

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

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

June 14, 2022

Dear Governor Murphy:

Pursuant to Chapter 150, Laws of 1979, I herein transmit the minutes of actions taken at the open session of the meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc., Board of Directors held on Wednesday, June 8, 2022.

Sincerely,

*Meghan Clark Umukoro*

Meghan Clark Umukoro  
Acting Board Secretary

Enclosures

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

Open Session Minutes of the actions taken at the Board of Directors' meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. held at NJ TRANSIT Headquarters, One Penn Plaza East, Newark, New Jersey on Wednesday, June 08, 2022. The meetings occurred concurrently.

**Board Members**

Diane Gutierrez-Scaccetti, Chair  
Cedrick T. Fulton, Vice Chair  
Joy-Michele Johnson, Alternate Governor's Representative  
Michael Kanef, Treasurer's Representative  
James D. Adams, Board Member - ABSENT  
Sangeeta P. Doshi, Board Member (Via Teams)  
Bob Gordon, Board Member (Via Teams)  
Richard A. Maroko, Board Member  
Shanti Narra, Board Member  
Rashonda A. Brown, Board Member (Non-Voting)  
Karen Thomas, Board Member (Non-Voting)

**Staff**

Kevin S. Corbett, President & Chief Executive Officer (CEO)  
Brian T. Wilton, Chief Legal Officer  
Meghan Clark Umukoro, Acting Board Secretary  
Ronald Hovey, Acting Chief Procurement Officer  
Eric R. Daleo, Senior Vice President, Capital Programs  
William Viqueira, Senior Vice President, Chief Financial Officer & Treasurer

Chair Gutierrez-Scaccetti convened the Open Session at 9:09 a.m. in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Acting Board Secretary Umukoro asked everyone to mute their phones and turn their attention to the Public Safety Announcement. The pledge of allegiance to the flag was conducted.

Acting Board Secretary Umukoro conducted roll call and noted Board Member Adams was absent, Board Member Doshi would be participating remotely, and Board Member Gordon was having technical difficulties and would join the meetings shortly.

Acting Board Secretary Umukoro announced that adequate notice of the meetings of the Board of Directors of the New Jersey Transit Corporation and its affiliates and subsidiaries was provided in accordance with the Open Public Meetings Act and NJ TRANSIT's enabling legislation. Notices were filed on June 2, 2022 with the Secretary of State, sent to newspapers of general distribution, posted in the main entrance of NJ TRANSIT headquarters, published on the corporation's website, and sent to each individual, agency, and organization that requested such notice.

**Approval of Minutes**

Chair Gutierrez-Scaccetti asked for a motion to approve the minutes of the May 11, 2022 Board meetings. Board Member Shanti Narra made the motion, Vice Chair Cedrick T. Fulton seconded the motion, and it was adopted.

**Roll Call Vote:**

Adams	Doshi	Gordon	Maroko	Narra	Kanef	Johnson	Fulton	Gutierrez-Scaccetti
Absent	Yes	Absent	Yes	Yes	Yes	Abstain	Yes	Yes

**President & CEO’s Monthly Report**

President & CEO Corbett said he would begin with ridership, which was increasing on rail on the weekends and holding steady in all other aspects. Weekday rail ridership was approximately 55 percent of pre-COVID levels, while average rail ridership on weekends has increased from 70 to 80 percent to approximately 80 to 90 percent with some trains at 100 percent. For six out the last nine weeks, rail ridership on Saturdays has reached or exceeded 85 percent of pre-COVID levels. Systemwide bus ridership overall was approximately 70 percent of pre-COVID levels, with interstate ridership into New York at approximately 65 percent, and intrastate ridership at approximately 75 percent. Light rail ridership was once again at approximately 75 percent of pre-COVID levels.

President & CEO Corbett said on the service planning and restoration side of things, as they move into the second week of June, and as they see more people coming out post-COVID, he wanted to remind everyone that June was National Safety Month. He said while safety is a year-round priority, National Safety Month provides NJ TRANSIT with the perfect opportunity to recommit themselves to creating the safest possible travel environment for customers and employees.

This month, NJ TRANSIT launched an educational safety campaign for customers and employees with the theme Alert Today: Alive Tomorrow. This theme will be featured throughout the month on or near NJ TRANSIT’s network, along with messages that reinforce safety. They will also be reenforcing safety strategies and re-educating employees, customers, motorists, and others of safety protocols and risky behaviors by providing safety tips that will be displayed publicly and at internal employee locations throughout the state. New Jersey Transit Police, Office of System Safety employees, and members of the Customer Experience team will be interacting with customers through various safety events to remind the public of the importance of safety protocols when at a transit station or using public transit.

In addition to National Safety Month, June was also Pride Month, and to celebrate the LGBTQ+ community, NJ TRANSIT was unveiling two wrapped buses and a soon-to-be wrapped locomotive. The bus and locomotive wraps were made possible through the

generous sponsorship of Hackensack Meridian Health. The wrapped buses will be seen operating along routes throughout New Jersey during the month, and the wrapped locomotive will be introduced into revenue service later this month.

President & CEO Corbett said they were continuing their focus on another important community which were those with accessibility challenges. Building on last month's report regarding two new tech-focused accessibility initiatives, Magnusmode and their accessibility web page upgrade, next week on June 14, 2022, NJ TRANSIT will host its first-ever Accessibility Forum. The Forum is fully aligned with one of the five, overarching goals in NJ TRANSIT's 10-Year Strategic Plan – *NJT2030* to “power a stronger and fairer economy for all communities in the region.”

Representatives throughout the company will give presentations on accessibility initiatives within their respective areas, sharing the many services and features that help the NJ TRANSIT system be as accessible and inclusive as possible. Presentations will be followed by an opportunity for members of the public to make comments, offer feedback, and ask questions related to NJ TRANSIT accessible services. To register please visit [njtransit.com/accessibilityforum.com](https://njtransit.com/accessibilityforum.com).

On the heels of NJ TRANSIT's successful Spring Fling promotional campaign, NJ TRANSIT has introduced yet another promotion to help attract customers back to public transit. President & CEO Corbett said they want customers to make NJ TRANSIT “Your Ride to Summer Vibes.”

Beginning on June 1, 2022 and running through September 4, 2022, new and returning customers can save on summer travel by using various promotional codes in the NJ TRANSIT mobile app, including beach excursion fare discounts or low-cost roundtrip weekday tickets to some of New Jersey's most popular shore destinations. In addition, on May 28, 2022, NJ TRANSIT resumed service to Six Flags Great Adventure, from the Port Authority Bus Terminal via the number 308 express bus, and was offering some great discount packages to the park. President & CEO Corbett said overall, there were deals and discounts for everyone. For more information, please visit [njtransit.com/summer](https://njtransit.com/summer).

President & CEO Corbett said speaking of summer, although football season was still about three months away, MetLife has kicked off its summer concert series. Thanks to the full roster of locomotive engineers, NJ TRANSIT was able to seamlessly add service to and from MetLife Stadium to accommodate five major concerts this month. Last Saturday and Sunday, NJ TRANSIT provided rail transportation to and from the stadium for two Coldplay concerts. President & CEO Corbett appreciated the fact that as part of Coldplay's commitment to sustainability, the band actively encouraged its fans to use NJ TRANSIT through its social media channels.

This effort helped maximize NJ TRANSIT ridership to the stadium, and lowered carbon emissions, with NJ TRANSIT successfully moving more than 5,000 customers to the stadium each day, and approximately 10,000 customers from the stadium following the

concerts each day. NJ TRANSIT was also prepared with a service plan to get customers conveniently to and from the stadium for the Hot 97 Summer Jam on June 12, 2022, the Paul McCartney concert on June 16, 2022, and the Grupo Firme concert on June 18, 2022.

President & CEO Corbett moved on to infrastructure updates and said today NJ TRANSIT will seek Board authorization to award a professional services contract that will provide staff augmentation to support phase two of NJ TRANSIT's vital state-of-good-repair program, a critical component in continuing to provide safe, comfortable, and reliable service for customers. Aligned with this item, NJ TRANSIT continues to progress with the procurement steps for a Job Order Contracting construction model that will enable NJ TRANSIT to attack state-of-good repair projects better and more aggressively in the future.

President & CEO Corbett said they were aggressively pursuing new FTA grant opportunities now available through the Infrastructure Investment and Jobs Act. Over the past month, NJ TRANSIT has submitted multiple applications for hundreds of millions of dollars in grant funding that would support: NJ TRANSIT's stations and the extensive systemwide State-of-Good Repair Program; Hudson Bergen Light Rail expansion projects; low and zero-emission buses, and the upgrading and modernization of bus facilities to include the necessary charging infrastructure to support a 100 percent zero-emissions bus fleet. They were also working with their partners at Amtrak, Port Authority, and the Gateway Development Commission to continue advancing the Hudson Tunnel Project. President & CEO Corbett said to be sure, this was a very competitive space, a space that includes hundreds of transit agencies throughout the country, and they will, of course, keep the Board and the public apprised of any feedback they receive regarding the applications.

For active NJ TRANSIT infrastructure projects, they were nearing construction milestones on two significant capital projects. At the Long Slip Project in Hoboken, they have now completely filled the full length of the canal, using more than 60,000 cubic feet of fill to eliminate it as a conduit for flood water. The first phase of this project was now 80 percent complete, with an expected completion date of June 25, 2023. They were also preparing for the second phase of construction, which includes three ADA-accessible platforms to support six new tracks and other amenities. NJ TRANSIT plans to advertise the construction of Phase II in the fourth quarter of this year.

President & CEO Corbett said the Elizabeth Station project update has good news for customers on the progress of the station reconstruction. They were planning to open most of the Elizabeth Station's Track 4 side this summer, which includes 700 feet of high-level platform. Customers will be able to access this track via a new stairway and a new elevator, significantly improving accessibility for customers with mobility challenges. The platform fencing and new elevator tower also include some great-looking new artwork. He expects construction of the full station to be completed by the summer of 2023.

President & CEO Corbett said on the technology side, many will remember that two years ago, NJ TRANSIT became the first transit agency in the nation to receive a prestigious cyber-security certification from the International Organization for Standardization, or ISO. Last year, the ISO recertified NJ TRANSIT, and today, building on NJ TRANSIT's efforts to stay ahead of evolving cybersecurity threats, the Board will vote to authorize the renewal of software licenses that will better protect the network from Ransomware attacks. As technology is integrated more and more into NJ TRANSIT's equipment infrastructure, capital projects, and software applications, it is essential that they take all the proactive steps necessary to protect all NJ TRANSIT corporate data.

President & CEO Corbett said continuing with technology, they introduced a new, customer experience enhancement that is part of NJ TRANSIT's popular How Full Is My Ride mobile app feature, which allows customers to see how full their bus or train is before they board, so they can make more informed travel decisions. Last month, in response to customer feedback, this new feature answers the age-old question: Where is the restroom on this train? Customers can now easily find not only their train car number with green, yellow, and red graphics denoting light, medium, and heavy ridership, they can also now easily see where the restrooms are located on the train in relation to their own car. What may seem like a small technology enhancement, will provide a very meaningful improvement in the travel experience for all the rail customers who use the NJ TRANSIT system every day. He thanked Chief Information & Digital Officer Lookman Fazal, and his team for their work on this app upgrade.

In wrapping up his report, President & CEO Corbett said he was pleased to note that last month, he proudly joined Chief Trucillo at the New Jersey Transit Police Department (NJTPD) Awards Ceremony, the first one in three years, after the 2020 and 2021 ceremonies were sidelined due to the COVID-19 pandemic. He said it was good to be back in person to participate in this annual event, where they were able to recognize so many selfless acts of heroism that literally saved so many lives over the last three years. It was also his pleasure to recognize those officers who deservedly earned promotions over the last three years.

President & CEO Corbett was very pleased to recognize NJTPD Award Ceremony recipient Officer Angelo Silletti, who was at the Board meeting, and recently received the 200 Club of Hudson County's Valor Award. President & CEO Corbett said during a winter patrol at Hoboken terminal in 2019, Officer Silletti observed a man who had entered the freezing Hudson River, and with no regard for his own life, dove into the frigid Hudson River in an attempt to rescue the man. Although the man ultimately succumbed to exposure, Officer Silletti survived, and they were both lifted from the water. Further investigation revealed that the man, unfortunately, intended to take his own life.

President & CEO Corbett said to Officer Silletti that his actions on that winter day exemplify the core values of the New Jersey Transit Police Department: honor, commitment, integrity, and courage. He thanked Officer Silletti for his bravery and the work he does every day to keep customers safe and secure.

Lastly, President & CEO Corbett said he was pleased to share that NJ TRANSIT has been awarded a prestigious 2022 Silver Telly Award for NJ TRANSIT's While You've Been Away public-information video, and can be found at [njtransit.com/progress](https://www.njtransit.com/progress). The video was created to share all the ways NJ TRANSIT worked to improve safety, service, and the customer experience throughout the pandemic, while customers were away, and to let them know NJ TRANSIT was, and are, ready for their return.

Receiving over 12,000 entries from all 50 states and five continents, Telly Award winners represent work from some of the most respected advertising agencies, television stations, production companies, and publishers in the world. President & CEO Corbett said kudos to Senior Vice President of Communications & Customer Experience Anthony Grieco, along with Chief Marketing Officer Vaughan Williams, for leading this effort and entering NJ TRANSIT into the competition. He also thanked Creative Services Officer Jeff Antman for directing the video and the entire communications team for their contributions.

### **Public Comments**

Chair Gutierrez-Scaccetti asked Acting Board Secretary Umukoro if there were any public comments. Acting Board Secretary Umukoro said there were three in-person speakers and seven pre-registered telephone speakers.

Acting Board Secretary Umukoro said in order to give everyone an opportunity to be heard, comments would be limited to three minutes. She said priority access would be given to pre-registered in-person participants, followed by any additional in-person speakers. They would then take comments from pre-registered telephone participants, followed by any additional telephone participants, who queued to speak. Acting Board Secretary Umukoro instructed those participating by telephone, if they have not already done so, please press \*1 on their telephone keypad to enter the queue to speak. They would hear a brief tone to indicate they have successfully entered the queue.

**Murray Bodin** said he represented concerned grandparents who were worried about the environment they were leaving to their grandchildren. His main concern was with global warming and said there was nothing more important than this, which needed to be addressed. Mr. Bodin said he wore hearing aids, and in order for him to understand what the Board was saying he needed to see their lips, and have an in-person interactive conversation, in which he could see the expression on their faces. Mr. Bodin said there was a bus garage to hold 500 buses on NJ TRANSIT's books which never should be built because it was for generation that no longer exists. He said a garage was needed to account for global warming where you repair, clean, and test buses, but the buses do not need to be stored in the garage.

Mr. Bodin discussed the railroad crossing issue on flashing lights versus a traffic light, due to so many distracted drivers today. He said flashing lights were a thing of the past and now people have traffic lights with a gate, and felt NJ TRANSIT should do the same, instead of relying on ways of the past and saying this was the way it has always been. Lastly, Mr. Bodin thanked Chair Gutierrez-Scaccetti for addressing President & CEO

Corbett by his first name, and thought all Board Members should be addressed by their first name because they all know each other, which would lighten up and change the context of the meeting.

Acting Board Secretary Umukoro noted Board Member Gordon has joined the meeting remotely.

**Paula Rogovin** from Don't Gas the Meadowlands Coalition said the NJ TRANSIT Board Members have told them that they cannot comment about the RFP for the TRANSITGRID Project, and was hoping that Governor Murphy's Representative there today would relay her message to the Governor. Ms. Rogovin said NJ TRANSIT's RFP was out of step with the Environmental Justice Law signed by Governor Murphy, and it was a disgrace that NJ TRANSIT has chosen to ignore Governor Murphy's 2020 directive to pivot from a polluting toxic gas plant instead of towards a renewable energy solution. She said the renewable energy solution would be free of pollution and would serve to protect the health of people in nearby environmental justice communities, and the health of all people. Ms. Rogovin asked that the Board speak to Governor Murphy so he could tell NJ TRANSIT to amend the RFP, so it was focused on a real hybrid renewable energy solution.

Ms. Rogovin said they have explained over and over again that the pollution from a gas plant, one that was designed not to just provide power during an emergency, but one that would provide power 24/7 to Amtrak was a clear violation of the spirit of the environmental justice law signed. Ms. Rogovin said to add yet another source of deadly pollution would be illegal, unjust, and immoral, which was environmental racism, and they want environmental justice. Ms. Rogovin held up children's T-shirts that she brought which read, No Toxic Gas Plant. She said these T-shirts were to remind the Governor, Board Members, and all those at the meeting today, that the impact from the pollution of a gas plant would hit young children so hard.

**Sid Madison** of Piscataway, New Jersey said he echoed his fellow activists that NJ TRANSIT needs to have a facility that is a hybrid renewable energy solution. He said they have made little progress based on the fact that greenhouse gas emissions are higher today than they were 25 years ago. Mr. Madison said the political goal to reduce global warming to 1.5 degrees has turned aspirational with 2.0 degrees being the stated goal. He said from a science standpoint any increase in the global temperature will cause increasing damage, and the difference between 1.5 and 2.0 degrees was basically a disaster, the 19 percent of the CO<sub>2</sub> that is put in the atmosphere will be there 1,000 years from now, and this would allow for the disaster to go on for thousands of years.

Mr. Madison said into the picture insert the goal of reducing greenhouse gas emissions by 50 percent by 2030, as mentioned both by Governor Murphy and President Biden, and in both cases, there was almost no substantial means of achieving this goal. Mr. Madison concluded by comparing the fossil fuel power plant goal of NJ TRANSIT like a patient bleeding out, and NJ TRANSIT trying to put a band-aid on when a tourniquet was needed. He requested that the Board ask Governor Murphy to immediately enact a moratorium on

fossil fuel infrastructure projects in New Jersey. Mr. Madison said the tourniquet would stop private companies that would get a 14 percent return on investment projects, that were not concerned with the 2030 goals.

Acting Board Secretary Umukoro said they would now open the floor for public comments by telephone participants, beginning with those who pre-registered to speak. The Operator provided a reminder for those who have not already done so, to please press \*1 on their telephone keypad to enter the queue to speak and that each speaker would be given three (3) minutes for their public comment, and a warning would be provided with one-minute remaining and again with 15 seconds remaining. The Operator said there were 11 speakers in the queue to speak.

**Sally Jane Gellert**, Lackawanna Coalition Chairperson, said the Lackawanna Coalition recently passed resolutions supporting mask-mandatory cars on all or most NJ TRANSIT trains, and two resolutions calling for passing sidings on the Gladstone and Pascack Valley lines. Ms. Gellert went on to read excerpts from the resolutions outlined in her Lackawanna Coalition Statement which was submitted.

