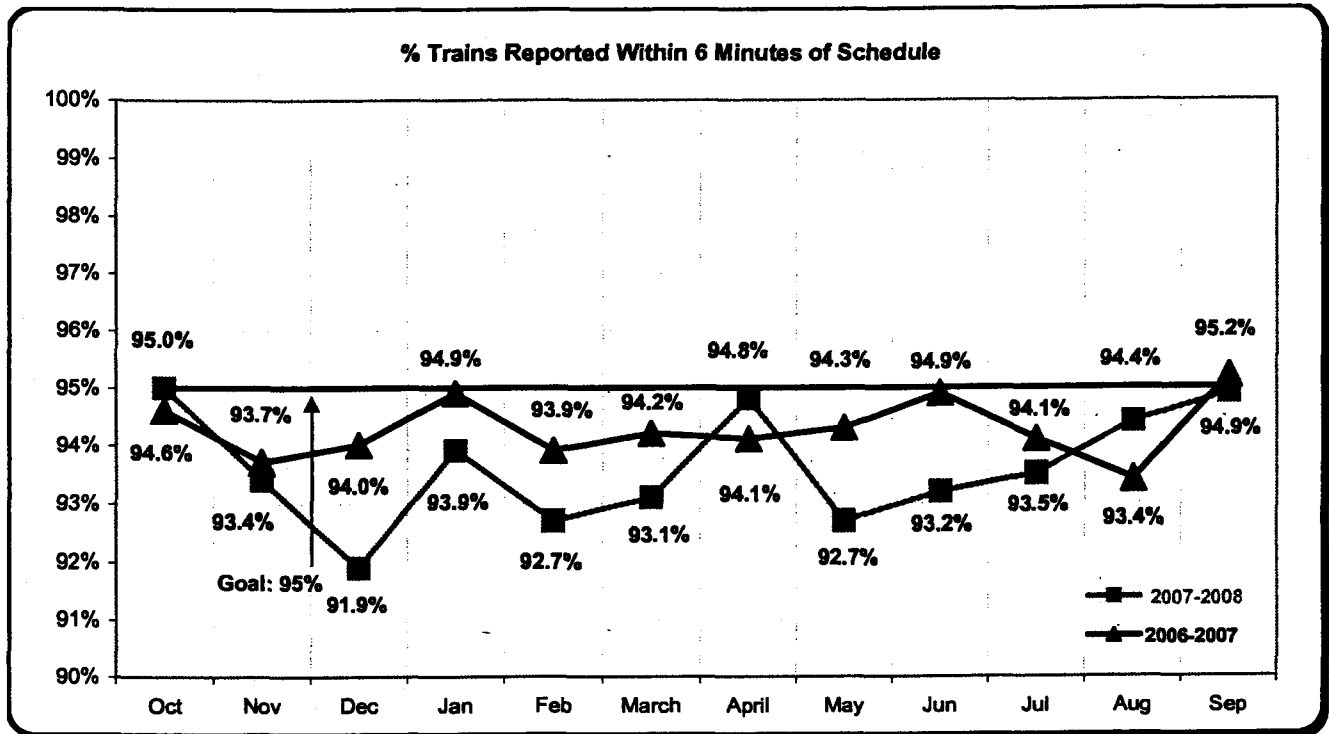
SBE-5
\$5,365,643
19%

SBE-3
\$2,108,914
7.4%

Fiscal Year Beginning October 1, 2007*
Fiscal Year Beginning July 1, 2008**

PERFORMANCE MEASURES

NJ TRANSIT ON-TIME PERFORMANCE RAIL OCTOBER 2006 - SEPTEMBER 2008



	2007	2008	# Change
September Comparison	95.2%	94.9%	-0.3%

	2006-2007	2007-2008	# Change
12-Month Average October - September	94.3%	93.6%	-0.6%

Analysis:

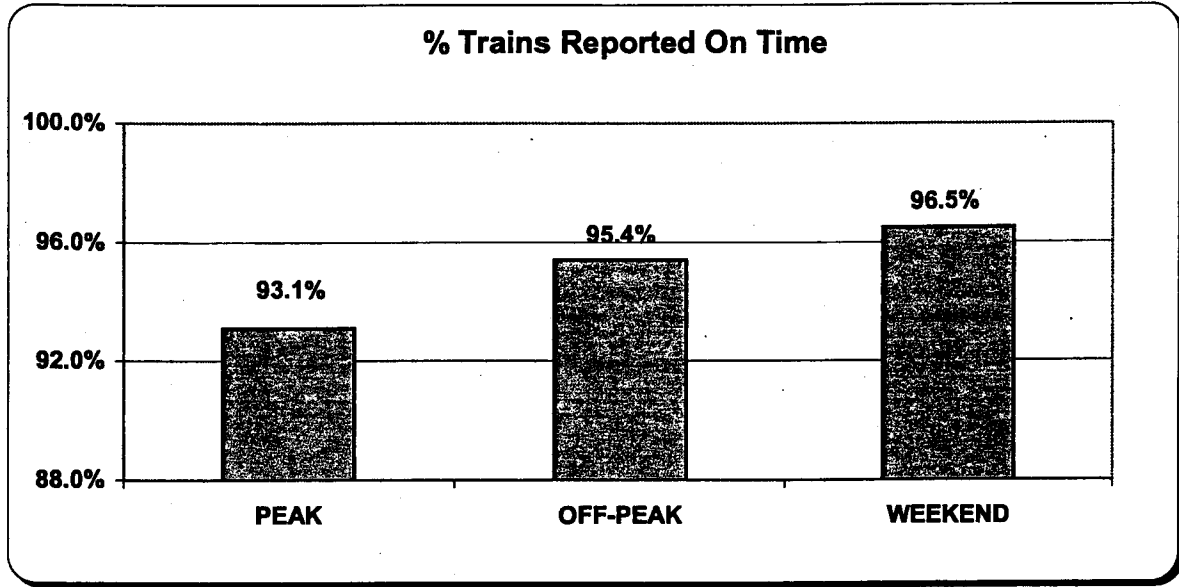
Rail On-Time Performance for September 2008 was 94.9%. Of the 18,928 trains that were scheduled to operate, 17,960 were on time, while 968 trains (or 5.1%) were delayed. Key causes of delay included:

- Mechanical problems on 9/3 and 9/5 in New Brunswick and Summit, respectively.
- Severe weather on 9/9.
- A downed tree on 9/15 between Dover and Denville.
- Amtrak signal and track failures between 9/22 and 9/30.

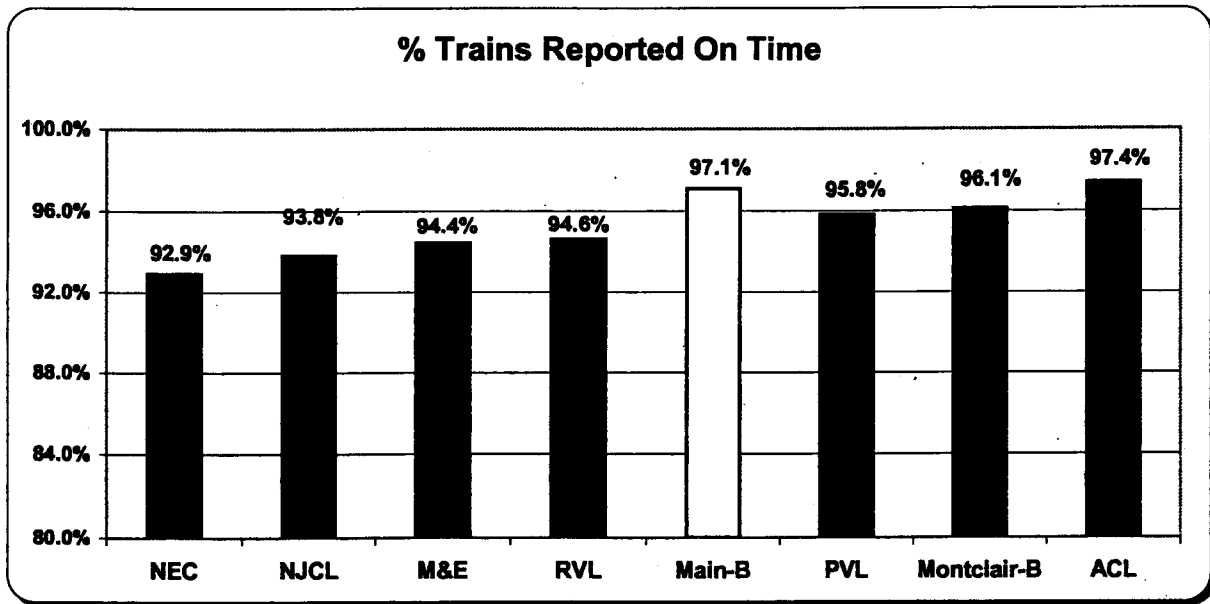
The 12-month average for Rail On-Time Performance for October 2007 - September 2008 was 93.6%.

ON-TIME PERFORMANCE RAIL

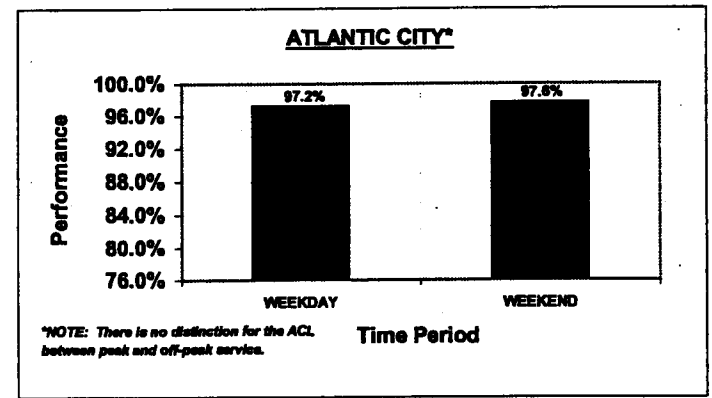
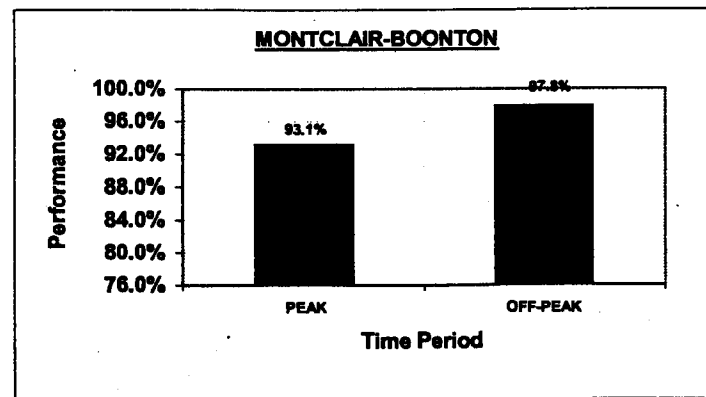
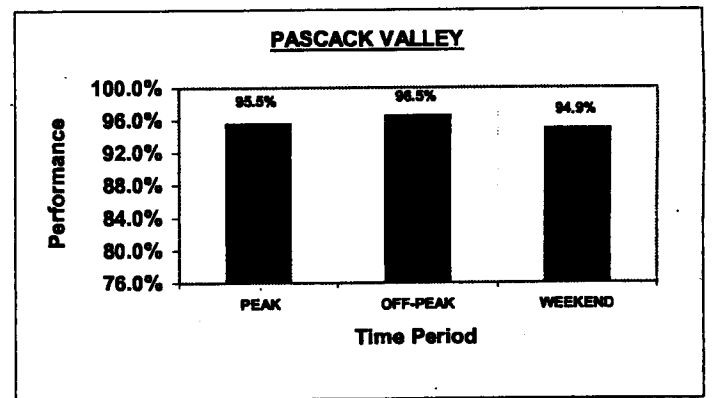
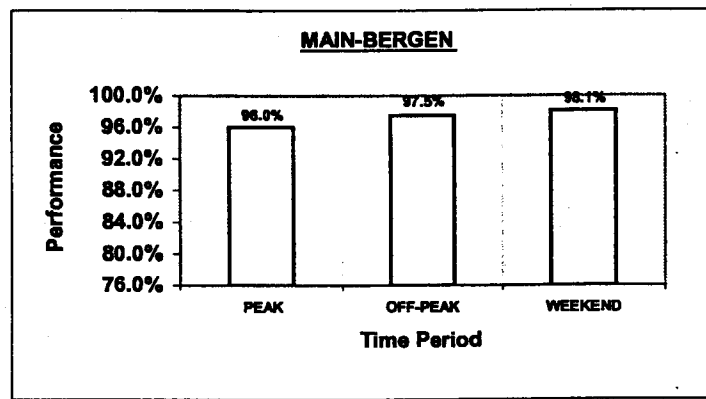
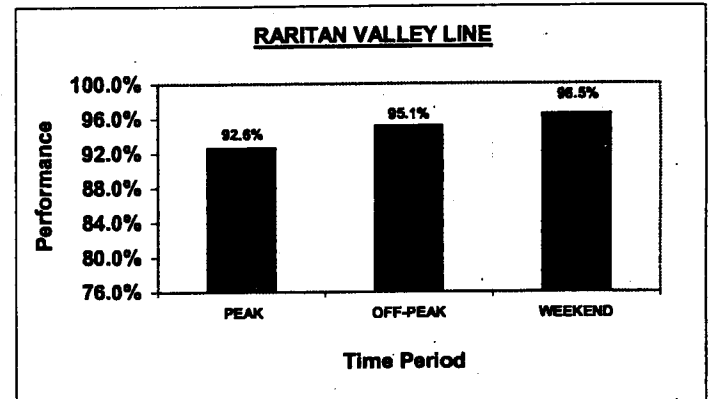
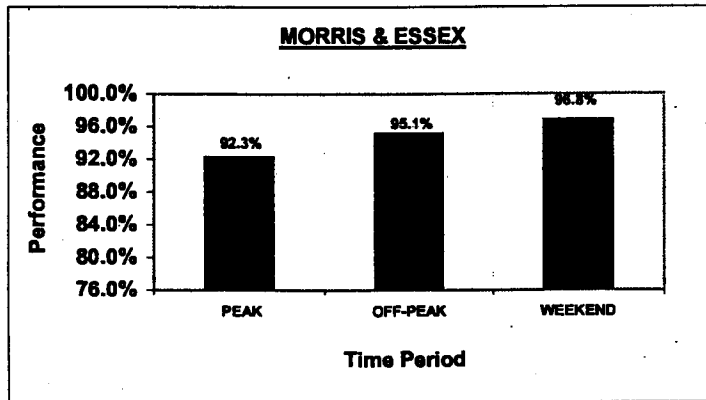
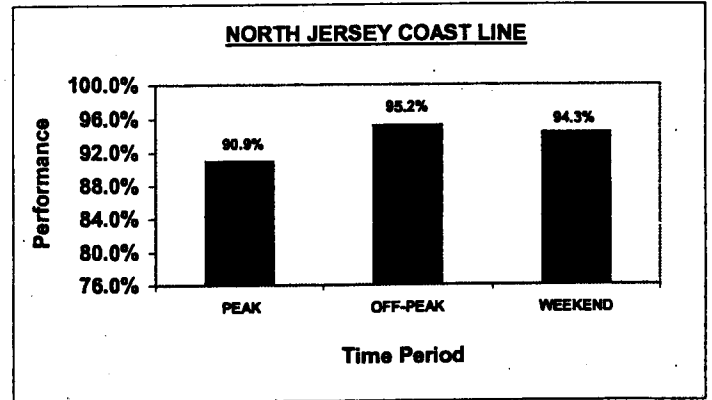
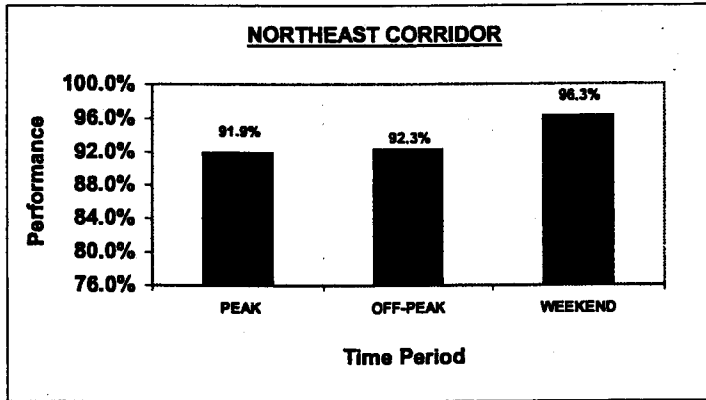
SUMMARY BY TIME PERIOD SEPTEMBER 2008