**Samantha DiFalco**, Organizer with Food & Water Watch, spoke on behalf of their 70,000 plus members and supporters across New Jersey. She wanted to address her comments today to the Governor's Representative, Joy-Michele Johnson, and asked that she talk to Governor Murphy about the TRANSITGRID project in light of environmental justice laws released earlier this week. Ms. DiFalco said these laws clearly show that a gas-fired power plant should not be built in Kearny, and it violates laws that were signed by Governor Murphy since he has been in office. She said it was a disgrace that NJ TRANSIT has chosen to ignore the directives that came in from the Governor in 2020 and after, and they have endured two years of opposition against this project from people across New Jersey. Ms. DiFalco asked the Board to ensure that this TRANSITGRID project was done in the right way, and in a way that will prioritize environmental justice and the climate. She asked them to amend the RFP today, so that this project can be done right so NJ TRANSIT does not find themselves in a difficult situation later in the year when the RFP is due.

**Jeff Rapaport** said their position was clear and they were encouraging NJ TRANSIT to push for renewable energy and not build a gas-fired power plant. He said he does not feel confident that NJ TRANSIT was leaning in that direction right now, but really hopes that changes. He said if this proposed power plant plan goes through, there are seven pipelines and power plants on the table, and looking at Governor Murphy's 50 percent by 2030 Plan, he questioned how the construction of a new gas infrastructure can be justified.

Mr. Rapaport said he wanted to ask just one question: What is Governor Murphy's plan to implement 50 percent by 2030, what are the pluses and minuses, and said they really need him to show how he will bring about 50 percent by 2030. He asked that Governor Murphy make himself available to meet with them, and to work with everyone in the various departments of the state and encourage and push them to be onboard because

NJ TRANSIT, BPU, and the DEP need a plan. Mr. Rapaport asked how they can have all these state agencies moving in different directions. He said he met Governor Murphy some time ago and they briefly discussed how the Governor was concerned about his family and the effects of climate change, and Mr. Rapaport believed him. Mr. Rapaport said the future of young people are at stake, and asked how they can help.

**Ken Dolsky**, member of Don't Gas the Meadowlands Coalition, said he wanted to comment on the state of communication from NJ TRANSIT throughout the TRANSITGRID project. He said the Coalition has sent the Board and NJ TRANSIT management at least four major letters analyzing and discussing the most important issues on this project with no responses. Mr. Dolsky said in January 2020 they sent an inventory list of potential space for solar panels and followed-up several times asking for a meeting, and yet no reply. He said in July of 2020 they sent a 26-page letter refuting NJ TRANSIT's resurgence of Appendix D of the FEIS, that renewable energy was not appropriate, and they also included a high-level quantification of the key capacity needed for a hybrid microgrid, including space for solar, which was far less than what NJ TRANSIT thought was needed. Mr. Dolsky said they destroyed NJ TRANSIT's arguments with deafening silence. He said in March 2022 a 12-page letter was also sent with the Coalition's analysis of the problems and issues with the recent RFP, and no acknowledgement of receipt of this letter was indicated. Mr. Dolsky said in May a nine-page letter was sent in response to the less than compelling comments made by Board Members at the previous Board meeting, even though, they demonstrated the weaknesses, and in some cases the absurdity of statements, and still there was no response.

Mr. Dolsky said to say they have received no response from NJ TRANSIT would not be fair because the Board did respond during Board meetings, and they have had conversations during their Energy & Sustainability Policy Stakeholder meetings. However, he said NJ TRANSIT's responses during these meetings were consistently a combination of unsupported statements, such as, things keep changing and they do not want to dictate to the market, which Mr. Dolsky said was exactly what NJ TRANSIT has done. He said these conversations have been less than satisfactory; however, one Board Member did agree to meet with the Coalition to discuss the March letter sent, but then cancelled after speaking to a NJ TRANSIT attorney. Mr. Dolsky said they want to have confidence that the Board is going to do the right thing, but they were making it very hard. He said in the past when working in procurement they did not allow attorneys to dictate how they were to deal with their stakeholders. Mr. Dolsky said this Board has great power and to use it responsibly.

**William Ritzler**, New Jersey Coordinator for the Delaware Valley Association of Rail Passengers (DVARP), said as done on several occasions, he wanted to report on service issues with the Atlantic City Line. He said the outstanding issues for the month of May appear to be associated with the Delaware Bridge owned by Conrail, congestion related issues which were cascading relative to the Delaware Bridge issues. He said on a positive note on these metrics during the month of May there appeared to be zero attributions due to availability, which means that the increase in engineers appears to be doing its job. He

said the DVARP continue to support improvements in the Atlantic City Rail Line, and continue to support plans for the Camden Line, and the New Bus BCG initiative, and hope that this initiative moves forward with priority on the passenger entrance.

**David Hughes** representing Rutgers University and the Don't Gas the Meadowlands Coalition spoke against the RFP that includes natural gas as an option for a power plant to be used in a NJ TRANSIT facility. Mr. Hughes read a quotation by Thomas A. Edison, who was one of the first eventers of electric power generation over 100 years ago, "Sunshine is a form of energy, and the winds and tides are manifestations of energy, do we use them, oh no; we burn up wood and coal, as renters burn up the front fence for fuel, we live like squatters, not as if we owned the property." Mr. Hughes said the point was that NJ TRANSIT has a free resource shining down upon the parking lots, train stations, the yard, and quite a lot of acres accessible to NJ TRANSIT; however, it seems like they do not want to use it. Instead, he said NJ TRANSIT wants to go to Pennsylvania and places beyond that and go thousands of feet underground and fracture the earth and pollute the water tables.

Mr. Hughes said this will harm environmental justice communities and people with asthma, and he could not understand why NJ TRANSIT wants to do that, unless they just want to keep a dead and dying industry going for another two years. He asked that NJ TRANSIT do the right and sensible thing, write an RFP that prioritizes the free clean resource that keeps the world alive and preserves the condition of life on earth, in the Ironbound, and in other environmental justice communities.

**Rachel Dawn Davis**, Public Policy and Justice Organizer for Waterspirit, Ministry of the Sisters of St. Joseph of Peace, said she wanted to direct her comments to the Governor's representative, echoing comments of her other public health advocates today. She said water was the source and sustainer of all life, and they were already experiencing wars over this diminishing life force, and they all know this. Ms. Davis said energy sources they consider using more of such as water, oil, and gas have no place in their society and have not for quite some time now.

Ms. Davis said they advocate for green job training to ensure that workers in this age polluting industry are capable of adding a vibrant future with economic security, focusing on young people and their future. She said they cannot help but notice and mention them because they were not present, they were at school learning how government works, or changing water cycles work, or perhaps actively protecting their own lives and friends lives from gun violence. Ms. Davis said violence was rooted in environmental racism, perpetuated by obstacles surrounding rights, and there was something terribly wrong.

Ms. Davis said on Monday the Environmental Justice Law rules were put out and this was the time for Governor Murphy to lead on the environment, beyond wind turbine and window dressings. She said the NJ TRANSIT Microgrid Project was so close to being corrected, which has been discussed at nauseum for over a year now. Ms. Davis said please relay to Governor Murphy that NJ TRANSIT amend the RFP so the people of New Jersey can believe in leadership in their state, and that this leadership understands

the impact of inaction that could lead to chaos. She said a moratorium must be placed on all fossil fuel projects, and get energy from the sun solar.

**Adam Reich** said he would like an update on where the Board is on the Customer Advocate position and the Customer Advisory Board. He said if there is no position filled by September, could they at least commit to having a meeting amongst staff. Mr. Reich said last month Suzanne Mack expressed interest in her willingness to speak with him, but he has not heard from her, and asked if the Board Secretary could provide her with his contact information.

Mr. Reich said a mask only car on trains continues to be a big issue of his however, he did want to express his appreciation for those Board Members in support of this and for asking staff to consider this as a pilot program. He said to please consider an optional model where they place signage and make regular announcements and see if this will work on the trains. Mr. Reich said most importantly, on the mask car issue staff has miscast the equity consideration with equity principles. He said they should provide a reasonable accommodation where they can do so, and they do not deny reasonable accommodations because they cannot provide it everywhere. Mr. Reich said President & CEO Corbett and his team said if they cannot provide masks only on buses, then you cannot do it on rail, which was casting equity in the wrong light. He said to reach out to Washington Metro since they have expressed interest in the mask only car idea, and get together with everyone to have a dialogue and work through all the issues involved.

**Tim Sevener** from the Transit Village of Mount Tabor, and Board Member of the New Jersey Association of Rail Passengers, said he wanted to point out another aspect instead of using natural gas for the microgrid because prices have doubled, and prices for solar have not. He said once solar is installed, it is practically free, the international energy agencies expect that gas prices will continue to rise, and Wall Street has invested approximately a trillion dollars in oil and gas. Mr. Sevener said the Sun will always keep shining, but they cannot be sure about oil and gas, and everyone should be using solar as much as possible. He said as pointed out by Mr. Dolsky, there is plenty of solar acreage to build the microgrid.

Mr. Sevener said as he has stated in the past solar tunnels can be built, which has been done in Belgium. He said electric rail should be taken into consideration because diesel prices have increased which is another reason why NJ TRANSIT should consider electrifying the rail, particularly in Atlantic City since they are having issues which were mentioned earlier by Mr. Ritzler, New Jersey Coordinator for the Delaware Valley Association of Rail Passengers. Mr. Sevener said the electric rail will produce zero-emissions, reduce pollution, and improve service.

**William McClellan**, Volunteer with Food & Water Watch, and member of Don't Gas the Meadowlands Coalition, said he was calling on NJ TRANSIT once again to address the critical issues and amend the RFP for the TRANSITGRID Project so the design does not include a gas or dirty energy power plant, and will prioritize renewable energy. He was

also calling on NJ TRANSIT to respond to the letters and concerns raised by members of the public at the February and March Board meetings and today.

Mr. McClellan said they have not received a sufficient response to any of these concerns, and while he knows the Board is unable to answer any of the public's questions at these meetings, he would appreciate a response to their questions in writing or have them posted on NJ TRANSIT's website. His first question to the Board was: 1) Will you the Board of Commissioners direct NJ TRANSIT to withdraw the RFP and provide a new one that focuses on creating a hybrid renewable energy microgrid that was promised to the people of New Jersey by the Board and Governor Murphy, 2) Will you the Board of Commissioners call for an investigation of why the RFP deceived both Governor Murphy and the Board by pivoting back to a gas plant, and call for the removal of the company that was specifically hired to direct and support the microgrid project, 3) Will you the Board of Commissioners call for the removal of the NJ TRANSIT staff from the microgrid project for steering the RFP back to the gas plant.

Mr. McClellan asked if after the public comment session, during the Board's comments, each Board Member will state their commitment to a renewable energy microgrid and not pollute Kearny with another gas power plant. In closing, he asked that the Board do their job.

**Erika Gould** said she was commenting to show her support for a mask only rail car. She said one car per train was not too much to ask for people to wear a face mask. Ms. Gould said this was critical for her and other high-risk individuals who live with people who are high risk. She said they want to be able to ride the train safely, and at the beginning of the meeting President & CEO Corbett spoke about National Safety Month, and the mask car issue was a part of that. Ms. Gould said now was the perfect time to launch a pilot program, and being in an environment of masked individuals will meaningfully reduce the chances of transmitting COVID-19, which was indeed a matter of safety.

Ms. Gould said as stated before at other meetings, she wanted to repeat that most face masks were designed to protect other people from the mask wearer, not the other way around. She said at the last Operations and Customer Service meeting after she and other commenters said they would be willing to forego active enforcement of mask wearing by the train crew, Board Member Narra stated that she would see if they could work something out, but would not expect staff to enforce the mask only rail car. Ms. Gould wanted to know if this issue has been discussed with staff, and what was the status. She said the mask car only could be self-selecting.

**Matthew Smith**, New Jersey Director for Food & Water Watch, commenting on behalf of its 70,000 plus members and supporters across the state, called on NJ TRANSIT to amend the RFP for the TRANSITGRID Project. Mr. Smith said this week New Jersey made history by publishing key rules and mapping tools for one of the leading environmental justice laws in the country, and at the signing of this law Governor Murphy said that they can no longer allow for the rights to clean water, air, and a healthy environment being determined by peoples color, zip code, or make up. Mr. Smith said

yet, there they were after several years of work, and the RFP issued by NJ TRANSIT leaves the door wide open for a major gas plant that would pollute the air and lungs of millions of people in Kearny and surrounding regions, which was unacceptable.

Mr. Smith said to date, NJ TRANSIT has not even looked at non-generational alternatives to give the microgrid the resiliency that it needs. He said PSE&G is set to spend hundreds of millions by hardening the grid during extreme weather events. Mr. Smith asked where NJ TRANSIT's analysis was to build grid hardening to avoid future power outages to the NJ TRANSIT rail lines and other infrastructure. He said in the New York Metropolitan area surrounding the Kearny gas plant, there were 19 million people, and eight million people die each year from pollution attributed to fossil fuel. Mr. Smith said NJ TRANSIT must uphold its commitment to receiving stakeholder feedback and to a renewable energy alternative, the RFP must be amended, and they look forward to engaging in dialogue.

### **Board Member Comments**

**Board Member Narra** said she wanted to address Sally Jane Gellert's issue that was raised at last month's Board meeting on Departure Vision. She said she asked staff to look into it and they did. Board Member Narra said she would summarize the response she received and said the bottom-line was with the current technology, there have been some glitches in getting particular information up on the Departure Vision system. She said the Information Technology Department is working on a technology solution that will automate the delivery when there are cancellations so that the most updated information can be provided to customers.

Board Member Narra said the Information Technology staff was actively working on the manual component of the system which was very complicated, and staff was working to optimize both components of the system, but in the meantime, was asking passengers to follow their individual rail lines on Twitter, and customize their initial push notifications on the mobile app, or sign-up for my transit alerts. Board Member Narra said while she understands that Departure Vision was advertised to provide certain services, staff was working hard to target the problems, and hoped this satisfied Ms. Gellert. She also said she was sure that once the problems were solved the public would be notified.

### **Advisory Committee Report**

**Anna Marie Gonnella Rosato** said the North and South Jersey Passenger Advisory Committee (PAC) provided letters of support to the U.S. Department of Transportation and Central Transportation for NJ TRANSIT applications, for a total of seven grant submissions. Ms. Gonnella Rosato said these are FY22 funds for Mega Grants, including Job Order Contracts, Jersey City Transportation and Access Initiatives, Low or Zero-Emission Grant Program for Hybrid Bus Acquisitions, Low or Zero-Emission Grant Programs and Buses and Bus Facilities and Competitive Grants for NJ TRANSIT's Meadowlands Bus Garage Modernization Project, Buses and Bus Facilities Competitive Program for NJ TRANSIT's Union City Garage Reconstruction Electric Ready Projects, Low or Zero-Emission Grant Project for Greenville Bus Garage Solar Canopy

Electrification Project, and Low or Zero-Emission Grant for the Hilton Bus Garage Roof Replacement Solar and Electrification Ready Project.

Ms. Gonnella Rosato said NJ TRANSIT launched two new technology focused initiatives to assist those with mobility challenges through a partnership with Magnusmode. With the help of the MagnusCards, a free mobile app will assist autistic and neurodiverse customers navigate the system. She said NJ TRANSIT has also revamped its accessibility related website with new videos and easy to use links.

Ms. Gonnella Rosato said the National Safety Council has designated June as National Safety Month with a theme of Alert Today, Alive Tomorrow. NJ TRANSIT also launched a very educational campaign for customers offering tips, and reminders throughout the month to enforce safety on or near transit systems.

Ms. Gonnella Rosato said NJ TRANSIT has begun its Summer Discount Program Your Ride to Summer Vibes. Using various promotional codes in the NJ TRANSIT mobile app, customers can save on beach packages, express bus service to Six Flags Great Adventure, rail service to Monmouth Park Racetrack, and Buy One Get One Free to bring a friend. Roundtrip rides into New York City and Philadelphia are also discounted, customers can also travel from Philadelphia to Atlantic City on a roundtrip ticket on the Atlantic City Rail Line for just \$10.00 on weekdays. Ms. Gonnella Rosato said June 4-June 5, 2022 NJ TRANSIT offered a 25 percent discount to the Coldplay concert at MetLife Stadium to help advance the band's eco-friendly sustainable efforts.

Ms. Gonnella Rosato said the next Passenger Advisory Committee virtual meeting will be held Friday, June 10, 2022.

### **Board Operations and Customer Service Committee Report**

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

### **Board Administration Committee Report**

Board Member Maroko presented the report for the Administration Committee. The Administration Committee received a Financial Update. This included a summary of operating results compared to previous year's comparable period and Fiscal Year 2022 Budget, 12-month farebox revenue compared to pre-COVID, major balance sheet items and Federal COVID-19 relief grant drawdown summary. Additional information was provided as part of the agenda materials, including the cost-of-service key performance indicators, 12-month farebox recovery, history of vacancies, attrition and hires, ridership and revenue, and a monthly budget-to-actual comparison for July 2021 to April 2022.

### **Board Capital Planning, Policy, and Privatization Committee Report**

Vice Chair Fulton presented the report for the Capital Planning, Policy, and Privatization Committee. The Capital Planning, Policy, and Privatization Committee discussed Board items for Fiscal Year 2023 Sole, Single, and Limited Qualified Source Procurement by Exception Authorization; Information Technology: Award of Contract for Ransomware Protection to SHI International Corporation; and Professional Services Contract - NJ TRANSIT State of Good Repair – Staff Augmentation Phase 2.

### **Energy and Sustainability Policy Committee Report**

Vice Chair Fulton presented the report for the Energy and Sustainability Policy Committee. The Energy and Sustainability Policy Committee discussed updates to the Microgrid Central Facility Procurement. The Committee also received a briefing from Senior Vice President of Capital Programs Eric Daleo, and his staff regarding NJ TRANSIT's Sustainability Plan, and the Zero Emission Bus Program.

### **Action Items**

#### **2206-40: FISCAL YEAR 2023 SOLE, SINGLE, AND LIMITED QUALIFIED SOURCE PROCUREMENT BY EXCEPTION AUTHORIZATION**

President & CEO Corbett introduced Ronald Hovey, Acting Chief Procurement Officer, to present Action Item #2206-40. Ronald Hovey presented for approval Action Item #2206-40: Fiscal Year 2023 Sole, Single, and Limited qualified Source Procurement by Exception Authorization.

Board Member Shanti Narra made a motion and Board Member Michael Kanef seconded the motion.

Vice Chair Fulton thanked Mr. Hovey for the presentation and said during the Board Briefings they talked about the measures Mr. Hovey was going to put in place to look at strategies and techniques to first quantify the need, and then come up with solutions, if they can, to reduce the number of procurements by exception. Vice Chair Fulton said they speak to this issue every year and it was one of the utmost importance whenever buying with reduced competition, and he thought the strategies Mr. Hovey put in place were progressive and some of the best he has heard. Consequently, what he has asked Mr. Hovey to do was before it was time to do this again next year, report back to the Board on how those strategies were going so they can have a sense of what progress they are making in the area where to the extent possible they can reduce procurements by exception. Vice Chair Fulton said he will be looking forward to the interim report, prior to the time when they have to make this decision this time next year.

Chair Gutierrez-Scaccetti echoed Vice Chair Fulton's comments that this item was one of the most difficult Board items she sees every year, which had nothing to do with Mr. Hovey, but to do with the number of procurements that happen to fall under these

categories. She appreciated Vice Chair Fulton’s wisdom and Mr. Hovey’s efforts to continue to bring this number down and to constrain it in terms of dollar value before bringing it back to the Board, and for her it was a major issue of transparency. Chair Gutierrez-Scaccetti wanted to add to Vice Chair Fulton’s comments that she was very grateful Mr. Hovey was continuing to tighten this item up, and looks forward to next year when the list hopefully gets smaller, which is always the goal, and she thanks him and appreciated all of his efforts.

Acting Board Secretary Umukoro said that Board Member Gordon had to leave for a BPU meeting and will return afterwards.

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

Adams	Doshi	Gordon	Maroko	Narra	Kanef	Johnson	Fulton	Gutierrez-Scaccetti
Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**2206-41: PROFESSIONAL SERVICES CONTRACT – NJ TRANSIT STATE OF GOOD REPAIR STAFF AUGMENTATION PHASE 2**

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2206-41. Eric Daleo presented for approval Action Item #22065-41: Professional Services Contract – NJ TRANSIT State of Good Repair Staff Augmentation Phase 2.

Board Member Richard A. Maroko made a motion and Board Member Shanti Narra seconded the motion.

Vice Chair Fulton said these types of procurements were the ones where they ask themselves, were they the ones that can be done by in-house staff, and whether they have the confidence for this to be done in-house permanently. They understand the market challenges present today particularly in these disciplines, but he asked staff to continue to pursue looking for opportunities, where possible and cost attainable, to bring people onboard for this important work in a critical areas, where possible.

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

Adams	Doshi	Gordon	Maroko	Narra	Kanef	Johnson	Fulton	Gutierrez-Scaccetti
Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**2206-42: NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: PARCEL 118 METAL GREEN RECYCLING SELF-MOVE AGREEMENT AND RELOCATION**

President & CEO Corbett introduced Eric Daleo, Senior Vice President, Capital Programs, to present Action Item #2206-42. Eric Daleo presented for approval Action Item #2206-42: NJ TRANSIT – Portal North Bridge Project: Parcel 118 Metal Green Recycling Self-Move Agreement and Relocation.

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

Adams	Doshi	Gordon	Maroko	Narra	Kanef	Johnson	Fulton	Gutierrez-Scaccetti
Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**2206-43: INFORMATION TECHNOLOGY: AWARD OF CONTRACT FOR RANSOMWARE PROTECTION TO SHI INTERNATIONAL CORPORATION**

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2206-43. William Viqueira presented for approval Action Item #2206-43: Information Technology: Award of Contract for Ransomware Protection to SHI International.

Board Member Joy-Michele Johnson made a motion and Board Member Shanti Narra seconded the motion. Chair Gutierrez-Scaccetti asked for a roll call vote and the item was adopted.

Adams	Doshi	Gordon	Maroko	Narra	Kanef	Johnson	Fulton	Gutierrez-Scaccetti
Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**2206-44: CORPORATE INSURANCE PROGRAM ANNUAL RENEWAL**

President & CEO Corbett introduced, William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2206-44. William Viqueira presented for approval Action Item #2206-44: Corporate Insurance Program Annual Renewal.

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

Adams	Doshi	Gordon	Maroko	Narra	Kanef	Johnson	Fulton	Gutierrez-Scaccetti
Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

Acting Board Secretary said Board Members Brown and Thomas were recused from the next item #2206-45 and they left the meetings.

**2206-45: PERSONAL INJURY CLAIM OF YSABELLE CAMPANELLA**

President & CEO Corbett introduced William Viqueira, Senior Vice President, Chief Financial Officer and Treasurer, to present Action Item #2206-45. William Viqueira presented for approval Action Item #2206-45: Personal Injury Claim of Ysabelle Campanella.

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

Adams	Doshi	Gordon	Maroko	Narra	Kanef	Johnson	Fulton	Gutierrez-Scaccetti
Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Executive Session Authorization**

Chair Gutierrez-Scaccetti noted they would adjourn to Executive Session, and would only return to adjourn the meetings, and no further business would be conducted. Chair Gutierrez-Scaccetti asked for a motion to enter Executive Session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including but not limited to the Grade Crossing License Agreement - Standard Street Alpha Property, LLC., Lease of Warehouse Space for use by NJ TRANSIT Operating Departments, and the NJ TRANSIT Resilience Program – Raritan River Bridge Replacement Project: General Construction Contract (GC.01) Amendment.

Board Member Richard A. Maroko made the motion, Board Member Shanti Narra seconded the motion, and it was adopted. At approximately 10:38 a.m., the Board adjourned to Executive Session.

**Roll Call Vote:**

Adams	Doshi	Gordon	Maroko	Narra	Kanef	Johnson	Fulton	Gutierrez-Scaccetti
Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Return to Open Session**

Acting Board Secretary Umukoro conducted a Roll Call as Board Members returned to Open Session. All Board Members returned to Open Session at approximately 12:07 p.m. Chair Gutierrez-Scaccetti said because Board Members Brown and Thomas were recused from the last three Executive Session items, they were told they did not have to stay for the simple matter of adjourning the meetings, which was a conscious decision made on their part out of courtesy.

**Adjournment**

Since there was no further business, a motion to adjourn was made by Board Member Richard A. Maroko, seconded by Vice Chair Fulton, and adopted.

The meetings were adjourned at approximately 12:08 p.m.

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

**JUNE 8, 2022**

**MINUTES**

**PAGE**

➤ <b>CALL TO ORDER</b>	-
➤ <b>APPROVAL OF MINUTES OF PREVIOUS MEETINGS</b>	<b>62387</b>
➤ <b>PRESIDENT &amp; CEO'S MONTHLY REPORT</b>	<b>62388</b>
➤ <b>PUBLIC COMMENTS</b>	-
➤ <b>ADVISORY COMMITTEE REPORT</b>	-
➤ <b>BOARD COMMITTEE REPORTS</b>	-

**ACTION ITEMS**

<b>2206-40</b>	<b>FISCAL YEAR 2023 SOLE, SINGLE, AND LIMITED QUALIFIED SOURCE PROCUREMENT BY EXCEPTION AUTHORIZATION</b>	<b>62411</b>
----------------	---	--------------

– Authorization to enter into procurement-by-exception contracts for the purchase of materials and services from approved vendors set forth in Exhibit A1 (subject to adjustments) to support Bus, Rail, Light Rail, and Headquarters operations at a cost not to exceed \$30,000,000, including MCI spare and replacement parts, plus five percent for contingencies (on non-MCI parts) to account for increase in ordering quantities and changing market conditions, subject to the availability of funds. New firms with material or services whose aggregate value exceeds \$250,000 within the fiscal year, will be submitted to the Board. This request will cover a 12-month period from July 1, 2022 to June 30, 2023.

Authorization to enter into procurement-by-exception contracts for the purpose of maintaining/ upgrading hardware and software systems from approved vendors set forth in Exhibit A2 (subject to adjustments) to support NJ TRANSIT's Information Systems at a total cost not to exceed \$26,181,754, subject to the availability of funds. New firms with services whose aggregate value exceeds \$250,000 within the fiscal year, will be submitted to the Board. This request will cover a 12-month period from July 1, 2022 to June 30, 2023

Authorization to enter into procurement-by-exception contracts for the purchase of materials and service from approved vendors set forth in Exhibit A3 (subject to adjustments) to support NJ TRANSIT Infrastructure at a cost not to exceed \$8,482,000, subject to the availability of funds, Federal Transit Administration approval and all other applicable requirements. New firms with

NEW JERSEY TRANSIT CORPORATION  
NJ TRANSIT BUS OPERATIONS, INC.  
NJ TRANSIT RAIL OPERATIONS, INC.  
NJ TRANSIT MERCER, INC.  
NJ TRANSIT MORRIS, INC.  
BOARD OF DIRECTORS' MEETINGS  
JUNE 8, 2022  
MINUTES  
PAGE 2

services whose aggregate value exceeds \$250,000 within the fiscal year will be submitted to the Board. This request will cover a 12-month period from July 1, 2022 to June 30, 2023.

- 2206-41 PROFESSIONAL SERVICES CONTRACT – NJ TRANSIT STATE OF GOOD REPAIR STAFF AUGMENTATION PHASE 2** – Authorization to enter into Phase 2 of NJ TRANSIT Contract No. 20-062 with Urban Engineers Inc. of Philadelphia, Pennsylvania, for professional services assistance in an amount not to exceed \$7,681,640.00, plus five percent for contingencies, subject to the availability of funds. **62426**
- 2206-42 NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: PARCEL 118 METAL GREEN RECYCLING SELF-MOVE AGREEMENT AND RELOCATION** – Authorization to take any and all actions to enter into a Relocation Agreement with Metal Green Recycling Industries, Inc., and provide relocation benefits to Metal Green Recycling Industries, Inc., in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C.A. §4601, et seq. and New Jersey Uniform Transportation Housing Replacement and Relocation Act, N.J.S.A. 27:7-72 et seq. (“Uniform Act”), not to exceed an amount discussed in Executive Session subject to the availability of funds. **62432**
- 2206-43 INFORMATION TECHNOLOGY: AWARD OF CONTRACT FOR RANSOMWARE PROTECTION TO SHI INTERNATIONAL CORPORATION** – Authorization to renew Rubrik software licenses for ransomware protection with SHI International Corporation of Somerset, New Jersey, for a three-year term in an amount not to exceed \$1,819,695.21, plus five percent for contingencies, subject to the availability of funds. **62434**
- 2206-44 CORPORATE INSURANCE PROGRAM ANNUAL RENEWAL** – Authorization to revise and renew the Corporate Insurance Program and to include services necessary to administer the Program for the period July 1, 2022 through June 30, 2023 at an annual cost not to exceed an amount discussed in executive session, plus five percent for contingencies, subject to the availability of funds and adoption of the FY 2023 Operating Budget. **62435**
- 2206-45 PERSONAL INJURY CLAIM OF YSABELLE CAMPANELLA** – Authorization to settle the claim of Ysabelle Campanella through her attorney, at an amount discussed in Executive Session. The Attorney General has approved the proposed settlement, subject to the availability of funds. **62436**
- **EXECUTIVE SESSION AUTHORIZATION** **62437**
- **ADJOURNMENT**

### **APPROVAL OF MINUTES**

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

**WHEREAS**, pursuant to Section 4(f) of the New Jersey Public Transportation Act of 1979, the minutes of actions taken at the May 11, 2022 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. were forwarded to the Governor on May 19, 2022;

**NOW, THEREFORE, BE IT RESOLVED** that the minutes of actions taken at the May 11, 2022 Board Meetings of the New Jersey Transit Corporation, NJ TRANSIT Rail Operations, Inc., NJ TRANSIT Bus Operations, Inc., NJ TRANSIT Mercer, Inc., and NJ TRANSIT Morris, Inc. Board of Directors' meetings are hereby approved.

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

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

**TO:** BOARD OF DIRECTORS  
**FROM:** KEVIN S. CORBETT   
**DATE:** JUNE 8, 2022  
**SUBJECT:** **PRESIDENT & CEO'S REPORT – JUNE 2022**

June is National Safety Month, which provides NJ TRANSIT with the ideal opportunity to expand on our year-round commitment to safety. Toward that end, this month NJ TRANSIT launched a new educational safety campaign for customers and employees with the theme, “Alert Today: Alive Tomorrow.” This theme that will be featured on or near New Jersey’s transit system, throughout the month, along with tips and reminders to reinforce safety. June is also Pride Month, and to celebrate the LGBTQ+ community, NJ TRANSIT unveiled two Pride-wrapped buses and a soon-to-be wrapped locomotive. The wrapped buses will be seen operating along routes throughout New Jersey during the month, and the wrapped locomotive will be introduced later this month.

We are also continuing our focus on another important community – those with accessibility challenges. Next week on June 14<sup>th</sup>, NJ TRANSIT will host its first-ever Accessibility Forum, where representatives from throughout the company will give presentations on accessibility initiatives, sharing the many services and features that help make our system as accessible and inclusive to as many people as possible. Presentations will be followed by an opportunity for members of the public to make comments, offer feedback, and ask questions related to our accessible services. To register for the forum, please visit [njtransit.com/accessibilityforum](https://njtransit.com/accessibilityforum).

On the heels of our “Spring Fling” promotional campaign, NJ TRANSIT has introduced yet another promotion to help attract customers back to public transit – we want customers to make NJ TRANSIT “Your Ride to Summer Vibes.” Beginning on June 1<sup>st</sup> and running through September 4<sup>th</sup>, new and returning customers can save on summer travel by using various promotional codes in the NJ TRANSIT mobile app. In addition, on May 28<sup>th</sup> NJ TRANSIT resumed service to Six Flags Great Adventure, and is offering some great discount packages to the park. For more information, please visit [njtransit.com/summer](https://njtransit.com/summer).

Speaking of summer, MetLife has kicked off its summer concert series. Thanks to our full roster of locomotive engineers, NJ TRANSIT is able to seamlessly add service to and from MetLife Stadium to accommodate five major concerts this month. Last Saturday and Sunday, NJ TRANSIT provided that rail transportation to and from the stadium for a pair of Coldplay concerts. We are also prepared with a service plan to get customers to and from the stadium as efficiently as possible for the Hot 97 Summer Jam on June 12<sup>th</sup>; the Paul McCartney concert on June 16<sup>th</sup>; and the Grupo Firme concert on June 18<sup>th</sup>.

Moving on to “infrastructure” updates, today NJ TRANSIT will seek Board authorization to award a professional services contract that will provide staff augmentation to support Phase 2 of our invaluable State-of-Good-Repair Program. NJ TRANSIT is also aggressively pursuing new FTA grant opportunities now available through the Infrastructure Investment and Jobs Act, and nearing construction milestones on two significant capital projects. At our Long Slip Project in Hoboken, we have now completely filled the full length of the canal to eliminate it as a conduit for flood water. We are also planning to open most of our Elizabeth Station’s “Track 4” side this summer, which includes 700 linear feet of high-level platform.

Regarding “technology” updates, today – building on our efforts to stay ahead of the constantly changing and challenging Cybersecurity field – the Board will vote to authorize the renewal of software licenses that will better protect our network from Ransomware attacks. We have also introduced a new customer-experience enhancement as part of our popular “How Full Is My Ride” mobile app feature. Customers can now easily find not only their train car number with green, yellow, and red graphics denoting light, medium, and heavy ridership, they can also now easily see where the restrooms are located on the train in relation to their own car.

Finally, I’m pleased to share that NJ TRANSIT has been awarded a 2022 Silver Telly Award for our “While You’ve Been Away” public-information video, available at [njtransit.com/progress](https://njtransit.com/progress). Receiving over 12,000 entries from all 50 states and five continents, Telly Award winners represent work from some of the most respected advertising agencies, television stations, production companies, and publishers in the world.



**PRESIDENT & CEO'S MONTHLY REPORT**

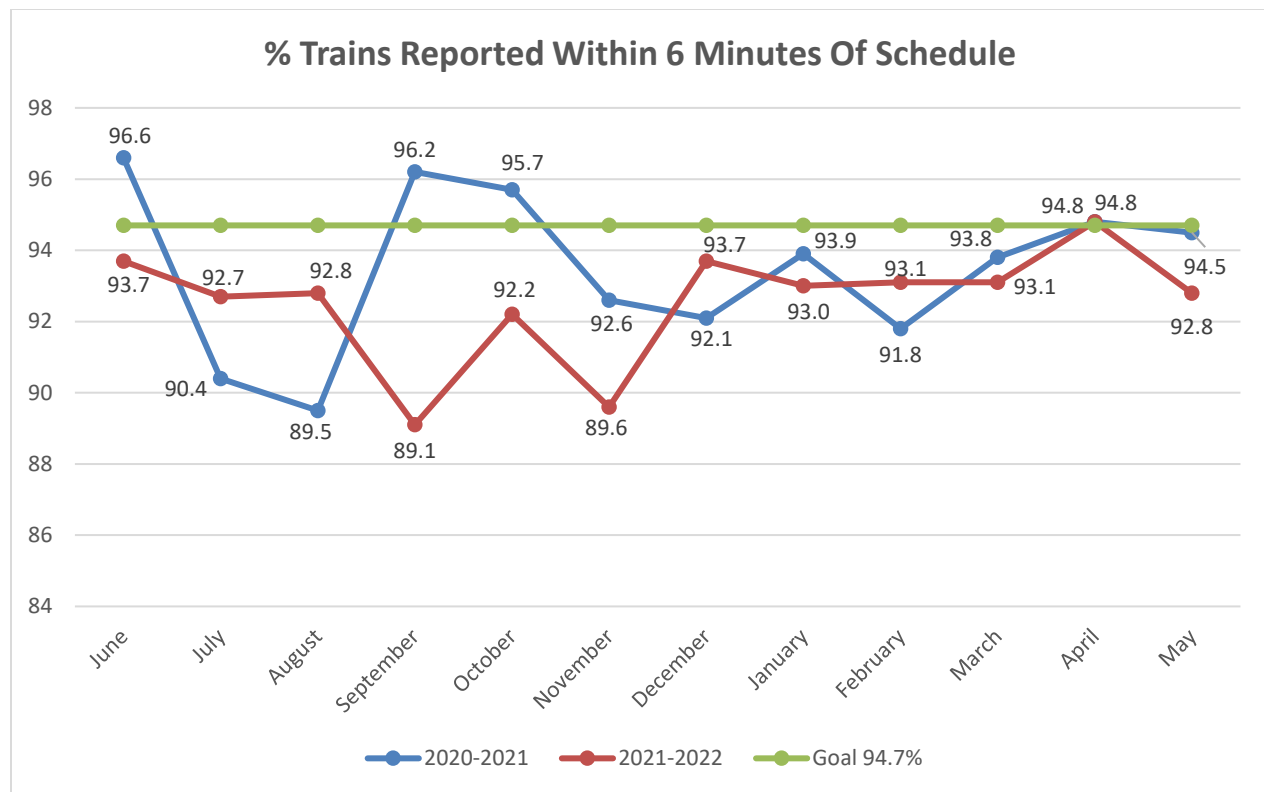
**June 8, 2022**

# **PRESIDENT & CEO'S MONTHLY REPORT**

## **June 8, 2022**

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

# **PERFORMANCE MEASURES**



	<u>2021</u>	<u>2022</u>	<u>%Change</u>
<b>May Comparison</b>	94.5%	92.8%	-1.7%
<b>12-Month Average Jun. 2020 – May 2022</b>	93.4%	92.6%	-0.8%

**Analysis:**

Rail On-time Performance was 92.8% for May, 2022. Of the 18,178 trains scheduled to operate, 16,865 were on time, while 1,313 trains (or 7.2%) were delayed.