SUMMARY BY LINE SEPTEMBER 2008

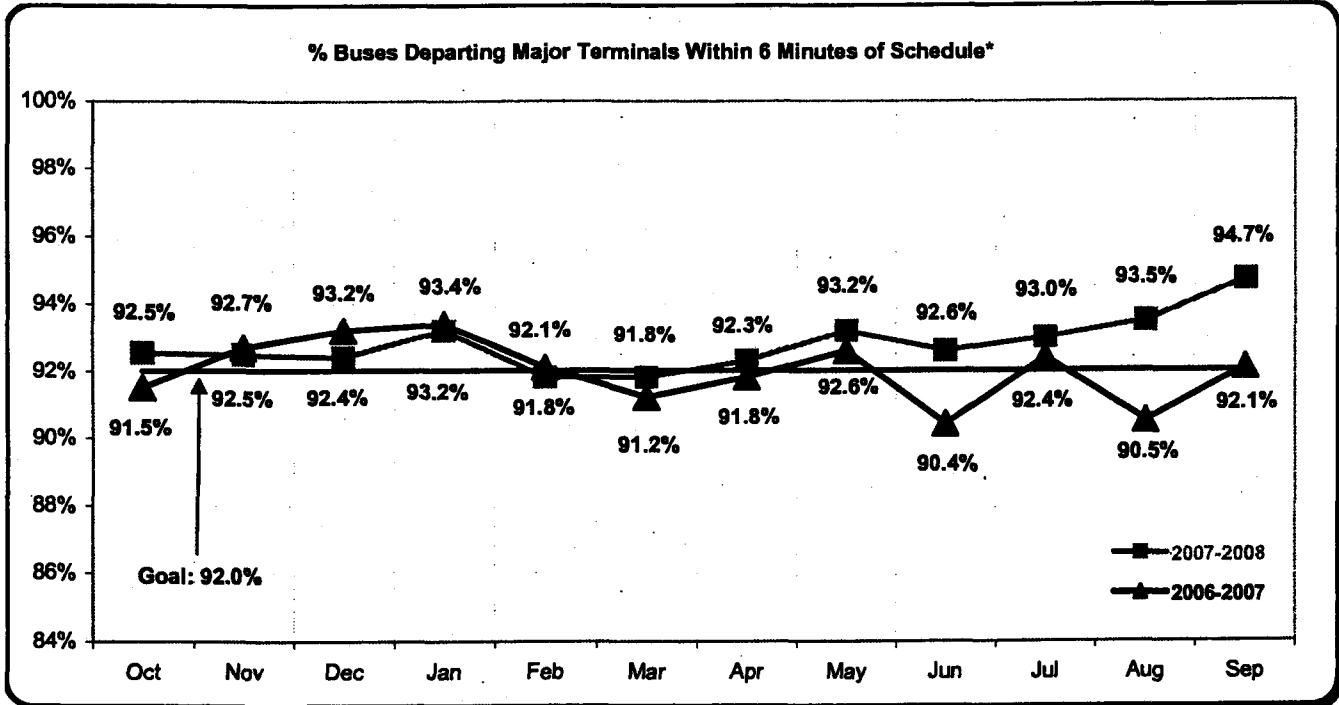


ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD SEPTEMBER 2008



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

NJ TRANSIT ON-TIME PERFORMANCE BUS OCTOBER 2006 - SEPTEMBER 2008



*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.

	2007	2008	% Change
September Comparison	92.1%	94.7%	2.6%

	2006-2007	2007-2008	% Change
12-Month Average October - September	92.0%	92.8%	0.8%

Analysis:

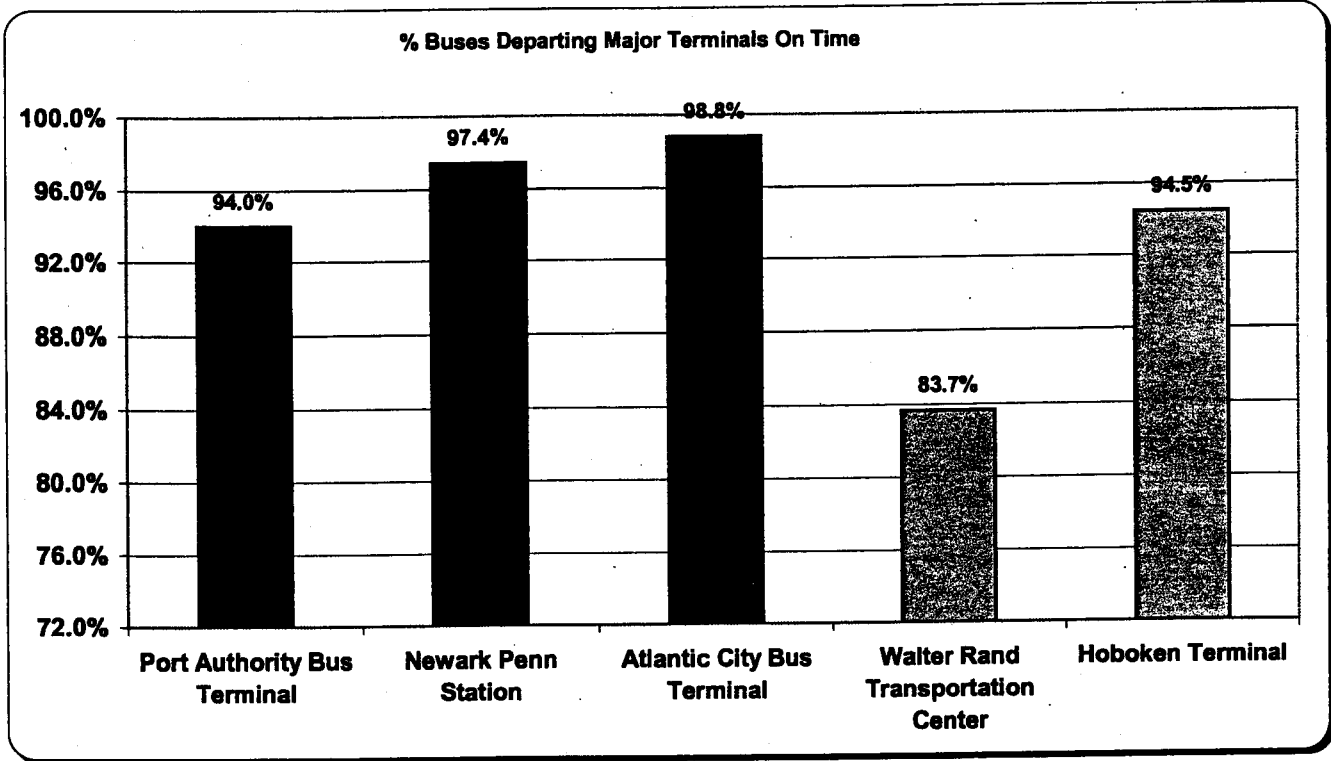
Bus On-Time Performance for September 2008 was 94.73%. Of the 31,555 monitored departures, 1,664 (or 5.27%) experienced delays. Key sources of delay included:

- Heavy rain and flooding on 9/12 and significant traffic on 9/17, 9/18 and 9/24 affecting Port Authority buses.
- Traffic on several southern New Jersey roadways and incidents on or near the Ben Franklin Bridge, including a fire on 9/15 and an oil spill on 9/25.

The 12-month average for Bus On-Time Performance for October 2007 - September 2008 was 92.8%.

ON-TIME PERFORMANCE BUS

SUMMARY BY TERMINAL SEPTEMBER 2008

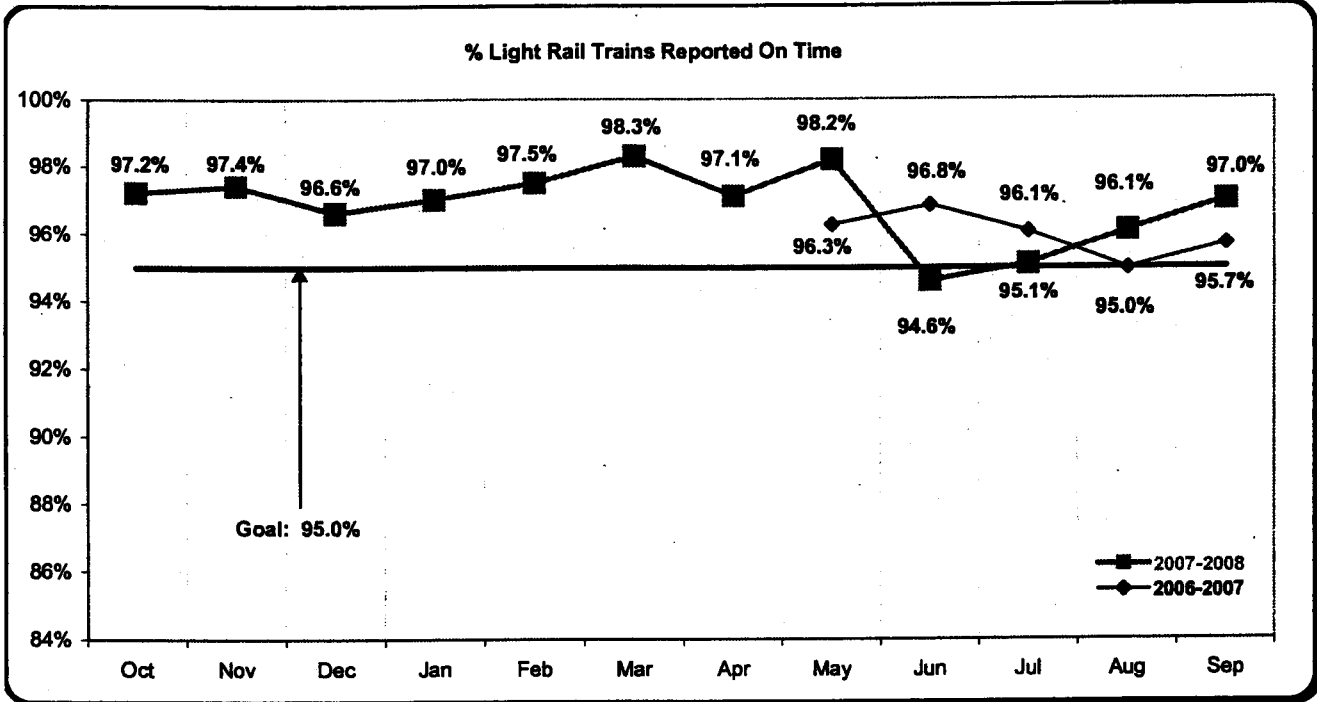


NJ TRANSIT

ON-TIME PERFORMANCE

LIGHT RAIL - SYSTEMWIDE

MAY 2007- SEPTEMBER 2008



*Note: Starting May 2007

	2007	2008	# Change
September Comparison	95.7%	97.0%	1.3%

	2006-2007	2007-2008	# Change
12-Month Average October-September	NA	96.8%	NA

Analysis:

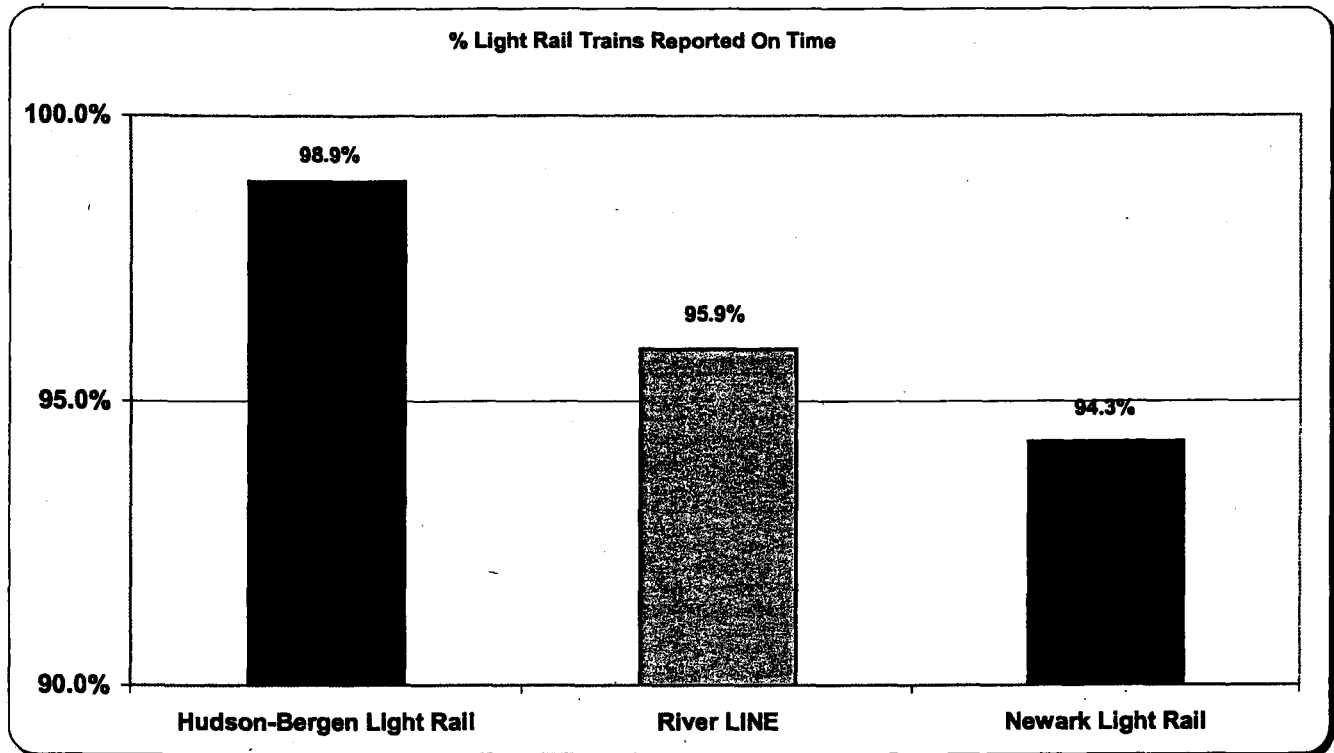
Light Rail On-Time Performance systemwide was 97% for the month of September 2008. Of the 31,226 scheduled trains, 922 (or 3%) experienced delays. Causes of delay during the month included:

- Vehicle equipment failure on River LINE on 9/4.
- Switch and signal problem on HBLR on 9/11.
- Signal problems on Newark Light Rail on multiple days.

The 12-month average for Light Rail On-Time Performance for October 2007- September 2008 was 97%.

ON-TIME PERFORMANCE LIGHT RAIL

SUMMARY BY LINE SEPTEMBER 2008



ACTION ITEMS

**ITEM 0810-73: ACCESS TO THE REGION'S CORE: ENGINEERING/
ARCHITECTURAL CONSULTANT SERVICES: THE
PARTNERSHIP - CONTRACT AMENDMENT**

BENEFITS

Final Design will be the next major milestone for the project. The start of Final Design will follow extensive preliminary engineering, planning and mounting public support for the project and approval of the Final Environmental Impact Statement by the Federal Transit Administration (FTA).

In August 2006, NJ TRANSIT initiated preliminary engineering for the Access to the Region's Core project, also known as THE Tunnel Project. A continuation of these services through Extended Preliminary Engineering is required up to receipt of the Record of Decision (ROD) to ensure the project starts construction in 2009. The ROD is currently anticipated this fall and permission to enter into Final Design by the FTA will be issued shortly thereafter.

When completed, the Access to the Region's Core project will open opportunities for direct rail service from the existing commuter rail system to Midtown Manhattan and build upon recent transit investment in New Jersey, including Frank R. Lautenberg Rail Station at Secaucus Junction, MidTOWN DIRECT and the Montclair Connection. Raritan Valley, North Jersey Coast Line, Main, Bergen County and Pascack Valley Line commuters will all enjoy direct, transfer free service to mid town Manhattan and the project will provide the capacity to support future rail expansion projects.

Beyond the service benefits, The Access to the Region's Core project is poised to become an economic engine for the region. The project will create 6,000 jobs during construction and 44,000 jobs within ten years after the project is completed. New Jersey communities and the region will be the beneficiaries of an expanded transit system that will improve regional mobility, reduce roadway congestion and spur economic investment.

PURPOSE

Authorization for Extended Preliminary Engineering and Final Design for calendar years 2009 and 2010 for Engineering/Architectural Consultant Services will continue to ensure that the construction for THE Tunnel Project will initiate in 2009, in accordance with the schedule for service operations by 2017. It is expected that subsequent authorizations will support the retention of the Engineering / Architectural Consultant firm through later stages of Final Design and Construction Phase Services.

ACTION (Justification: Core System Capacity)

Staff seeks authorization to fund Extended Preliminary Engineering through 2008 and Final Design for 2009 and 2010 to extend contract (No. 06-046) with THE Partnership, a joint venture between, Parsons Brinckerhoff, Inc. STV Inc., and DMJM Harris, Inc. of Newark, NJ, for Engineering / Architectural Consultant for the Access to the Region's

Core THE Tunnel Project at the cost not to exceed \$124,000,000, plus five percent, for contingency, for a total contract authorization of \$214,493,869 subject to the availability of funds. The consultant services for Final Design will be initiated after a Record of Decision and approval to enter Final Design has been obtained by the Federal Transit Administration.

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

FISCAL IMPACTS

Requested Authorization:	\$124,000,000.00 + 5% contingency (Extended Preliminary Engineering Services - \$10,300,000 + 5% Contingency and Final Design Services - \$113,700,000 + 5% Contingency) \$214,493,869 +5% contingencies (total contract authorization)
Total Project Cost:	\$7.6 Billion (Year of Expenditure)
Projected Date of Completion:	2017
Anticipated Source of Funds:	FTA, TTF, CMAQ
Diversity Goal:	23.5% (Total) 18% DBE 5.5% SBE
Related/Future Authorizations:	Final Design (Phase II) and Construction Assistance for each contract (Phase III)
Impacts on Subsequent Operating Budgets:	NA

RESOLUTION

WHEREAS, NJ TRANSIT seeks to double commuter rail capacity to New York by construction of two new single-track tunnels under the Hudson River, an expanded Penn Station under 34th St. in New York, a rail storage yard in Kearny, New Jersey, and signal and track improvements along and adjacent to the Northeast Corridor; and

WHEREAS, the Access to the Region's Core project will open new opportunities for direct and expanded rail service for the existing commuter rail system to Midtown Manhattan and build upon recent transit investments in New Jersey, including Frank R. Lautenberg Rail Station, MidTOWN DIRECT and Montclair Connection; and

WHEREAS, the continuance of Extended Preliminary Engineering is required and initiation of Final Design subject to a Record of Decision and approval to enter Final Design will be obtained from the Federal Transit Administration for the Engineering/Architectural Consultant Services to continue and to ensure that the construction for THE Tunnel Project initiates in 2009, in accordance with the schedule for service operations by 2017;

NOW, THEREFORE, BE IT RESOLVED the Chairman or Executive Director is authorized to fund the Extended Preliminary Engineering through 2008 and Final Design for 2009 and 2010 to extend contract (No. 06-046) with THE Partnership, a joint venture between, Parsons Brinckerhoff, Inc. STV Inc., and DMJM Harris, Inc. of Newark, NJ, for Engineering / Architectural Consultant for the Access to the Region's Core THE Tunnel Project at the cost not to exceed \$124,000,0000, plus five percent for contingency for a total contract authorization of \$214,493,869 subject to the availability of funds. The consultant services for Final Design will be initiated after a Record of Decision and approval to enter Final Design has been obtained by the Federal Transit Administration.

**ITEM 0810-74: RIDGEWOOD STATION ADA IMPROVEMENTS:
CONSTRUCTION CONTRACT AWARD AND CONTRACT
AMENDMENT FOR CONSTRUCTION SUPPORT SERVICES**

BENEFITS

The replacement of the existing low-level platform with new high-level platforms (HLPs) at Ridgewood on NJ TRANSIT's Main/Bergen County Line will enhance customers' access to trains. The HLP's will include a center island platform plus an inbound side platform. In addition, stairs, ramps, and two elevators will link the two platforms. Enhancements will also be made to the station restrooms, ticket office, and commuter parking. These upgrades will make the station fully accessible for all customers in compliance with the Americans with Disabilities Acts (ADA).

Ridgewood Station is on the State and National Registers of Historic Places and serves approximately 1,500 customers per day. It is one of NJ TRANSIT's 35 designated key stations and completion of this project would fulfill NJ TRANSIT's obligation under the Key Station Plan of 1992. The Ridgewood Station building is owned by the Village of Ridgewood.

PURPOSE

This contract will authorize construction of a 710-foot long center island platform and a 640-foot long inbound side platform as well as associated stairs, ramps, elevators, station building modifications, and heated/air conditioned waiting areas.

Construction Support Services are also necessary to complete the project. The initial consultant services contract was awarded to Stantec (formerly Vollmer Associates) through a competitive procurement process for design services and construction support for the Ridgewood Station Accessibility Improvements project. The original procurement process for the consultant services contract was designed to select a firm for three tasks: Phase I, Preliminary Engineering and Engineering Services; Phase II - Final Design and Engineering Services, and Phase III - Construction Support Services. Phases I and II are complete and Phase III will provide construction support services during the construction phase.

ACTION (Justification: Customer Accessibility)

Staff seeks authorization to contract (No. 08-107X) with Terminal Construction Corporation of Wood-Ridge, New Jersey, for the construction of two high-level platforms and associated elements at Ridgewood Station at a cost not to exceed \$23,577,949 plus five percent for contingencies, subject to the availability of funds.

Staff also seeks authorization to amend the existing professional services contract (No. 06-083) with Stantec (formerly Vollmer Associates) of Newark, New Jersey, for Construction Support services related to the construction contract in the amount of

\$1,000,000, plus five percent for contingencies, for a total contract authorization of \$3,045,000, 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:

Terminal Construction	This Authorization	\$ 23,577,949	+ 5% contingency
Stantec	This Authorization	\$ 1,000,000	+ 5% contingency
	Total Authorization	\$ 3,045,000	

Total Project Cost: \$ 44,319,000

Projected Date of Completion: Spring 2011

Anticipated Source of Funds: Transportation Trust Fund
Federal Transit Administration

Diversity Goal:	Construction	20% DBE
	Construction Support	25% DBE

Related Future Authorizations: None

Impacts on Subsequent Operating Budgets:	Elevator maintenance (2 Cabs)	\$15,000 annually
	Utilities	\$10,000 annually

RESOLUTION

WHEREAS, NJ TRANSIT seeks to enhance the capacity and accessibility of its facilities and services; and

WHEREAS, Ridgewood Railroad 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 facilities which are sympathetic to historic resources; and

WHEREAS, the work required includes track relocation; the construction of two high-level platforms; canopies; ramps; station building and parking lot modifications; and

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

WHEREAS, NJ TRANSIT previously selected Stantec (formerly Vollmer Associates) through a competitive procurement process for design services and construction support services for the Ridgewood Accessibility Improvements projects;

NOW, THEREFORE, BE IT RESOLVED, that the Chairman or Executive Director is authorized to enter into a contract (No. 08-107X) with Terminal Construction Corporation of Wood-Ridge, New Jersey, for the construction of the Ridgewood Station ADA Improvements at a cost not to exceed \$23,577,949, 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 existing professional services contract (No. 06-083) with Stantec (formerly Vollmer Associates) of Newark, New Jersey, for Construction Support services for the Ridgewood Station ADA Improvements at a cost not to exceed \$1,000,000, plus five percent for contingencies, for a total contract authorization of \$3,045,000, subject to the availability of funds.

CONSENT CALENDAR

**ITEM 0810-75: REGULATIONS: READOPTION WITH AMENDMENTS TO
N.J.A.C. 16:86 ADVERTISING STANDARDS**

BENEFITS

Provide standards for the installation, display, and maintenance of advertising on properties and facilities owned by NJ TRANSIT and/or its subsidiaries.