**Key Causes included:**

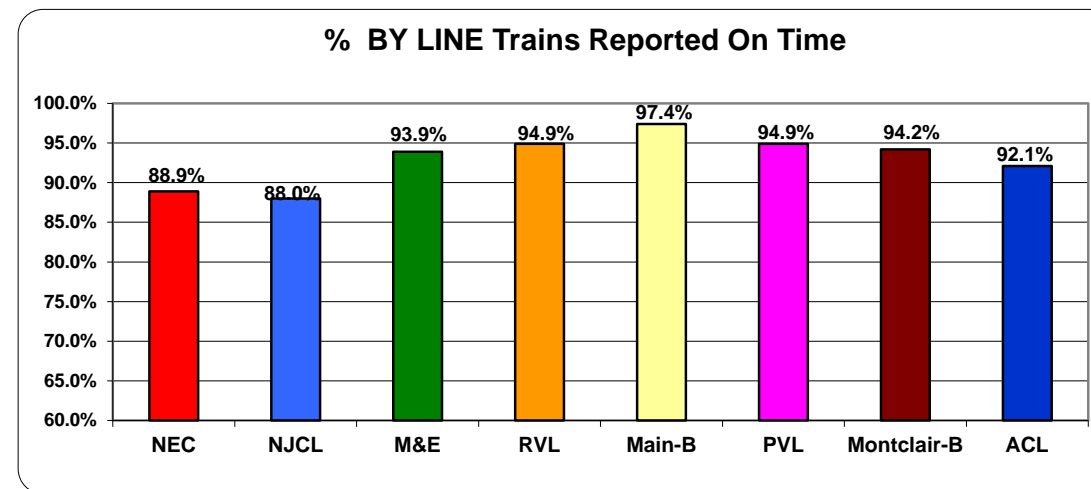
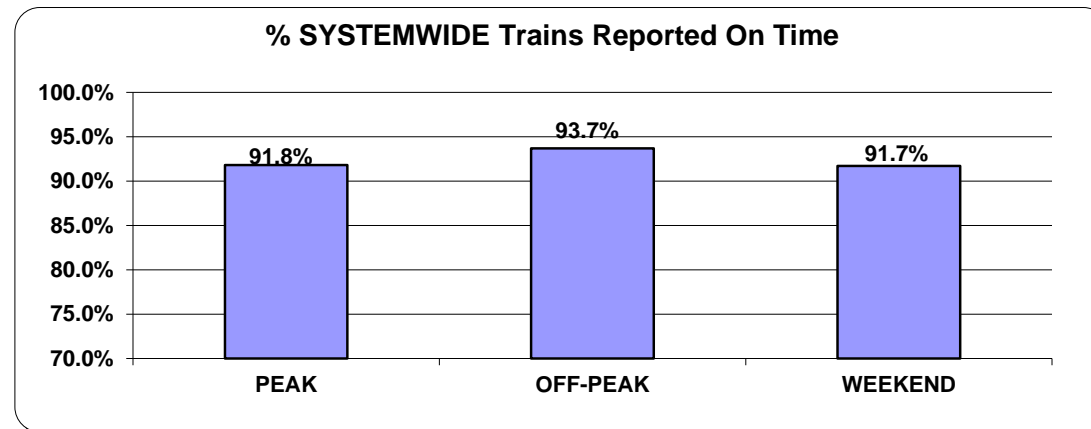
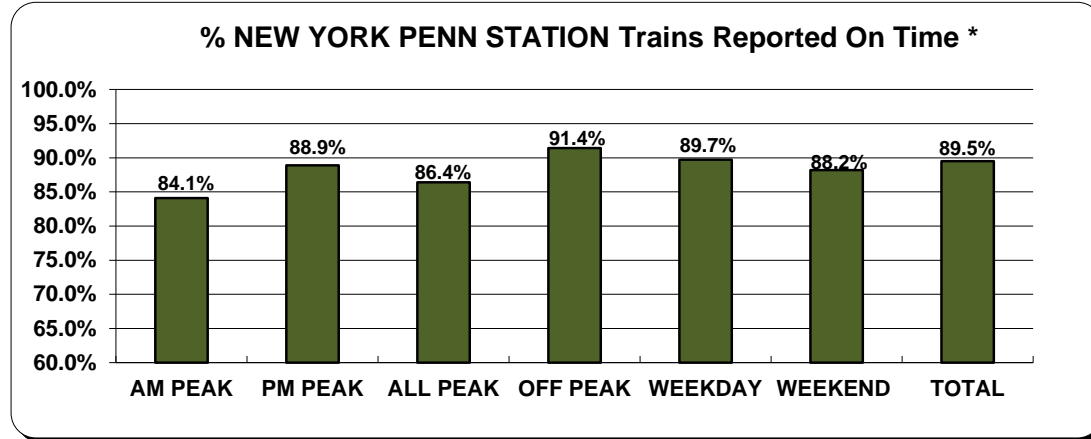
- Amtrak trackside interference, catenary issues and NJT ill/injured customer contributed 118 delays on May 2.
- Amtrak catenary issues and NJT bridge strike contributed 59 delays on May 21.
- Amtrak track issues, programmed maintenance and NJT weather related signal issue and PTC mechanical contributed 126 delays on May 27.

The 12-month Average for Rail On-Time Performance was 92.6%.

# ON-TIME PERFORMANCE RAIL

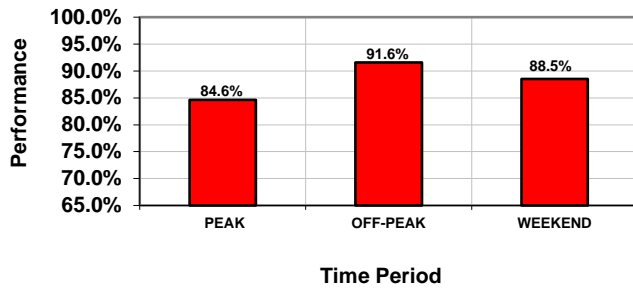
## SUMMARY BY TIME PERIOD May 2022

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

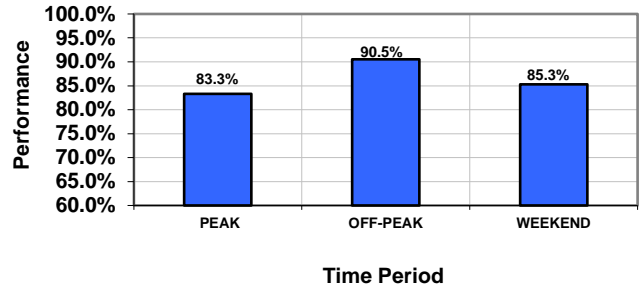


# ON-TIME PERFORMANCE BY RAIL LINE & TIME PERIOD May 2022

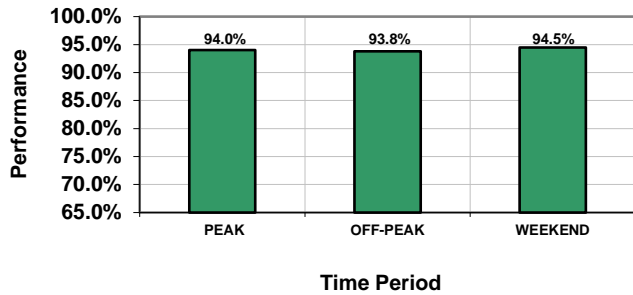
NORTHEAST CORRIDOR



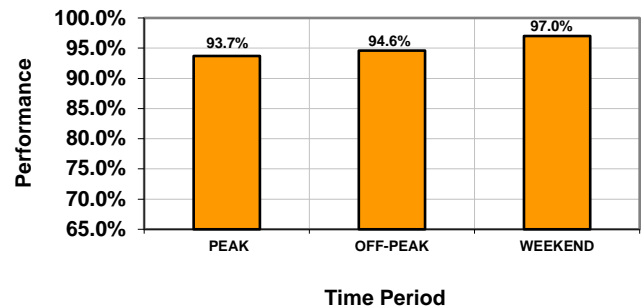
NORTH JERSEY COAST LINE



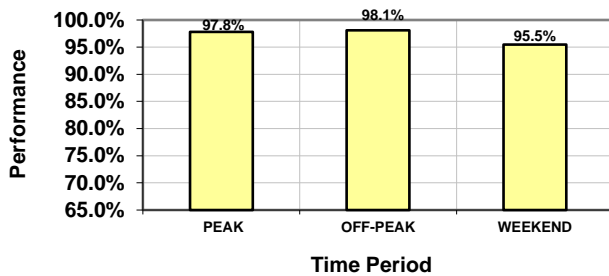
MORRIS & ESSEX



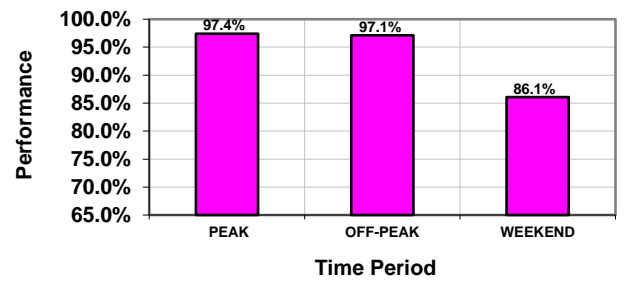
RARITAN VALLEY LINE



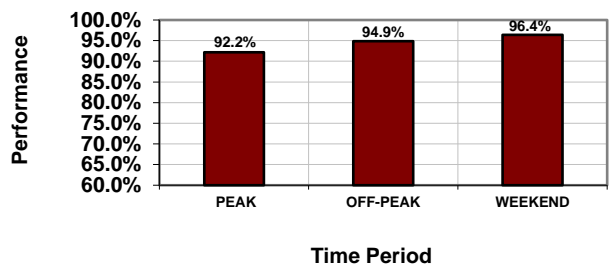
MAIN-BERGEN



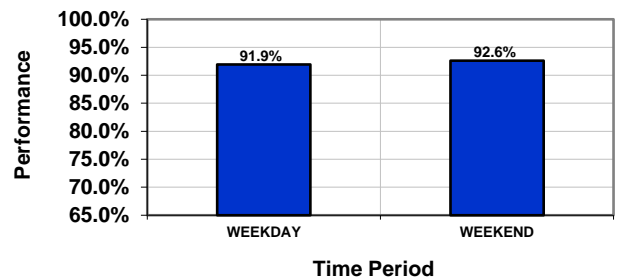
PASCACK VALLEY



MONTCLAIR-BOONTON



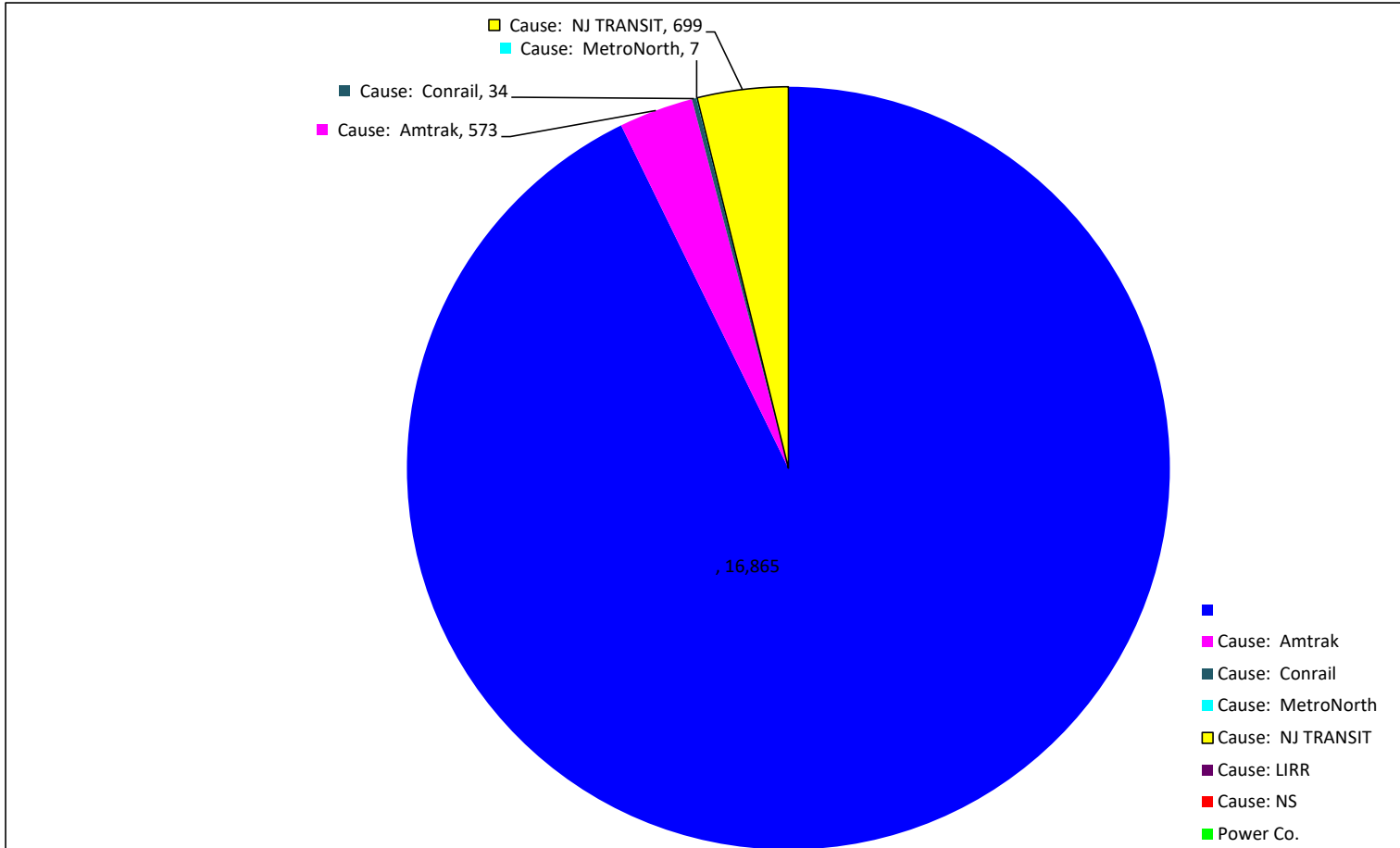
ATLANTIC CITY



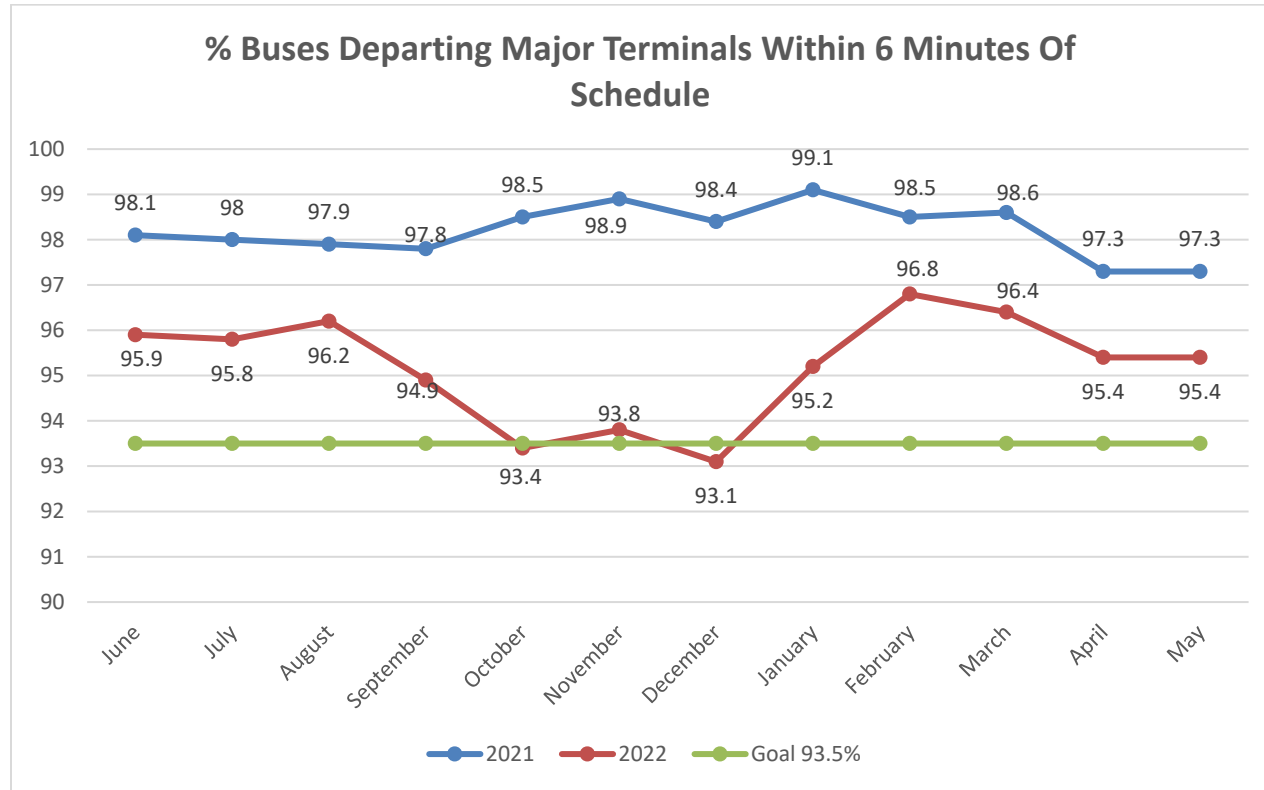
### NJ TRANSIT Performance - May 2022

#### Late NJ TRANSIT Trains

		Cause: Amtrak	Cause: Conrail	Cause: MetroNorth	Cause: NJ TRANSIT	Cause: LIRR	Cause: NS	Power Co.
# of Trains On Time	16,865	573	34	7	699			
# of Late Trains	1,313	3.15%	0.19%	0.04%	3.85%	0.00%	0.00%	0.00%
Total # of Trains	18,178							
Percentage On Time	92.8%							



# NJ TRANSIT ON-TIME PERFORMANCE BUS June 2020 – May 2022



	<u>2021</u>	<u>2022</u>	<u>%Change</u>
<b>May Comparison</b>	97.3%	95.4%	-1.9%
<b>12-Month Average June 2020 – May 2022</b>	98.2%	95.2%	-3.0%

### Analysis\*:

Bus On-Time Performance systemwide was 95.4% for the month of May 2022. Of the 45,002 monitored departures, 2057 experienced delays.

### Key Causes included:

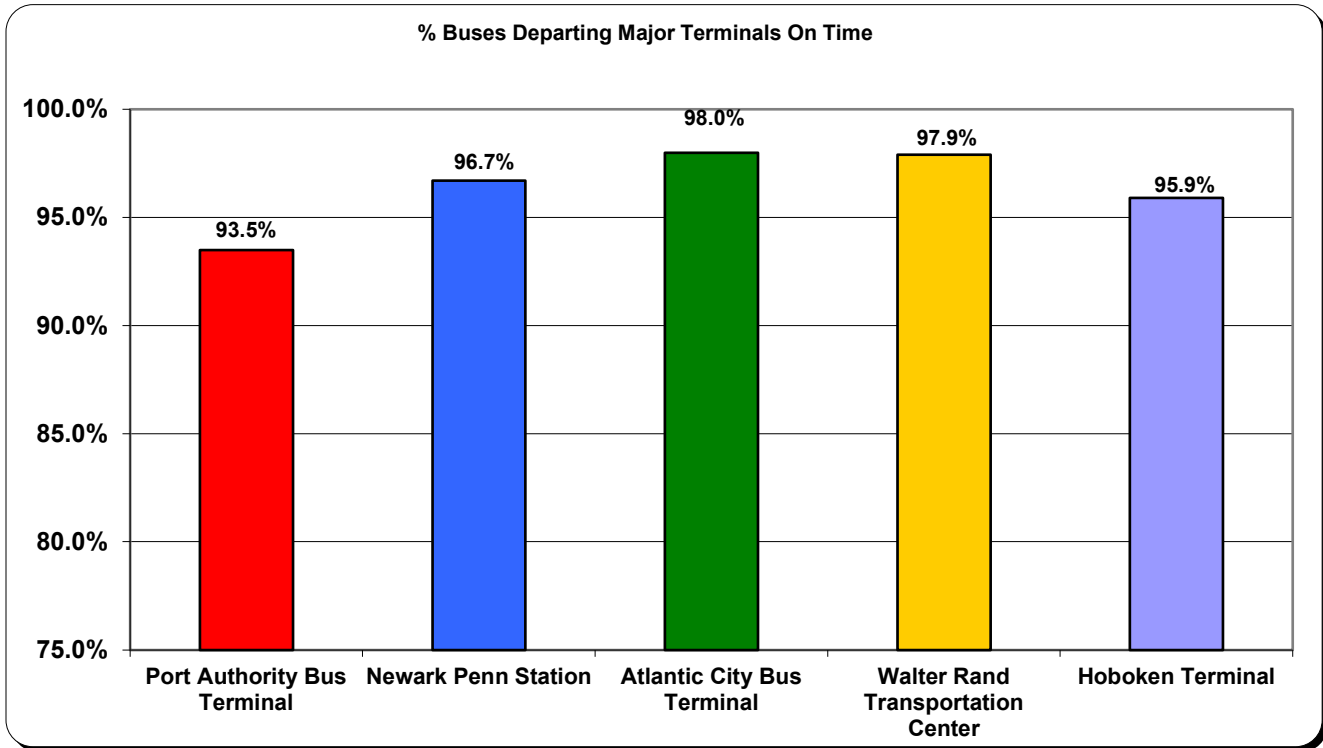
- At PABT, On the 4<sup>th</sup> & 6<sup>th</sup> heavy traffic in the tunnel due to an accident on the GWB, and heavy inbound and outbound traffic contributed to the delays. On the 12<sup>th</sup> heavy traffic during peak periods caused delays. On the 17<sup>th</sup>-20<sup>th</sup> heavy traffic due to street closures in Patterson, a car fire on Rt. 495, and accident on Rt 3 contributed to delays. On the 24<sup>th</sup> mechanical issues caused delays. On 25<sup>th</sup> disabled a bus, a parade in Hoboken, and an ill customer caused delays.
- At Newark Penn, On the 6<sup>th</sup> police activity, mechanical issues, and road closures due to construction caused delays. On the 13<sup>th</sup> mechanical issues and road closures due to construction work caused delays. On the 20<sup>th</sup> accidents, local road closures and congestion from road constructions caused major delays.
- For various other locations, minor delays were caused due to weather, detours, traffic, and road construction on various days.

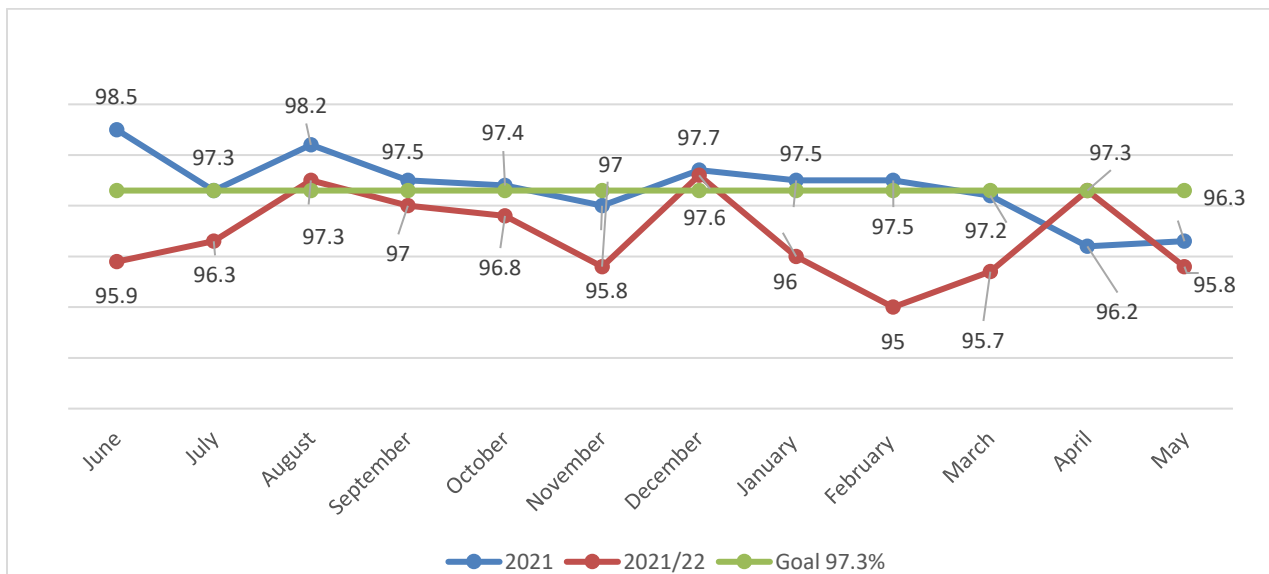
The 12-month average for Bus On-Time Performance was 95.2%.

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

# ON-TIME PERFORMANCE BUS

## SUMMARY BY TERMINAL





	<u>2021</u>	<u>2022</u>	<u>%Change</u>
<b>May Comparison</b>	96.3%	95.8%	-0.5%
<b>12-Month Average June 2021 – May 2022</b>	97.2%	96.3%	-0.9%

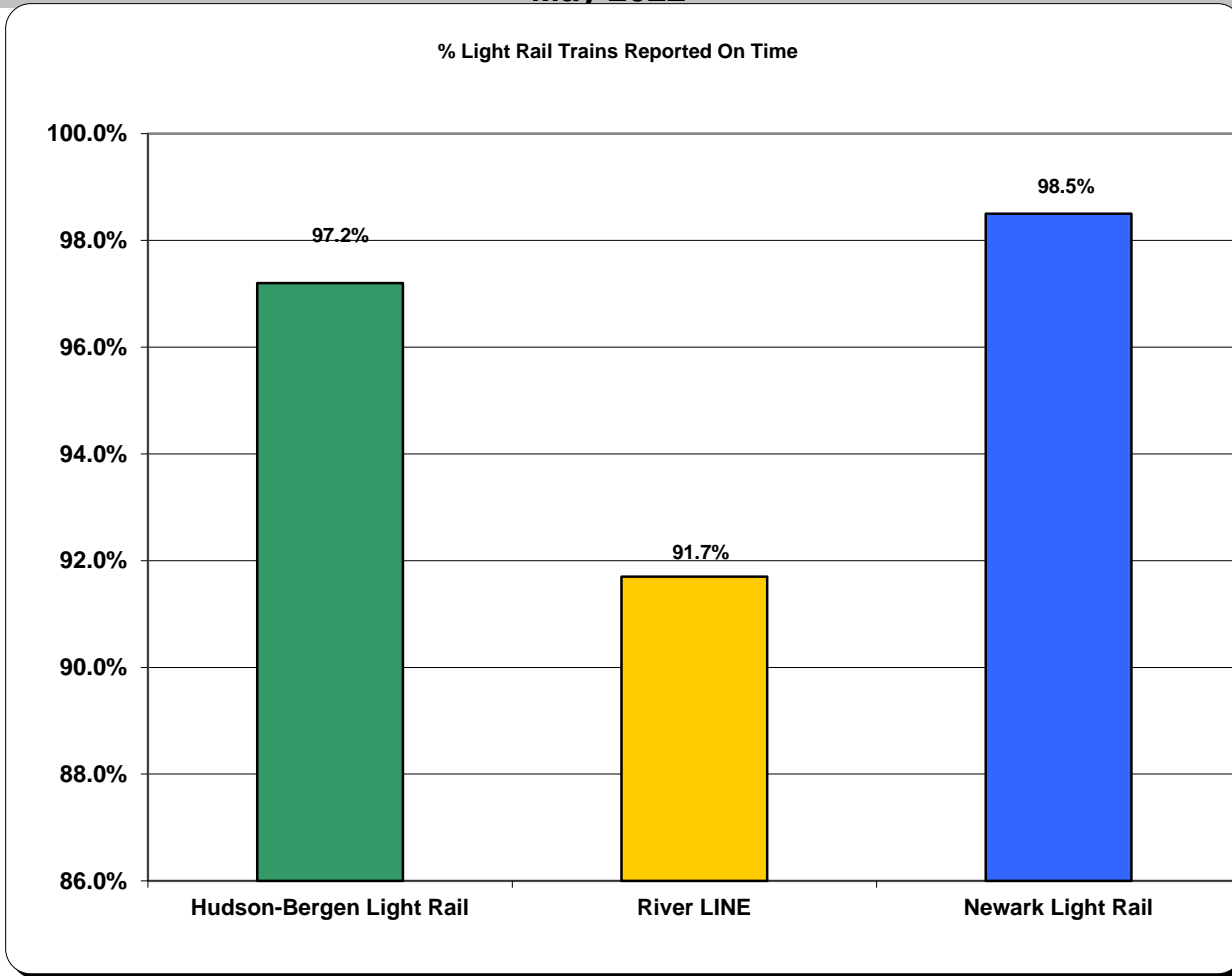
**Analysis:** Light Rail On-Time Performance system wide was 97.3% for the month of May. Of the 27,391 scheduled departures, 1,163 experienced delays.

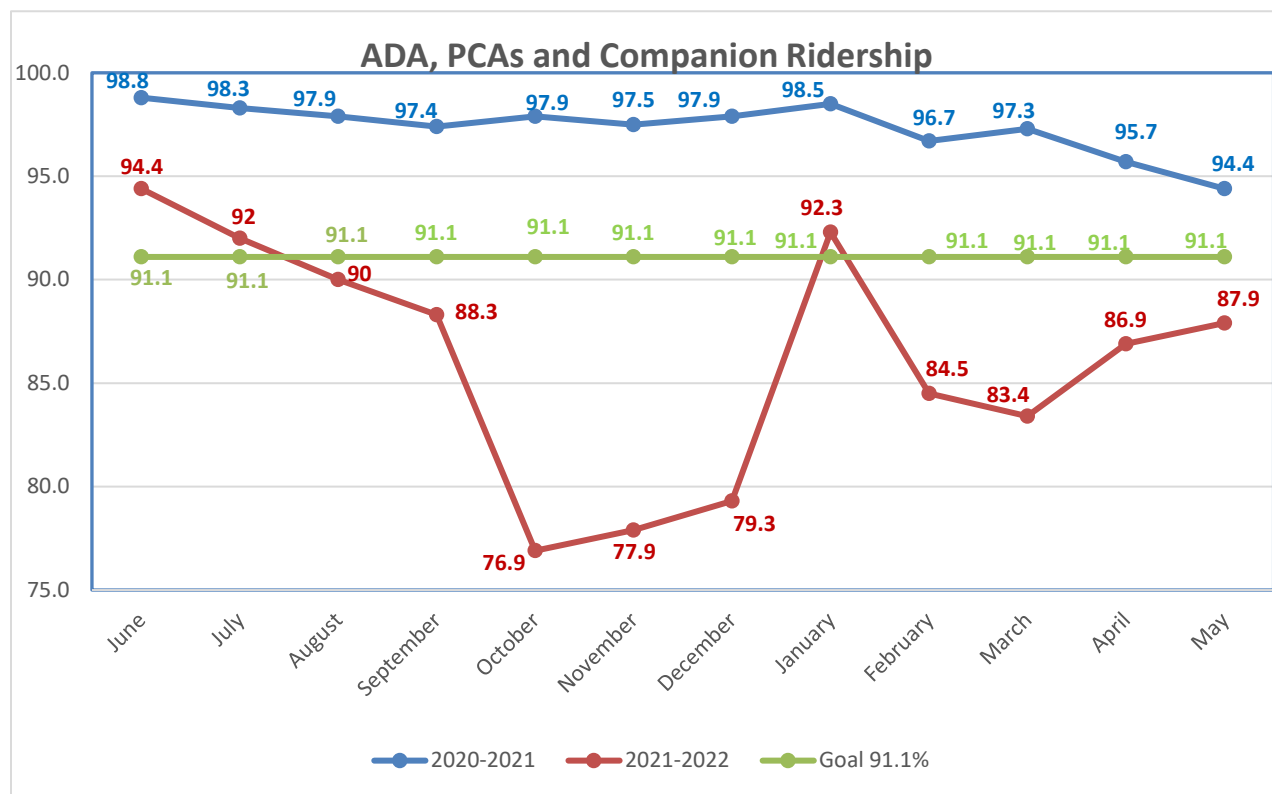
**Key Causes included:**

- Newark Light Rail** – General maintenance taking place on multiple dates due to door, propulsion, and power/brake issues. Staffing issues on 5/27 affected 16 trains. LRV mechanical issues affected 75 trains on 5/13. Track signal/switch issue affected 12 trains on 5/16.
- River LINE** – General maintenance of LRV/equipment taking place across multiple dates, including engine, door, signal, and brake issues. Incidents involving customers on 5/5, 5/9, 5/25, 5/26, and 5/28 affected 9 trains.
- HBLR** – General maintenance of LRV taking place across multiple dates, including door issues, power/propulsion issues, brakes, and other issues; Police activity on 5/2, 5/3, 5/4, 5/5, 5/10, 5/13, 5/18, 5/24, 5/25, 5/27, 5/28, 5/29, 5/30 affected 64 trains. External passenger incidents on 5/1, 5/4, 5/5, 5/8, 5/9, 5/10, 5/15, 5/18, 5/20, 5/23, and 5/31 affected 124 trains. Motor vehicle fouling tracks on 5/2 and 5/23 affected 6 trains. Disabled train due to mechanical fault affected 52 trains on 5/3.
- The 12-month Average for Light Rail On-Time Performance is 96.3%

# ON-TIME PERFORMANCE LIGHT RAIL

## SUMMARY BY LINE May 2022





	<u>2021</u>	<u>2022</u>	<u>%Change</u>
<b>May Comparison</b>	94.4%	87.9%	-6.5%
<b>May Ridership</b>	94,063	107,471	13,408
<b>12-Month Average June 2021 – May 2022</b>	97.4	86.2%	-11.2%

**Analysis:**

Access Link On-Time Performance was 87.9% for May 2022. In serving 117,546 total riders, for 107,471 ADA customers trips, 13,046 (or 12.1%) experienced delays.

Key Causes included:

- Regions 5 & 6, 45-60 minute delays due to operator availability
- Customer cancellations and no-shows
- Delays throughout the month due to increased traffic volume and congestion

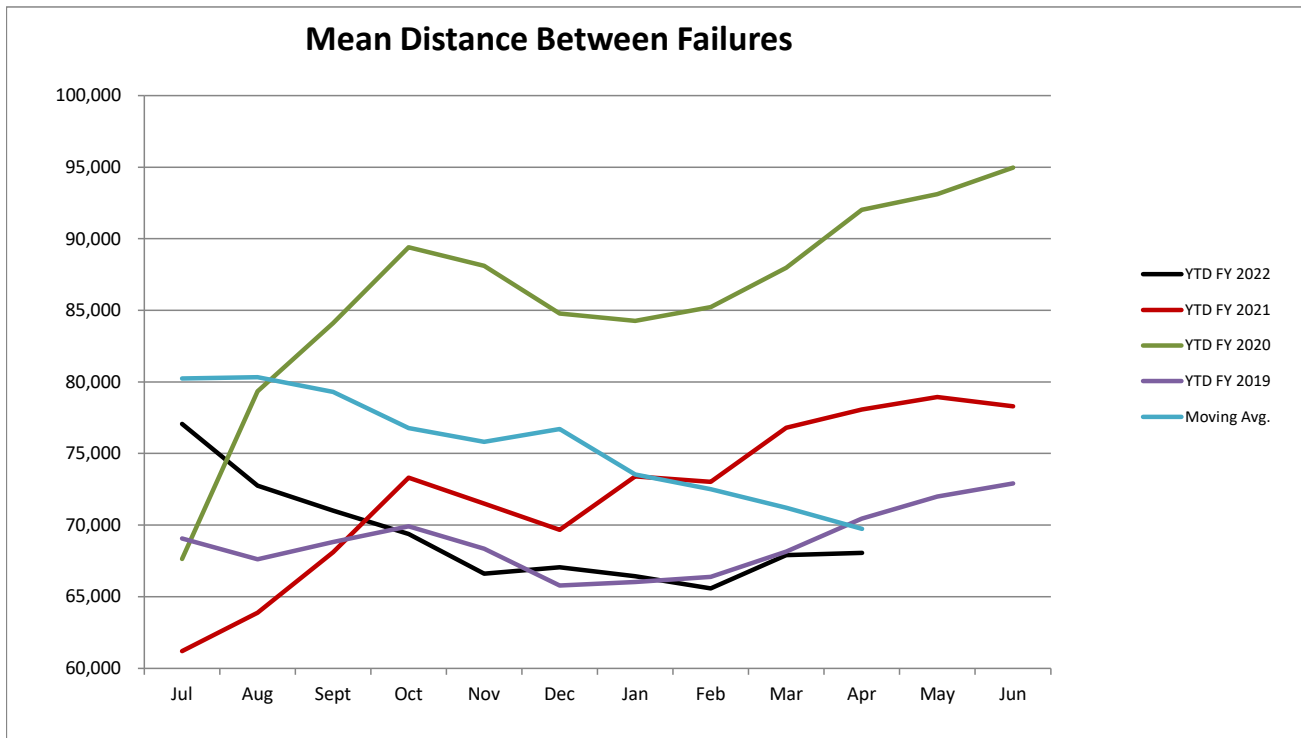
The 12-month Average for Access Link On-Time Performance was 86.2%.