PURPOSE

Since 1980, NJ TRANSIT has been contracting with advertising firms to display revenue-producing advertising on NJ TRANSIT's property, including bus and rail equipment, railroad stations and platforms and land leases for billboards. This item is intended to re-promulgate regulations at N.J.A.C. 16:86 which will provide direction concerning advertising on NJ TRANSIT's property.

Staff reviewed the current regulations (Exhibit A) and determined that the rules are necessary, adequate, reasonable, efficient, understandable and responsive to the purposes for which they were originally promulgated, with the exception of a few amendments. The rules were amended to add provisions banning advertisements that portray graphic violence or imply NJ TRANSIT's endorsement of the product, service or message without prior written authorization. All other amendments reflect minor changes to form.

The proposed readoption with amendments was published in the New Jersey Register on June 16, 2008 (Exhibit B) and the amendments are described in the summary (Exhibit C). The comment period expired on August 15, 2008, and no comments were received.

ACTION (Justification: Business Efficiencies)

Staff seeks authorization to take all actions necessary to adopt the regulations, N.J.A.C. 16:86 et seq., Advertising Standards, consistent with this Board item and exhibits, put the regulations in the appropriate format and effectuate the final adoption and promulgation of NJ TRANSIT's Advertising Standards.

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

FISCAL IMPACTS

Requested Authorization: Readopt with amendments the regulations N.J.A.C. 16:86 et seq. Advertising Standards

Past Authorizations: March 25, 1997
April 11, 2003

Anticipated Source of Funds:	N/A
Diversity Goal:	N/A – No goods or services to be procured.
Related/Future Authorizations:	N/A
Impacts on Subsequent Operating Budgets:	N/A

RESOLUTION

WHEREAS, NJ TRANSIT determined that it is necessary to provide standards for the installation, display and maintenance of advertising on properties and facilities owned by NJ TRANSIT and/or its subsidiaries; and

WHEREAS, the regulations will provide direction concerning advertising on NJ TRANSIT's property, and limit certain types of advertising on NJ TRANSIT property; and

WHEREAS, staff reviewed the current regulations (Exhibit A) and determined that the rules are necessary, adequate, reasonable, efficient, understandable and responsive to the purposes for which they were originally promulgated, with the exception of a few amendments; and

WHEREAS, the proposed amendments were published in the New Jersey Register on June 16, 2008 (Exhibit B) and are described in the summary (Exhibit C). The comment period expired on August 15, 2008, and no comments were received;

NOW, THEREFORE, BE IT RESOLVED that the Chairman or Executive Director or his designee is hereby authorized to take all actions necessary to adopt N.J.A.C. 16:86 et seq. consistent with this Board item and exhibits, put the regulations in the appropriate format, and to effectuate the final adoption and promulgation of NJ TRANSIT's Advertising Standards.

CHAPTER 86

ADVERTISING STANDARDS

Authority

N.J.S.A. 27:25-5(e), (k), (l) and (s).

Source and Effective Date

R.2003 d.195, effective May 19, 2003.
See: 34 N.J.R. 4050(a), 35 N.J.R. 2262(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 86, Advertising Standards, expires on November 15, 2008. See: 40 N.J.R. 3597(a).

Chapter Historical Note

Chapter 86, Advertising Standards, was adopted as new rules by R.1997 d.180, effective April 21, 1997. See: 28 N.J.R. 4384(a), 29 N.J.R. 1515(b).

Chapter 86, Advertising Standards, expired on April 21, 2002.

Chapter 86, Advertising Standards, was adopted as new rules by R.2003 d.195, effective May 19, 2003. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

16:86-1.1 Purpose

(a) The purpose of these rules is to implement a ban on advertisements that contain tobacco and tobacco related products and obscene, false, controversial, deceptive, misleading or illegal goods, services or activities from being displayed on properties owned by NJ TRANSIT. The purpose of these rules is to announce that NJ TRANSIT is a responsible member of the community; to establish that NJ TRANSIT is not desirous of lending its name, directly or indirectly, to the promotion of the use of tobacco and tobacco related products, especially among minors; and, independently, to promote the general health and welfare of NJ TRANSIT passengers many of whom may be minors.

(b) The standards in this chapter shall apply to all contracts to set forth the standards for the installation, display and maintenance of advertising on properties and facilities owned by the New Jersey Transit Corporation and/or its subsidiaries (collectively "NJ TRANSIT") executed after October 21, 1997.

16:86-1.2 Limitation upon advertisements

(a) The contractor, meaning any person, firm, corporation or other entity which provides advertising services pursuant to a contract with NJ TRANSIT, shall not display or maintain any advertisement that falls within one or more of the following categories.

1. The advertisement proposes a commercial transaction and the advertisement or information contained in it is false, misleading or deceptive;
2. The advertisement or information contained in it promotes unlawful or illegal goods, services or activities;
3. The advertisement or information contained therein declares an endorsement by NJ TRANSIT of any service, product or point of view without prior written authorization of NJ TRANSIT;
4. The advertisement contains obscene material as defined by N.J.S.A. 2C:34-3 as such definition as may be amended, modified or supplemented from time to time;
5. The advertisement is controversial and, therefore, can promote vandalism of advertising materials and associated NJ TRANSIT property;
6. The advertisement proposes and promotes tobacco or tobacco-related products; or
7. The advertisement is not in the best business interest of NJ TRANSIT or is not in the best interest of mass transportation.

16:86-1.3 Advertising Standards Committee

The Executive Director is hereby authorized by the Board of Directors of NJ TRANSIT to establish a three member Advertising Standards Committee ("Committee"). Such Committee shall be independent and its determinations shall constitute NJ TRANSIT's final agency determinations.

16:86-1.4 Review of advertisements

(a) NJ TRANSIT's advertising firm shall review each advertisement submitted for installation, display and maintenance on NJ TRANSIT properties and facilities to determine whether the advertisement falls within, or may fall within, one or more of the categories set forth in N.J.A.C. 16:86-1.2. NJ TRANSIT may also review such advertisement for compliance with N.J.A.C. 16:86-1.2. If NJ TRANSIT or an NJ TRANSIT advertising contractor determines that an advertisement falls within or may fall within one or more of the categories set forth in N.J.A.C. 16:86-1.2:

1. The NJ TRANSIT advertising firm shall promptly provide the advertiser with a copy of these standards and written notice of the determination, the reason(s) for the

determination and the advertiser's right to request a prompt review before the Committee.

2. The NJ TRANSIT advertising firm shall provide the Committee with a copy of the written notice to the advertiser and the advertisement at issue.

3. Upon request of the advertiser, the Committee shall conduct a prompt review to determine whether the advertisement at issue falls within one or more of the categories set forth in N.J.A.C. 16:86-1.2.

4. The Committee shall promptly provide the advertiser and the advertising contractor with a written notice of its determination. The Committee's determination shall be final as per N.J.A.C. 16:86-1.3.

16:86-1.5 Dispute resolution

In the event of a dispute arising under these rules, an aggrieved party shall transmit its grievance in writing to the Committee. If no factual issues are presented, the decision by

the Committee shall constitute the final agency action of NJ TRANSIT and shall be appealable to the Appellate Division of the Superior Court. In the event of a dispute of the facts the Committee shall within 45 days transmit the matter for the development of a record and an initial decision by the Office of Administrative Law in accordance with the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1. The Committee shall then render a final agency decision appealable to the Appellate Division of the Superior Court of New Jersey.

16:86-1.6 Severability

If any category set forth in N.J.A.C. 16:86-1.2 is determined to be invalid as applied to any particular type of NJ TRANSIT property or facility, the category shall remain applicable to other types of NJ TRANSIT properties and facilities.

PROPOSALS

14:5A-3.5 Public and evidentiary hearings

(a) Within 90 days of the [initiation of] Board order initiating a formal proceeding, the Board shall schedule and convene a public hearing, upon proper notice, at which members of the public and interested parties shall be provided the opportunity to submit comments with respect to the filing.

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

SUBCHAPTER 4. DECOMMISSIONING TRUST FUND REVIEW

14:5A-4.3 Distribution of trust fund report

A copy of the reports required by N.J.A.C. 14:5A-4.2(a)1 and 2 shall also be provided, by each utility, to [the Ratepayer Advocate] Rate Counsel, DEP, and the municipality in New Jersey where the nuclear facility is located.

TRANSPORTATION

(a)

NEW JERSEY TRANSIT CORPORATION Advertising Standards

Proposed Readoption with Amendments: N.J.A.C. 16:86

Authorized By: New Jersey Transit Corporation, Richard R. Sarles, Executive Director.

Authority: N.J.S.A. 27:25-5(e), (k), (l) and (s).

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

Proposal Number: PRN 2008-199.

Submit comments by August 15, 2008 to:

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

The agency proposal follows:

Summary

In accordance with the sunset provisions of Executive Order No. 66 (1978), New Jersey Transit Corporation (NJ TRANSIT) has evaluated the rules at N.J.A.C. 16:86, Advertising Standards, scheduled to expire on November 15, 2008, pursuant to N.J.S.A. 52:14B-5.1c, and has determined that they are necessary, adequate, reasonable, efficient, understandable and responsive to the purposes for which they were originally promulgated, with the exception of a few minor amendments.

NJ TRANSIT has, since 1980, contracted with advertising firms (firms) to display revenue producing advertising on NJ TRANSIT's property, including its bus and rail equipment, railroad stations and platforms and land leases for billboards. The firms advertise their clients' products and services on the NJ TRANSIT property. The NJ TRANSIT real and personal property on which revenue producing advertising can be placed include an existing inventory of 2,100 buses, 893 rail commuter cars, 93 light rail vehicles, 217 rail and light rail stations, 27 bus terminals, 62 railroad bridges, 530 miles of active and inactive railroad right of way and 107 miles of light rail right of way throughout the State. These vehicles and properties offer thousands of interior and exterior spaces of various sizes for the display of advertising in a variety of media forms, including, but not limited to, framed and unframed posters, clocks, lightpole banners, freestanding signs and painted bridges. As NJ TRANSIT acquires or disposes of assets, or develops new advertising media platforms, the advertising inventory of NJ TRANSIT fluctuates. In fiscal year 2007, such advertising produced approximately \$12.5 million in non-farebox revenue.

The rules proposed for readoption with amendments at N.J.A.C. 16:86 set forth limitations for advertisements and a procedure for NJ TRANSIT, its advertising contractors and the advertiser to follow in determining

whether a particular advertisement may be placed on NJ TRANSIT's property.

A review of each of the subchapters follows:

Subchapter 1, General Provisions, includes the purpose and scope of the chapter and the limitations upon advertisements.

Subchapter 2, Procedures, establishes an Advertising Standards Committee to make NJ TRANSIT's final determinations, describes the procedure for the review of advertisements, and the procedure for dispute resolution.

Subchapter 3, Severability, describes the applicability of any remaining categories set forth in Subchapter 2, if any category is determined to be invalid.

The rules proposed for readoption at N.J.A.C. 16:86 are proposed for amendment as follows:

N.J.A.C. 16:86-1.1(b) has been amended to clarify that advertisements located on property controlled by NJ TRANSIT are subject to these rules. Additionally, the phrase referencing contracts executed after October 21, 1997 has been deleted because this distinction is no longer relevant.

N.J.A.C. 16:86-1.1(c) has been added to clarify that the display of an advertisement does not constitute NJ TRANSIT endorsement of the product, service or message.

N.J.A.C. 16:86-1.2(a) has been amended to provide clarification.

N.J.A.C. 16:86-1.2(a)3 has been amended to provide clarification that advertisements implying NJ TRANSIT endorsement of the service, product or point of view without prior written authorization are banned.

N.J.A.C. 16:86-1.2(a)4 has been amended for grammatical purposes.

N.J.A.C. 16:86-1.2(a)5 has been added to ban advertising that portrays graphic violence.

N.J.A.C. 16:86-1.2(a)6 has been added to ban advertising that displays weapons aimed or pointed at the viewer or observer in a menacing manner.

N.J.A.C. 16:86-1.2(a)8 is the recodified regulation that was previously at N.J.A.C. 16:86-1.2(a)6. Additionally, the paragraph was amended to provide clarification regarding the type of tobacco advertisements that are banned.

N.J.A.C. 16:86-1.2(a)9 is the recodified regulation that was previously at N.J.A.C. 16:86-1.2(a)7. Additionally, the paragraph was amended to change "mass transportation" to "public transportation."

N.J.A.C. 16:86-1.3 was recodified to become N.J.A.C. 16:86-2.1 to separate the section into a new subchapter. Additionally, the text "is hereby authorized by the Board of Directors of NJ TRANSIT to" was replaced with "shall" so the rule states, the Executive Director shall establish a three member Advertising Standards Committee ("Committee").

N.J.A.C. 16:86-1.4 was recodified as N.J.A.C. 16:86-2.2.

Recodified N.J.A.C. 16:86-2.2(a) was amended to replace "an NJ TRANSIT" with "its" and "contractor" with "firm."

N.J.A.C. 16:86-2.2(a)4 was amended to replace "contractor" with "firm" and update the reference to the new subchapter.

N.J.A.C. 16:86-1.5 was recodified as N.J.A.C. 16:86-2.3.

N.J.A.C. 16:86-1.6 was recodified to become a new subchapter N.J.A.C. 16:86-3. Additionally, text was added to provide that if any category set forth in N.J.A.C. 16:82-1.2 is determined to be invalid, the remaining categories shall remain valid.