# **MEAN DISTANCE BETWEEN FAILURES**

April 2022

**NJ TRANSIT Rail Operations**  
**Mean Distance Between Failures**

Month	YTD FY 2022	YTD FY 2021	YTD FY 2020	YTD FY 2019	12 Month Moving Avg.
Jul	77,087	61,198	67,634	69,055	80,232
Aug	72,743	63,891	79,350	67,612	80,333
Sept	71,005	68,109	84,111	68,823	79,307
Oct	69,368	73,320	89,410	69,913	76,783
Nov	66,597	71,498	88,101	68,356	75,824
Dec	67,060	69,664	84,773	65,796	76,713
Jan	66,433	73,392	84,273	66,025	73,526
Feb	65,594	73,030	85,233	66,391	72,516
Mar	67,894	76,790	87,973	68,141	71,219
Apr	68,050	78,072	92,007	70,447	69,751
May	-	78,962	93,119	71,986	-
Jun	-	78,300	94,969	72,930	-

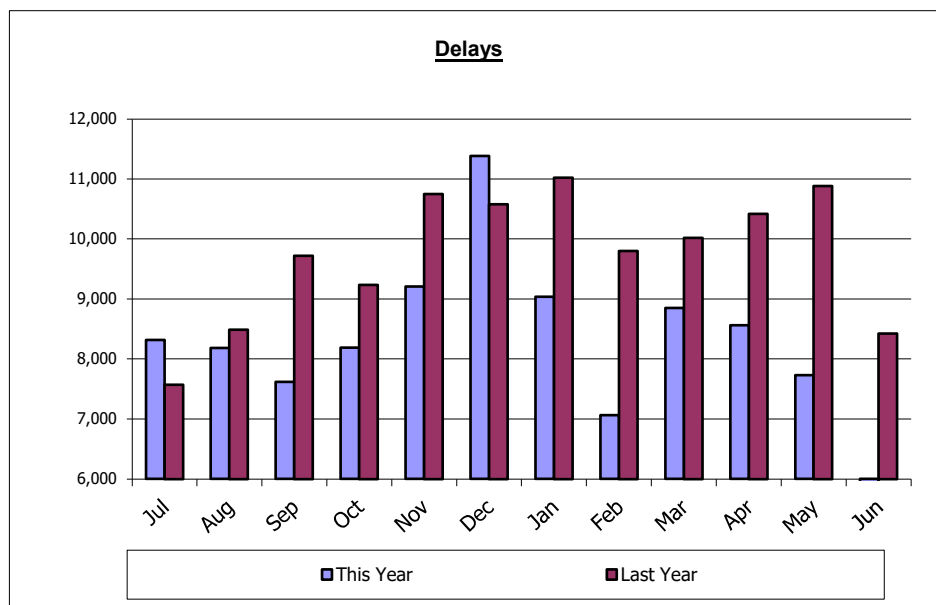


\* FY2022 Numbers reflect start of FY2022

## Garage Performance Parameters

**May 2022**

Location	Miles Between In-Service Delays			
	FY2022 Goal	This Month	FY2022 YTD	FY2021 YTD
Fairview	5,500	7,336	5,851	4,731
Greenville	7,000	5,084	5,382	5,495
Market Street	8,000	3,753	4,018	5,803
Meadowlands	9,500	5,054	6,728	5,512
Oradell	10,000	8,897	6,322	8,182
Wayne	16,000	11,665	14,716	18,223
<b>Northern Division</b>	<b>-</b>	<b>6,607</b>	<b>6,710</b>	<b>7,449</b>
Big Tree	8,800	7,201	5,405	5,423
Hilton	10,200	6,862	6,949	7,978
Howell	16,750	17,342	26,782	30,794
Ironbound	9,600	6,405	7,547	9,674
Orange	9,250	3,039	4,062	5,080
Morris	10,500	16,845	23,699	23,128
<b>Central Division</b>	<b>-</b>	<b>6,748</b>	<b>8,059</b>	<b>9,472</b>
Egg Harbor	15,000	12,121	13,082	15,545
Hamilton	13,000	9,846	10,265	11,431
Newton Avenue	14,000	16,632	16,406	17,322
Washington Twp.	16,000	13,658	16,490	20,702
<b>Southern Division</b>	<b>-</b>	<b>12,889</b>	<b>14,108</b>	<b>16,510</b>
<b>Bus Operations</b>	<b>-</b>	<b>7,731</b>	<b>8,462</b>	<b>9,706</b>

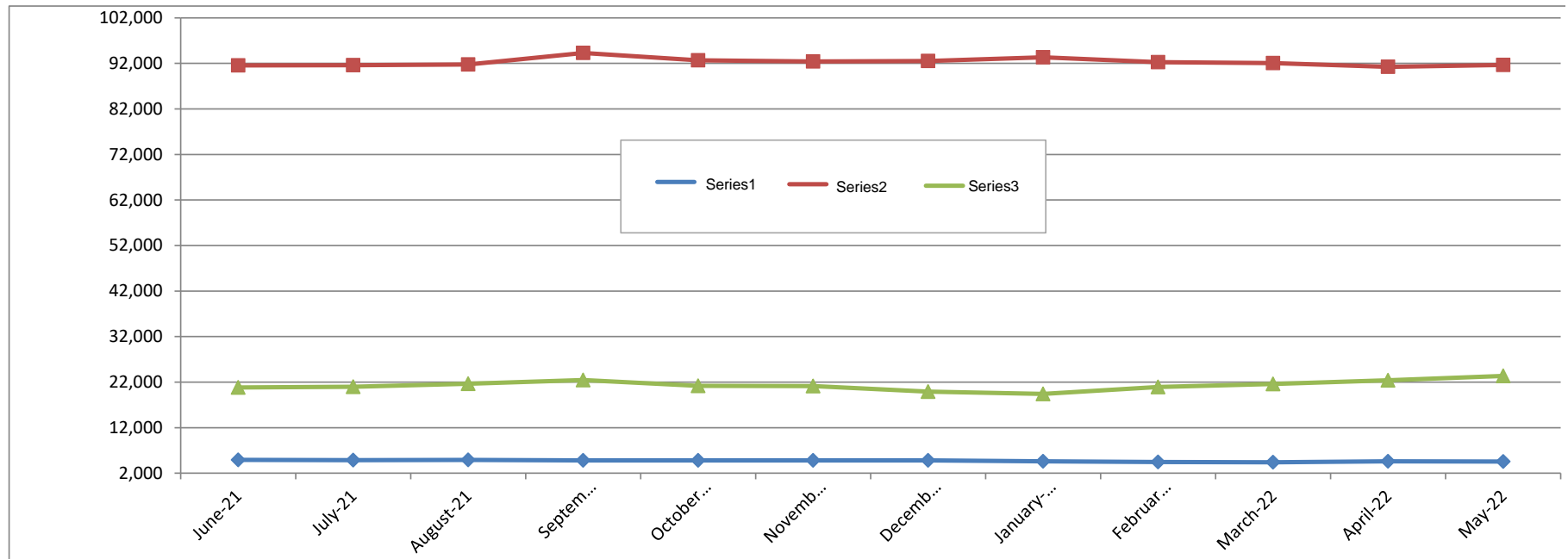


### NJ TRANSIT - LIGHT RAIL, May 2022

#### Average Miles Between In Service Failures

NJT LIGHT RAIL	MDBSF * May 2022	MDBSF * April 2022
Newark Light Rail	4,566	4,619
Hudson Bergen	91,650	91,244
River LINE	23,352	22,422

#### AVERAGE MILES BETWEEN IN-SERVICE MECHANICAL FAILURES



# **DBE/SBE PROGRAM**

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

During the month of **May 2022** NJ TRANSIT awarded **\$4,377,191.39** in state funded contracts. Of that total, Small Business Enterprises (SBEs) received **\$0.00** or **0%**.

**State Fiscal Year 2022 YTD** (July 1, 2021, through June 30, 2022) NJ TRANSIT awarded **\$226,117,146.18** in state funded contracts. Of that total, SBEs received **\$20,781,233.35** or **9.19%**.

*Note: The above reflects the Procurement Report of Awards dated June 3, 2022.*

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

Category 1 SBEs	\$2,494,211.20	1.10%
Category 2 SBEs	\$5,730,720.31	2.53%
Category 3 SBEs	\$10,820,214.93	4.79%
Category 4 SBEs	\$621,847.00	0.28%
Category 5 SBEs	\$1,114,239.91	0.49%
Category 6 SBEs	\$0.00	0.00%

**FTA Funded Contracts (Updated on a quarterly basis– next update will occur July 2022)****Federal Fiscal Year (FFY) 2022 - October 1, 2021 through September 30, 2022**

During the **2<sup>nd</sup> Quarter** (January 1, 2022 – March 31, 2022) the FTA funded share of NJ TRANSIT's federal contracts awarded was **\$90,137,346.16**. Of that total, Disadvantaged Business Enterprises (DBEs) received **\$21,975,237.13** or **24.38%**.

**FFY 2020 through FFY 2022 Q2** (October 1, 2019 – March 31, 2022) NJ TRANSIT awarded **\$2,055,545,811.59\*\*** in federally funded contracts. Of that total, DBEs received **\$135,865,045.45** or **6.61%**.

*\*Numbers reflect federal share*

*\*\* Number includes subrecipient awards*

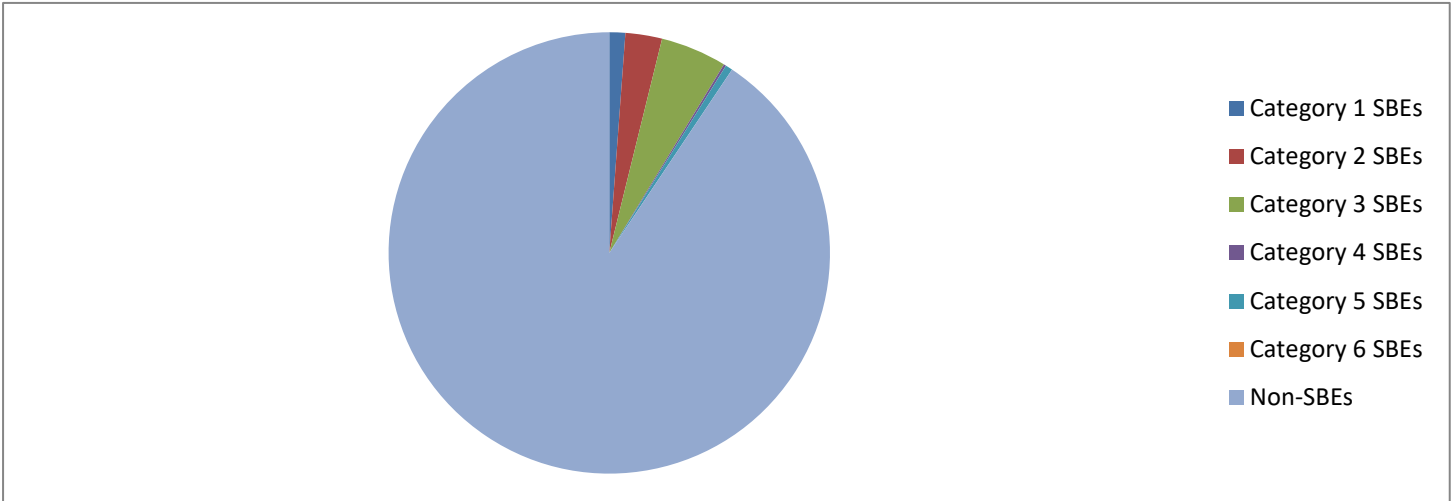
**Transit Vehicle Manufacturer (TVM)<sup>1</sup> Awards**

(Next update will occur in July 2022)

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

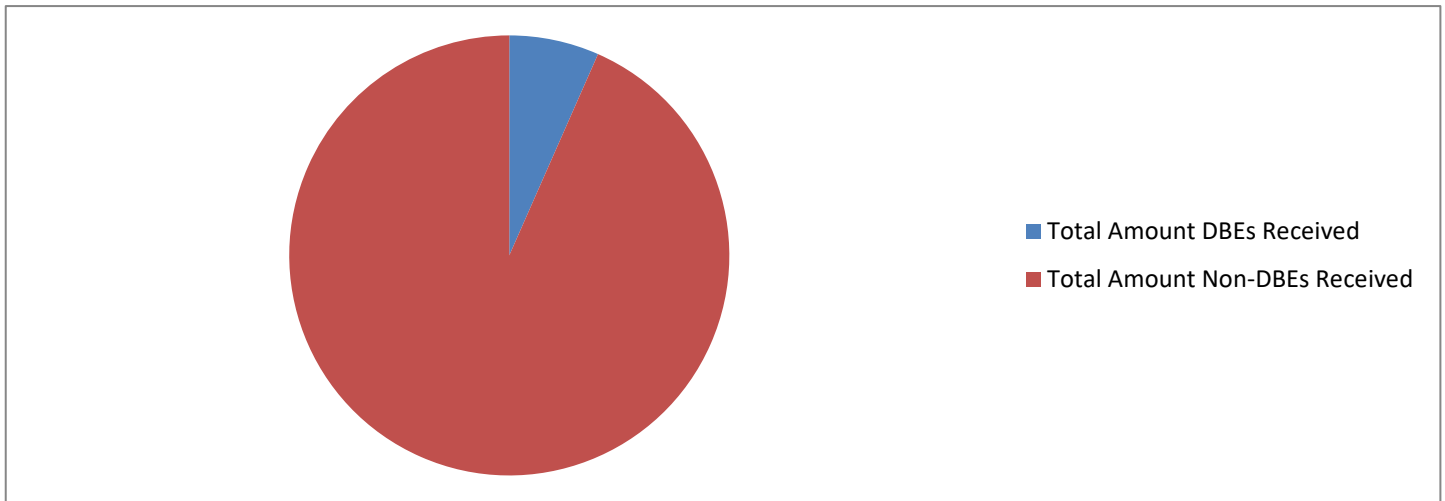
STATE CONTRACTS  
STATE FYTD 2022

<i>Category 1 SBEs</i>	\$2,494,211.20	1.10%
<i>Category 2 SBEs</i>	\$5,730,720.31	2.53%
<i>Category 3 SBEs</i>	\$10,820,214.93	4.79%
<i>Category 4 SBEs</i>	\$621,847.00	0.28%
<i>Category 5 SBEs</i>	\$1,114,239.91	0.49%
<i>Category 6 SBEs</i>	\$0.00	0.00%
<i>Non-SBEs</i>	\$205,335,912.83	90.81%



DBE PARTICIPATION  
FEDERAL CONTRACTS  
FEDERAL FY 2020-2022

<b>Total Amount DBEs Received</b>	<b>\$135,865,045.45</b>	<b>6.610%</b>
<b>Total Amount Non-DBEs Received</b>	<b>\$1,919,680,766.14</b>	<b>93.39%</b>



# **EMPLOYEE RECOGNITION**

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

The following NJ TRANSIT employees retired recently:

1. Vincent Angeline, Asst. Conductor -- Various-- 20 years
2. Ramesh Bhavsar, Project Engineer -- Penn Plaza HQ -- 19 years
3. Roger Bradley Jr., Asst. Conductor -- Various -- 29 years
4. Prenice Leonard, Conductor -- Various -- 34 years
5. Robert McCrostie, Asst. Chief Engineer Comms and Signals -- Penn Plaza HQ -- 38 years
6. Jeffrey Orsoe, Chief Rail Survey -- Penn Plaza HQ --20 years
7. Joao Santos, Gen Supdt. Field Maintenance -- HOB Engine House -- 30 years
8. Charles Saunnier, Training Instructor Power Trans. -- Various -- 22 years
9. Jorge Contreras Lainez, Operator -- Orange Garage-- 12 years
10. Steven Garrett, Operator -- Egg Harbor Garage -- 23 years
11. Marsoney Mayers, Operator --Oradell Garage -- 22 years
12. Bahman Nowrouzi, Operator -- Wayne Garage -- 20 years
13. Oommen Oommen, Serviceman -- Oradell Garage -- 20 years
14. Nicholas Apostle, Mechanic A -- Washington Township Garage -- 28 years
15. Wesly Barthelus, Operator -- Wayne Garage -- 24 years
16. Issac Bloome, Repairman A -- Ironbound Garage -- 19 years
17. Mauro Boada, Operator -- Meadowlands Garage -- 33 years
18. Lemont Harris, Operator -- Orange Garage -- 26 years
19. Tereska Hollins, Operator -- Market Street Garage -- 23 years
20. Lisa Pringle, Starter -- Port Authority Bus Terminal -- 26 years
21. Cynthia Sanders, Depot Master -- Hilton Garage -- 30 years
22. Nixon Tineo, Operator -- Oradell Garage -- 30 years
23. Stephanie Whitaker, TIC -- General Office Building -- 29 years
24. Shonnetta Kearney, Operator -- Hilton -- 16 years
25. Virginia Grandinetti, Mechanic A -- Penn Plaza -- 46 years
26. Damian Hall, Supt. Garages -- Newton Avenus Garage -- 27 years

# **ACTION ITEMS**

# Procurement Support Services

**SOLE SINGLE LIMITED SOURCE BOARD ITEM  
FISCAL YEAR 23**

# Sole Source Board Item - Request

- ▶ Staff requests authority to enter into sole, single, and limited qualified sources (Sole Source Request) contracts with vendors in Fiscal Year 2023
  - Rail, Bus, and Light Rail Replacement Parts and Services (OEM and Spare Parts)
  - Information Technology (IT)
  - NJ TRANSIT Infrastructure Installed Base, formerly Resiliency Program (Infrastructure)
- ▶ This request is subject to:
  - Actual demand
  - Compliance with applicable laws and regulations
  - Availability of funds
- ▶ **The primary objective is to ensure the continuity of safe and reliable transit operations.**

# Sole Source Board Item - Request

## Total Sole Source Request for Fiscal Year 2023

▶ OEM Spares	\$ 23,887,500
▶ Traditional Spares	\$22,750,000
▶ Contingency	\$ 1,137,500
▶ IT	\$ 26,181,764
▶ Infrastructure*	\$ 8,482,000
▶ <u>MCI Contract Renewal</u>	\$ 6,000,000 (previously MCI OEM contract)
 TOTAL	 \$ 65,863,764

\*Resiliency Program in previous years all FTA approved or pending approval

# Sole Source Board Item - Reasoning

- ▶ A well-run enterprise endeavors to balance **safety, efficiency, and cost**.
- ▶ Any effective Spares/OEM and IT **strategy** must have a sole/single source component to address:
  - Warranty continuity and confidence in safety
  - Stock/inventory rationalization
  - Warehouse cost and efficiency
  - Fit and compatibility
- ▶ Without a sole/single source element, warehouse cost rises, capacity and response declines, warranties void, part/system incompatibilities and failures arise, safety outcomes decline, stock out and service time increases, and maintenance intervals decline.
- ▶ IT category is similar yet more complicated with added issues around IP and system compatibility.
- ▶ These are categories where, even in well designed and open market conditions, administrative and operating costs may overwhelm potential purchase cost reductions and may lead to decreased real competition.

# Procurements by Sourcing Type

CATEGORY	TOTAL	SOURCE TYPE			NOTES
		OEM/SOLE	SINGLE	LIMITED	
OEM/SPARES	74	72	2	1	The vast majority of these items (44) are warranty required OEM parts, remaining 27 are limited availability items, or specialized services. 14 items also are subject to logistical issues at this time.
IT	23	23	0	0	All are true sole source or renewal spend against installed base
INFRASTRUCTURE	4	4	0	0	All are required to be FTA pre-approved and necessary for system compatability
MCI	1	1	0	0	These are warranty required items, previously under another MCI contract

# Sole Source Board Item - Strategy

Tariffs, COVID-19, regional COVID shutdowns in China, labor market disruptions, and the war in Ukraine have all conspired to drive increased market and logistics dislocations.

- ▶ Primary objective of Sole Source Items is to assure continuity of supply / operations – major risk in the previous year and in 2023
- ▶ Staff has and will continue to reduce the Sole Source request over previous years at the transaction level:
  - Product equals
  - Sources Sought (formal program to identify alternate vendors)
  - Software improvements (e.g., Mainframe reductions)
- ▶ In coordination with our business partners, Procurement is developing **category strategies** to analytically move Sole Sourcing to the appropriate level for our agency over coming years.

# Sole Source Board Item – Category Strategies

## OEM & Spare Parts

### Short Term

- Assure of Supply
- Improve Warehouse Space & Systems

### Long Term

- Develop Spares/OEM Enterprise Strategy (Self-managed/3<sup>rd</sup> Party/OEM)
- Adjust Facilities to Meet Strategy
- Negotiate future equipment contracts to align

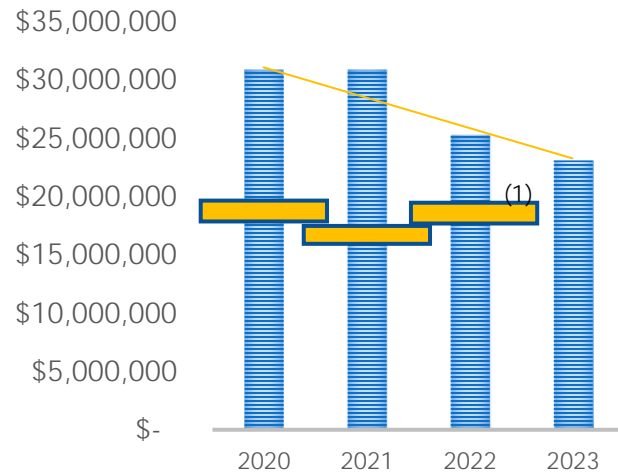
## IT

- Buildout Dedicated Procurement & IT Teams and Align
- Leverage competitive piloting and incorporate scale up planning in initial procurements
- Leverage TOCs to Provide Flexible Sourcing Options
- Plan for Total Life Cycle Costs/Total Cost of Ownership at Initial Request

## Infrastructure

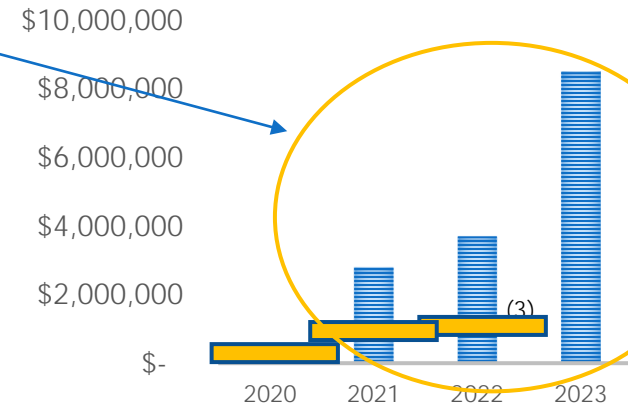
- Implement Front Loaded Competitions to Select Vendors Competitively Where Possible
- Leverage TOCs to Provide Flexible Sourcing Options
- Align with OEM/Spare strategy

### OEM SPEND\*



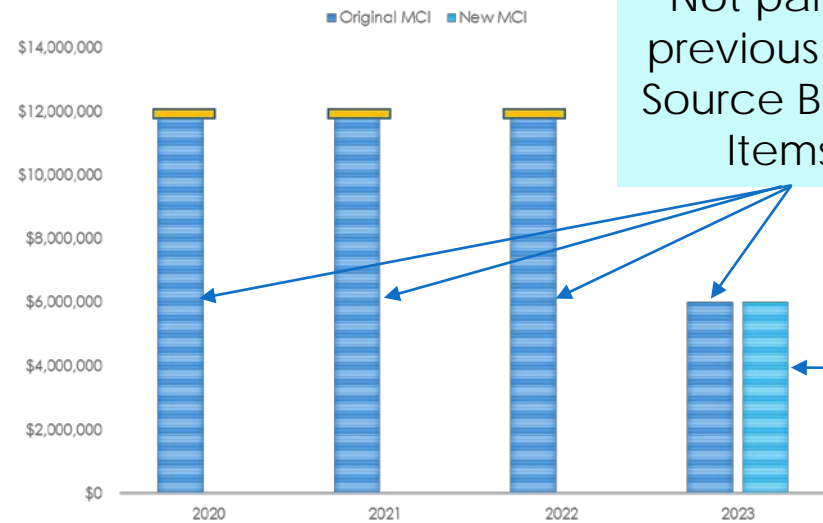
All Infrastructure spend requires FTA pre-approval to Single Source

### INFRASTRUCTURE SPEND



Material & equipment needed for force account installation on large capital projects - must be installed base compatible & timed with project

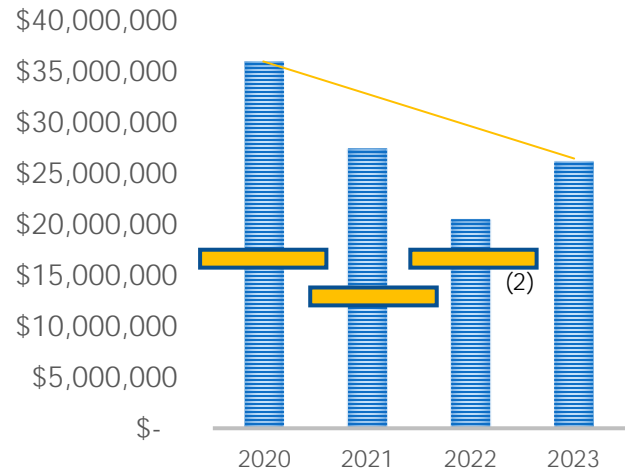
### MCI SPARE OEM PARTS



Not part of previous Sole Source Board Items

Additional \$6,000,000 for MCI contract renewal in 2023

### IT SPEND



1/3 of these items for software renewals, remainder for OEM needs or sole product availability

Actual Commitment + 2022 Estimate to EOY

(1) \$23,551,764  
 (2) \$16,649,602  
 (3) \$ 977,911

**ITEM 2206-40: FISCAL YEAR 2023 SOLE, SINGLE, AND LIMITED QUALIFIED SOURCE PROCUREMENT BY EXCEPTION AUTHORIZATION**

**WHEREAS**, NJ TRANSIT requires maintenance services and supplies to support the operation of various major equipment; and

**WHEREAS**, NJ TRANSIT requires signal and electrical equipment and parts to restore systems damaged by Superstorm Sandy; and

**WHEREAS**, it is necessary to obtain these required maintenance items and services from specific sources; and

**WHEREAS**, various software maintenance contracts and licensing agreements expire this year; and

**WHEREAS**, these contracts ensure the continued operation of both the hardware and software which support NJ TRANSIT's business units, and rail and bus operations; and

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

**WHEREAS**, NJ TRANSIT is unaware of other sources for these items and services; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11(g)(3)(c) competitive procurement requirements may be waived in instances where only one source of supply is available; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11(g)(3)(c) competitive procurement requirements may be waived when more favorable terms can be obtained from a primary source of supply; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11(g)(3)(c) competitive procurement requirements may be waived when technical equipment will assure standardization and interchangeability; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11(g)(3)(b) competitive procurement requirements may be waived for technical services; and

**WHEREAS**, pursuant to N.J.S.A. 27:25-11(g)(3)(e) competitive procurement requirements may be waived with respect to specialty vehicles, major equipment and signal and fare collection systems; and

**WHEREAS**, the President and CEO certifies that these Sole, Single, and Limited Qualified Source acquisitions listed on Exhibits A1, A2, and A3 are consistent with and authorized by N.J.S.A. 27:25-11(g), and NJ TRANSIT's Regulations, including N.J.A.C. 16:72-1.5(e)(8), N.J.A.C. 16:72-1.5(e)(12) and N.J.A.C. 16:72-1.5(e)(14);

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to enter into procurement-by-exception contracts for the purchase of materials and services from approved vendors set forth in Exhibit A1 (subject to adjustments) to support Bus, Rail, Light Rail, and Headquarters operations at a cost not to exceed \$23,887,500 plus five percent for contingencies to account for increase in ordering quantities and changing market conditions, subject to the availability of funds. New firms with material or services whose aggregate value exceeds \$250,000 within the fiscal year, will be submitted to the Board. This request will cover a 12-month period from July 1, 2022 to June 30, 2023; and

**BE IT FURTHER RESOLVED** that the Chair or President & CEO is authorized to enter into procurement-by-exception contract for the purchase of materials and services in support of Bus Operations (subject to adjustments) from MCI specifically for spare and replacement parts at a total cost not to exceed \$6,000,000; subject to the availability of funds. This effort will be conducted utilizing a service level agreement with individually executed Purchase Orders until a long-term procurement strategy can be implemented. This request will cover a 6-month period from January 1, 2023 to June 30, 2023; and

**BE IT FURTHER RESOLVED** that the Chair or President & CEO is authorized to enter into procurement-by-exception contracts for the purpose of maintaining/ upgrading hardware and software systems from approved vendors set forth in Exhibit A2 (subject to adjustments) to support NJ TRANSIT's Information Systems at a total cost not to exceed \$26,181,754, subject to the availability of funds. New firms with services whose aggregate value exceeds \$250,000 within the fiscal year, will be submitted to the Board. This request will cover a 12-month period from July 1, 2022 to June 30, 2023; and

**BE IT FURTHER RESOLVED** that the Chair or President & CEO is authorized to enter into procurement-by-exception contracts for the purchase of materials and service from approved vendors set forth in Exhibit A3 (subject to adjustments) to support NJ TRANSIT Infrastructure at a cost not to exceed \$8,482,000, subject to the availability of funds, Federal Transit Administration approval and all other applicable requirements. New firms with services whose aggregate value exceeds \$250,000 within the fiscal year will be submitted to the Board. This request will cover a 12-month period from July 1, 2022 to June 30, 2023.

## EXHIBIT A1

**FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS  
ORIGINAL EQUIPMENT MANUFACTURER (“OEM”)**

Vendor		City	State	Procurement Method (Sole/OEM, Single, Limited Source)
1.	AFL Telecommunications*	Duncan	SC	OEM-Catenary Parts
2.	Airline Hydraulics	Bensalem	PA	Sole Source – Components for MMC Jacks
3.	Alstom Signaling Inc.* (x)	New York & West Henrietta	NY	OEM Signals Proprietary
	Alstom Transportation Inc.* (x)	Lisle	IL	OEM Diesel Loco Comp
4.	Apollo Video Technology LLC* (dba Luminator Technology Group, Inc.)	Bothell	WA	OEM-Surveillance SW
5.	Atlantic Track (x)	Bloomfield	NJ	OEM- Custom Track Plates
6.	BBM Railway Equipment LLC	Youngstown	OH	OEM- R/R Jacks
7.	Bentech	Philadelphia	PA	OEM- Barrier Doors
8.	Bombardier Transit Corp. (x)	Ontario	Canada	OEM R/R Components
9.	C&W Meter Services (x)	Quaker	PA	Sole Source – MMC Fuel Pad /Fuel Meters Components
10.	Cleaveland/Price Inc. *	Westmoreland	PA	Sole Source -Catenary Eq
11.	Clever Devices*	Syosset	NY	OEM-Smart Bus HW/SW
12.	Collins Aerospace	Charlotte	NC	Single Source – Software -PTC System
13.	CNC Engineering Inc	Enfield	CT	Sole Source- Components for AAR Wheel Shop
14.	Cubic Transportation Systems Inc.*	Tullahoma	TN	OEM- Fare Collection
15.	Cummins, Inc.	Kearny	NJ	OEM- Engine Parts
16.	Dellner Couplers Inc.	Charlotte	NC	OEM- Couplers
17.	DPR Ultrasonic Technologies	Danbury	CT	Sole Source -Rail Flaw
18.	Eastec (SBE)	Wall	NJ	OEM Door Access Control
19.	Ensco Rail Inc.	Springfield	VA	Sole Source -TGVI
20.	Faively Transtech/ (Wabtec)* (x)	Greenville	SC	OEM-Pantograph
		Charlotte	NC	
21.	FallProof Systems LLC	Trenton	NJ	OEM- Components MMC Fall Protection
22.	Flowbird Transport Ltd.*	Poole	UK	OEM Fare Collection
23.	Foley Inc.	Piscataway	NJ	OEM- Engine Parts
24.	Fujitsu Network	Richardson	TX	Sole Source- Door Control
25.	Hanning and Kahl LP	Bridgeport	PA	OEM- NLR Switches
26.	Henkels & McCoy*	Blue Bell	PA	Sole Source-Cable plow Equip
27.	Hitachi Energy USA	South Brunswick	NJ	OEM-Signal Components
	Hitachi Rail STS (formerly	Pittsburgh	PA	

## EXHIBIT A1

**FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS  
REPLACEMENT PARTS AND SERVICES**

Vendor		City	State	Procurement Method (Sole/OEM, Single, Limited Source)
28.	HiTran Corporation	Flemington	NJ	Sole Source-Transformer/Repair
29.	Hudson Machine Works, Inc.	Brewster	NY	Sole Source – PID Cases
30.	Jamaica Bearings (x)	New Hyde Park	NY	Sole Source-wheel bearings
31.	Johnson & Towers, Inc.	Egg Harbor	NJ	Sole Source – EV40/50 ESS Systems
32.	Kinkisharyo International LLC	Jersey City	NJ	OEM-NLR Systems
33.	Knorr Air Brake (x)	Westminster	MD	OEM-Braking Systems NLR
34.	L.B. Foster	Pittsburgh	PA	OEM – Track Lubricators
35.	La Marche Manufacturing Co.*	Des Plaines	IL	OEM-Signal Comp
36.	Luminator Technology Group	Plano	TX	OEM-Signage Equip
37.	Lux Aeterna	Quebec	Canada	OEM- Stock interior comp
38.	LYTX/DriveCAM*	San Diego	CA	OEM Video services
39.	Merak North America LLC	Westminster	MD	OEM- Multilevel HVAC Units
40.	Motive Equipment (x)	New Berlin	WI	OEM-HVAC
41.	MX Industrial	Warminster	PA	Sole Source – Components AAR Wheel NTD Machines
42.	National Refrigerants Inc.	Philadelphia	PA	Sole Source-Refrigerants
43.	Nortrak (x)	Richmond	British Columbia	OEM- Custom Frogs, Switch Points, & Rail Diamond
44.	ORX Railway Corporation	Tipton	PA	Sole Source gear motors
45.	Pandrol	Memphis	TN	Sole Source Rail fastening
46.	Penn Machine Co.	Johnstown	PA	Sole Source – Tire Kits
47.	Power Trunk, Inc.*	Jersey City	NJ	OEM-Land Mobile Radio
48.	Precision Transmission	Colmar	PA	OEM Bus Transmissions
49.	Princeton Consultants	Princeton	NJ	Sole Source – Software for
50.	Progress Rail* (x)	Albertville	AL	Sole Source rail switch parts
51.	Pumping Services Inc.	Middlesex	NJ	Sole Source Lift Sta Pumps &
52.	Railhead Corporation	Aslip	IL	Sole Source-Camera Repair
53.	Railroad Friction Products (x)	Laurinburg	NC	OEM pads, shoes equip

\* This vendor(s) provides materials and services across multiple Business Units of NJ TRANSIT.