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

Social Impact

NJ TRANSIT, in its agreements with advertising contractors, has in the past reserved the right to disapprove any advertisement on its property. NJ TRANSIT has been imposing limitations informally since it was created in 1979 and they are well known to advertising agencies and advertisers. NJ TRANSIT believes all of these limitations are consistent with all applicable laws and policies.

The amendments at N.J.A.C. 16:86 have been proposed to ban advertisements that imply NJ TRANSIT endorsement of the product, service or message without prior written authorization, portray graphic violence, and display weapons aimed or pointed at the viewer/observer in

TRANSPORTATION

PROPOSALS

a menacing manner. The amendments will further NJ TRANSIT's role as a responsible member of the community.

Economic Impact

NJ TRANSIT has been imposing limitations informally since it was created in 1979 and they are well known to advertising agencies and advertisers. In fiscal year 2007, NJ TRANSIT received approximately \$12.5 million in non-farebox revenue by allowing advertising on its property. The rules proposed for reoption with amendments will have no impact on the amount of funds NJ TRANSIT receives from State and Federal sources or the fares it receives from its customers.

The amendments at N.J.A.C. 16:86 should not have an economic impact since the amendments clarify standards already implemented on a daily basis under the current provision banning advertisements not in the best business interest of NJ TRANSIT or not in the best interest of mass transportation.

Federal Standards Statement

There are no Federal standards that are relevant to the rules proposed for reoption with amendments. As the owner of its property, NJ TRANSIT may impose reasonable restrictions on commercial speech displayed on its sold advertising space.

Jobs Impact

The rules proposed for reoption with amendments will not result in the creation or loss of jobs.

Agricultural Impact Statement

The rules proposed for reoption with amendments have no impact on the agriculture industry.

Regulatory Flexibility Analysis

The rules proposed for reoption with amendments apply to advertisements proposed to be placed on NJ TRANSIT property by the clients of the contractor or contractors selected by NJ TRANSIT to provide advertising services. The contractors and their clients or advertisers may be small businesses as the term is defined in the Regulatory Flexibility Act, N.J.S.A. 52:14B-16 et seq. The rules permit an advertiser to request a review of an advertisement to determine if it is prohibited under N.J.A.C. 16:86-1.2.

A dispute under these rules may be grieved in writing to the Committee; if a factual dispute exists, it shall be transmitted to the Office of Administrative Law as a contested case. Costs for these procedures should not be significant, although they will vary based on the circumstances of the grievance and whether the advertiser decides to employ attorney representation. No different treatment has been provided for small businesses. The rules provide for equal treatment of contractors or advertisers whether large or small, in the interest of fairness to all.

Smart Growth Impact

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

Full text of the rules proposed for reoption may be found in the New Jersey Administrative Code at N.J.A.C. 16:86.

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

SUBCHAPTER 1. GENERAL PROVISIONS**16:86-1.1 Purpose**

- (a) (No change.)
- (b) The standards in this chapter shall apply to all contracts to set forth the standards for the installation, display and maintenance of advertising on properties and facilities owned or controlled by the New Jersey Transit Corporation and/or its subsidiaries (collectively "NJ TRANSIT") [executed after October 21, 1997].
- (c) The display of advertising on property owned or controlled by NJ TRANSIT does not constitute an endorsement by NJ TRANSIT of any of the products, services or messages so advertised, unless authorized in writing by NJ TRANSIT and so stated within the advertisement.

16:86-1.2 Limitation upon advertisements

(a) [The contractor, meaning any person, firm, corporation or other entity which provides advertising services pursuant to a contract with NJ TRANSIT,] No advertisement located on property owned or controlled by NJ TRANSIT shall [not] be displayed or maintained [any advertisement] that falls within one or more of the following categories[.]:

1.-2. (No change.)

3. The advertisement or information contained therein declares or implies an endorsement by NJ TRANSIT of any service, product or point of view without prior written authorization of NJ TRANSIT;

4. The advertisement contains obscene material as defined by N.J.S.A. 2C:34-3, as such definition [as] may be amended, modified or supplemented from time to time;

5. The advertisement portrays graphic violence;

6. The advertisement displays weapons that appear to be aimed or pointed at the viewer or observer in a menacing manner;

[5.] 7. (No change in text.)

[6.] 8. The advertisement proposes [and] the use of or promotes tobacco or tobacco-related products; or

[7.] 9. The advertisement is not in the best business interest of NJ TRANSIT or is not in the best interest of [mass] public transportation.

SUBCHAPTER 2. PROCEDURES**16:86-[1.3]2.1 Advertising Standards Committee**

The Executive Director [is hereby authorized by the Board of Directors of NJ TRANSIT to] shall establish a three member Advertising Standards Committee ("Committee"). Such Committee shall be independent and its determinations shall constitute NJ TRANSIT's final agency determinations.

16:86-[1.4]2.2 Review of advertisements

(a) NJ TRANSIT's advertising firm shall review each advertisement submitted for installation, display and maintenance on NJ TRANSIT properties and facilities to determine whether the advertisement falls within, or may fall within, one or more of the categories set forth in N.J.A.C. 16:86-1.2. NJ TRANSIT may also review such advertisement for compliance with N.J.A.C. 16:86-1.2. If NJ TRANSIT or [an NJ TRANSIT] its advertising [contractor] firm determines that an advertisement falls within or may fall within one or more of the categories set forth in N.J.A.C. 16:86-1.2:

1.-3. (No change.)

4. The Committee shall promptly provide the advertiser and the advertising [contractor] firm with a written notice of its determination. The Committee's determination shall be final as per N.J.A.C. 16:86-[1.3]2.1.

16:86-[1.5]2.3 (No change in text.)**SUBCHAPTER 3. SEVERABILITY****16:86-[1.6]3.1 Severability**

If any category set forth in N.J.A.C. 16:86-1.2 is determined to be invalid as applied to any particular type of NJ TRANSIT property or facility, the category shall remain applicable to other types of NJ TRANSIT properties and facilities. If any category set forth in N.J.A.C. 16:86-1.2 is determined to be invalid as applied to all NJ TRANSIT property and facilities, the remaining categories shall remain valid.

TREASURY GENERAL

(a)
OFFICE OF THE STATE TREASURER

Garden State Savings Bonds

Proposed New Rules: N.J.A.C. 17:18

Authorized By: Charles Chianese, Chief of Staff, Department of Treasury.

EXHIBIT C

**REGULATIONS: READOPTION WITH AMENDMENTS OF N.J.A.C. 16:86
ADVERTISING STANDARDS PROPOSED AMENDMENTS**

The rules were amended to add provisions banning advertisements that (1) portray graphic violence or (2) display weapons aimed or pointed at the viewer or observer in a menacing manner. All other amendments reflect minor changes to form.

The rule proposed for readoption at N.J.A.C. 16:86 is proposed for amendment as follows:

N.J.A.C. 16:86-1.1(b) has been amended to clarify that advertisements located on property controlled by NJ TRANSIT are subject to these rules. Additionally, the phrase referencing contracts executed after October 21, 1997 has been deleted because this distinction is no longer relevant.

N.J.A.C. 16:86-1.1(c) has been added to clarify that the display of an advertisement does not constitute NJ TRANSIT endorsement of the product, service or message.

N.J.A.C. 16:86-1.2(a) has been amended to provide clarification.

N.J.A.C. 16:86-1.2(a)(3) has been amended to provide clarification that advertisements implying NJ TRANSIT endorsement of the service, product or point of view without prior written authorization are banned.

N.J.A.C. 16:86-1.2(a)(4) has been amended for grammatical purposes.

N.J.A.C. 16:86-1.2(a)(5) has been added to ban advertising that portrays graphic violence.

N.J.A.C. 16:86-1.2(a)(6) has been added to ban advertising that displays weapons aimed or pointed at the viewer or observer in a menacing manner.

N.J.A.C. 16:86-1.2(a)(7) is the renumbered text that was previously at N.J.A.C. 16:86-1.2(a)(5).

N.J.A.C. 16:86-1.2(a)(8) is the renumbered text that was previously at N.J.A.C. 16:86-1.2(a)(6). Additionally, the paragraph was amended to provide clarification regarding the type of tobacco advertisements that are banned.

N.J.A.C. 16:86-1.2(a)(9) is the renumbered text that was previously at N.J.A.C. 16:86-1.2(a)(7). Additionally, the paragraph was amended to change "mass transportation" to "public transportation."

N.J.A.C. 16:86-1.3 was renumbered to become N.J.A.C. 16:86-2.1 to separate the paragraph into a new subchapter. Additionally, the text "is hereby authorized by the Board of Directors of NJ TRANSIT to" was replaced with "shall" so the text states, the

EXHIBIT C

Executive Director shall establish a three member Advertising Standards Committee ("Committee").

N.J.A.C. 16:86-1.4 was renumbered to become N.J.A.C. 16:86-2.2.

N.J.A.C. 16:86-2.2(a) was amended to replace "an NJ TRANSIT" with "its" and "contractor" with "firm."

N.J.A.C. 16:86-2.2(a)(4) was amended to replace "contractor" with "firm" and update the reference to the new subchapter.

N.J.A.C. 16:86-1.5 was renumbered to become N.J.A.C. 16:86-2.3.

N.J.A.C. 16:86-1.6 was renumbered to become a new subchapter N.J.A.C. 16:86-3.1. Additionally, text was added to provide that if any category set forth in N.J.A.C. 16:82-1.2 is determined to be invalid, the remaining categories shall remain valid.

ITEM 0810-76: LEASE TO THE BOROUGH OF BERLIN (STATION PARCEL)

BENEFITS

The renewal of the ten (10) year lease of the Berlin Station parcel to the Borough of Berlin, Camden County, for an additional ten (10) years for \$1.00 annual rent will provide economic benefits to NJ TRANSIT by relieving NJ TRANSIT of the maintenance and corresponding insurance costs associated with the building and surrounding grounds. This lease will benefit the community by facilitating the continued use of the building as a meeting place for area organizations. The station, listed on the New Jersey and National Register of Historic Places, is an inactive railroad station on the Atlantic City Line.

PURPOSE

The purpose of this item is to authorize the renewal of the lease between NJ TRANSIT and the Borough of Berlin dated July 20, 1992 for an additional ten (10) years for \$1.00 annual rent. The lease expired on June 30, 2002. The station parcel consists of approximately 1.7 acres of land encompassing the Berlin Station known as Block 99, identified as Class II Railroad Property on the Official Tax Map of the Borough of Berlin. The leased premises are depicted in Exhibit "A" attached. The Borough of Berlin will utilize the station building as a meeting place for area organizations. The lease may be terminated on six months notice if NJ TRANSIT determines that the property is needed for operational purposes.

ACTION (Justification: Business Efficiencies)

Staff seeks authorization to enter into all necessary agreements and take all necessary actions with regard to NJ TRANSIT renewing the lease to the Borough of Berlin for a term of ten (10) years for \$1.00 annual rent, consisting of approximately 1.7 acres of land encompassing the Berlin Station known as Block 99, identified as Class II Railroad Property on the Official Tax Map of the Borough of Berlin Camden County, on NJ TRANSIT's Atlantic City Line at milepost 16.28, as depicted in Exhibit "A", attached.

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

FISCAL IMPACTS

Requested Authorization:

Authorization to enter into all necessary agreements and take all necessary actions with regard to NJ TRANSIT renewing the lease to the Borough of Berlin for a term of ten (10) years for \$1.00 annual rent, consisting of approximately 1.7 acres of land encompassing the Berlin Station known as Block 99, identified as Class II Railroad Property on the Official Tax Map of the Borough of Berlin Camden County, on NJ TRANSIT's Atlantic City Line at

milepost 16.28, as depicted in Exhibit "A",
attached

Total Project Cost: N/A

Projected Date of Completion: N/A

Anticipated Source of Funds: N/A

Diversity Goal: N/A

Related/Future Authorizations: N/A

**Impacts on Subsequent
Operating Budgets** N/A

RESOLUTION

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

WHEREAS, NJ TRANSIT owns the Berlin Station Parcel situated on Block 99, identified as Class II Railroad Property on the Official Tax Map of the Borough of Berlin; and

WHEREAS, the Borough of Berlin has indicated that it wishes to renew the lease of the Berlin Station Parcel for an additional ten (10) years; and

WHEREAS, leasing this station parcel will benefit NJ TRANSIT in the form of relieving it of the maintenance costs associated with the building and surrounding grounds and associated insurance costs; and

WHEREAS, NJ TRANSIT may terminate the lease on six months notice if NJ TRANSIT decides that the parcel is needed for operational purposes;

NOW, THEREFORE, BE IT RESOLVED, the Chairman or Executive Director is authorized to enter into all necessary agreements and take all necessary actions with regard to NJ TRANSIT renewing the lease to the Borough of Berlin for a term of ten (10) years for \$1.00 annual rent, consisting of approximately 1.7 acres of land encompassing the Berlin Station known as Block 99, identified as Class II Railroad Property on the Official Tax Map of the Borough of Berlin Camden County, on NJ TRANSIT's Atlantic City Line at milepost 16.28, as depicted in Exhibit "A", attached

For the best possible print results, click the printer icon on the Live Search Maps page.



ITEM 0810-77: LEASE TO THE BOROUGH OF PARK RIDGE (STATION PARCEL AND PEDESTRIAN WALKWAY)

BENEFITS

The renewal of the lease of the Park Ridge Station parcel to the Borough of Park Ridge, Bergen County for an additional 20 years for \$1.00 annual rent will provide economic benefit to NJ TRANSIT by relieving NJ TRANSIT of the maintenance and corresponding insurance costs associated with the station building, surrounding grounds and the pedestrian walkway used by NJ TRANSIT customers. The lease will allow the Borough of Park Ridge to provide a new pedestrian walkway to the station at no cost to NJ TRANSIT. This lease will benefit the community by facilitating the continued use of the building as a customer waiting area and a community center.

PURPOSE

The purpose of this item is to authorize the renewal of the lease between NJ TRANSIT and the Borough of Park Ridge dated January 29, 1982 for an additional 20 years for \$1.00 annual rent. The lease expired on January 28, 2002. The Park Ridge Station parcel, located on the Pascack Valley Line, is known as Block 1519, Lot 1 on the official tax map of the Borough of Park Ridge. The leased premises will include the station parcel and a pedestrian walkway located along the westbound side of the right of way from Madison Avenue continuing south toward Park Avenue. The plans for the pedestrian walkway will be reviewed and approved by NJ TRANSIT Rail Operations. The total leased area is 0.26 acres. The leased area is depicted in Exhibit "A", attached. The Borough of Park Ridge will utilize the station building as a waiting area for NJ TRANSIT's customers and a community center. The lease may be terminated on 12 months notice if NJ TRANSIT determines that the parcel is needed for future operational purposes.

ACTION (Justification: Business Efficiencies)

Staff seeks authorization to enter into all necessary agreements and take all necessary actions with regard to NJ TRANSIT renewing the lease to the Borough of Park Ridge for an additional 20 years for \$1.00 annual rent consisting of the Park Ridge Station parcel, located on the Pascack Valley Line, known as Block 1519, Lot 1 on the official tax map of the Borough of Park Ridge, and a pedestrian walkway located along the westbound side of the right of way from Madison Avenue continuing south toward Park Avenue in the Borough of Park Ridge, Bergen County, as depicted in Exhibit "A", attached.

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

FISCAL IMPACTS

Requested Authorization:	Authorization to enter into all necessary agreements and take all necessary actions with regard to NJ TRANSIT renewing the lease to the Borough of Park Ridge for an additional 20 years for \$1.00 annual rent consisting of the Park Ridge Station parcel, located on the Pascack Valley Line, known as Block 1519, Lot 1 on the official tax map of the Borough of Park Ridge, and a pedestrian walkway located along the westbound side of the right of way from Madison Avenue continuing south toward Park Avenue in the Borough of Park Ridge, Bergen County, as depicted in Exhibit "A", attached.
Total Project Cost:	N/A
Projected Date of Completion:	N/A
Anticipated Source of Funds:	N/A
Diversity Goal:	N/A
Related/Future Authorizations:	N/A
Impacts on Subsequent Operating Budgets	N/A

RESOLUTION

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

WHEREAS, NJ TRANSIT owns the Park Ridge Station Parcel on the Pascack Valley Line known as Block 1519, Lot 1 on the official tax map of the Borough of Park Ridge, Bergen County; and

WHEREAS, NJ TRANSIT owns the property between Madison Avenue and Park Avenue on the Pascack Valley Line;

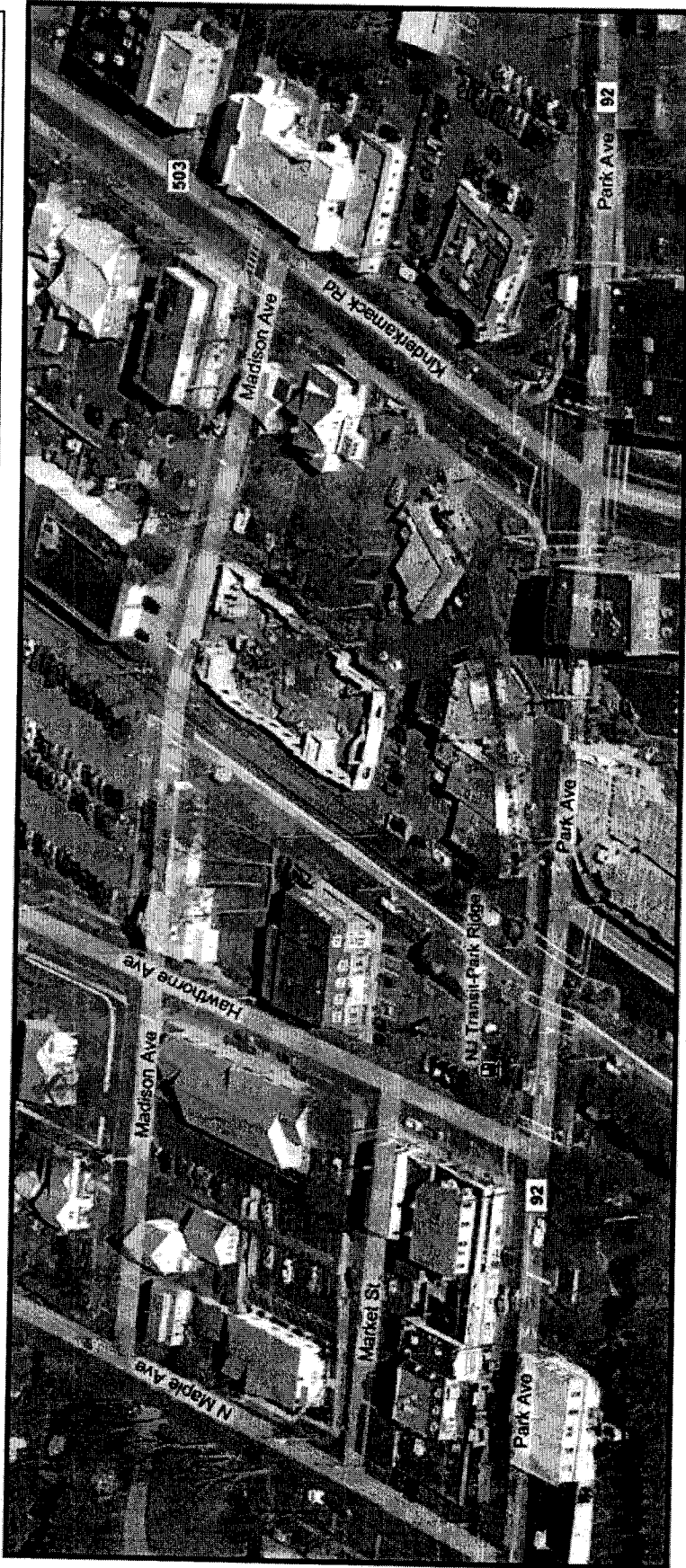
WHEREAS, the Borough of Park Ridge has indicated that it wishes to renew the lease of the Park Ridge Station Parcel for an additional 20 years; and

WHEREAS, the lease area will include a pedestrian walkway for customers to access the station; and

WHEREAS, leasing this station parcel will benefit NJ TRANSIT in the form of relieving it of the maintenance costs associated with the building, surrounding grounds and the pedestrian walkway used by NJ TRANSIT customers, and associated insurance costs;

NOW, THEREFORE, BE IT RESOLVED, the Chairman or Executive Director is authorized to enter into all necessary agreements and take all necessary actions with regard to NJ TRANSIT renewing the lease to the Borough of Park Ridge for an additional 20 years for \$1.00 annual rent consisting of the Park Ridge Station parcel, located on the Pascack Valley Line, known as Block 1519, Lot 1 on the official tax map of the Borough of Park Ridge, and a pedestrian walkway located along the westbound side of the right of way from Madison Avenue continuing south toward Park Avenue in the Borough of Park Ridge, Bergen County, as depicted in Exhibit "A", attached.

For the best possible print results, click the printer icon on the Live Search Maps page.



40502

9/8/2008

NJT Board 10/15/2008

EXHIBIT A

40503

SCALE: 1" = 100'

BOROUGH OF PARK RIDGE
COUNTY OF BERGEN

ROAD

RAILROAD AVENUE

AVENUE

PARK

MARKET STREET

KINDERKAMACK

STREET

PROPOSED
PINE LINE
360' (S)
360' (N)

STREET

MADISON

HAWTHORNE

PERRY

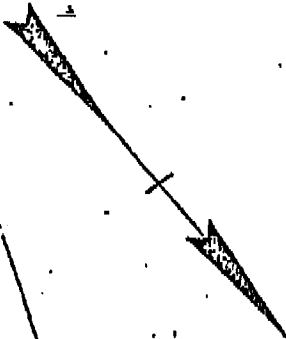
STREET

Existing Railroad Property Line

Center Line of Track 7

Existing Railroad Property Line 7

42
Area = 0.216 Ac.



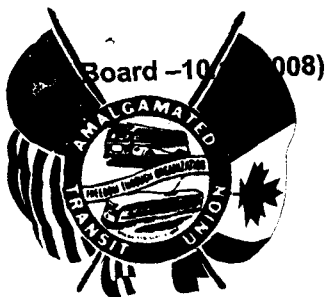
New Jersey
Department of Transportation
PARK RIDGE STATION
ERIE LACKAWANNA (N.J. & N.Y. R.R.)
M.P. # 23.6 Valuation Sec. # Link Code # 61
Borough of Park Ridge County of Bergen
February 28, 19
Scale: As Indicated

Lease Area Indicated As #42

Denotes Parcels as acquired by the Railroad
Ref. Railroad Map Dr. for Map 35

G-17

THEYRON BOWEN ENGINEERING GROUP (L.L.C.)



Amalgamated Transit Union Local 819 Newark, New Jersey

OFFICE

186 Brookside Ave., Irvington, NJ 07111

Benjamin F. Evans, President
Tiran Billups, Vice President
Clarise Tabron, Financial Secretary
Raymond Greaves, Recording Secretary
October 15, 2008

Phone: (973) 373-2332
Fax: (973) 373-3380
Email: RG819@aol.com
President Emeritus
Richard Outlaw

Good Morning, Chairman Kollori, Executive Director Sarles, and Board Members.

My Name is Benjamin Evans, President and Business Agent of ATU Local 819. I represent over 1600 active NJ Transit Bus Employees and I come before you today on their behalf and to advise you of the ongoing lack of cooperation we are enduring with NJ Transit Management.

Recently, I raised an issue and the response I received caused me to feel disrespected by Management. I personally contacted Stan Wrobel, Director of Maintenance, about a clear violation of the contract and I am told to get the facts and prove the allegation.

Let me make myself clear. When I address an issue with someone on Stan's level I already have the facts and I would appreciate it if he would look into the matter and work in cooperation, we need to resolve issues not put up walls and waste time and money.

The issue I raised with Stan was about a Supervisor (Kurt Wassong), in the Newark City Subway. It was brought to my attention that he was working on one of the City Subway Trucks Hydraulic System with two other employees.

Let me point out:

Number One: This vehicle should have been sent to the Central Maintenance Facility's Non Revenue Department to be worked on by qualified Mechanics.

Number Two: Kurt Wassong is a Management Employee and has no business getting his tools out to work on any vehicle or equipment. Our Contract clearly spells that out.

Number Three: Kurt Wassong put not only his safety in jeopardy by working on this vehicles' hydraulic system, but he jeopardized the safety and well being of my members by instructing them to work on this equipment.

This is a *serious matter* that not only violates our collective bargaining agreement, but clearly demonstrates NJ Transit's disregard for safety and procedures. This type of work must be done by qualified, certified mechanics, and such equipment is mandatorially subjected to Federal and State Inspections.

(NJT Board -10/15/2008)

This issue has been brought up before, why do they continue to take place and no action is taken? In the past memos have been put out to all managers that all non-revenue work must be done at the Central Maintenance Facility's Non Revenue Department. And to the best of my knowledge Stan Wrobel just recently informed the Management of the City Subway again of this directive.

Another matter that must be addressed is that of Management padding the payroll for their own benefit. Let me explain what I mean. Peter Riley, Assistant Director at the Central Maintenance Facility knowingly had two CMF employees paid for preparation involving a civil case against another employee. One of the employee's that was paid is the charging party. Is this type of management ethically acceptable by NJ Transit?

Is Management in a conspiracy against the individual, who the charges have been alleged against? One can draw their own conclusions and I hope you take the necessary steps to investigate this matter. If needed I can provide you with more information and factual evidence.

Lastly, I would appreciate it if I was informed of Managerial changes before they occur and not have to find out after the fact. Joyce Gallagher was replaced at the City Subway and my office was never advised of such or of her replacement.

Thank you for your attention and I would greatly appreciate your cooperation in taking the necessary steps to correct these matters. I also think would be prudent for myself and the Executive Director to meet and further discuss these matters.