(x) Indicates sole source to maintain supply, items subject to stockout / logistical problems

## EXHIBIT A1

**FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS  
REPLACEMENT PARTS AND SERVICES**

	<b>Vendor</b>	<b>City</b>	<b>State</b>	<b>Procurement Method</b> <i>(Sole/OEM, Single, Limited Source)</i>
54.	Saft America Inc.* (x)	Cockeysville	MD	OEM- Battery Equip
55.	Scantron Corporation*	Irvine	CA	OEM-Scanning Software
56.	Schweitzer Engineering Labs'/	Pullman	WA	OEM-Substation TiDL
57.	Seaboard Global	Ocean Township	NJ	Sole Source-Fire Supp
58.	Sherwood Electromotion	Ontario	Canada	Sole Source Traction Motors
59.	Siemens Industry, Inc.	Wendell	NC	OEM-Substation Protection
60.	Siemens Mobility, Inc.* (x)	Alpharetta	GA	OEM-Software Signal/Comp
	Simmons Machine Tool Corp.	Albany	NY	Sole Source- Components for Wheel Machines
61.	Spectrum	Brooklyn Heights	OH	OEM -Snow Heating Blower
62.	Stewart & Stevenson Power	Lodi and Piscataway	NJ	Sole Source-Parts/Services
63.	Teknoware	Lahti	Finland	Sole Source- LED Light Assy
64.	The Aftermarket Parts	Delaware	OH	OEM Bus Fleet Comps
65.	Turtle and Hughes/ Rockwell	Linden	NJ	OEM – OTN XTRAN MPLS–
66.	USSC LLC	Exton	PA	OEM- Ergonomic Cab Seats
67.	Ultra-Tech	New York	NY	Sole Source Cabin Signals
68.	Vecom USA	Tampa	FL	Sole Source- Controller Panels
69.	Voith Turbo Inc.	Sacramento	CA	OEM-Gear Box Comps
70.	Westcode Inc.	Chadds Ford	PA	OEM ARROW3 Repair Kits
71.	Western- Cullen Hayes, Inc.	Chicago	IL	Limited Source- Hydraulics
72.	Whiting Corp.	Monee	IL	OEM-Jacks
73.	Wabtec Global Service Center	Kansas City	MO	OEM Brake Controls
	Wabtec Locomotive Products *	Wilmerding	PA	OEM Compressors and kits
	Wabtec Passenger Transit* (x)	Spartanburg	SC	OEM Airbrakes
	Wabtec Components, LLC* (x)	Wilmerding	PA	OEM PTC Components
74.	Winchester Interconnect	Winsted	CT	Single Source Cables

\* This vendor(s) provides materials and services across multiple Business Units of NJ TRANSIT.

(x) Indicates sole source to maintain supply, items subject to stockout / logistical problems

**EXHIBIT A2  
FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS  
COMPUTER HARDWARE AND SOFTWARE**

	<b>Vendor</b>	<b>City</b>	<b>State</b>	<b>Procurement Method (Sole/OEM, Single, Limited Source)</b>
1.	Activu (SBE)	Rockaway	NJ	Sole-Emergency Ops
2.	Baran Design Associates	Bergenfield	NJ	Sole-Video/Pub Address
3.	Clever Devices*	Woodbury	NY	Sole-Smart Bus
4.	Collins-ARINC	Annapolis	MD	Sole- Train Mgmt & Control
5.	Conduent Transport Solutions, Inc.	Somerset	NJ	Sole-Fare Collection
	Cubic Transportation Systems, Inc.*	Tullahoma	TN	Sole-Fare Collection
6.	Enghouse	Toronto	Canada	Sole-Time/Att/Dispatch
	Flowbird Transport Ltd.*	Poole	UK	Sole-Fare Collection
7.	Gannett Fleming Co.	Camp Hill	PA	Sole-Bus Graphic Data
8.	Giro Incorporated	Montreal	Canada	Sole-HASTUS SW
9.	Highline Software, Inc.	Toronto	Canada	Sole-HRMS
10.	HUB Parking Technology USA	Warrandale	PA	Sole- Parking Equip
11.	IBM	Piscataway	NJ	Sole-Mainframe-Op Sys
12.	Kronos	Chelmsford	MA	Sole-Time/Attendance SW
	Luminator Technology Group, Inc.*	Bothell	WA	Sole-Video Surveillance
	Lytix*	San Diego	CA	Sole-Video Surveillance
13.	MIS Sciences	Burbank	CA	Sole-MyBus Apps
14.	Microsoft Corp	Redmond	WA	Sole-Unified SW/HW Sup
15.	Power Trunk, Inc.*	Jersey City	NJ	Sole- Land Mobile Radio
16.	Qognify, Inc. (formerly Nice Systems)	Paramus	NJ	Sole- Video Surveillance
17.	Riskonnnect Clear Sight	Kennesaw	GA	Sole-Risk Mgmt SW/HW
18.	S&A Systems	Rockwall	TX	Sole-Fleetwatch
19.	Signature Rail Limited	York	UK	Sole-Schduling SW
20.	Software AG, Inc.	Reston	VA	Sole-Mainframe Apps
21.	Solari Corporation	Udine	IT	Sole -Station Signs HW/SW
22.	Target Recruit, LLC	Houston	TX	Sole-HR tracking SW
23.	Trapeze Software Group	Scottsdale	AZ	Sole-PASS Software Suite

\* This vendor(s) provides materials and services across multiple Business Units of NJ TRANSIT.

EXHIBIT A3

FISCAL YEAR 2023 PROCUREMENT BY EXCEPTION VENDORS  
INFRASTRUCTURE PROGRAM

Vendor	City	State	Procurement Method
AFL Telecommunications*	Jersey City	NJ	FTA Approval Pending(Sole Source)
Alstom Signaling, Inc.*	West Henrietta	NY	FTA Approval Pending(Sole Source)
Cleaveland/Price, Inc.*	Trafford	PA	FTA Approval Pending (Sole Source)
Faively Transtech/(Wabtec)*	Piedmont	SC	FTA Approval (Sole Source)

\* This vendor(s) provides materials and services across multiple Business Units of NJ TRANSIT.

# ITEM 2206-41: PROFESSIONAL SERVICES CONTRACT – NJ TRANSIT STATE OF GOOD REPAIR STAFF AUGMENTATION PHASE 2

## Summary Background / History NJ TRANSIT State of Good Repair Program (NJTSGRP) Phase I:

- **CY 2018 – CY 2020: Completed** first mandatory Federal Transit Administration (FTA) State of Good Repair Condition Rating Reporting Cycle for all facility assets.
- **Nov 2020:** The NJ TRANSIT Board **approved Contract No. 20-062** for professional staff augmentation services to support execution of NJTSGRP Phase I.
- **Dec 2020 - Present: Implemented** a pilot program structure to address deficiencies that our customers encounter.
  - **Commenced** repairs at facilities that could be completed in the short-term (0-2 years).



# ITEM 2206-41: PROFESSIONAL SERVICES CONTRACT – NJ TRANSIT STATE OF GOOD REPAIR STAFF AUGMENTATION PHASE 2

## Original Actions Taken to Date 2021-2022 (NJTSGRP Phase I):

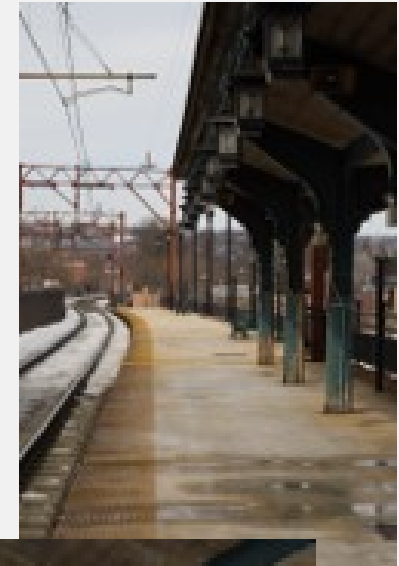
- **Project management** – Implementation of standard processes, ERP tools, and templates.
  - Standard Work Breakdown Structure (WBS) and coding
  - Program Playbook(s)
  - Single data source solution for reporting
  - Cost/schedule/report templates
  - Portfolio management Primavera P6 software Tool
  
- **30 “pilot” Capital Projects** – Execution of projects in various procurement/construction stages.
  - Commuter Rail; Hoboken & Newark Divisions
  - Light Rail; HBLR
  - Bus; North & Central Divisions
  
- **Program “Job Order Contracting” (JOC) Construction IFB Procurement** - Commencement of procurement process.
  - Package prepared with ten (10) distinct components
    - Standard Pre-qualification / **Special Pre-qualification** / Instructions to Bidders / Special Provisions / **Conformed General Provisions** / Technical Specifications / **Unit Price Book** / Appendices / Bid Form / Bidder Certifications
  - Stakeholder feedback incorporated
    - Capital Programs/Operations/Procurement/OBD/External Counsel/OSC



# ITEM 2206-41: PROFESSIONAL SERVICES CONTRACT – NJ TRANSIT STATE OF GOOD REPAIR STAFF AUGMENTATION PHASE 2

## Additional Actions Required to Date 2021-2022 (NJTSGRP Phase I):

- **15 Capital Projects** – Execution of projects in various planning/design/permitting/procurement/construction stages.
  - Newark Penn Station, Trenton, Brick Church, Bloomfield, Mahwah, + programmatic projects at various stations throughout the state
  
- **5 Capital 3<sup>rd</sup> Party Responsibility Projects**- Execution of projects in various planning/design stages.



# ITEM 2206-41: PROFESSIONAL SERVICES CONTRACT – NJ TRANSIT STATE OF GOOD REPAIR STAFF AUGMENTATION PHASE 2

## Next Steps 2022 & Beyond (NJTSGRP Phase II):



- **Close-out:** 30 “pilot” Minor Capital Projects
- **Award:** Program “Job Order Contracting” (JOC) Construction Contract
- **Advancement:** 20 Capital Projects through various planning / design / permitting / procurement / construction stages
- **Advance Growth Opportunities:** NJTSGRP portfolio
- **Complete Grant Applications / Secure Federal Monies:** Additional funding for portfolio of work

# ITEM 2206-41: PROFESSIONAL SERVICES CONTRACT – NJ TRANSIT STATE OF GOOD REPAIR STAFF AUGMENTATION PHASE 2

- Seeking authorization to extend NJ TRANSIT Contract No. 20-062 with **Urban Engineers Inc. of Philadelphia, Pennsylvania**, for professional staff augmentation consultant services to support execution of NJ TRANSIT State of Good Repair Program (NJTSGRP) Phase II, in the amount not to exceed **\$7,681,640.00**, plus five percent for contingencies, subject to the availability of funds.
- Extension of Services to include:
  - Cost, Schedule, Risk, Report management oversight functions.
  - Project Management Information System (PMIS) tools oversight functions.
  - Grant preparation functions.
  - Document controls oversight functions.



**ITEM 2206-41: PROFESSIONAL SERVICES CONTRACT – NJ TRANSIT STATE OF GOOD REPAIR STAFF AUGMENTATION PHASE 2**

**WHEREAS**, NJ TRANSIT is committed to ensuring that its customer facilities are maintained to a state of good repair; and

**WHEREAS**, in July 2016, the Federal Transit Administration (FTA) issued a final rule that requires FTA grantees to develop Transit Asset Management (TAM) plans for their public transportation assets, including vehicles, facilities, equipment, and infrastructure; and

**WHEREAS**, TAM is a business model that prioritizes funding based on the condition of transit assets, in order to achieve or maintain transit networks in a state of good repair; and

**WHEREAS**, all recipients or sub-recipients of Federal financial assistance under 49 U.S.C. Chapter 53, including NJ TRANSIT, that own, operate, or manage capital assets used in the provision of public transportation, are required to develop a TAM plan; and

**WHEREAS**, in accordance with these requirements, NJ TRANSIT has established a facility inspection program that produces inspection reports and condition assessments of all NJ TRANSIT facilities; and

**WHEREAS**, the FTA's National Transit Database (NTD) State of Good Repair (SGR) Asset Condition Reports are developed based upon these inspections; and

**WHEREAS**, the selected staff augmentation professional consultant provides technical services to assist the NJ TRANSIT State of Good Repair Program (NJTSGRP) core team to successfully accomplish the program goals; and

**WHEREAS**, Urban Engineers Inc. has been providing extensive support to the development of the NJTSGRP by helping with preparing current and future work for the program; and

**WHEREAS**, NJ TRANSIT Office of Business Development has approved the 20.50 percent DBE utilization commitment identified by Urban Engineers; and

**WHEREAS**, the Transportation Trust Fund is the anticipated to continue to be the main source of funding for this project;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to enter into Phase 2 of NJ TRANSIT Contract No. 20-062 with Urban Engineers Inc. of Philadelphia, Pennsylvania, for professional services assistance in an amount not to exceed \$7,681,640.00, plus five percent for contingencies, subject to the availability of funds.

**ITEM 2206-42: NJ TRANSIT – PORTAL NORTH BRIDGE PROJECT: PARCEL 118 METAL GREEN RECYCLING RELOCATION AGREEMENT AND RELOCATION**

**WHEREAS**, the Portal Bridge is an existing two-track, railroad swing type drawbridge that spans the Hackensack River in New Jersey between the Township of Kearny and Secaucus in Hudson County, New Jersey; and

**WHEREAS**, Portal Bridge is a critical infrastructure for Amtrak and NJ TRANSIT, enabling movement between destinations east and west of the Hudson River; and

**WHEREAS**, the Portal Bridge, due to its age, design and current condition, represents a single point of failure on the Northeast Corridor (“NEC”) which is particularly critical to commuter rail transit between New Jersey and New York City for which NJ TRANSIT is responsible; and

**WHEREAS**, the replacement of Portal Bridge by new Portal Bridge (the “Project”) will eliminate the need for a moveable span that interrupts rail operations and results in delays due to mechanical failures and will allow for a 10 percent increase in peak hour passenger capacity; and

**WHEREAS**, when constructed, there will be a new, two-track fixed structure that will eliminate the need for the moveable span, which currently interrupts rail operations and results in delays due to mechanical failures which are further exacerbated by the existing structure’s age; and

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

**WHEREAS**, NJ TRANSIT is in the process of acquiring right-of-way parcels need for the Project and NJ TRANSIT by conducting bona fide negotiations as required by the Eminent domain Act of 1971, N.J.S.A. 20:3-1, et. seq. before commencing condemnation proceedings where necessary; and

**WHEREAS**, on March 15, 2022, after receiving approval from the Board for Item 2004-19 and concurrence from the Federal Transit Administration, NJ TRANSIT acquired fee simple title to Portal North Bridge Parcel 118 by deed in lieu of condemnation, in accordance with the Eminent Domain Law; and

**WHEREAS**, Parcel 118 is currently occupied by Metal Green Recycling Industries, Inc., a Class “A” recycling business that primarily inventories non-ferrous scrap metal

materials and sells these items to national and international customers and will need to be relocated for the construction of the Project; and

**WHEREAS**, under Board approved Item 2004-19, the Chair or President & CEO was authorized to provide relocation assistance and payments to the property tenant, Metal Green Recycling Industries, Inc., in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C.A. §4601, et seq. and Uniform Transportation Housing Replacement and Relocation Act, N.J.S.A. 27:7-72 et seq. ("Uniform Act"), not to exceed an amount discussed in Executive Session subject to the availability of funds;

**WHEREAS**, Metal Green Recycling Industries, Inc. is desirous of entering into a Relocation Agreement with NJ TRANSIT, which terms of the Agreement shall govern and outline the temporary relocation process, relocation payments and relocation schedule; and

**WHEREAS**, due to the changes in relocation strategy, market factors and updated relocations estimates, it has been determined that there is a need to increase the amount of relocation assistance and Payments to Metal Green Recycling Industries, Inc., by NJ TRANSIT.

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to take any and all actions to enter into a Relocation Agreement with Metal Green Recycling Industries, Inc., and provide relocation benefits to Metal Green Recycling Industries, Inc., in accordance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C.A. §4601, et seq. and New Jersey Uniform Transportation Housing Replacement and Relocation Act, N.J.S.A. 27:7-72 et seq. ("Uniform Act"), not to exceed an amount discussed in Executive Session subject to the availability of funds.

**ITEM 2206-43: INFORMATION TECHNOLOGY: AWARD OF CONTRACT FOR RANSOMWARE PROTECTION TO SHI INTERNATIONAL CORPORATION**

**WHEREAS**, Ransomware has been identified as a substantial threat to the computer systems, data, and operations of governmental entities, and NJ TRANSIT's database records and structure, system files, configurations, user files, application code, and customer data are all potential targets; and

**WHEREAS**, NJ TRANSIT's Cyber Security team has developed a ransomware remediation strategy that will provide the ability to identify and recover from a cyberattack; and

**WHEREAS**, staff has assessed backup and recovery vendors and products and identified Rubrik as a best-in-class provider of strong security controls; and

**WHEREAS**, staff developed requirements for a contract competitively bid under federal GSA IT Schedule 70, and SHI International Corporation submitted the winning bid;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President & CEO is authorized to renew Rubrik software licenses for ransomware protection with SHI International Corporation of Somerset, New Jersey, for a three-year term in an amount not to exceed \$1,819,695.21, plus five percent for contingencies, subject to the availability of funds.

**ITEM 2206-44: CORPORATE INSURANCE PROGRAM ANNUAL RENEWAL**

**WHEREAS**, NJ TRANSIT maintains a Corporate Risk Management Insurance Program to protect its customers, employees, directors, officers and property against personal injury and damage in the event of accidents and other casualties; and

**WHEREAS**, it is in the best interest of NJ TRANSIT and sound fiscal policy to continue to maintain the Corporate Insurance Program; and

**WHEREAS**, NJ TRANSIT is negotiating the renewal of its Corporate Risk Management Insurance Program and the services necessary to administer the program for the period FY 2023;

**NOW, THEREFORE, BE IT RESOLVED** that the Chair or President/CEO is authorized to revise and renew the Corporate Insurance Program and to include services necessary to administer the Program for the period July 1, 2022 through June 30, 2023 at an annual cost not to exceed an amount discussed in Executive Session, plus five percent for contingencies, subject to the availability of funds and adoption of the FY 2023 Operating Budget.

**ITEM 2206-45: PERSONAL INJURY CLAIM OF YSABELLE CAMPANELLA**

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

**WHEREAS**, Ysabelle Campanella has presented a claim with a probable settlement cost greater than \$500,000; and

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

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

**EXECUTIVE SESSION AUTHORIZATION**

**BE IT HEREBY RESOLVED** pursuant to N.J.S.A. 10:4-12 and N.J.S.A. 10:4-13 that the Board of Directors of the New Jersey Transit Corporation hold an executive session to discuss personnel matters, contract negotiations, the status of pending and anticipated litigation, and matters falling within the attorney-client privilege, including, but not limited to the Grade Crossing License Agreement – Standard Street Alpha Property, LLC., Lease of Warehouse Space for use by NJ TRANSIT Operating Departments, and the NJ TRANSIT Resilience Program – Raritan River Bridge Replacement Project: General Construction Contract (GC.01) Amendment.

**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.