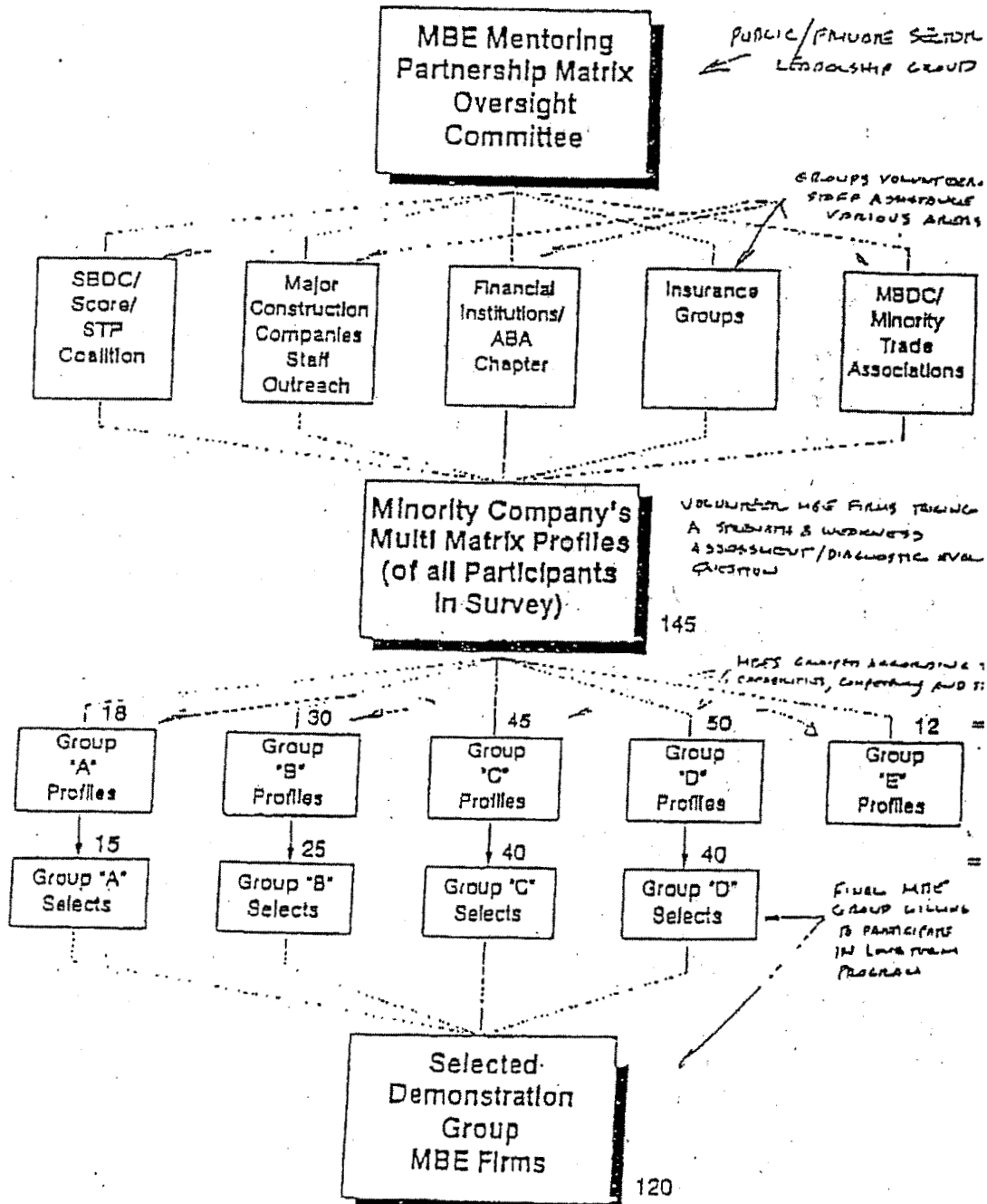
Thank you for your time.

Sincerely,

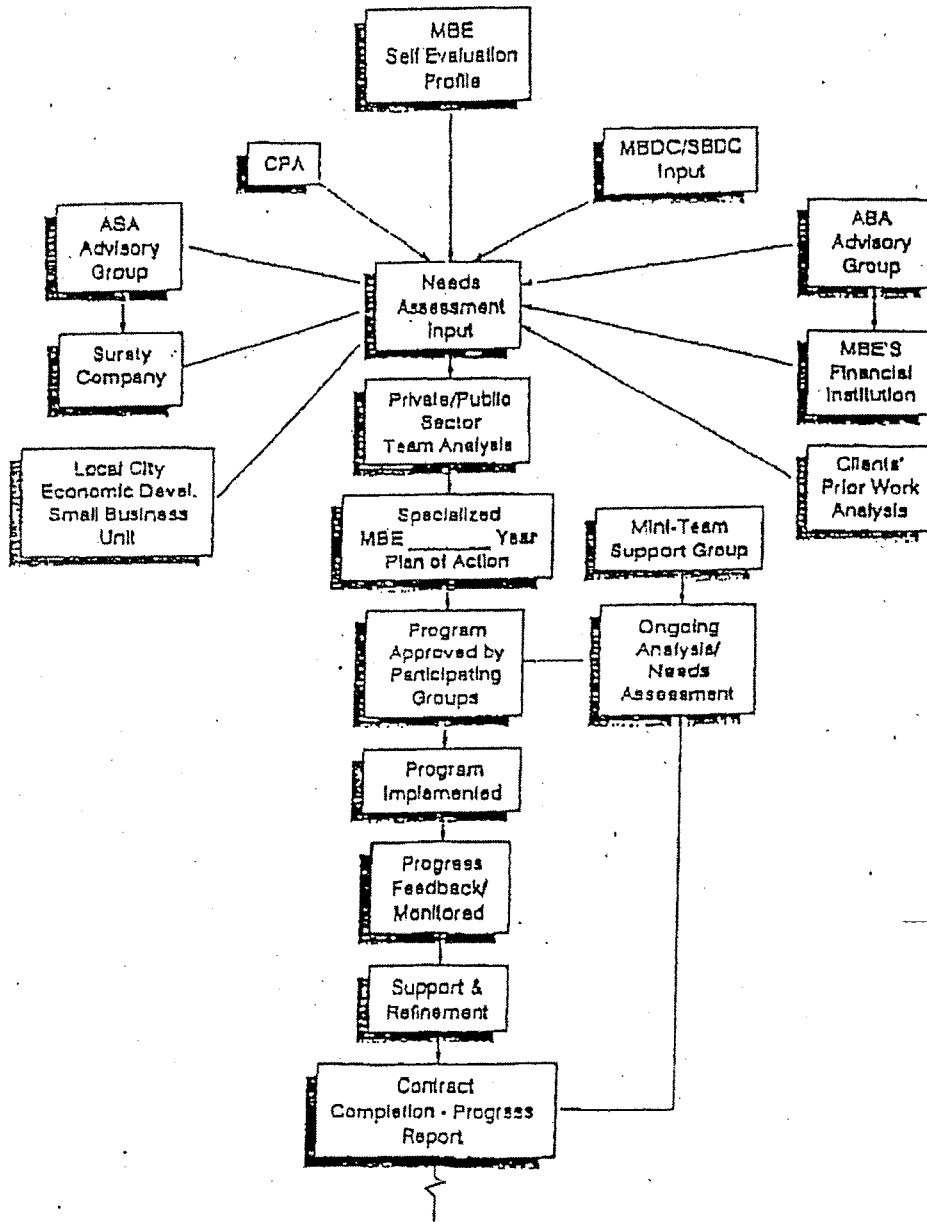


Benjamin F. Evans
President / BA

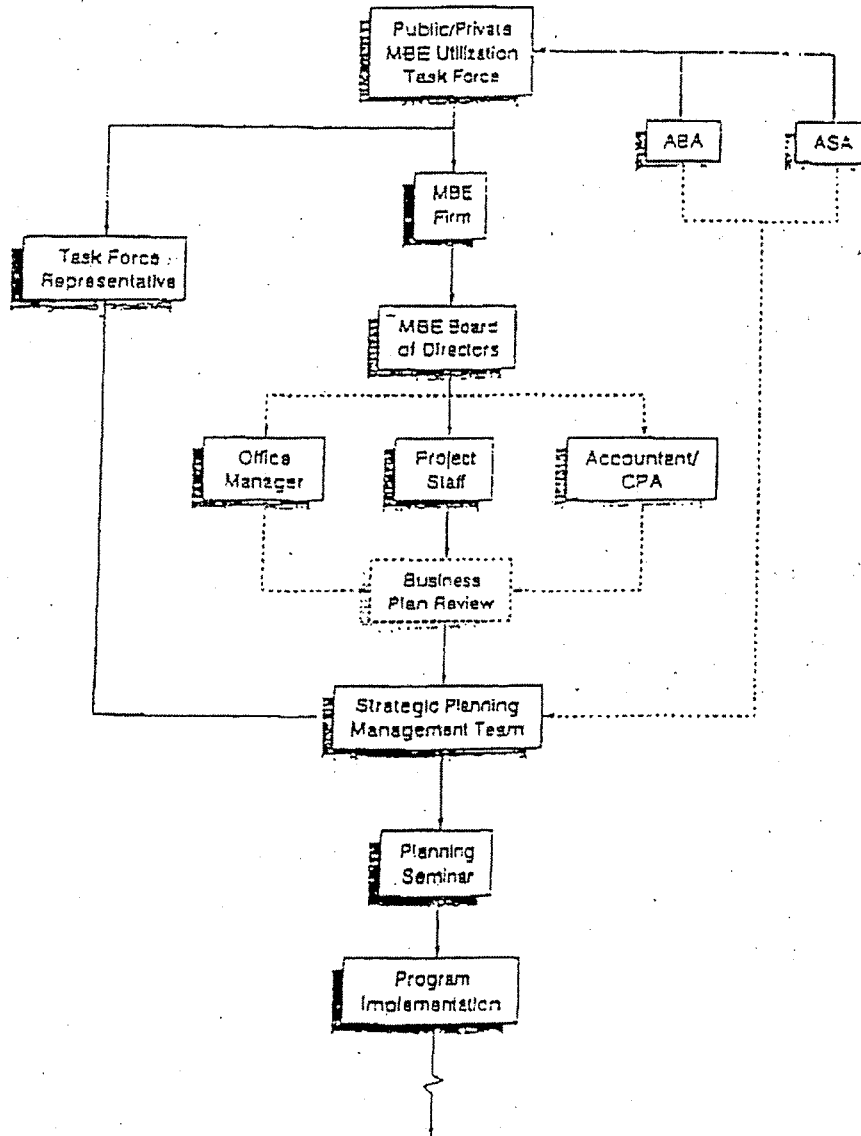
Matrix Mentoring Support System



STABILIZATION AND DEVELOPMENT PROGRAM



STRATEGIC PLANNING



NEW JERSEY STATE CONFERENCE OF NAACP

STATEMENT BY RICHARD E. BARBER, SR., CHAIRPERSON OF THE ECONOMIC EMPOWERMENT COMMITTEE OF THE NEW JERSEY STATE CONFERENCE OF NAACP.

OCTOBER 15, 2008

GOOD MORNING. MY NAME IS RICHARD E. BARBER, SR., OF THE NEW JERSEY STATE CONFERENCE OF NAACP. OUR CONFERENCE CONSISTS OF 41 BRANCHES FROM PATTERSON TO CAPE MAY, TO CAMDEN COUNTY TO WARREN COUNTY. THE MISSION OF THE ECONOMIC EMPOWERMENT COMMITTEE IS TO WORK WITH THE PUBLIC AND PRIVATE SECTORS IN A STRATEGIC PARTNERSHIP TO ENSURE THAT A "FAIR SHARE OF ECONOMIC BENEFITS" ACCRUE TO OUR CONSTITUENTS. THE COMMITTEE'S WORK IS BASED ON THE PHILOSOPHY OF "FAIR SHARE AND ECONOMIC RECIPROCITY".

DURING THESE PERILOUS ECONOMIC TIMES OF JOB LOSSES AND LAY-OFFS, IT IS MOST IMPORTANT THAT MINORITY BUSINESS ENTITIES RECEIVE A FAIR SHARE OF CONTRACT AWARDS FROM BOTH THE PUBLIC AND PRIVATE SECTORS, IN ORDER TO HELP ABATE THE HIGH UNEMPLOYMENT IN THEIR COMMUNITIES.

MY JOURNEY IN NEW JERSEY STARTED 30 YEARS IN APRIL 1978, AS DEPUTY EXECUTIVE DIRECTOR OF THE NATIONAL NAACP IN NEW YORK WITH DR. BENJAMIN L. HOOKS, THE NATIONAL EXECUTIVE DIRECTOR. DURING MY FIRST YEAR IN NEW JERSEY, I WAS MOST SURPRISED TO LEARN THE NEW JERSEY STATE GOVERNMENT HAD NO

MINORITY BUSINESS PROGRAM EVEN 10 YEARS AFTER PRESIDENT NIXON'S BLACK CAPITALISM AND 8(A) PROCUREMENT PROGRAM AT THE FEDERAL LEVEL. TO ADDRESS THIS SITUATION, I APPROACHED SENATOR WYNONA LIPMANN AND ASSEMBLYMAN JOHN WATSON. AT SENATOR LIPMANN'S REQUEST, I, ALONG WITH THE OFFICE OF LEGISLATIVE SERVICES DRAFTED THE SMALL, WOMEN AND MINORITY BUSINESS SET-ASIDE LEGISLATION WHICH WAS ENACTED BY THE LEGISLATURE IN THE EARLY 1980'S. THAT LEGISLATION PROVIDED FOR GOALS OF 15 % PERCENT FOR SMALL BUSINESSES; 3 % PERCENT FOR WOMEN AND 7 % PERCENT FOR THE FIVE MINORITY ETHNIC CATEGORIES. OVER THE LAST 30 YEARS, BOTH SMALL AND WOMEN OWNED BUSINESSES HAVE GREATLY EXCEEDED THEIR ANNUAL PROCUREMENT GOALS. ONLY THE MINORITY BUSINESS ENTITIES HAVE FALLEN FAR SHORT OF ITS ANNUAL GOAL OF 7 % PERCENT.

CONSEQUENTLY, WE ARE HERE TODAY, 30 YEARS LATER, STILL ADDRESSING THE MATTER OF A "FAIR SHARE OF CONTRACT AWARDS" TO BONA FIDE AND CREDIBLE MINORITY BUSINESSES. THIRTY (30) YEARS LATER. YET, I UNDERSTAND THAT THERE HAS BEEN INTERNAL DISCUSSIONS WITHIN NEW JERSEY TRANSIT TO REDUCE MBE PROCUREMENT GOALS, NOTWITHSTANDING THE HISTORICAL SHORT FALL OF NEARLY EVERY DEPARTMENT AND RELATED ENTITY OF STATE GOVERNMENT OVER THE LAST 30 YEARS.


WE READ IN THE SCRIPTURES THAT "TO WHOM MUCH IS GIVEN, MUCH IS

REQUIRED, AND TO WHOM MUCH MORE IS GIVEN, MUCH MORE IS
REQUIRED”.

AS DIRECTORS AND STEWARDS OF THE NATION’S LARGEST PUBLIC
STATEWIDE TRANSPORTATION SYSTEM, YOU HAVE BEEN GIVEN THE
RESPONSIBILITY TO APPROVE FAIR; EQUITABLE AND HONEST
PROCUREMENT AND PERSONNEL POLICIES. THEREFORE, ON BEHALF OF
OUR PRESIDENT, JAMES HARRIS AND THE EXECUTIVE COMMITTEE OF THE
STATE NAACP CONFERENCE, I REQUEST THAT YOU NOT ONLY MAINTAIN
THE CURRENT MBE GOALS, BUT TO EXPLORE CREATIVE WAYS THAT
THESE GOALS MAY BE INCREASED.

FINALLY, WE BELIEVE THAT “ECONOMICS AND POLITICS IS THE RIGHT
FORMULA” FOR PROGRESSIVE COMMUNITIES AND PROFITABLE
MINORITY BUSINESS DEVELOPMENT ACROSS NEW JERSEY. HOWEVER, IF
MINORITY BUSINESSES ARE NOT INCLUDED IN THE “PROCUREMENT
FORMULA” IN AN EQUITABLE MANNER, THEY WILL BE SHORT CHANGED
IN THE SOLUTION. MY HOPE IS THAT YOU WILL SEE THE WISDOM OF NOT
SHORT CHANGING THE MINORITY BUSINESSES OF THIS STATE, AND
THEREBY FULFILLING THE BIBLICAL ADMONITION THAT “TO WHOM
MUCH IS GIVEN, MUCH IS REQUIRED”. THANK YOU.

ARE THERE ANY QUESTIONS?


RICHARD E. BARBER, SR., CHAIRPERSON
ECONOMIC EMPOWERMENT COMMITTEE
OF THE NEW JERSEY STATE CONFERENCE OF NAACP
EMAIL: DBARBER38@COMCAST.NET

*Submitted by Reginald A. Guy Jr
on behalf of the N.J. General Alliance
of Inc. Incubator
320 Park Ave. 40512
Plainfield NJ 07060
(908) 754-1785*

Mentor/Protégé Program

The New Jersey Transit Authority seeks to maximize the participation of minority and women owned companies in business transactions and construction projects that benefit from its support. Therefore a mentor/protégé program is required to enhance the likelihood of M/WBEs taking full advantage of non-traditional business opportunities created by the Authority's projects.

The intent of the mentoring program is to make it possible for M/WBEs as well as minority and women employees to participate in all phases of the Authority's supported construction projects and business transactions.

M/WBE Technology Companies

As is the case with other aspects of American society, the construction industry has also benefited from rapid technological advances. One diversity objective of the Tunnel Project should be the identification and utilization of M/WBE technology firms and their products. This can be done in a manner that will not only increase the service capacity of these firms and demand for their goods, but their inclusion in the pool of long-term New Jersey Transit suppliers.

Therefore, it is imperative that technology based M/WBE companies be afforded opportunities for consideration and, where warranted, developmental assistance that will accomplish this goal. To achieve this objective best practice M/WBE utilization and development techniques, championed by a broad range of private and public sector corporate, educational, as well as trade organizations, will be deployed. i.e., McKinsey & Company, IBM, Stephens Institute, New Jersey Institute of Technology, Howard University, Morgan University, The American Society for Quality, The National Minority Supplier Development Council, etc.

The ultimate result of this approach, in addition to increasing the New Jersey Transit M/WBE supplier pool, will be creating an accelerated time to market schedule for technology based solutions and enhanced construction project cost effectiveness

General Trades and Professional Services Firms

Many firms are created within various industries and entered business as sub-contractors or suppliers of specialized services in response to specific needs. Lacking sufficient capital as well as technical or managerial experience to assure long-term success, special relationships often developed between fledgling firms and more successful companies.

These relationships were particularly prevalent during the 1996 Atlanta Olympics building construction program. On that project, M/WBE participation began at the design

stage, where smaller firms were encouraged to team with larger ones that could supplement their resources.

Today, these special relationships, when applied to the development of minority and women owned firms by majority corporations (M/WBEs), generally have the following conditions:

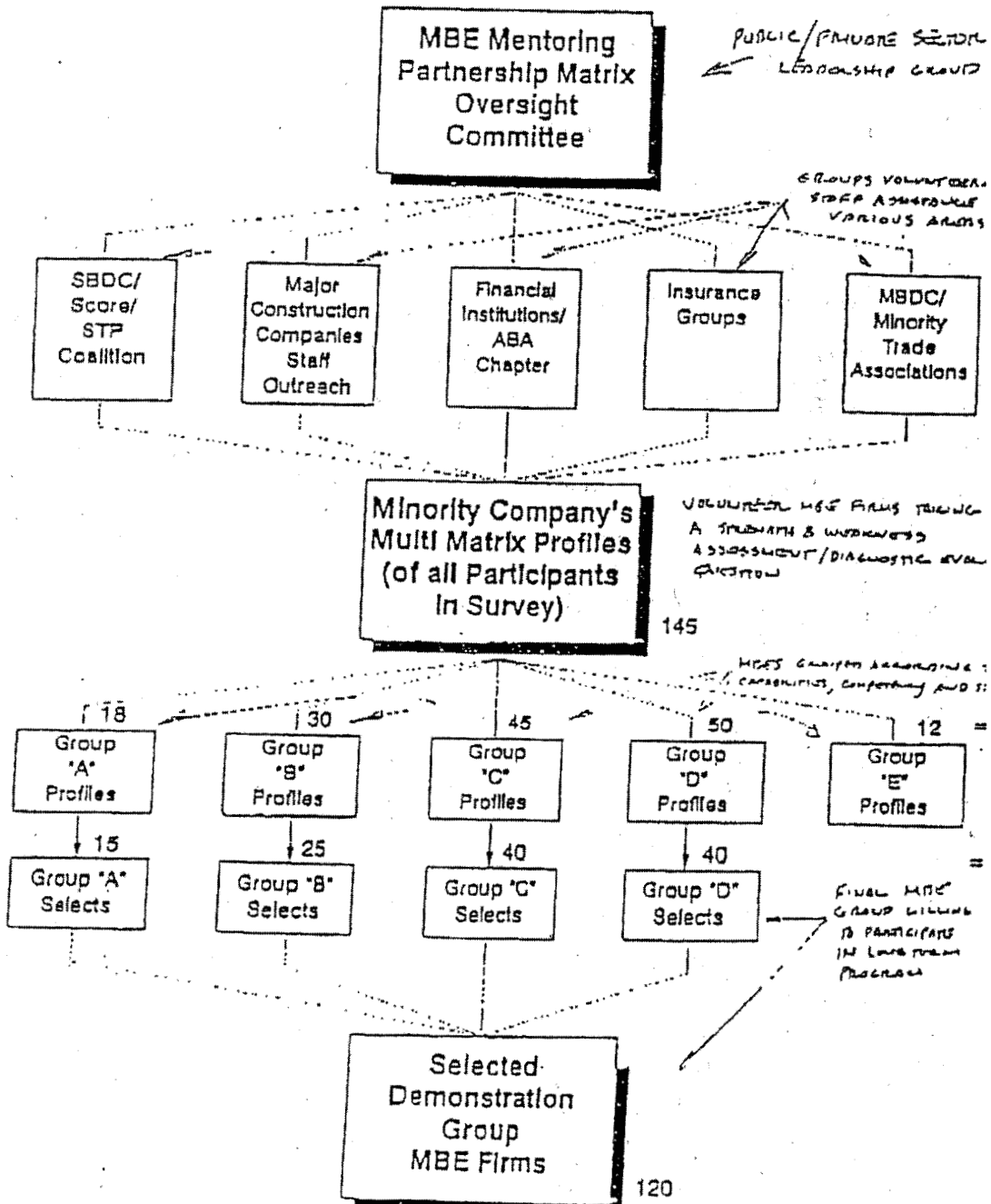
1. M/WBEs must be bona fide.
2. M/WBEs must be an independent organization with the ability to run their company on a daily basis.
3. The focus of the mentoring must be on providing advice, assistance and training, which will improve the management and operating skills of the protégé.
4. M/WBEs must perform administrative functions at facilities under their control. The mentor may provide such facilities or locations to the M/WBE on a limited basis if a separate written lease covering the arrangement is utilized.
5. Part ownership, under certain conditions, in an M/WBE entity, including by the mentor, may occur. See 49 CFR 23.

However, any equipment, supplies, other services, as well as non-M/ WBE investment generally must be reported to the appropriate project manager and cannot result in the mentor assuming control over the protégé.

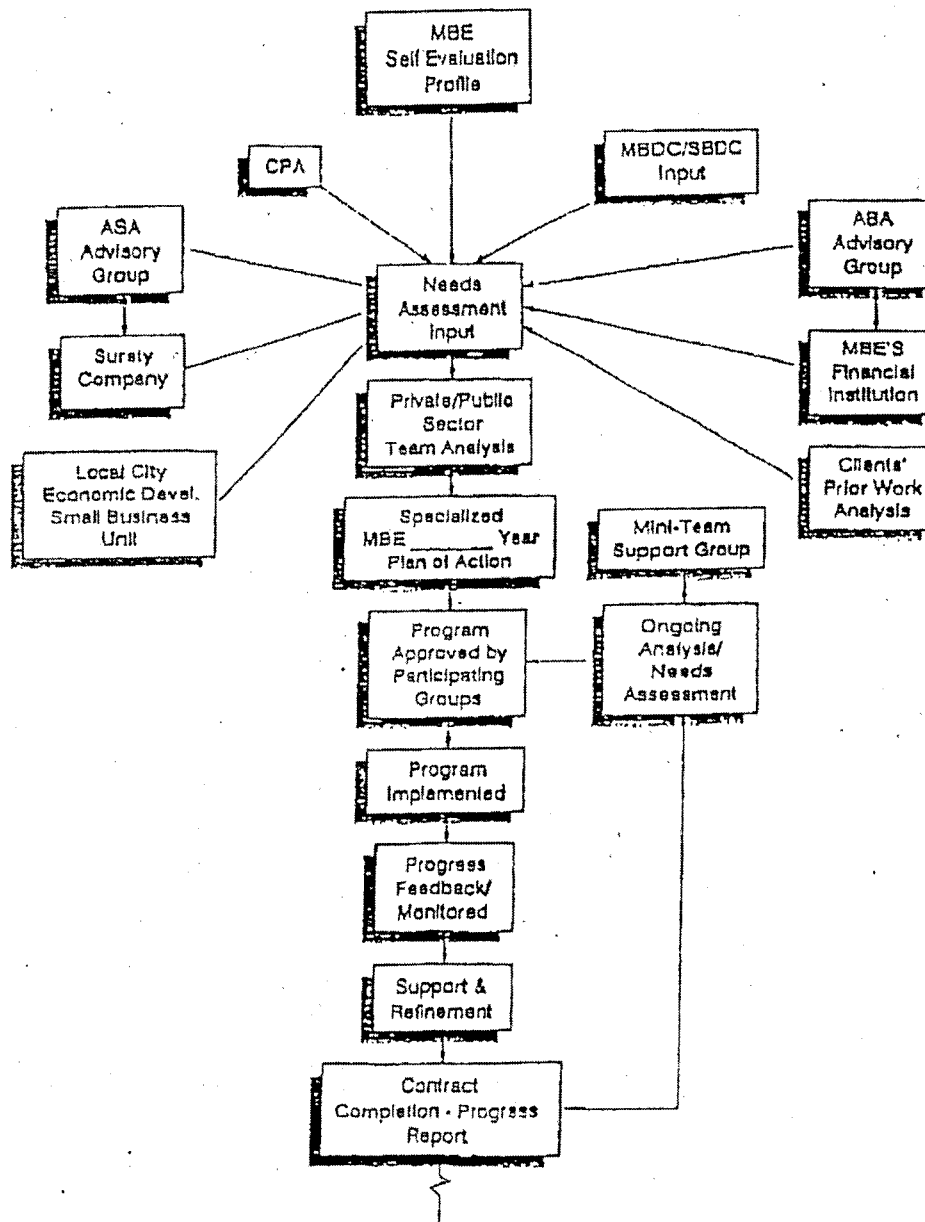
6. The mentor/protege relationship may include, when not in conflict with any relevant law, an arrangement by mutual consent in which an independent third party, i.e., bank, accountant, etc. provides assistance to the protégé.
7. Among the several types of assistance a mentor may provide its protégé are:
 - a. Financial
 - b. Technical
 - c. Equipment
 - d. Limited use of personnel with specified expertise
 - e. Bonding / Insurance
8. The mentor/protégé relationship should be evidenced by a written M/WBE development plan, approved by the appropriate monitoring office. The plan should set forth the parties objectives and roles, relationships duration, measurable benchmarks, and assistance to be offered the protégé by the mentor, and the agreement's termination basis.

The examples herein and methodologies, which follow, are not meant to be exclusive. Other methods in support of M/WBEs may be allowed, provided they do not result in mentor control of the protégé or exclusive arrangements, which limit the protégé's latitude to contract with others.

Matrix Mentoring Support System



STABILIZATION AND DEVELOPMENT PROGRAM



STRATEGIC PLANNING

